

February 7, 2022

The Gates Town Board held one Public Hearing and its Regular Town Board meeting on Monday, February 7, 2022 at the Town Hall Meeting Room at 7:00PM. 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

7:00PM PUBLIC HEARING

Supervisor Giunta called the Public Hearing to order at 7:00PM. The Town Attorney, Dan Schum verified that the Legal Notice was properly published as required by law.

CONSIDERING THE ENACTMENT OF 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

Supervisor Giunta summarized what this Local Law entailed.

Town Attorney Schum stated the supervisor did a nice job summarizing it and that this a law that was enacted in Albany but only applies to the Monroe County. It's already sort of a local law to begin with and it tries give a little tax relief and only applies to the Town tax line on the town budget on the January tax bill. It doesn't apply to the school or other tax districts unless they also choose to adopt it as well.

Supervisor Giunta opened it up to the audience wanted to say something. Hearing none closed the public hearing.

RESOLUTION 41-22

Motioned by Supervisor Giunta
Second by Councilman Cordero

RESOLVED, that by the adoption of this resolution the Board finds and determines that the enactment of Local Law #1-2022 is a routine Administrative and Management function, is a Type II Action under SEQR, and may proceed without further regard to SEQR.

VOTE OF THE BOARD

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

Motion Carried.

RESOLUTION 42-22:

Motion by Supervisor Giunta who moved into adoption:
Seconded by Councilman Cordero, Councilman Tucciarello, Councilman Loughlin and Councilman DiPonzio

WHEREAS, the Town Board of the Town of Gates did hold and conduct a public hearing on February 7th, 2022 to consider the enactment of Introductory Local Law #1-2022 Legal Notice of which was given as required by law; and

WHEREAS, at such public hearing all interested person were heard concerning the subject matter thereof;

WHEREAS, the Town Board is desirous of adopting such Local Law; and

WHEREAS, the adoption of Local Laws is a routine Town Administration and Management Function, and as such is a Type II Action under SEQR;

NOW, THEREFORE, be it resolved by the Town Board of the Town of Gates, Monroe County, New York as follows:

SECTION I: That the Town Board of the Town of Gates finds and determines that the adoption of this Local Law is a Type II Action under SQER and may proceed without further regards to SEQR.

SECTION II: That the Town Board of the Town of Gates does hereby enact Local Law #1-2022 to read and provide as follows:

TOWN OF GATES TAXATION ARTICLE VIII

§ 166-33 Title

This Article shall hereafter be known as the “Volunteer Firefighters and Volunteer Ambulance Workers Tax Exemption Law of the Town of Gates”

§ 166-34 Purpose and Intent

The purpose and intent of this Article is to allow for the Partial Real Property Tax Exemption for qualified Resident Volunteer Firefighters and Volunteer Ambulance Workers pursuant to the authorization vested in the Town by 466-k of the Real Property Tax Law of the State of New York as amended or changed

§ 166-35 Incorporation of Statute

All definitions, terms, conditions, limitations and qualification requirements of New York Real Property Tax Law 466-k are incorporated herein and shall apply to all applications under this Local Law. Without limitation the following local options shall apply

1. The primary residence owned by an enrolled member for at least two years of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service which services the Town of Gates shall be exempt from taxation to the extent of ten percent (10%) of assessed value of such property for town, part town, and special district tax purposes, exclusive of special assessments. The two-year enrollment must be certified annually by the authority having jurisdiction.

2. Any enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction, shall be granted a ten percent (10%) exemption of the assessed value on their primary residence for the remainder of their life as long as said residence is located in Town of Gates.

§ 166-36 Qualification for Exemption

The exemption under this Article shall be granted subject to the following requirements

- a) The applicant must reside in the Town
- b) The applicant must be a qualified enrolled member of the incorporated Volunteer Fire Company or Fire Departments or incorporated Volunteer Ambulance Service which serves the Town of Gates
- c) The property is the primary residence of the applicant
- d) The property is used exclusively for residential purposes of the applicant
- e) The applicant has been certified to the Town Assessor as being an enrolled member of the incorporated Volunteer Fire Company or Fire Department, or the incorporated Volunteer Ambulance Service, for at least two (2) years prior to the date of the making of such application. It shall be the obligation of the applicant to secure such certification, in writing, from the Membership Secretary or such other officer of the certifying organization, and to submit the same as part of the application for the exemption provided for herein.
- f) Application for such exemption shall be filed annually with the Town Assessor on or before the taxable status date.
- g) Lifetime exemption qualifications are as provided for in Real Property Tax Law 466-k (3)

SECTION III: That the Town Clerk shall file this Local Law with the Secretary of the State.

VOTE OF THE BOARD

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

Motion Carried.

**CONSIDERING A CONDITIONAL USE PERMIT FOR MIKE CENTOLA
TO OPERATE ALLSTAR TACTICAL LLC,
AT 25 INDUSTRIAL PARK CIRCLE,
IN A GENERAL INDUSTRIAL BUSINESS [GI] DISTRICT**

Supervisor Giunta asked if the applicant was present and would come up to speak on this application.

Mike Centola, 25 Industrial Park Circle. In 2020 they outgrew their facility in Greece and acquired more manufacturing equipment. Looking around the area and working with the Town of Greece and Town of Gates decided on this building and when he purchased it, it looked like a decent opportunity to design and build a private training range for firearm safety classes.

Supervisor Giunta asked if this would be an outdoor shooting range?

Mr. Centola replied, Yes

Supervisor Giunta, Mr. Centola mentioned doing trainings and asked how often would trainings be?

Mr. Centola typically trainings would be weekends and only two/three (2/3) classes a month. Not all classes are firearms related, as far as live fire goes, they will also have indoor safety classes, but mostly one (1) class a month, which would be outdoor

Councilman Cordero asked what they are manufacturing?

Mr. Centola, they manufacture firearms parts, accessories, and complete rifles. He currently holds a contract for the Rochester SWAT Team

Councilman Cordero, like building AR's and whatever? Mr. Centola, Yes

Supervisor Giunta in these classes what type of guns will be allowed to be shoot in the classes?

Mr. Centola majority of classes would be handgun related classes and a few shot gun related classes, most any rifle classes would be more administrative and general use, for a someone who may have purchased something and wants to learn to use it safely as a home defense

Councilman Tucciarello asked which round would be used in teaching and shooting outdoors?

Mr. Centola the largest caliber they manufacture in a firearm is 308.

Supervisor Giunta, looking at the designs, asked there is a sixteen-foot (16) berm?

Mr. Centola, that's minimal

Supervisor Giunta also asked about the distance to the railroad

Mr. Centola responded he had an updated drawing with calculation to the railroad and passed them out to the board.

Attorney Schum asked how many ranges would there be?

Mr. Centola responded there will be one (1) single range and essentially most of the classes he's helped instruct with others have had a maximum class of fourteen (14) typically with two (2) lines of seven (7). Looking to do a two-to-one (2/1) or three-to-one (3/1) ratio, student to instructor.

Attorney Schum asked if the range is concrete and then berm

Mr. Centola, yes two-by-four-by-two (2x4x2) concrete walls and ten-feet (10) high on either side with a minimum of sixteen foot - (16) of berm in the back.

Supervisor Giunta looks like there is (**using drawing**) ten (10) lanes, for example how many at one time would allowed?

Mr. Centola, it'll depend on how many people are in the class. They usually split in half and have one relay with instructors and one relay getting water or reloading their magazines

Supervisor Giunta asked how many rounds would actually get fired in a class

Mr. Centola two-four (200-400) hundred in a single class.

Councilman Cordero so looking at seven (7) lanes?

Mr. Centola lanes is not a good term to call it, only because it is not a public range. There would never be a time that there would be someone shooting without an instructor and in addition he believes is in his proposal, they would offer this to the Town of Gates Police to have access to do training on their own, as long as they read and signed off on the operating procedure.

Councilman Cordero asked if other municipalities would have the opportunity to do trainings?

Mr. Centola they would offer the same opportunity to any Law Enforcement

Attorney Schum asked about the hours of operation would be weekends?

Mr. Centola weekends dusk till dawn and is either Saturday or Sunday, they do not typically have two days of live fire classes

Supervisor Giunta clarified it's once a month, and nothing during the week?

Mr. Centola doesn't think they would be able to handle more than once a month in the beginning as far as a student load and no live fire during the week

Councilman DiPonzio asked if there has been any conversation on an enclosure (indoor) opposed to open air (outdoor)

Mr. Centola the research he's done on cost is in the upwards of four to five hundred thousand dollars (\$400,000.00-\$500,000.00) to build an indoor building and being in the flood-plain as well, they would need to account for any additional dirt and the things he has already discussed with Mr. Rappazzo (Dept. of Public Works) about.

Councilman Tucciarello asked what is the distance that a 308 can travel and how far can it be heard, un-obstructed, shot horizontally and/or best environmental conditions

Mr. Centola ran numbers on a 556 round at three-thousand (3000) feet per second would greatly (shot horizontally) decrease. The problem would be in a true trajectory could travel upwards of a mile or two. As far as sound goes, the rule of square is that the sound pressure level cuts in half for every time the distance doubles. So, the numbers he did, the sound produced from the firearm would actually be under OSHA level, and under the level of the train horn before reaching any house in the area.

Councilman Tucciarello, the train horn based on being next to the train of the same distance has the same sound as the sound of the gun fire?

Mr. Centola from the research, the train horn is about one-hundred and ten (110) decibels. The data is included in the packet. At five-hundred feet (500) the sound of a firearm would be less than that at five-hundred feet (500), unobstructed, so all of the sound data is theoretical. There are buildings, concrete walls, things to absorb and reflect the sound.

Councilman DiPonzio asked if there is special material the building is itself is made of, looking at a shelter that looks like people could actually participate in?

Mr. Centola (**using drawing**) in the back there is an existing pull-barn, and they would just add a concrete slab and lean tube awning if people wanted to eat their lunch. It is not to be considered a shooting position. The actual maximum possible furthest distance would be thirty-five (35) yards.

Councilman Cordero asked if they looked the properties and homes at the other side of the tracks?

Mr. Centola believes the other side of the tracks is just over a thousand feet (1000) to the houses on Westside Dr

Supervisor Giunta it looks like it's about one hundred and twenty (120) feet roughly to the railroad tracks

Mr. Centola, yes about one hundred and twenty (120) feet from the shooting berm

Supervisor Giunta asked if Mr. Centola if had contact with CSX? Mr. Centola, responded No

Supervisor Giunta did and they have some concerns as well. One, they have Amtrak that goes by with passengers which is a concern. Two, some of there other rails are double containers which stand about twenty-twenty-one (20-21) feet high, with the berm only being sixteen (16) feet there's always the possibility the trajectory if someone happens to misfires

Mr. Centola, looking at the latest drawing at the furthest possible shooting range at the angle that would even be able to go over a sixteen (16) foot berm, he has at thirty-nine (39) feet. They put sixteen (16) as a minimum because it's what the Department of Energy have as their range and NRA quotes in their design book, but they would go as high as they possibly can. They considered other shelter types things to keep the rain out of the berm

Councilman Loughlin asked Mr. Centola to come shown him on the drawings which building is actually his and which direction he's planning on going

Attorney Schum asked what the hours of operation would be?

Mr. Centola the training off shoot (range) max would be sixteen (16) hours per week, unless police departments wanted to come on their own time during the week, but his classes would be Saturday/Sunday, eight (8) hours maximum starting at 8:00AM with safety briefings, not a constant shooting the whole time, it's practice and learning and talking about it. He has two (2) instructors who are present that will be holding the trainings along with himself.

Derick was a State Police Fire Arms Safety Instructor, and has a lot of typical range classes and stuff they do for the NY State Police to help design some of the plans

Derrick Plaisted, 25 Industrial Park, the training classes are not an all eight (8) hour day shooting straight. Training day starts at 8:00AM with multiple hours of training will go into the individuals before getting a firearm in their hands. Looking at doing safety briefings, proper fundamentals, proper handling, proper storage, how to property utilize their firearm so there are safe, responsible firearm owners out there. When it comes time to shoot these are basic fundamentals in basic safety classes that typically when these rounds get shot, their talking a few hours probably more towards the afternoon, so not shooting in the morning. Also, looking at doing medical training, medical assessments, early response, active shooters, those types of learning environments. Staff will be properly trained, with multiple years of experience.

Councilman Cordero sounds like about two (2) hours of shooting on and off

Mr. Plaisted with the max of twelve-fourteen (12-14) students, a couple hours of actual shooting time multiple hours of classroom training. During the week it would only be available for Law Enforcement like Gates Police. If there is an officer out on injury who needs to get requalified they could do there instead of scheduling with Monroe County which takes longer. They want the access for Law Enforcement and will be strict as far as instructors in not teaching police tactics, it's strictly the fundamentals and safe fire arms handling, to have safe and responsible owners out there.

Supervisor Giunta how long are classes, how many weekends?

Mr. Plaisted depends on the type of training, if it's medical day, could be an eight (8) hour day of just purely medical first aide, first responder. If it's a basic pistol, like someone who has never touched a firearm before can legally purchase one, however if they do not know how to use it, we now have an unsafe firearms owner out there. They are going to put them through a minimum of six (6) hours of safety before even giving them one (1) round for familiarization.

They want to mitigate anyone from an unsafe act. They want them to feel comfortable, safe and confident in safely handling the firearm.

Councilman Cordero asked if there will be a retail store like the other location?

Mr. Centola, retail will remain on Ridgeway Ave in Greece and this facility was strictly for manufacturing because they outgrew the twelve-hundred (1200) square feet in the garage in the Greece location. So, offices, classroom for non-live fire teaching and warehouse/mini shop.

Councilman Cordero confirmed they will have two (2) locations

Councilman Loughlin referring to Councilman Tucciarello's comment earlier, asked if any type of sound study was done, anything determining how far noise will travel, how many homes will be impacted, he understands people will be concerned with the noise.

Mr. Centola showed the councilman where that information was in the proposal packet

Councilman DiPonzio asked how far a 308 caliber load would travel, meaning the bullet itself.

Mr. Centola it could be miles, so they do all they can to mitigate a projectile from leaving the range. It's an unlikely scenario with the amount of instructors per student and with the way they run their classes, there is very little opportunity for the firearm to be pointed in an unsafe direction

Councilman DiPonzio for the manufacturing part, what are the hours of operation?

Mr. Centola does the manufacturing himself and it's Monday-Friday, 8:00AM-5:00PM, but hoping they grow.

Supervisor Giunta asked, if this was to be passed, when would construction start and would the facility be open?

Mr. Centola thinks they would start construction in the spring due to the snow causing a bit of hinderance in outdoor work. They have been in talks with Mr. Rappazzo about drainage and making sure it maintains drainage, so looking at build the range in spring/summer of 2022.

Councilman DiPonzio asked if range training happened in the winter time as well?

Mr. Centola doubts it, not typical that a student wants to train in winter, unless it was a one-on-one, if a student wanted to hire one of them for personal training also, if Law Enforcement

Mr. Plaisted from the instructor point of view if they can avoid in the winter months, they will, but entirely possible especially with Law Enforcement during the week or if a firearms owner needs training will do in order to have a not safely trained owner out there. They have held out on speaking of this training facility until this meeting. He has been teaching including at MCC.

Supervisor Giunta, if this does go through, it will still need to be presented to the Planning Board for site plan approval

Mr. Plaisted every instructor of the facility has multiple, multiple years of experience

Supervisor Giunta asked if there was any more comments or questions from the board and opened up to the audience.

Frank Gugliano, 306 Rossmore St. as a resident of Gates for twenty (20) Years is speaking for the approval of this. The fire arms industry has grown tremendously and a lot of people fresh to fire arms, pistol permits especially with zero training. He has had his pistol permit for about seven (7) years and when he got it, had no training. Training is not required, and that's a down side, especially in today's society. If there is an opportunity for someone to come in and provide training to the general public, it will help prevent crime, prevent stolen firearms, accidental discharges, prevent children getting guns from irresponsible gun owners leaving them out and getting hurt, also prevent firearms getting stolen out of people's cars, with talks of safe storage. Medical stuff aside and sound aside, knowing it's a big worry, is completely fine with hearing a few gun shots on the weekend, knowing the people shooting are learning to safely handle a firearm and responsibly. Feels it's a great way for the community to come together to be trained.

Supervisor Giunta asked Mr. Centola if he had contacted his neighboring businesses around his shop.

Mr. Centola responded yes and none have expressed concern.

Ed Mauro, 47 Cedar Cove is one-hundred (100) percent in support of this proposal. Only two (2) issues. 1st. Westside Dr looks like it's only a thousand (1000) feet away, which could have some issues. 2nd. Sound, is there anything to mitigate the sound, in terms of walls, some kind of temporary structure would be appropriate.

Robert Long, Acting Chief Gates Police Dept., 1605 Buffalo Rd. had concerns when first heard of project and speaking with Supervisor Giunta, but some questions have been answered this evening, like hours of operation, was concerned with it being Monday-Sunday, eight (8) hours a day gun fire, but shared that wouldn't be the case and like the previous people who spoke the noise will be a big issue and will be getting calls from people in the area who are not familiar about the gun shots going off. Would need to educate the residents that this is going on and only temporary gun fire on the weekend. He appreciates being offered to open training to his officers, it can be difficult at times to get officers qualified to return to work after an injury on this side of town. Also, possible add a temporary structure to help mitigate sound, but overall for this project.

Mr. Plaisted to clarify on the sound the number Mr. Centola was speaking about is purely unpeated, if there was nothing, just flat ground and that's the sound traveling. They have berms, sidewalls, trees, and vegetation that will help absorb the sound. The point of the train horn was it will drown out completely any sounds and any gun fire sounds will be very minimal

Supervisor Giunta wants to reach out to CSX again to see if there is some type of schedule of when they come through for Amtrak and freight

Mr. Centola, they spoke about at the first sound of a train to stop fire while it goes by.

Councilman Cordero asked if it's possible to add some sort of higher backing.

Mr. Centola before working on the diagram with the train, researched the possibility of purchasing railroad ties or some sort of wood structure twenty (20) feet straight up, but the only benefit would be is if the berm itself was below the twenty (20) feet, so if they push the berm up to twenty (20) feet., having twenty (20) feet behind it, doesn't do any good. Based on the Department of Energy's report, concrete is actually the best to stop a bullet and next best is a pile of dirt. They have briefly looked into a pull barn style structure with a lean tube, one major benefit of that is stopping the rain from being on the berm which stops any lead travel and help reflect the sound back to the building

Councilman Cordero how about adding concrete behind the berm

Mr. Centola as an engineer, somethings are harder than others in getting concrete to go up twenty (20) feet

Councilman Cordero doesn't know the cost of the sound panels used on the expressway

Mr. Centola, is not opposed to looking into that, even stacking four by four (4x4), but definitely shooting for sixteen (16) feet minimum

Supervisor Giunta asked if anyone else from the audience questions, concerns, or comments.

Supervisor Giunta would like to see more designs and is not ready to make a decision on this at this time and would like to hear from neighbors and hearing some questions in the pre-meeting, which some were answered during the meeting.

Councilman Tucciarello would be comfortable motioning to table this application and reaching out to the neighbors in the area and making sure they understand what is being done and that they are OK with it. Also, looking at accidental discharging and which direction it could go in and if it does happen would it be contained. Also, the sound the neighbors may be hearing, knowing he is in the neighborhood and can hears sounds. He is personally and professional concerns and knows the neighborhoods would be as well. The Boards represents the residents, and needs to be aware of their concerns and meet them to make them happy.

Supervisor Giunta agreed with what Councilman Tucciarello said and feels the same about tabling this application for future discussion and perhaps by the next Town Board meeting there will be more information as well as reaching out to the neighbors and residents in that are for their feedback and understanding on this proposal.

RESOLUTION 43-22

Motion by Councilman Tucciarello who moved to table and leave the public hearing open:

Seconded by Supervisor Giunta

Resolved, that the Gates Town Board hereby **TABLES** the Application for a Conditional Use Permit for Mike Centola to Operate Allstar Tactical LLC. At 25 Industrial Park Circle in a General Industrial Business (GI) District

VOTE OF THE BOARD

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 Tucciarello

There were no revisions made to the minutes of both the Organizational Meeting and Public Hearings and Regular Town Board Meeting held January 4, 2022. Minutes stand and will be published and made available on the website and Town Clerk's office.

AUDIENCE PARTICIPATION

None

OLD BUSINESS

**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 mentioned the reason for this application being postponed was due to the signs not being posted prior to last month's meeting, but were properly posted for this meeting. He continued that this business has been in this location for some time, but due to zoning changes it is required to have a Conditional Use Permit.

Frank Mastrodonato reiterated that he has been there several years and wasn't sure of the criteria of the rezoning.

Supervisor Giunta explained that with zoning, there are business that would not normally be allowed in a particular zone, but with a conditional use and conditions set forth by the board it would be allowed. He then continued with asking about the hours of operation?

Mr. Mastrodonato replied, Monday through Saturday 10:00AM-10:00PM and Sunday 10:00AM-6:00PM

Councilman Tucciarello asked how long Mr. Mastrodonato has been in business in that location?

Mr. Mastrodonato opened that location in February 2012 for over 10 years

Councilman DiPonzio asked if he is doing anything different in the smoke shop than he has throughout the years, he replied No.

Supervisor Giunta opened it up to the audience.

Tina Albanese-Stauffer, 15 Tangerine Way spoke for the business which has been in this location for ten (10) years. Mr. Mastrodonato is looking at moving a little further down the street and has already been renovating the old 7 Eleven including the parking lot. He has turned and eyesore into something great back into the neighborhood.

Shaun 192 Stone cliff Dr. He's a local artist and is for the smoke shop. Mr. Mastodonato supports a lot of local artists and his business supports a lot of other businesses in the area.

Supervisor Giunta asked if anyone else wanted to come up and speak. Hearing none closed the Public Hearing

RESOLUTION 44-22

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby approves a Conditional Use Permit for Frank Mastrodonato to Operate Wise Guys Smoke Shop at 746 Elmgrove Rd. in a Neighborhood Business (NB) District

VOTE OF THE BOARD

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

Motion Carried.**NEW BUSINESS**

**APPOINTING LIEUTENANT ROBERT LONG TO THE POSITION OF INTERIM
POLICE CHIEF WITH THE GATES POLICE DEPARTMENT**

Chief JVB the former and retired Gates Police Chief commented that Chief DiCaro actually hired Rob and he was on the interview process and hired him into the Gates Police Dept. He continued that Rob will be a great Police Chief. He has studied under him for the past two (2) years and has a great understanding community of policing, he has deep roots in the community, is on the school board. He's excited for Rob and knows he will maintain the high standards the Gates Police has, which passed its accreditation and is very confident in his ability as the next Gates Police Chief.

Supervisor Giunta Thanked Chief VanBrederode for all his years of service and commitment. He continued that he has had the privilege to work with Rob the last several years and watching him grow as Lieutenant and working under JVB and is more than confident along with the board that Rob will do a great job as our Chief.

RESOLUTION 45-22

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby Appoints Lieutenant Robert Long to position of Interim Police Chief with the Gates Police Department.

VOTE OF THE BOARD

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

Motion Carried

Supervisor Giunta administered the oath of office and swore in Chief Long.

Chief Long expressed his gratitude and thanked the Town Board, his family and all here in the audience for coming out to support him throughout his career.

Supervisor Giunta requested that Chief Long administer the oath's of office for these next 2 candidates

**APPOINTING SERGEANT MATTHEW PASCARELLA TO THE POSITION OF
POLICE LIEUTENANT-ROAD PATROL WITH THE GATES POLICE DEPARTMENT**

Chief Long recommended the appointment of Matt Pascarella to fulfill his now vacant position of Lieutenant. Started his career back in Aug. 2006. They were in same class promoted to Sargent in Aug. 2014. Worked all 3 shifts at some point in his career. Currently the defensive tactic instructor and evidence technician.

Chief Long administered the oath and swore him in.

Lieut. Pascarella addressed and thanked the Town Board, Chief Long, former Chief JVB, his family, fellow officers of Gates PD, Sheriff Baxter and all here in the audience for coming out to support him throughout his career.

RESOLUTION 46-22

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby Appoints Sergeant Matthew Pascarella to position of Police Lieutenant-Road Patrol with the Gates Police Department.

VOTE OF THE BOARD

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

Motion Carried.

Chief Long recommended the appointment of Arnold Frost to fulfill his now vacant position of Sergeant. Started his career back in Sep 2013. He transferred as a MC Sherriff with the Jail. He is trained in hostage negotiation and served as an active sergeant during the pandemic. Leader on the afternoon shift.

Chief Long administered the oath and swore him in.

Sgt. Frost addressed and thanked the Town Board, Chief Long, Lieut. Pascarella, his wife and kids, and late brother John and all here to support him.

**APPOINTING OFFICER ARNOLD FROST TO THE POSITION OF POLICE
SERGEANT WITH THE GATES POLICE DEPARTMENT**

RESOLUTION 47-22

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby Appoints Officer Arnold Frost to position of Police Sergeant with the Gates Police Department.

VOTE OF THE BOARD

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

Motion Carried.

**CONSIDER RENEWALS OF THE CONDITIONAL USE PERMITS
FOR THE FOLLOWING:
WORKFIT MEDICAL, LLC., 1190 CHILI AVE.; BIRCHCREST TREE &
LANDSCAPING, 150 LEE RD.; VG TRUCKING INC.,
78 MARWAY CIR.; ROYAL CAR WASH, 1190 CHILI AVE.;
MAC'S PIZZERIA AND GRILL, 2346 LYELL AVE.; TIM HORTON'S,
1536 SPENCERPORT RD.; SERVICE KING, 73 MARWAY CIR.; MOTEL 6,
1273 CHILI AVE. SUITE 2; CARAGLIO'S PIZZERIA, 3869 LYELL RD.;
WESTGATE FASHION PARK, 2170 CHILI AVE.; SAVASTANO'S BAKERY,
477 SPENCERPORT 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 48-22

Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman Tucciarello

Resolved, that the Gates Town Board hereby approves the renewal of the Conditional Use Permits on mass for the following: Workfit Medical, LLC. , 1190 Chili Ave.; Birchcrest Tree & Landscaping, 150 Lee Rd.; VG Trucking Inc., 78 Marway Cir.; Royal Car Wash, 1190 Chili Ave.; Mac's Pizzeria and Grill, 2346 Lyell Ave.; Tim Hortons, 1536 Spencerport Rd.; Service King, 73 Marway Circle; Motel 6, 1273 Chili Ave. Suite 2; Caraglio's Pizzeria, 3869 Lyell Rd.; Westgate Fashion Park., 2170 Chili Ave.; Savastano's Bakery, 477 Spencerport Rd

VOTE OF THE BOARD

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

Motion Carried.

**ACCEPTING THE MONROE COUNTY/NYS DWI ENHANCED ENFORCEMENT
GRANT FOR THE YEAR 2022 IN THE AMOUNT OF \$11,345.00**

RESOLUTION 49-22

Motion by Councilman Loughlin who moved its adoption:

Seconded by: Councilman Tucciarello

Resolved, that the Town of Gates do hereby Accepts the Monroe County / NYS DWI Enhanced Enforcement grant for the year 2022 in the amount of \$11,345.00.

VOTE OF THE BOARD

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

Motion Carried.

**ACCEPTING THE MONROE COUNTY/NYS DWI HIGH VISIBILITY ENGAGEMENT
CAMPAIGN GRANT FOR THE YEAR 2022 IN THE AMOUNT OF \$4,555.00**

RESOLUTION 50-22

Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman Tucciarello

Resolved, that the Town of Gates do hereby Accepts the Monroe County / NYS DWI High Visibility Engagement Campaign grant for the year 2022 in the amount of \$4,555.00

VOTE OF THE BOARD

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

Motion Carried.

**RE-APPOINTING ZACK MAY TO THE CONSERVATION ADVISORY BOARD FOR
A THREE (3) YEAR TERM. TERM TO EXPIRE FEBRUARY 5, 2025**

RESOLUTION 51-22

Motion by Councilman DiPonzio who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby Re-Appoints Zack May to the Conservation Advisory Board for a three (3) year term. Term to expire February 5, 2025.

VOTE OF THE BOARD

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

Motion Carried.

**RE-APPOINTING VITO EAFFALDANO TO THE BOARD OF ASSESSMENT REVIEW
FOR A FIVE (5) YEAR TERM. TERM TO EXPIRE SEPTEMBER 30, 2026**

RESOLUTION 52-22

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby Re-Appoints Vito Eaffaldano to the Board of Assessment Review for a five (5) year term. Term to expire September 30, 2026.

VOTE OF THE BOARD

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

Motion Carried.

**SCHEDULE PUBLIC HEARINGS STARTING AT 7:15PM
FOR CONDITIONAL USE PERMIT FOR
JETT MEHTA TO OPERATE DUNKIN DONUTS
AT 1578 SPENCERPORT RD. IN A GENERAL BUSINESS (GB) DISTRICT**

RESOLUTION 53-22

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, March 7, 2022 starting at 7:15PM to consider the application for a Conditional Use Permit for Jett Mehta to Operate Dunkin' Donuts at 1578 Spencerport Rd. in a (GB) General Business District

VOTE OF THE BOARD

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

Motion Carried.

**AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE 2021 BUDGET
TRANSFERS WITHIN THE GENERAL AND HIGHWAY FUNDS**

RESOLUTION 54-22

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby Authorizes the Director of Finance to make 2021 Budget Transfers within the General and Highway Funds

VOTE OF THE BOARD

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

Motion Carried.

**APPOINTS A SPECIAL BOARD TO PREPARE A PROPOSED TOWN OF GATES
COMPREHENSIVE PLAN OR AN AMENDMENT. BOARD MEMBERS TO BE
APPOINTED ARE CHRISTINE MAURICE, BROM BIANCHI, ROMEO DELUCIA,
PATTY REDFERN, MIKE WALL, STEVE ZIMMER AND ED MAURO**

RESOLUTION 55-22

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby Appoints of a Special Board to prepare a proposed Town of Gates Comprehensive Plan or an Amendment. Board members to be appointed are Christine Maurice, Brom Bianchi, Romeo DeLucia, Patty Redfern, Mike Wall, Steve Zimmer and Ed Mauro.

VOTE OF THE BOARD

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

Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

REPORTS

SUPERVISOR'S

**ACCEPTING THE SUPERVISOR'S
REPORT FOR THE MONTH OF JANUARY 2022**

WARRANTS

GENERAL

CLAIMS # A21-0943 – A21-0961	\$65,598.46
CLAIMS # A22-001 – A22-003	\$25,379.32

HIGHWAY

CLAIMS # D21-0591 – D21-0612	\$48,664.60
CLAIMS # D22-001 – D22-0018	\$97,341.06

LIBRARY

CLAIMS #L21-0296 – L21-0317	\$2,023.67
CLAIMS #L22-0001 – L22-0009	\$16,647.90

TOTAL DISBURSEMENTS **\$2,113,473.88**

TOTAL RECEIPTS **\$10,522,232.45**

Supervisor Giunta noted for the record that the warrants for the month of January 2022 have been examined by the Town Board and signed.

RESOLUTION 56-22

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman Tucciarello

Resolved, that Gates Town Board hereby accepts the Supervisor's Report for the month of January 2022 as read; and the warrants for the month of January 2022 as read.

VOTE OF THE BOARD

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

Motion Carried.

**ACCEPTING THE TOWN CLERKS REPORT
FOR THE MONTH OF JANUARY 2022**

The Town Clerk read the report for the month of January 2022 showing the following:

TOTAL REVENUE COLLECTED	\$24,641.50
TOTAL REVENUE TO THE SUPERVISOR	\$24,308.04
TOTAL NON-LOCAL REVENUE	\$333.46

RESOLUTION 57-22

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of January 2022.

VOTE OF THE BOARD

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 January 2022

Personnel Status Report for the month of January 2022. No Changes

There being no further business to come before the Town Board, Supervisor Giunta motioned and Councilman Cordero second to adjourn the meeting. All were in favor; motion carried. Supervisor Giunta adjourned the meeting at 8:30 PM.

Town Clerk