

Village of The Branch – Board of Trustees Meeting
April 9, 2024
Track #85

The monthly meeting of the Village of The Branch was held at 40 Route 111, Smithtown, NY, seven thirty p.m. on April 9, 2024. Mayor Delaney, Trustees Carro, Botto, Damm, Ryan, Village Attorney Ring, Treasurer Mequia, Building Inspector Arico, and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order at 7:35 pm with the pledge of allegiance.

Trustee Carro made a **motion** to approve the March 2024 Board of Trustees minutes. Trustee Botto seconded the motion which was approved unanimously.

Trustee Carro made a **motion** to approve the April 2024 Board of Trustees work session minutes. Trustee Botto seconded the motion which was approved unanimously.

Treasurer's Report

Treasurer Mequia reported that:

- Worked on budget preparation and there is no tax rate increase and well under the tax cap.
- Received the Suffolk County mortgage tax check approx. \$14,000.00.
- Holding steady at 3 outstanding taxes.
- Learned the new tax program today, but it's still not perfect yet. The old program is no longer supported but can still print taxes if needed.

Trustee Carro made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract #2207 totaling \$28,302.22. Trustee Botto seconded the **motion** which was approved unanimously.

Mayor Delaney made a **motion** to open the public hearing for St. Patrick's special use permit. Trustee Botto seconded the motion which was approved unanimously.

Erik Snipas – Attorney at Greenberg Traurig LLP, 900 Stewart Avenue, Garden City NY, representing St. Patrick's Church, 280 East Main Street Smithtown. St. Patrick's Church applied for a special use permit for a family festival on Sept 26-29, 2024 (Thursday -Sunday). This event will allow the church to raise funds and have the community come together. The church believes mechanical rides are attractions to get people together and they would locate them at the front of the church. The church has support of over 300 people in favor of this. At this point he handed the Clerk Cozine a change.org petition. The church feels over 500 people will attend and feel that the property can handle the property. Sanitary facilities will be provided, and they plan on selling alcohol which will help to raise money. There is 19 acres which has the occupancy to hold over a thousand plus people.

The church property is split between two zones: Historic District and Residence A district. A Special Use Permit will allow them to waive the special conditions in section 275-61-D, F; this limits the church to raise funds. The church believes that it will generate between \$100,000-\$125,000 worth of revenues. At this time Mayor Delaney asked for copies of that analysis. Mr. Snipas replied that St. Patrick's can attest to that.

Deacon Reda – 280 E Main Street, Deacon of St. Patrick’s Church, said that previous 1-day events that took place in their facility with blow up attractions in 2 days, weather permitting, would generate between \$5-10,000 prior to any fees to pay back vendors. He has worked at St. Philip and James along with Monsignor Brian and Newton(vendor) gave an estimate of \$120-\$150K.

Attorney Chris Ring noted he provided all the letters the Village received both for and against the family festival. Mr. Snipas also noted that it was generalized community opposition in the letters received.

Irene Kissane – Former Mayor with over 25 years on the Village Board. She stated the Village Board has always been a friend to St. Patrick’s Church. The Historic District is a sacra sent to the Village Code. The Board has always wanted to protect certain areas of the Village, and this is one of them. There must be other ways to raise money for the church, once you open that door it will not be good. It was always stressed since I took office that the Historic District was to be taken very seriously and you must uphold the code.

Tara Smith – 9 Rosalia Court, Smithtown NY – her house directly back the church parking lot and sports fields. Ms. Smith asked what the hours of the carnival planned are. Deacon Jerry responded Thurs 6-11pm, Fri 6-11pm, Sat 2-11pm, and Sun 3-8pm. St. Patrick’s said they do not plan on opening the gate. Ms. Smith said she has small kids, and it will be loud and with alcohol being sold, she feels car doors will be slammed and very loud. She mentioned the car show which takes place every year is loud and obnoxious. So therefore, I am very against it!

Lauren McGowan – 1 Whitebirch Court, Smithtown, is a mom of young kids and everyone is only talking about the negatives. Ms. McGowan feels there are so many positives and believes children will enjoy this. This is getting together for a good cause, its positive and learning the value of community service. This will bring the Parish and the Town together.

Rebecca Reilly – 23 Hemlock Lane, Smithtown her property backs up to St. Patrick’s. Her children love car shows, basketball tournaments etc... It’s a wonderful safe place to go by themselves. Ms. Reilly feels the noises children make is that they are enjoying themselves. Yes, you can hear it, but it’s a feel-good event.

Deacon Jerry Reda – not trying to be disrespectful, he is Chairman of the Finance Committee at St Patrick’s. Made it clear they are not in the black and have been suffering for many years. Needs changed before, and after covid the Dioceses are in bankruptcy and bleeding red ink. Ms. Kissane had mentioned that it wasn’t noted in the church bulletin, so she wasn’t aware. The finance committee is trying to raise funds and what worked 20-30 years ago is not working today. Nobody in the village can give us a reason why mechanical rides are not allowed. Trustee Carro asked if the mechanical rides are child friendly rides. Meaning is their height restrictions for the rides. Deacon Reda said they are primarily marketing the rides to children and not adults. There are no roller coaster rides in Newton shows. Trustee Carro asked what kind of alcohol they would be serving. Deacon Jerry answered beer and wine. Trustee Carro mentioned the Historic District goes to the rectory and then Deacon Jerry asked if he could have the rides on the field area. Attorney Ring interjected that that’s not what is on the application in front of us.

Irene Kissane – focus was to advise this board about the code. The previous boards never went against the code in the Historic district.

Deacon Jerry said they were trying to be a good neighbor and not having it in the back where it would impact more residents than in the front of the church.

Tim Ryan – 22 Village Way, Smithtown wanted to know if the special use permit was a one-time thing or is it going to be done every year? Mr. Ryan said the shows have always been respectful and well managed.

Trustee Carro said the Historic District has rules that are to be adhered to and we take an oath to follow them.

John Vigliante – 180 East Main Street, Smithtown owner of Branch Funeral Home, said the Village Board has changed rules in previous years on the southside of the street. One of the Trustees said all the buildings on the south side of the street were built in accordance with the rules.

Mayor Delaney said what we are doing is discussing an exception to the rule not changing them.

Rebecca Darmanin, Principal of St. Patrick's School, 284 E Main Street, Smithtown, asking about security. She responded that yes, we have the Fathers Guild, and this is my building so therefore we will be there at all times, and I care about the grounds.

Tara Smith – mentioned she sees bad things happening all the time in the parking lot. She sees drugs, cars doing donuts and has had instance where car almost crashed into her fence.

Erik Snipas – mentioned the church decided to put the event on the North side of the property to look out for the best interest of the community. He said the Board is permitted under the code to make exceptions and general welfare. There is a ton of support for this event. Section F subsection prohibits carnivals, next subsection G allows it, if the festival is staffed by volunteers and staff. This is a religious use. The church needs money and is looking to raise funds. The benefits outweigh the costs. This family festival will benefit the church in the long run.

Trustee Carro made note that this is a 4-day event, and the code allows only 1 day. Trustee Carro in previous meeting stated child friendly rides and Deacon Reda corrected him and said he asked if he could do non mechanical rides.

Richard Bonati – 21 Carmans Lane St. James, President of the Fathers Guild, will station all Fathers Guild members at the perimeter of property, currently has 35 members. The whole spirit of this is to make it better for the community, not worse. The church is charitable and helps families. If given the opportunity to do the right thing, it would be done in the right way.

Father Lewis Cona – 280 E Main Street, Smithtown, asked the board if having mechanical rides in the field, would we need special use permit. Feels there is a misunderstanding of our intent and some of the comments from the board concern him. We need reasons for people to stay here. We assure you it is a happy safe event, not a booze fest because we are serving alcohol. It is a family event.

Jack Brady – 76 Park St, Blue Point, member of the Fathers Guild. With all the Catholic elementary, high school and colleges closing, you have a precious resource in your community. Please keep it in your hearts to keep this open and the school running, once its closed, then it's gone for good. Please understand.

Erik Snipas said the special use permit interpretation of the code is by the building inspector.

Monsignor Brian McNamara – 280 East Main Street, Smithtown, yes there is a financial benefit, Our Lady of Lords had a net profit of \$90,000. Msgr. Brian has discovered after doing this for many years that people love the festival. It is largely geared towards the kids. The key thing is that it is a big community event. It is a nice thing to have, and I encourage the board to vote yes for the special use application.

Mayor Delaney said they will reserve the decision and not hold vote tonight.

Jack Brady asked the mayor if the Board votes no, then what can you do. Mayor Delaney said the code allows conditions.

Erik Snipas mentioned at last month's meeting he thought a vote would be happening tonight and at that point Attorney Ring stated we only received the letters today, so we need time to review. The statue takes 62 days to respond, but we don't anticipate taking that long.

Mayor Delaney made a **motion** to close the public hearing. Trustee Carro seconded the motion which was approved unanimously.

Mayor Delaney made a **motion** to open the public meeting. Trustee Botto seconded the motion which was approved unanimously.

Tim Ryan – 22 Village Way came down to let the board know the parking lot at Uncle Giuseppe's has cars making donuts and making a lot of noise at night. Trustee Carro said that he has contacted the landlord, Gator, but they are not very receptive. Mr. Ryan asked if Gator could put cameras in their parking lots. Mayor Delaney also mentioned that the 4th precinct is being proactive and monitoring watching social media.

Irene Kissane – entrance to Carraige House has potholes and we use to do roads every 10 years. Is there any hope that our development will be done soon. Do you still do a road program. Trustee Botto responded we do it on "as need" basis. We do have a list of roads and who goes next. Birchbrook is due.

Mayor Delaney made a **motion** to close the public meeting. Trustee Carro seconded the motion which was approved unanimously.

Attorney Ring's Report

Attorney Ring reported that:

- Asked about Local Law #2.
- Need to go to bid for landscaping contract up at end of June 2024.

Building Inspector Arico's Report

Building Inspector reported that:

- Took in \$24,255 in income.
- Went on 25 inspections.
- Issued 6 permits and 5 CO's.
- Met with Cold Stone Creamery

Trustee Carro's Report

Trustee Carro had nothing to report:

Trustee Botto's Report

Trustee Botto reported that:

- Met with Engineer, Dan Falasco, and Mike for tree removal on Terrace.
- Build a reservoir on Cresthill – the backside of Terrace is not draining.
- Trying to figure out how to clean the drains from the backside. 3 feet of silt (used a probe)

Trustee Damm's Report

Trustee Damm reported that:

- J Fuentes started to landscape all entrances and they are done.

Trustee Ryan's Report

Trustee Ryan had nothing to report:

Mayor Delaney Report

Mayor Delaney reported that:

- Mayor Delaney Appointed the following people:

Joseph Arico	1yr	Building Inspector
Lynda Howell	1yr	Building Assistant
Dan Falasco	1yr	Engineer
Valerie Lindeman	1yr	Chairwoman of Planning Board
Chris Ring	1yr	Attorney
Joseph Magliato	1yr	Chairman of Board of Zoning Appeals
James Steffanie	5yr	Planning Board
John Carro	1yr	Deputy Mayor
Theresa Mequia	2yr	Treasurer
Theresa Mequia	2yr	Deputy Clerk
Christine Cozine	2yr	Court Clerk
Christine Cozine	2yr	Clerk
Joseph Arico	1yr	Fire Inspector

Mayor Delaney appointed Smithtown News as the official paper and Newsday as alternate of the Village as well as Class and First National Bank as the official banks of the Village. The Village has also purchased bonds for the treasurer, clerk, and justices. Mayor Delaney will keep the Work Session on the first Tuesday of the month and Trustee meeting the second Tuesday of the month. He also talked about the procurement policy.

Trustee Carro made a **motion** to keep the travel reimbursement rate equivalent to the IRS standards. Trustee Botto seconded the **motion**, which was approved unanimously.

Trustee Carro made a **motion** to allow the Treasurer to make advance payments when necessary to avoid late fees or fines. Trustee Botto seconded the **motion**, which was approved unanimously.

Trustee Carro Delaney made a **motion** to allow the Treasurer and/or Mayor to be the sole signature on checks. Trustee Botto seconded the **motion**, which was approved unanimously.

Trustee Carro made a **motion** to allow attendance at NYCOM/ SCOVA meetings. Trustee Botto seconded the **motion**, which was approved unanimously.

Clerk Cozine swore in Mayor Delaney and Trustees Roger Botto and Kevin Damm for another 2-year term.

Special Use Permit – SHS- Surprise 60th B-day 06/08/2024– Approved.
SHS – Spring Farm Festival – 5/25/2024- Approved.
St. Patrick’s- Car Show 05/05/2024– Approved.

Trustee Botto made a **motion** to allow the mayor to sign the Fire Inspection/Public Safety contract. Trustee Damm seconded the **motion** which was approved unanimously.

Mayor Delaney made a **motion** to adopt the 2024-2025 proposed Budget. Trustee Damm seconded the **motion** which was approved unanimously.

Trustee Botto made a **motion** to close the meeting. Trustee Damm seconded the **motion** which was approved unanimously.

Respectfully Submitted,

Christine Cozine
Village Clerk