

Village of The Branch – Board of Trustees Meeting
March 14, 2023
Track #66

The monthly meeting of the Village of The Branch was held at 40 Route 111, Smithtown, NY, seven thirty p.m. on March 14, 2023. Mayor Delaney, Trustees Carro, Botto, Ryan, Attorney Ring, Treasurer Mequia, and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order at 7:34 pm with the pledge of allegiance.

Trustee Carro made a **motion** to accept the February 2023 Board of Trustees minutes and Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Trustee Carro made a **motion** to accept the March 2023 Board of Trustees work session minutes and Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Treasurer's Report

Treasurer Mequia reported that:

- Audited financial statements are back from auditors, will be forwarded to the Board.
- Received another tax arrears, now down to only 2 outstanding.
- Preliminary budgets are ready.
- Received deposit from NYS of \$39,200 for Old Route 111 grant. (Trustee Botto asked Clerk Cozine to look into the difference of \$9,800. Pai contractor \$49,000)

Trustee Carro made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract #2194 totaling \$20,357.52. Trustee Botto seconded the **motion** which was approved unanimously.

Trustee Damm made a **motion** to open the public meeting. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Jonathan Green – Stay Green Brewing Co, Owner, looking to lease 9 Singer Lane to put tasting room in. Been doing this for approx. one year and it's moderately profitable. Main business is canning the beers, but also produces beer in Oceanside. The tasting room would be standing room only, would just need to put up a ledge around the perimeter to hold beers. Trustee Carro asked about parking and the occupancy is only 20-25 people. Asked if he was going to modify the building and Mr. Green said he would be bringing in draft systems. The Board told him he needed to speak with Building Inspector Arico to see if this was permissible and speak with Acadia to see if they could use their parking lot.

Trustee Botto made a **motion** to close the public meeting. Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Mayor Delaney made a **motion** to go into executive session for potential litigation. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Mayor Delaney made a **motion** to come out of executive session for potential litigation. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Was noted that the Board of Trustees and Attorney Ring were in Executive Session for 5 minutes and no actions were taken.

Trustee Botto made a **motion** to open the Public Hearing. Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

James Ewart III – 9 Branch Drive Appeared before the Board because received a letter regarding the unsafe condition of his house due to a fire that happened 6 years ago. It is slated to be classified as a zombie house. Mr. Ewart explained to the Board he had a lawsuit against Allstate, and it was denied and now is in the appeal process. Mr. Ewart mulled over his options over Christmas and came up with 3 options: A) Sell property and contact a realtor B) go with an adjustor for fire damage remediation C) rebuild without knocking it down.

Looking for original plans for his house. Trustees Botto and Carro suggested selling the house and walking away from this. Mr. Ewart is asking for some leniency from the Board as he has had some recent emotional and medical issues with his father-in-law. He has remarried and is living off Landing Ave in Kings Park. His 2 sisters have wreaked havoc and caused lawsuits. He needs time to talk with adjusters. The Board sympathized with Mr. Ewart but at same time are frustrated that this has been dragged out for 6 years and offered him 30 days to come back with a plan in place. Proof of a contract in place for demolition, selling or rebuilding.

Attorney Ring asked Mr. Ewart if he had an address or PO Box in Smithtown that we could send pertinent mail to. Mr. Ewart replied, send it to 9 Branch Drive as he receives his mail from the mailbox there. He confirmed he received the letters that was sent to him by the Village Building Inspector and the notice to appear at the Board meeting that night.

Mayor Delaney made a **motion** to leave open the Public Hearing and adjourn until April 11, 2023, BOT meeting. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Attorney Ring's Report

Attorney Ring reported that:

- Local Law #1 of 2023 filed with NYS.
- Mr. Ewart III was served.
- Invoice for process server was sent to the Village.
- Revised letter for chickens at 28 Branch Drive.

Trustee Carro's Report

Trustee Carro reported that:

- Gappsi fixed caps to retaining wall on Oaktree Drive.

Trustee Botto's Report

Trustee Botto reported that:

- Contacted Town of Smithtown for pricing of Birchbrook paving
- National Grid will cover ½ cost of Birchbrook paving cost.
- Asked Mayor what type of sign he wanted for Birchbrook residence.
- Working on Cambridge drains
- Will call 6 Wheelwright Way to discuss Belgium block and snow plow damage to cement.

Trustee Damm's Report

Trustee Damm was not present to report:

Trustee Ryan's Report

Trustee Ryan had nothing to report:

Mayor Delaney's Report

Mayor Delaney reported that:

- Met via zoom with Town of Smithtown grants writer.
- Going to walk the path the with grants writer soon.

Mayor Delaney made a **motion** to approve resolution for the acceptance of the 2022 Justice Court Audit. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Special Use Permits –

Wedding Ceremony SHS Oct 7, 2023, approved

Geocachers SHS Oct 2023 approved

Rehearsal Dinner SHS Aug 25, 2023, approved

Christening SHS April 22, 2023, approved

Craft Fair SHS April 3, 2023, approved

Annual Car Show St. Pat's May 7, 2023, approved

Building Inspector's Report

Building Inspector not present but left report with Clerk Cozine:

- Issued 1 permit, 5 C/O's, went on 8 inspections.
- Issued letter to 55 Mt Pleasant for septic tank.

Trustee Botto made a **motion** to close the meeting at 9:16pm. Trustee Carro seconded the **motion** which was approved unanimously.

Respectfully Submitted,
Christine Cozine
Village Clerk