

Village of The Branch – Board of Trustees Meeting
March 12, 2019

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 March 12, 2019. Mayor Delaney, Trustees Carro, Newman, Albrecht and Botto, Treasurer Mequia, Village Attorney Ring, Building Inspector Arico and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order and lead those present in the Pledge of Allegiance at 7:32 pm.

Mayor Delaney asked for a **motion** to accept the minutes of the February 2019 BOT meeting. Trustee Newman made the **motion** and Trustee Carro seconded the motion. All in favor and was approved unanimously.

Mayor Delaney asked for a **motion** to accept the minutes of the work session March 2019 meeting. Trustee Botto made the **motion** and Trustee Albrecht seconded the motion. All are in favor. Trustees Newman and Carro abstained.

Treasurer's Report

Treasurer Mequia reported that:

- Has delinquent tax letters for Attorney Ring to send out.
- Audits have been delivered and handed out.
- Started to work on the budget numbers today. If you know of any upcoming projects or needs for next year, please inform me.

Trustee Albrecht made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract # 2146 totaling \$54,601.27. Trustee Carro seconded the **motion** which was approved unanimously.

Mayor Delaney asked for a **motion** to open the Public Hearing to propose Local Law #2. Trustee Botto made the **motion** and Trustee Carro seconded the motion. All in favor and was approved unanimously.

At this time Mayor Delaney read Local Law #2 into the record:

Local Law No. 2 of the year 2019

Village of The Branch, County of Suffolk

41-2 Establishment.

The Incorporated Village of The Branch shall impose such fees as it deems appropriate for the filing of applications, the conducting of inspections, the granting of permits, the regulation of vehicle parking requirements, as well as and any other cost and/or fees contained within the Village Code, including, but not limited to, matters before the Building Department, Planning Board, and the Zoning Board of Appeals. Such fees and charges shall be established on a schedule to be adopted from time to time by

resolution of the Board of Trustees. A current schedule of such fees shall be maintained by the Village Clerk.

This local law shall take effect immediately upon filing with the Secretary of State

Mayor Delaney asked for a **motion** to close the Public Hearing. Trustee Albrecht made the **motion** and Trustee Carro seconded the motion. All in favor and was approved unanimously.

Mayor Delaney asked for a **motion** to accept Local Law #2. Trustee Albrecht made the **motion** and Trustee Carro seconded the motion. All in favor and was approved unanimously.

Mayor Delaney asked for a **motion** to open the Public Hearing to propose Local Law #3. Trustee Botto made the **motion** and Trustee Carro seconded the motion. All in favor and was approved unanimously.

At this time Mayor Delaney read Local Law#3 into record:

Local Law No. 3 of the year 2019
Village of The Branch, County of Suffolk

Amendment to Local Law 3 of 2013 as follows: Any reference to “Chapter 85” should be replaced with “Chapter 81”.

This local law shall take effect immediately upon filing with the Secretary of State.

Mayor Delaney asked for a **motion** to close the Public Hearing. Trustee Botto made the **motion** and Trustee Albrecht seconded the motion. All in favor and was approved unanimously.

Mayor Delaney asked for a **motion** to accept Local Law #3. Trustee Albrecht made the **motion** and Trustee Carro seconded the motion. All in favor and was approved unanimously.

Mayor Delaney asked for a **motion** to open the Public meeting. Trustee Albrecht made the **motion** and Trustee Botto seconded the motion. All in favor and was approved unanimously.

Vincent Trimarco – Representing applicant of 263 Main Street LLC. Current zoning asking to change is residential. The rear of the property (showed a diagram) in the 1980’s the property in the East was rezoned to office bldg, the character of the area us commercial office bldg. Wants the Board to grant re-zoning change to give the ability to create more parking. They proposed two scenarios: 1) create parking for entire area of rezone parcel with 10 foot buffer between that and the residential zone 2) create parking which allows it to be ok with parking requirements with just one extra spot with a 50 foot buffer to residential zone. Mr. Grasso, the Architect, mentioned that the nearest residential property is 180 feet(uphill) with the 10 foot buffer and 233 feet away with the 50 foot buffer. Mr. Trimarco feels that up on a hill won’t impact the view of parking lot for the residents, however the Board feels it will. The scenario with the 10 foot buffer gives them 14 extra parking spaces. Mr. Trimarco also submitted a

traffic study which the Board requested. He said it didn't find any adverse effects to building this building. He mentioned making "rights" in and "rights" out... meaning right hand turns. They changed the entrance to the East side from the West side per the DOT suggestion which changed the location of the proposed new building to move to the East side of the property. Mr. Trimarco stated we believe granting us greater excess parking, it will be better in the long run. We will make the building in the 1850's Historic style. Mr. Trimarco would like the Board to make a decision sooner than later with this zoning change. The Architect is here as well as the owner if the Board had any questions. The Board asked if they would consider using Hemlock North to get in and out of the parking lot. Mr. Trimarco said they would be willing to covenant the utilization of Hemlock North if the Board grants the change. Trustee Carro wants to see the view point from the resident house in Windmill Court because he is concerned with all the trees that will be cut down.

Mayor Delaney asked for a **motion** to adjourn for now and re open the discussion in April BOT meeting. Trustee Albrecht made the **motion** and Trustee Botto seconded the motion. All in favor and was approved unanimously

Special Use Permits

5/4/19	Spring Farm Festival	SHS Approved
11/30/19	First Birthday party 1-7	SHS Approved
9/7/19	Country Night Fundraiser	2-8 SHS Approved
6/22/19	Sweet 16	4-10 SHS Approved
6/15/19	Birthday Party	3-10 SHS Approved
6/29/19	Italian Festival	9-10 SHS Approved

Libby Smith – Planning Board updating on 2 Oak Tree to supply bond or check for their landscaping that was approved last fall. Their CO is being held up until they pay \$13,000.00 agreed upon by Village Engineer Falasco and the Planning Board Chairman Smith. Fusion has asked if the Village will accept an agency or bank check. We would receive a receipt for the check from the bank and check returned when CO issued. The Planning Board asks that Inspector Arico hold off CO until Planning Board approves the final landscape plan at their March 20th meeting.

**** Joe Arico arrived at 8pm****

Ms. Smith updated the Board on 301 E Main Street in the Historic District. It was bought by United Way about 4 or 5 months ago looked at plans and they didn't indicate single family residence. They resubmitted plans and Village Engineer Falasco and Ms. Smith feel this needs to go before the Board for approval. They are planning on putting on an addition of 880 feet which equals a kitchen, 3 stoves, 3 fridges and 3 pantries..... They insist it is a single family residence. They also have 6 closets. Ms. Smith asked the Board to look over the plans and ask any questions before the Planning Board meeting.

Ms. Smith also updated the Board on 195 E Main Street, Peter Stein's property. He is an attorney who wants to knock down garage so he can expand and build a new one. Suggested he go to Planning Board first and then come to the Board.

At this time meeting was closed to the public.

Building Inspector's Report

Building Inspector Arico reported that:

- A lot of interest in the Dairy Barn property and 9 Singer Lane since they come as a package deal.
- Approached about possible pad site for Starbucks and something else at the Village Center shopping center across the street.
- Carvel received their permit, which should be posted in the window
- Mattress Firm looking to sub divide their space
- LA Fitness looking to renovate their pool
- Ace Hardware – need to talk to them about their stuff in the back of the store

Attorney Ring's Report

Attorney Ring reported that:

- Local Law #1 sent to State and already received confirmation back
- Last Court session had 6 cases, 3 reduced fees, 1 all night parking, 32 Hemlock has 45 days to pay \$250 fine and needs to come back in to see the Building Inspector and fill out a building permit and 1 dismissal in Fire Zone.
- Local Law #2 (amend 41-2) and Local Law #3 (amend 85 to 81)
- Notice of sale 99 E Main Street
- NYS Solicitation fees, SCOVA sent ruling
- Reviewed Damianos Realty lease
- Reviewing Code with John Carro
- Conveyed Boards decision to attorney for Castiglione
- 32 Hemlock came in and needs to have architect create plans in order to get CO for garage conversion.

Trustee Carro's Report

Trustee Carro reported that:

- Attended Comprehensive Plan meeting that Town of Smithtown hosted. Most people want bike paths, sidewalks, traffic safety.
- Code- did want to have certain definitions for certain words.
- 16 Bulbs are being charged to us and we don't know where FES is coming up with them. Looking into the matter.

Trustee Newman's Report

Trustee Newman reported that:

- Believes that Shared Services is for us the Village.

Trustee Botto's Report

Trustee Botto reported that:

- Contract for Village renovation is signed and start date is March 26, 2019.

Trustee Albrecht's Report

Trustee Albrecht reported that:

- Kyle from National Grid wants to run new Main down Dogwood and wanted to know if we had any plans of paving to see if we could synergize the efforts. Board agreed we

need to figure out what's going on with the retaining wall issue at 24 Dogwood first before we think about paving Dogwood Drive. National Grid might be able to give us some money, need to coordinate with Engineer Falasco to discuss settlement; we might want to wait 6 months after the fact.

- We are dealing with cutback from the State so we are not sure what we are doing yet.
- Landscape contract is up for renewal. Need to get new verbiage to Cheryl so she can put packet together and we need to make a motion to advertise.
- Area near Uncle Guiseppe's needs to have a cleanup. Mayor Delaney volunteered his daughters Girl Scout troop to do it.
- Tree at Branch Drive up by the culvert stream (Northside of road) needs to be taken down.
- Obtained pictures of #26 Branch Drive showing the property with the flooding conditions. Engineer Falasco is going to do a review and report back to the Board.

Trustee Albrecht made a **motion** to advertise for the landscaping contract bid. Mayor Delaney seconded the **motion** which was approved unanimously.

Mayor Delaney's Report

Mayor Delaney reported that:

- DEC issues a stop work order because a nearby neighbor called. They now have to investigate. They found a lot of clay. Leslie Kennedy found out and is very upset and now involved.
- Attended the wake for John Damianos, the Village extends its deepest sympathies to the Damianos family.
- Lastly wanted to acknowledge Trustee Newman and all of his service to the Village of The Branch. This is his last meeting. Want to do a gathering at a later date. We will miss you.
- Read the Court Resolution into record acknowledging receipt of the audit of the Justice Court for the year ended May 31st 2018.

Mayor Delaney made a **motion** to approve the Court resolution acknowledging the audit of Justice Court for year ended May 31 2018. Trustee Albrecht seconded the **motion** which was approved unanimously.

Mayor Delaney made a **motion** to close the meeting. Trustee Botto seconded the **motion** which was approved unanimously. The meeting was adjourned at 9:34 pm.

Respectfully Submitted,

Christine Cozine
Village Clerk

