

September 5, 2023

The Gates Town Board held its Regular Town Board meeting on Tuesday, September 5, 2023 at the Town Hall Meeting Room at 7:30PM. Those attending the meeting were as follows:

Cosmo A. Giunta	Supervisor
Christopher B. DiPonzio	Councilman
Lee A. Cordero	Councilman
Andrew M. Loughlin	Councilman
Steve Tucciarello	Councilman
Dan Schum	Town Attorney
Veronica Owens	Town Clerk

7:30PM REGULAR TOWN BOARD MEETING

Supervisor Cosmo Giunta called the meeting to order at 7:34PM. He began with a moment of silent prayer and Pledge of Allegiance, led by Councilman DiPonzio

There were no revisions made to the Public Hearings and regular Town Board Meeting minutes from August 7, 2023 and will be published as drafted and available on the website and in the Town Clerk's office

AUDIENCE PARTICIPATION

County Legislator Frank Allkofer invited the members of the "Keep Gates Clean", Dan Switzer, Virginia McIntyre, and Joyce Dinkmeyer to present each of them a Proclamation in recognition and appreciation for their efforts and hard work each week, volunteering to Keep Gates Clean, by picking up trash and debris throughout the Town of Gates. He then read the proclamation and presented each of them with one.

Supervisor Giunta added his gratitude and appreciation on behalf of the town and town board for all their efforts and hopes to get more people out there to help.

Mr. Switzer thanked Frank for the recognition and added it is a lot of work each Saturday and is overwhelming and needs more people to come out. He hopes the group can continue to grow. He feels maybe not many people know about the group and is trying to get the word out as much as possible.

Supervisor Giunta stated the town is promoting "Keep Gates Clean" as well and hopes more people start joining in.

Betsy Arms, 610 Hinchey Rd. just following up on the information meeting and asked if there has been any further movement on the Dolomite property?

Supervisor Giunta stated to date, nothing has been done, not even conversations since the information meeting. Other possibilities are being explored. He appreciates everyone who attended that information meeting and for all the feedback and will process it all and as mentioned in that meeting, are exploring other options as that property was also just being explored as an option.

Ms. Arms asked, so nothing more as this point?

Supervisor Giunta replied, No, nothing further at this point. He continued, that one of the reasons of that meeting was to address the rumors going around.

OLD BUSINESS

None

NEW BUSINESS**ACCEPTING THE DONATION OF FOURTEEN (14) TASERS FROM THE ROCHESTER POLICE DEPARTMENT FOR THE GATES POLICE DEPARTMENT****RESOLUTION 134-23**

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Accepting the donation of fourteen (14) Tasers from the Rochester Police Department for the Gates Police Department.

VOTE: Giunta – Aye; Cordero – Aye; Aye; DiPonzio – Aye; Loughlin – Tucciarello – Aye;
Motion Carried.

AUTHORIZING THE GATES TOWN COURT TO APPLY FOR THE JUSTICE COURT ASSISTANCE PROGRAM 2023-24 GRANT CYCLE UP TO \$30,000**RESOLUTION 135-23**

Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman Tucciarello

WHEREAS, the State of New York through the Justice Court Assistance Program has funds available to Justice Courts throughout the State of New York; and

WHEREAS, the Town Justices have requested that they be allowed to make application for funding for the Town of Gates Court through such Justice Court Assistance Program

NOWHEREFORE, 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, New York authorizes the Town of Gates Court to apply for a JCAP grant in the 2023-24 grant cycle up to \$30,000.00.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin –; Tucciarello – Aye;
Motion Carried.

CONSIDER RENEWALS OF THE CONDITIONAL USE PERMITS FOR THE FOLLOWING:

WINES BY DESIGN, 3392 BUFFALO RD.; ROCHESTER ACADEMY CHARTER SCHOOL, 310 HINCHEY RD.; DUNKIN DONUTS (#344162) 1482 BUFFALO RD.; DOLOMITE GROUP, 1075 BUFFALO RD.; GATES-CHILI FEDERAL CREDIT UNION, 2870 BUFFALO RD.; MC DUG OUT, 1370 BUFFALO RD.; CHEF'S CATERING OF UPSTATE NY, 1273 CHILI AVE, SUITE 1; TINA'S NATURAL NAILS, 1016 ELMGROVE RD.; HUNAN GARDEN, 781 B SPENCERPORT RD.; KFC (TWO LOCATIONS) 2222 LYELL AVE., AND 1345 CHILI AVE.; TINSELTOWN USA, 2291 BUFFALO RD.; TAJ MAHAL FINE INDIAN CUISINE, 1742 LONG POND RD.; VALVOLINE OIL CHANGE, 427 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 136-23

Motion by Councilman Tucciarello who moved its adoption:
Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby approves the renewal of the Conditional Use Permits on mass for the following Wines by Design, 3392 Buffalo Rd.; Rochester Academy Charter School, 310 Hinchey Rd.; Dunkin Donuts (#344162) 1482 Buffalo Rd.; Dolomite, 1075 Buffalo Rd.; Gates Chili Federal Credit Union, 2870 Buffalo Rd.; MC Dug Out, 1370 Buffalo Rd.; Chef's Catering of Upstate NY, 1273 Chili Ave. Suite 1; Tina's Natural Nails, 1016 Elmgrove Rd.; Hunan Garden, 781 B Spencerport Rd.; KFC (**Two Locations**), 2222 Lyell Rd. And 1345 Chili Ave.; Tinseltown USA, 2291 Buffalo Rd.; Taj Mahal Fine Indian Cuisine, 1742 Long Pond Rd. Ste. 3; Valvoline Instant Oil Change, 427 Spencerport Rd.

VOTE: Giunta – Aye; Cordero – Aye; Aye; DiPonzio – Aye; Loughlin – Tucciarello – Aye;
Motion Carried.

**SCHEDULING A PUBLIC HEARINGS STARTING AT 7:15PM
FOR A CONDITIONAL USE PERMIT FOR
DAVID SPRANKLE TO OPERATE THE COTERIE LOCATED
AT 777 SPENCERPORT RD. IN A NEIGHBORHOOD BUSINESS (NB) DISTRICT**

RESOLUTION 137-23

Motion by Councilman DiPonzio who moved its adoption:
Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby schedules a Public Hearing for October 2, 2023 at 7:15PM to consider a Conditional Use Permit for David Sprankle to operate The Coterie located at 777 Spencerport Rd. in a Neighborhood Business (NB) District.

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

**APPROVING THE INTER-MUNICIPAL AGREEMENT BETWEEN
MONROE COUNTY AND THE TOWN OF GATES FOR THE
INSTALLATION OF SIDEWALKS ON ELMGROVE ROAD**

Supervisor Giunta, they are looking at installing them on the East side of Elmgrove Rd. from Spencerport Rd to Buffalo Rd., but still looking into this

Attorney Schum, added this resolution just authorizes the Town Supervisor to sign it after questions get answered, in order to move the project forward.

RESOLUTION 138-23

Motion by Councilman DiPonzio who moved its adoption:
Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby approves the Inter-Municipal Agreement between Monroe County and the Town of Gates for the installation of sidewalks on Elmgrove Rd.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;
Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

Supervisor Giunta invited everyone on September 11, 2023 for a fifteen (15) minute Memorial Ceremony at the Chili District #1 Firehouse (the main headquarters) at exactly 8:46am. Arrival time is 8:30am.

REPORTS

SUPERVISOR’S

**ACCEPTING THE SUPERVISOR’S
 REPORT FOR THE MONTH OF AUGUST 2023**

WARRANTS

GENERAL

CLAIMS # A23-0552 – A23-0657	\$135,792.94
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HIGHWAY

CLAIMS # D23-0312 – D23-0362	\$543,802.41
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LIBRARY

CLAIMS # L23-0151 – L23-0182	\$28,346.05
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TOTAL DISBURSEMENTS	\$2,201,801.53
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TOTAL RECEIPTS	\$1,199,483.16
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Supervisor Giunta noted for the record that the warrants for the month of August 2023 have been examined by the Town Board and signed.

RESOLUTION 139-23

Motion by Councilman Cordero who moved its adoption:
 Seconded by Councilman DiPonzio

Resolved, that Gates Town Board hereby accepts the Supervisor’s Report for the month of August 2023 as read; and the warrants for the month of August 2023 as read.

VOTE: Giunta – Aye; Cordero – Aye; Aye; DiPonzio – Aye; Loughlin – Tucciarello – Aye;
Motion Carried.

**ACCEPTING THE TOWN CLERKS REPORT
 FOR THE MONTH OF AUGUST 2023**

The Town Clerk read the report for the month of August 2023 showing the following:

TOTAL REVENUE COLLECTED	\$44,191.94
TOTAL REVENUE TO THE SUPERVISOR	\$39,046.60
TOTAL NON-LOCAL REVENUE	\$5,145.34

RESOLUTION 140-23

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman Tucciarello

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of August 2023.

VOTE: Giunta – Aye; Cordero – Aye; Aye; DiPonzio – Aye; Loughlin – Tucciarello – Aye;
Motion Carried.

PERSONAL STATUS REPORT

The Town Clerk read the Personnel Status Report for the month of August 2023

Personnel Status Report for the month of August 2023.

No changes for the month.

There being no further business to come before the Town Board, Councilman DiPonzio and Councilman Loughlin second to adjourn the meeting. All were in favor; motion carried. Supervisor Giunta adjourned the meeting at 7:48 PM.

Town Clerk