

January 4, 2022

The Gates Town Board held one Public Hearing and its Regular Town Board meeting on Tuesday, January 4, 2022 at the Town Hall Meeting Room at 7:15PM. Those attending the meeting were as follows:

Cosmo A. Giunta	Supervisor
Lee A. Cordero	Councilman
Christopher B. DiPonzio	Councilman
Andrew M. Loughlin	Councilman
Steve Tucciarello (Via Zoom)	Councilman
Daniel G Schum	Town Attorney
Veronica Owens	Town Clerk

7:15PM PUBLIC HEARING

CONSIDERING A CONDITIONAL USE PERMIT FOR FRANK MASTRODONATO TO OPERATE WISE GUYS SMOKE SHOP, AT 746 ELMGROVE RD IN A NEIGHBORHOOD BUSINESS [NB] DISTRICT

Supervisor Giunta called the Public Hearing to order at 7:15PM. The Town Attorney, Dan Schum verified that the Legal Notice was properly published as required by law.

Supervisor Giunta noted the applicant did NOT post the Public Notice poster on the property which is required by the Town of Gates and this application will need to be tabled till the next TB Meeting in February.

Supervisor Giunta asked if anyone in the audience was here for this public hearing. Seeing that no one was, stated that due to the improper posting on premise that this will be tabled until the February 7th meeting in old business.

RESOLUTION 32-22: Motion by Supervisor Giunta who moved into adoption:

Seconded by Councilman Cordero

Resolved that the Gates Town Board hereby **TABLES** the request for a Conditional Use Permit for Frank Mastrodonato to operate Wise Guys Smoke Shop, at 746 Elmgrove Rd, in a Neighborhood Business District.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye

Motion Carried.

7:30PM REGULAR TOWN BOARD MEETING

Supervisor Cosmo Giunta called the meeting to order at 7:30PM. He began with a moment of silent prayer and Pledge of Allegiance, led by Councilman Chris DiPonzio.

There were no revisions made to the minutes of December 6, 2021. Minutes stand and will be published and made available on the website and Town Clerk's office.

AUDIENCE PARTICIPATION

None

OLD BUSINESS

None

NEW BUSINESS

**CONSIDER RENEWALS OF THE CONDITIONAL USE PERMITS
FOR THE FOLLOWING:**

Gates EXPRESS Inc. (TWO) #1. FAST FOOD RESTAURANT #2. GASOLINE SERVICE STATION, 2206 BUFFALO RD.; NATIONAL ENTERTAINMENT NETWORK LLC, 2100 BUFFALO RD. (WAL-MART); WAFFLES-R-WILD, 3872 LYELL RD.; FEDEX EXPRESS, 2580 MANITOU RD

Supervisor Giunta stated that he has reviewed the files and there are no violations against these businesses and finds no reason why the Conditional Use Permits for these businesses should not be renewed and approved on mass.

RESOLUTION 33-22 Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby approves the renewal of the Conditional Use Permits on mass for the following: (2) Two for Gates EXPRESS Inc., 2206 Buffalo Rd.#1. Fast-food Restaurant & #2. Gasoline Service Station; National Entertainment Network LLC, 2150 Chili Ave. (Wal-Mart); Waffles R Wild, 3872 Lyell Rd.; FedEx Express, 2580 Manitou Rd.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;

Motion Carried.

DESIGNATING COUNCILMAN TUCCIARELLO AS THE DELEGATE AND SUPERVISOR GIUNTA AS THE ALTERNATE DELEGATE TO ATTEND THE 2022 NYS ASSOCIATION OF TOWN ANNUAL BUSINESS MEETING IN FEBRUARY

RESOLUTION 34-22 Motion by Councilman DiPonzio who moved its adoption:

Seconded by: Councilman Cordero

Resolved, that the Town of Gates do hereby approves Designating Councilman Tucciarello as the delegate and Supervisor Giunta as the alternate delegate to attend the 2022 New York State Association of Town annual business meeting in February.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio-Aye; Loughlin – Aye; Tucciarello – Aye;

Motion Carried.

APPROVING THE INTER-MUNICIPAL BUILDING INSPECTOR SERVICES BETWEEN THE TOWN OF WHEATLAND AND THE TOWN OF GATES

RESOLUTION 35-22 Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby approves the Inter-Municipal Building Inspector Services between the Town of Wheatland and the Town of Gates

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye

Motion Carried.

**APPROVING THE AGREEMENT BETWEEN THE TOWN OF GATES AND RG&E
FOR THE LIGHT EMITTING DIODE COBRA HAEAD STREET LIGHT
CONVERSATION (NON-LED TO LED) IN THE AMOUNT OF \$59,323.01**

RESOLUTION 36-22 Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby approves the agreement between the Town of Gates and RG&E for the Light Emitting Diode Cobra Head Street Light Conversion (non-LED to LED) in amount of \$59,323.01.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;

Motion Carried.

**SCHEDULE PUBLIC HEARINGS STARTING AT 7:10PM
FOR CONDITIONAL USE PERMIT FOR
MIKE CENTOLA TO OPERATE ALLSTAR TACTICAL LLC
AT 25 INDUSTRIAL PARK CIRCLE.**

RESOLUTION 37-22 Motion by Councilman DiPonzio who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby schedules a Public Hearing for Monday, February 7, 2022 starting at 7:10PM to consider the application for a Conditional Use Permit for: Mike Centola to Operate Allstar Tactical in a General Industrial Business District, located at 25 Industrial Park Circle;

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye

Motion Carried.

**(FORGOTTEN ITEM ON AGENDA)
TO SCHEDULE A PUBLIC HEARINGS STARTING AT 7:00PM
FOR THE INTRODUCTORY LOCAL LAW #1-2022
A LOCAL LAW GRANTING AN EXEMPTION FOR
VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS
UNDER REAL PROPERTY TAX LAW 466-K**

RESOLUTION 38-22 Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby schedules a Public Hearing for Monday, February 7, 2022 starting at 7:00PM to consider Introductory Local Law #1-2022 a Local Law granting an Exemption for Volunteer Firefighters and Volunteer Ambulance workers under Real Property Tax Law 466-K;

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye

Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

Supervisor Giunta stated Organizational meeting held this morning and all newly elected Officials were sworn in.

REPORTS

SUPERVISOR'S

ACCEPTING THE SUPERVISOR'S REPORT FOR THE MONTH OF DECEMBER 2021

WARRANTS

GENERAL

CLAIMS # A21-0885 – A21-0942	\$76,041.08
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HIGHWAY

CLAIMS # D21-0547 – D21-0590	\$135,333.66
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LIBRARY

CLAIMS #L21-0274 – L21-0295	\$17,391.92
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TOTAL DISBURSEMENTS	\$1,103,402.95
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TOTAL RECEIPTS	\$1,778,257.95
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Supervisor Giunta noted for the record that the warrants for the month of December 2021 have been examined by the Town Board and signed.

RESOLUTION 39-22 Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman Cordero

Resolved, that Gates Town Board hereby accepts the Supervisor's Report for the month of December 2021 as read; and the warrants for the month of December 2021 as read.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;

Motion Carried.

ACCEPTING THE TOWN CLERKS REPORT FOR THE MONTH OF DECEMBER 2021

The Town Clerk read the report for the month of December 2021 showing the following:

TOTAL REVENUE COLLECTED	\$23,045.82
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TOTAL REVENUE TO THE SUPERVISOR	\$19,823.27
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TOTAL NON-LOCAL REVENUE	\$3,222.55
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RESOLUTION 40-22 Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of December 2020.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;

Motion Carried.

PERSONAL STATUS REPORT

The Town Clerk read the Personnel Status Report for the month of December 2021

Personnel Status Report for the month of December 2021.

Additions: 1 (Highway Department)

Terminations 0

Net Change +1

There being no further business to come before the Town Board, Councilman DiPonzio motioned and Councilman Cordero second to adjourn the meeting. All were in favor; motion carried. Supervisor Giunta adjourned the meeting at 7:40 PM.

Town Clerk