

Village of The Branch – Board of Trustees Meeting
October 10, 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 October 10, 2017. Mayor Delaney, Trustees Botto, Carro and Newman, Attorney Christopher Ring, Treasurer Teri Mequia, Building Inspector Joe Arico and Village Clerk Cozine were present.

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

Trustee Carro made a **motion** to accept the Board of Trustee's September minutes. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Botto made a **motion** to accept the Board of Trustee's October work session minutes. Trustee Carro seconded the motion, which was approved unanimously.

Trustee Carro made a **motion** to accept the Brothers Waste leaf/brush contract bid for 2017-2018. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Carro made a **motion** to add Hemlock North back into our roads inventory list for 2017-2018 GIS Project. Trustee Botto seconded the motion, which was approved unanimously.

Treasurer's Report

Treasurer Mequia distributed her reports and reported that:

- Read the Statement for Standard Work Day for Treasurer John Carro and Clerk Christine Cozine dated October 10, 2017. Will be posted on website for 30 days. All in favor, however, Trustee John Carro abstained.
- Discussed the Year End Report and the monthly report for September 2017. The accrual is approximately \$1,000.00.
- Mortgage tax has increased, drainage expense is up and street light maintenance is down by \$7,000.00. Building permits came in short, probably due to Damianos not doing planned work because they concentrated on another building in a different town.

Trustee Newman made a **motion** to accept the Treasurer's Report as submitted and direct the Treasurer to pay all the bills on Abstract # 2129 totaling \$18259.89. Trustee Botto seconded the motion which was approved unanimously.

At this time the meeting was opened to the Public:

Mike Killoran – 5 Daisy Lane. Owns a commercial van parked at his house. Mr. Killoran began receiving violation notices from a neighbor posing as the Board of Trustee's. After researching the Code, he took the commercial lettering off of the van. The copy of his registration lists it as a van. He wants to keep the plates commercial. He plans of building a garage so he can store his vehicle there.

At this time the Board went over the Special Use Permits:

Mayor Delaney made a **motion** to approve the 80th Birthday on January 18th 2018 as an affair \$75 fee. Trustee Newman seconded the motion, which was approved unanimously. Trustee Carro abstained from the vote.

Mayor Delaney made a **motion** to approve the Vintage Car Show for Judy's Run on September 23rd 2018 as an affair \$75 fee. Trustee Newman seconded the motion, which was approved unanimously. Trustee Carro abstained from the vote.

Mayor Delaney made a **motion** to approve a Christmas Party for the Catholic Nursing Services on December 15th 2017 as an affair \$75 fee. Trustee Newman seconded the motion, which was approved unanimously. Trustee Carro abstained from the vote.

Mayor Delaney asked the Smithtown Historical Society to provide feedback regarding C/O for the Brush Barn and their progress with the Board of Health by the end of next week. Please cc the Clerk and the Village Attorney.

Attorney's Report

Attorney Ring reported that:

- Snow contract was done, but revisions were necessary and it is in process of being done.
- Asked for FES contractor feedback, been talking to with PSEG.
- Justice Court - 4 cases on docket, 3 cases adjourned
- NYCOM provided information to attorney to give to the neighbors of the Group Home regarding policy on mental health laws.

Trustee Carro's Report

Trustee Carro reported that:

- He received a picture of a tree on 5 Plaza Drive that needs to be either taken down or trimmed up. Probably should just take down since its only 8 feet high.
- There is no guardrail at the end of the street at Plaza Drive. Need to have Engineer Dan Falasco look into it.

Trustee Carro made a **motion** to remove the tree to ground level. Trustee Newman seconded the motion, which was approved unanimously.

Trustee Newman's Report

- There has been no street sweep for overnight parking by Public Safety since August.
- Trustee Albrecht and Newman drove around the village checking out the condition of mailboxes and basketball hoops. There were 25 basketball hoops in total, 9 of them were in the street and 14 of them are in the ROW.
- Needs to summarize the Public Safety commercial vehicle survey that he received from Karen at SPS.

At this time the Building Inspector Joe Arico arrived.

Gareth Tseng – Director of Architecture of John W. Baumgarten Architects P.C. – Mr. Tseng has been retained by Dr. Zelka and presented about the historic property located at 289 E. Main Street. Back in April of 2014 Dr. Zelka received a variance from the BZA to allow for a single story extension of 6,000 sq feet to the already existing 4,000 sq feet, for a total of 10,000 sq feet. At the end of 2016 the Dr. hired Mr. Tseng to do the addition. After careful inspection of the existing building, Mr. Tseng noticed that the cellar in the building is deteriorating and it is not

sitting on a foundation. Mr. Tseng proceeded to have a meeting in July 2017 with the old Building Inspector Jerry Harris. He was told he needed to have fire stairs and said it was possible to do renovation but needed a structural engineers report. The structural engineer reported back to Mr. Tseng that the framing is deteriorated, there is 25% termite damage, there are temporary steel columns, a lot of notching, and a significant amount of water infiltration of masonry. There are no footings as a lot of the columns do not have a foundation they are sitting on top of the floor. The floors are not level; buckling; and the building slants. Mr. Tseng feels it will be dangerous to ask a contractor to do the actual work necessary. Mr. Tseng is asking the Board if they would entertain the idea of actually tearing down the building and rebuild a medical building keeping within the characteristics of the historic nature of the property? Trustee Carro was not keen on tearing down a historical building in the Historic District. Mr. Carro would like them to use the exact footprint of the variance granted from BZA, using current materials but keeping within Historic District requirements. Mayor Delaney is also opposed to tearing down the building because he doesn't want to set a precedent. The Board would like our Village Engineer to look at the structural engineer's report that Mr. Tseng is referencing and give a recommendation back to the Board. Trustee Newman voiced his opinion that he is open-minded. Libby Smith, Chairman of the Planning Board, wanted to remind Mr. Tseng that if they did tear down the building, then they would lose the 40 foot setback requirement that was grandfathered into account many years ago which now might cause parking problems in the back.

Building Inspector's Report

Building Inspector Arico reported that:

- Currently going over site plans for Group Home; meets all NYS building codes. The only question is about the circular driveway. The amount of bedrooms proposed will need Board of Health approval. Only 10% of property is being used for parking. No TDR's are required.
- Mentioned to architect that they should remove basement egress since they are putting in mechanical room.
- They are putting in windows instead of garage doors.
- Changed office to a study.
- Need to check sanitary system since more than 4 bedrooms.....they will need a bigger system.

Len Farano – resident Oak tree Drive – wanted to know where Citizens is on the answers to the questions residents had for them at the last meeting. Mr. Farano wanted to make clear that the Padavan law states that residents have to deal with the municipality, not Citizens. He made it known he would not be the point person for the neighborhood with Citizens since he is a snow bird and goes to Florida for 3 months of the year. He suggested asking Brian Monahan. After a heated debate, Mayor Delaney asked Mr. Farano to leave Village Hall because of degrading comments made. Mayor Delaney stressed that the neighbors should get together and gather feedback, have a point person to communicate with Citizens and use technology to be more efficient. Mr. Farano asked he be given copies of the letters that were sent from Village lawyer to Citizens. Mayor Delaney instructed Clerk Cozine to do so. Mr. Farano's email address lfarano@aol.com

At this time the public meeting was closed

Trustee Botto's Report

Trustee Botto had nothing to report

Trustee Albrecht's Report

Trustee Albrecht was not present to report

Mayor Delaney's Report

Mayor Delaney reported that:

- Asked the Board for their point of view about items installed in ROW? Wants feedback by next meeting.

Trustee Newman made a **motion** to close the meeting. Trustee Carro seconded the motion, which was approved unanimously. The meeting was adjourned at 9:28 pm.

Respectfully submitted,
Christine Cozine
Village Clerk