

Village of The Branch – Board of Trustees Meeting  
January 9, 2018

The monthly meeting of the Village of The Branch was held in the Village Hall, 40 Route 111, Smithtown, NY 11787, at seven thirty p.m. on January 9, 2018. Mayor Delaney, Trustees Albrecht, Botto, Carro and Newman, Attorney Christopher Ring, Treasurer Teri Mequia Building Inspector Joe Arico and Village Clerk Christine Cozine were present.

Mayor Delaney called the meeting to order and led those present in the Pledge of Allegiance at 7:31 pm.

Trustee Newman made a **motion** to accept the Board of Trustee's December minutes. Trustee Albrecht seconded the motion, which was approved unanimously.

Trustee Albrecht made a **motion** to accept the Board of Trustee's January work session minutes. Trustee Newman seconded the motion, which was approved unanimously.

### **Treasurer's Report**

Treasurer Mequia reported that:

- Not a lot of activity in December.
- Fiscal audit should be done in two weeks.
- Received the last mortgage tax check, which was approximately \$12,000.
- Made a request to the Smithtown Tax Assessor to get tax roll so we can get accurate budget numbers.

Trustee Carro made a **motion** to accept the Treasurer's Report as submitted and direct the Treasurer to pay all the bills as presented. Trustee Botto seconded the motion which was approved unanimously.

### **Building Inspector's Report**

Building Inspector Arico reported that:

- Met with Roger about the roof and met with architect about the Group Home. Wants to submit plans next week, but wants to meet with Dan Falasco first.
- Met with Cabo Fresh
- Met with Kim Konzo about Singer Lane property
- Met with 309 E. Main Street
- Went to the accident scene on Middle Country Road/ Teri Road.
- Issued 4 CO's 2 CC's
- Talked with Paraco gas
- Spoke to Andy Brockman regarding the Fire Marshal plans
- Went to Millenium Diner and Alpine Bakery regarding sidewalks
- Issued 2 violations for basketball hoops on Dogwood and gave them a 5 day remedy
- Spoke to Millenium Diner regarding their lighting issue
- Talked to Libby Smith regarding the Acadia parking (violation on unregistered vehicles) skid steers do not have to be registered.
- 9 Branch Drive that had house fire, Trustee Newman asked if Inspector Arico knows of any plans for renovations.

Trustee Albrecht made a **motion** to open Public Hearing. Trustee Botto seconded the motion which was approved unanimously.

Mr. Vincent Trimarco represented Frank Vero of Aurora and Nick Alderiso Controller of Aurora who bought the old Mayer property at 263 Middle Country Road. Aurora started over 40 years ago doing mostly commercial building work. They are here for the long and will keep the proposed building at 263 Middle Country Road as an investment; not going to build it and sell it immediately. Carmine Grasso, the Architect, presented as well. In order to be profitable Aurora wants to build 2 seven thousand sq foot buildings, for a total of 14,000 sq ft and thus will need appropriate parking for it. There is a portion of the property that is zoned residential that is needed for parking. In the past, Steve Wilde had property zoned residential that the previous Board allowed parking on it. The closest house on Windmill is 173 feet from the proposed parking lot and the next closest house is 218 feet and the third is 255 feet away. They want to change the zone specifically to park over the limit of 14 spaces that the current ordinance states. Dr. Mayers historical house only has the first floor which is rentable space. The second floor is deemed non usable. Would include wording in the covenants and restrictions to clarify that. They also want to use Village Parkland to get access to Hemlock Lane. They realize Parklands require legislative input and is more complicated, so wondering if an easement could be a possibility? Trustee Carro asked if they would close the entrance/exit off Middle Country Road. He is concerned about people making left hand turns out of there and the possibility of accidents. Suggested making it an entrance only? Would you still need permission from the State?

Mr. Trimarco mentioned his clients are anxious to get started on the project. They intend to build a brick and veneer building similar to what was approved over 10 years ago. It will be 41 feet wide and be buffered with trees. Previously they were approved for 2 five thousand sq. foot building on the West side of the property. The DOT preferred them to move the curb cut to the West side 10 years ago, so that is why they flipped the properties to the East side. The DOT also preferred that they exit off of Hemlock North. 14,000 square foot building is the breakeven point to construct these two buildings. Trustee Carro asked what we need to do to change the zoning. Also asked if anyone has shown interest in the office space? Mr. Vero mentioned that Stony Brook has shown some interest in the space but no one has committed to date. Mr. Vero again reiterated that he will do whatever we need as far as putting up shrubs, tree. He realizes that he is in "our house" and wants to be a good neighbor. The Board wants a traffic study so Mr. Trimarco wants to keep the meeting open. Trustee Carro thinks next step is to go to Planning Board to check out the architecture and make recommendations to the Board complete with a traffic study.

Trustee Carro made a **motion** to close Public Hearing. Trustee Albrecht seconded the motion which was approved unanimously.

At this time the meeting was open to the public:

Dr. Zilko who owns 289 E. Main Street wanted to know what the Board thought about his apartment proposal from last month. Mayor Delaney explained the Board hasn't gotten everyone together to discuss this topic, just been piecemeal conversations. The property is zoned commercial in the Historic District. Dr. Zilko would need to change the zoning to allow having apartments in the building.

At this time the meeting was closed to the public:

### **Attorney's Report**

Attorney Ring reported that:

- He has a letter for Mayor Delaney to sign for Smithtown Fire District and the potential of conflict of interest.
- Looking for input from the Board on Local Law #1
- No Justice Court in December
- Needs dated to open roof bid and when does the Board want it returnable.

Trustee Carro made a **motion** to have a Public Hearing next month to pierce the tax cap. Trustee Albrecht seconded the motion which was approved unanimously.

### **Trustee Carro's Report**

Trustee Carro reported that:

- Spoke to Evans from FES about the street lighting and putting in the new bulbs and it is weather permitting this time of year.
- Spoke to Msgr. Walden about the garbage pickup times early in the am and how they are disturbing the neighbors and waking them up with loud noises.
- Will follow up as well about the bright lights that are shining into the residents windows from St. Pat's property.
- 25 & 29 Hemlock lights are out, there is an underground problem.

### **Trustee Newman's Report**

Trustee Newman already discussed his issues

### **Trustee Botto's Report**

Trustee Botto reported that:

- New set of plans for the Village Hall renovation are done, just need to discuss with Joe Arico.

### **Trustee Albrecht's Report**

Trustee Albrecht reported that:

- Went on a snow plow run with Alex Sonnenberg, our contractor, and agreed that it is very hard for them to document all the violators who throw snow back into the roadway.
- Looked over the snow letter the Mayor wrote. Suggested taking out the word God and to mention that fire protection is the largest expense in the Village.
- Sweep contract is up in the Spring and we need to find out from the Town of Smithtown if this will be something we will do shared services with. Mayor Delaney said he would check with the Town first. Our neighboring Villages, Head Of Harbor and Nissequogue will be handled by TOS up to 3 inches, if its more than that, then they are going to outside vendors to plow their roads.

At this time Mayor Delaney went over the Special Use Permits:

Sept 2018- Kennel Club Dog Show

Jan 2018 – 1<sup>st</sup> Birthday party

March 2018 1<sup>st</sup> Birthday party

Trustee Carro made a **motion** to approve the special use permits from the Smithtown Historical Society as Affairs and charged the \$75 fee. Trustee Newman seconded the motion, which was approved unanimously.

### **Mayor Delaney's Report**

Mayor Delaney reported that:

- Wants the Board to review sample language on cell towers, AirBnB, and be ready to discuss at our work session.
- February 6<sup>th</sup> Roof Bid will be due.
- Need to amend the site plan for Cabo Fresh and go to Planning Board.

At 8:57pm Mayor Delaney made a **motion** to go into Executive Session for legal issues. Trustee Botto seconded the motion, which was approved unanimously.

At 9:14 pm Trustee Albrecht made a **motion** to get out of Executive Session. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Botto made a **motion** authorizing Attorney Ring to move forward with recouping outstanding monies owed to the Village. Trustee Albrecht seconded the motion, which was approved unanimously.

Trustee Albrecht made a **motion** to allow the Clerk to provide IMA all the original minutes from 1927- December 2017 of the Planning, Zoning Board of Appeals and Board of Trustees for the records management grant with the Town of Smithtown. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Albrecht made a **motion** to close the meeting. Trustee Botto seconded the motion, which was approved unanimously. The meeting was adjourned at 9:21pm.

Respectfully submitted,

Christine Cozine  
Village Clerk