

Village of The Branch – Board of Trustees Meeting  
December 12, 2017

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 December 12, 2017. Mayor Delaney, Trustees Albrecht, Botto and Newman, Building Inspector Joe Arico and Village Clerk Cozine were present. Attorney Ring and Treasurer Mequia were not present.

Mayor Delaney called the meeting to order and led those present in the Pledge of Allegiance at 7:38 pm.

Trustee Albrecht made a **motion** to accept the Board of Trustee's November minutes with two minor corrections made by Trustee Newman that Clerk Cozine made note of and will change. Trustee Botto seconded the motion, which was approved unanimously.

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

**Treasurer's Report**

Treasurer Mequia was not present but distributed her reports.

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

At this time the meeting was opened to the Public:

Kathy Tussa - Board President Smithtown Historical Society; Informed the Trustees that the SHS will not be paying the outstanding Public Safety bills totaling \$2,057.00 claiming they didn't engage Public Safety, they were directed by Village Trustees to use Smithtown Public Safety, when they wanted to use other security companies. Price was never discussed. Ms. Tussa said the SHS didn't have \$2,000 to pay the outstanding invoice. With the Village Attorney and Treasurer not present to offer an opinion, the Board decided to table decisions on the special use permits until the January meeting. Ms. Tussa didn't believe that was fair to do since the Board has been approving special use permits all this time and the Public Safety bills were not paid. Trustee Newman made mention that the only reason some of those special use permits were approved is because they were done so with the condition public safety would be present when needed and the expense would be paid by SHS. Trustee Botto asked if the SHS would be open to compromise with outstanding bills and Ms. Tussa responded yes. At this point Mayor Delaney asked to take a vote on the special use permits. Trustee Albrecht felt they should be heard, Trustee Botto abstained and Trustee Newman wanted to table the permits as well as Mayor Deaney. Ms. Tussa apologized for not letting the Board know earlier that they had no intention of paying the bills sooner. The Board told SHS that the permits would be tabled until the January 2018 meeting and that there is one permit that will be in jeopardy since it is an event that is scheduled for the end of January, so Mayor Delaney told SHS to let the applicant know about the situation.

Dr. Allen Zilko – Radiologist who owns property in Historic District, 289 E Main Street. Bought property back in 2008 then market crashed so didn't pursue expansion at that time. Received approval from BZA to add 5500 square feet but when he was able to do it and had architect

check foundation, ran into problems and the project wasn't cost effective anymore. So now looking to possibly make 4 apartments out of the building since its proximity to RR station, shops and restaurants are close. Dr. Zilko wanted to know if the Board is open to this idea. Trustee Newman said he is open to looking into the idea. Trustee Botto inquired if there will be commercial on the bottom floor and apartments on top floor and Dr. Zilko answered just apartments. Planning Chairman Libby Smith mentioned she would like to see some type of ownership, for example condos versus apartments. Mayor Delaney said he is willing to discuss and talk about it and told Dr. Zilko that at next work session he would have Engineer and Building Inspector and Attorney discuss it.

Brian Monahan – 1 Oaktree Drive resident – After seeing on the news AirBnb, he wanted to know where the Village stood with that. Mayor Delaney has no position on it, Trustee Albrecht is against it. Mayor Delaney mentioned he has our attorney pulling codes from other villages on it so we can do some research on it and have something on the books come springtime. Village is trying to be proactive since it's a hot topic right now. Mr. Monahan also mentioned he spoke with Nicole Kern about having ½ moon drive and she mentioned nothing about the Village asking for an entrance off of Rte. 111. MR Monahan said Nicole isn't opposed to it. Mayor Delaney told him it is the responsibility of the group home to contact DOT to be able to have an entrance on Rte. 111. The Board felt the best configuration was the one presented to them currently by the group home. They are going to plant shrubs to give screening and more privacy. The Architect from the group home still needs to tweak the circular driveway dimensions with our Engineer. It is important to keep the cars off the street and away from the Monahan's driveway entrance. Mr. Monahan was provided with a draft copy of the parking plan.

At this time the public meeting was closed.

### **Attorney's Report**

Attorney Ring was not present but reported that:

- AirBnb and cell towers- providing sample codes for your review.
- Justice Court - 1 case on docket last month, will be rescheduled for Jan or Feb.
- Letter sent to RS Abrams upon request of auditor
- Roof Bids- currently checking into references, bonds and vetting them.

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

Trustee Carro was not present to report.

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

- Public Safety has software to accept complaints from the Village, but it would take us out of the loop of what's going on. We would then need a report that updates us with feedback. Not sure that is the best thing for the village at this point in time.

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

Building Inspector Arico reported that:

- DiCanio – Judges Lane checked footings on Sunday and meeting with him on Saturday to issue permits. For his commercial business in the Village, he was given a permit to do the foundation.
- Spoke with the BOH and followed up on the pool complaints.
- Can't find in the Code where it states the color restrictions for the Gator Shopping Center for signs. Cabo Fresh wants green and they only allow red, blue and white.

- Bagel store in Gator shopping center is still having issues with BOH and there is now a lawsuit with Rte. 111 shopping center where Chick Fillet is supposed to be built.
- Needs website contact to put forms online; Clerk Cozine will provide.
- Wants to put something in Code for accessory structures (filters, heaters and generators) now to be 10 feet instead of 25 feet.
- Going to go to school in March and June to keep current and up to date as a Building Inspector.
- Spoke with homeowner at 9 Branch Drive about needing a permit to do the work that needs to be done since the fire.

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

Trustee Botto reported that:

- Rood bids are in and will review them with Building Inspector.

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

Trustee Albrecht reported that:

- Wants to send a letter to 20 Village Way with regard to the debris out front and take action and if needed attach the expense to their tax lien if necessary.
- Called Welsbach about some lights out in Trustee Carro's absence.
- Dogwood letter about leaves blowing into the street and along the neighbor's property line.

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

Mayor Delaney reported that:

Trustee Albrecht made a **motion** to not have a registration day for the 2018 election in March. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Botto made a **motion** to list the election polling place as 40 Rte. 111 Smithtown, NY 11787 from 12 noon to 9pm on Tuesday, March 20, 2018. Trustee Albrecht 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 10:04 pm.

Respectfully submitted,  
 Christine Cozine  
 Village Clerk