

Village of The Branch – Board of Trustees Meeting
June 11, 2024
Track #89 & 90

The monthly meeting of the Village of The Branch was held at 40 Route 111, Smithtown, NY, seven thirty p.m. on June 11, 2024. Mayor Delaney, Trustees Carro, Botto, Damm, Village Attorney Ring, Treasurer Mequia, Building Inspector Arico, and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order at 7:38 pm with the pledge of allegiance.

Mayor Delaney made a **motion** to approve the June 2024 Board of Trustees work session minutes. Trustee Botto seconded the motion which was approved unanimously.

Treasurer's Report

Treasurer Mequia reported that:

- Good month mailed out tax bills and Mayor's letter.
- Have letter from the auditors for Mayor Delaney to sign.
- Checked with Suffolk County regarding 9 Branch taxes. Mr. Ewart has paid Smithtown portion of taxes but still has 3 years outstanding with them and approx. 7 with us.
- Received almost \$95,000 as of May 31st, 2024, which is \$10,000 more than last year at the same time.

Trustee Carro made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract #2209 totaling \$30,437.89 Trustee Botto seconded the **motion** which was approved unanimously.

Trustee Carro made a **motion** to open the public comment section of the meeting. Trustee Botto seconded the **motion** which was approved unanimously.

Monsignor Brian McNamara – 280 East Main Street, Smithtown, asked the Board why they voted the way they did. The parishioners wanted to know why. The Mayor and Trustees Carro, Damm and Botto all answered that they took an oath of office to follow the code. Trustee Damm wanted to stress that this has nothing to do with the church, he must follow the code. At this time, Attorney Ring said he was not comfortable with the dialogue given the existence or prospect of litigation.

Deacon Jerry Reda – Deacon at St Patrick's Church, became argumentative with Mark and the Board saying it's been 2 meetings in a row that you have laughed at the Monsignor and a young woman and her daughter. The members of the Board did not agree.

Frank Manino – 40 E Main Street asked if he could repeat the outdoor dining as in previous years. He said he takes up to 5 parking spots with cement barriers and puts a picket fence up for privacy. Mayor Delaney asked if he could get back to him because he wants to check with the Town of Smithtown and the Building Inspector who wasn't present at that time.

Trustee Carro made a **motion** to close the public comment section of the meeting. Trustee Botto seconded the **motion** which was approved unanimously.

Mayor Delaney made a **motion** to open the Public Hearing for Local Law #2 of 2024. Trustee Carro seconded the **motion** which was approved unanimously.

Local Law No. 2 of the Year 2024

Village of The Branch, County of Suffolk

LOCAL LAW #2 TO REPEAL LOCAL LAW NUMBER # 1 OF 2024 -- TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

Be it enacted by the Village of The Branch as follows:

SECTION 1: LEGISLATIVE INTENT: This Local Law shall be known as “Local Law Number 2 of 2024”. It is the intent of this Local Law to repeal Local Law Number 1 of 2024, and to thus reinstate the limits on the amount of real property taxes that may be levied by the Village of The Branch pursuant to General Municipal Law §3-c.

SECTION 2: EFFECT: This Local Law hereby thus repeals in its entirety said Local Law Number 1 of 2024, and declares the same of no force or effect, and thus the Village of The Branch repeals the prior tax cap override local law of the Village of The Branch and reinstates the tax levy limits imposed by General Municipal Law §3-c.

SECTION 3: SEVERABILITY: If any portion this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such determination shall be confined in its operation to the invalid part hereof, or in its application to such person, entity, or circumstance as is directly involved in the controversy in which such determination shall have been rendered, and the remainder of this Local Law shall not be impaired thereby and such determination shall not be deemed or construed to apply to other persons, entities, or circumstances.

SECTION 4: EFFECTIVE DATE: This Local Law shall take effect immediately.

Mayor Delaney read into record Local Law #2. There were no comments from the public.

Mayor Delaney made a **motion** to close the Public Hearing for Local Law #2 of 2024. Trustee Carro seconded the **motion** which was approved unanimously.

Trustee Carro made a **motion** to approve Local Law#2 of 2024. Trustee Botto seconded the **motion** which was approved unanimously.

Trustee Botto **motion** to accept J Fuentes as the landscaping contractor. Mayor Delaney seconded the **motion** which was approved unanimously.

Attorney Ring’s Report

Attorney Ring reported that:

- Mailed a copy of the St. Patrick’s sign permit denial and, it was accepted by attorney for St. Patrick’s.

- Letter for Dogwood Principal was forwarded to the School District Attorney and said going forward to send correspondence to School Attorney, not principal.
- Local Law #2 approved tonight and will forward paperwork to the State.
- Brothers Leaf and Brush has 1 more year left to renew the contract and the Board agreed to send renewal out.
- NY Trenchless contract for underground lighting is up for renewal September 30th, need to rebid for that as well as the Snow Plowing Contract.

Trustee Carro made a **motion** to go out to bid and advertise for Underground Lighting contract. Mayor Delaney seconded the **motion** which was approved unanimously.

Trustee Botto made a **motion** to go out to bid and advertise for Snow Plowing contract. Trustee Damm seconded the **motion** which was approved unanimously.

Mayor Delaney Report

Mayor Delaney reported that:

- Update the purchasing policy.
- NY State is requiring us to fill out paperwork to keep track of our hours even though we are part time
- Reviewed the IMA with Town of Smithtown for sign and pavement markings, but Trustee Botto is going to investigate the Road Maintenance contract with TOS.
- Meeting with DOT about the eminent domain situation on N Hemlock and asked Inspector Arico to meet with him and Village Engineer Dan Falasco. Mentioned handicap ramps even though there are no sidewalks over there.

Mayor Delaney made a **motion** to allow him to sign the sign and pavement markings contract with the Town of Smithtown. Trustee Botto seconded the motion which was approved unanimously.

Building Inspector Arico's Report

Building Inspector reported that:

- Took in \$15,000 in income.
- Went on 21 inspections.
- Issued 4 permits and 4 CO's.
- Working with new Fire Marshall
- Spoke to Farm Stores about property maintenance, Gator about potholes, 270N Country Rd about property maintenance.
- Spoke to Councilman Lohmann and he said he was ready to help when we need to clean up the stream.
- Town of Smithtown is allowing outdoor dining, need bldg. application with drawings and fee \$500. Mayor Delaney asked Clerk Cozine to call Manino's and let them know its OK to do in the Village.
- The Town of Smithtown, Village of Head of Harbor and Village of Nissequogue all raised their fees, so I will put something together for Board to review.

Trustee Carro's Report

Trustee Carro had reported that:

- Justice Court – 9 people showed up. 1 dismissal, 4 no show first timers, 3 guilty with reduced fines, 1 second timer guilty.
- Will visit Lauren McGowan about making her daughter cry.
- Followed up with Trustee Botto about Russ driveway on Dogwood that was damaged by snowplow contractor. Trustee Botto said it's on the list of repairs to be done.

Trustee Botto's Report

Trustee Botto reported that:

- Will be in Hawaii for July 2 work session.
- Working on tracking down National Grid to get reimbursement for Birchbrook
- The bridge should be installed by July, will get before and after pictures.

Trustee Damm's Report

Trustee Damm reported that:

- J Fuentes won the bid so will be landscaping again.
- Sand is increasing in the streams, but not much we can do about it. Need a good rainstorm to help.
- Village Way/Woodhollow needs to be taken care of soon, the visibility is bad.

Trustee Ryan's Report

Trustee Ryan was not present to report:

Special Use Permits – SHS 7/27/24 Eagle Scout Court of Honor – Approved
SHS 6/22/24 Graduation Party – Approved (remind Jocelyn about DJ)
St. Pat's 7/6/24 Military Deployment - Approved

Trustee Carro made a **motion** to go into executive session to discuss potential litigation at 8:38pm. Trustee Botto seconded the **motion** which was approved unanimously.

Mayor Delaney made a **motion** to come out of executive session to discuss potential litigation at 8:59pm. Trustee Carro seconded the **motion** which was approved unanimously.

There was no action taken.

Mayor Delaney made a **motion** to close the meeting. Trustee Carro seconded the **motion** which was approved unanimously.

Respectfully Submitted,

Christine Cozine
Village Clerk