

January 2, 2024

The Gates Town Board held its Regular Town Board meeting on Tuesday, January 2, 2024 at the Town Hall Meeting Room at 7:30PM. 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	Councilman
Daniel G Schum	Town Attorney
Veronica Owens	Town Clerk

### **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 4, 2023. Minutes stand as drafted and will be published on the website and made available in the Town Clerk's office.

### **AUDIENCE PARTICIPATION**

Steve Wolocki, 117 Renouf Dr. first wanted to state the Gates Police Department does a fantastic job. He asked the town board what they could do to stop the people speeding through Renouf Dr. There was a neighbor with a five-year old that was almost hit crossing the street with a speeder. He knows the police can not be on every street in the town, but is afraid there could be a fatality. The summer is worse with the added motorcycles.

Supervisor Giunta responded the town has tried, including adding to this year's budget three (3) additional police officers and believes that should help. He asked if there is a particular time of day that is worse with speeding?

Mr. Wolocki appreciates the additional officers, but wonders if possibly speedbumps or signs could be a good deterrent.

Supervisor Giunta the town has tried a speed table on Ezio Dr. which is a cut through street, but would not be able to put a speed bump or speed table on every road, they have to consider, first responders, plow trucks, school buses and garbage trucks. It could be a matter of more policing and traffic control and even the residences in the summertime with creating a natural speed barrier alternating parking spots to force them to slow down. Other neighborhoods have tried this maneuver and it has helped, people have to slow down to not hit cars. The calls and emails are appreciated, it helps make the town aware. It is frustrating, people just don't respect the law.

Kathleen O'Brien, 914 Trolley Blvd. asked if a neighborhood petition would help to get speed bump etc.

Attorney Schum, there are two things the town can do, and one of them is limited by state law, which is the speed limit on a town road, that can't be reduces more than forty (40) miles an hour. Also, speedbumps are not an authorized road improvement under the NY State DOT guidelines. The town has utilized them at times, but if car gets damaged as a result of a spend bump, the town would be liable. He asked if the problem is through traffic.

Mr. Wolocki responded it is through traffic and feels they are going over forty-five (45) and is afraid of a fatality.

Chief Rob Long shared some statistics. Traffic Enforcement cannot be in all places, at all times. There have been a lot of changes in our society and call volumes have gone up, which takes them away from other things like getting into the neighborhoods and doing traffic tack force in our streets, which was part of the proposal in requesting increasing the police staff to the Town Board. Along with the call volume increase, there was also the stolen cars which ties up the police with chases, arrests, and paperwork. Their primary job is it to take those type of calls then all the rest, like traffic enforcement.

Kurt Rappazzo, Director of Public Works and Highway Superintendent confirmed they did install a speed table on Ezio Dr. which runs parallel to Lyell Rd. and Spencerport Rd. It's used as a cut-through and has been a long-time nuisance in the town. A fake crosswalk and stop signs were installed and the police would park and issue tickets for anyone who flew past the stop, but then the judges would throw out because they were not official stop signs. When Ezio Dr. was to be repaved in 2022, he requested it not be reinstalled. He and Town Supervisor Giunta met with the residents of Ezio Dr. and discussed various options, which resulted in installing a speed table, which is a concrete Platform with a ramp that comes up to a flat spot and back down. It has worked, it has stopped the cut through traffic and reduced the volumes on that road tremendously. People still up to it, slow down, go over it and then steep back, but there is less traffic.

Mr. Rappazzo asked Mr. Wolocki confirmed his address at 117 Renouf Dr and that it is North of Hinchey Rd. and connects with Dolman and Cheshire, Morncrest and Medowdale and all the other side streets. So, the people speeding down Renouf are actually his neighbors from those roads. There is no cutting through from Hinchey to Buffalo Rd. So, a speed bump or speed table will not help in reducing traffic and not really help with speeding, because like on Ezio they still speed between the speed table. Unfortunately, they cannot install a physical thing that would solve this problem, adding more signs will not help, people do not read them, so unfortunately there is nothing from a highway perspective to do to help this problem.

Supervisor Giunta asked if there is a neighborhood watch.

Mr. Wolocki, there used to be on. The time is usually when people go to and come from work, 7:00-9:00am and again at 5:00pm. He feels there has to be something that can be done, he doesn't know what but something.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

### **APPROVING THE PROMOTION OF SERGEANT GRIMM TO RANK OF LIEUTENANT**

Chief Long, with the increased staffing and some changes with the administration department in the police, a new Lieutenant is needed to take over the Road Patrol Division. They canvased their Civil Service list of candidates in their office, held some interviews and is bringing Sergeant Grimm to the rank of Lieutenant. Chris started with the Gates Police Department in 2009 in road patrol, but prior to that was an intern and also a Special Police. Promoted as Sergeant in 2014 and in 2022 was acting Lieutenant for two (2) weeks during a Covid situation. Chris has worked a lot of high-profile cases, has received numerous Chief's letters and emails and cards from the community, and multiple awards.

Supervisor Giunta agreed in his choice of Sergeant Grimm and knows he will do great as Lieutenant.

**RESOLUTION 36-24**

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Approves the promotion of Sergeant Christopher Grimm to rank of Lieutenant.

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

**Motion Carried.**

Chief Long swore Sergeant Grimm in as Lieutenant with his wife, parents and two children who held the Bible.

Lieutenant Grimm thanked the Chief for all he has done for him and the department. His family for putting up with everything they have to put up with working lousy hours, all the officers, it's a great department, the Supervisor and Town Board. It's a great relationship and appreciates the encouragement and support from the board. It's not everywhere, not every town or city has what Gates has.

Lieutenant Pascarella added that a leader isn't made by title, he's a lieutenant because he is a leader. He credits Lieutenant Grimm for a lot of the experience he got on this job and working with him side by side as supervisor has been a joy and knows he will serve the officers well as well as the town with his dedication to both. Lieutenant Pascarella appreciates the board approving the promotion and congratulated Lieutenant Grimm.

**APPOINTING ALEXANDRIA COLLINS AND MARY YATES BOTH TO THE POSITION OF GATES LIBRARY BOARD OF TRUSTEE, EACH FOR A FIVE-YEAR TERM, TERM TO EXPIRE DECEMBER 31, 2028, AND CHRISTINE HUNT TO FULFILL THE REMAINDER UNEXPIRED TERM OF GATES LIBRARY BOARD OF TRUSTEE MEMBER MIRIAM RIVERA, TERM TO EXPIRE ON DEC. 31, 2026**

Councilman Loughlin, the three (3) members leaving, Evan, Melanie and Miriam, will be sorely missed, but is looking forward to the additions of Alexandria, Mary and Christine to fill those terms and positions and knows they will do a great job.

**RESOLUTION 37-24**

Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman Tucciarello

Resolved, that the Gates Town Board hereby Appoints Alexandria (Alex) Collins to the position of Gates Library Board of Trustee for a five-year term, term to expire Dec. 31, 2028 and Mary Yates for a five-year term, term to expire Dec. 31, 2028, and Christine Hunt to fulfill the remainder unexpired term of Miriam Rivera, term to expire on Dec. 31, 2026.

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

**Motion Carried.**

**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.; GHOST KITCHEN, 2150 CHILI AVE (INSIDE WALMART); DEPAUL COMMUNITY SERVICES INC., 1931 BUFFALO RD.; KAMARAS AFRICAN RESTAURANT INC., 2004 LYELL AVE.**

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 38-24**

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: (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.; Ghost Kitchen, 2150 Chili Ave (in Walmart).; DePaul Community Services Inc., 1931 Buffalo Rd.; Kamaras African Restaurant Inc., 2003 Lyell Ave.

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

**ACCEPTING A BID FROM GEORGE AND SWEDE SALES AND SERVICES, INC  
OF \$24,854.00 FOR AN AIRMAN PDS185S-6EZ1**

**RESOLUTION 39-24**

Motion by Supervisor Giunta who moved its adoption:  
Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Accepts a bid from George and Swede Sales and Service, Inc of \$24,854.00 for an Airman PDS185S-6EZ1 Compressor

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

**DESIGNATING SUPERVISOR GIUNTA AS THE DELEGATE AND COUNCILMAN  
TUCCIARELLO AS THE ALTERNATE DELEGATE TO ATTEND  
THE 2024 NEW YORK STATE ASSOCIATION OF TOWN ANNUAL  
BUSINESS MEETING IN FEBRUARY**

**RESOLUTION 40-24**

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

Resolved, that the Town of Gates do hereby approves Designating Supervisor Giunta as the delegate and Councilman Tucciarello as the alternate delegate to attend the 2024 New York State Association of Town annual business meeting in February.

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

**APPROVING A 2-YEAR (2024 & 2025) RENEWAL CONTRACT WITH SEYREK DISPOSAL, LLC TO BE THE TOWN’S GARBAGE/RECYCLING COLLECTOR FOR THE TOWN’S CAMPUS AND PARKS**

**RESOLUTION 41-24**

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

Resolved, that the Town of Gates do hereby Approves a 2-year (2024 & 2025) renewal contract with Seyrek Disposal, LLC to be the Town’s garbage/recycling collector for the Town’s campus and parks.

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

**DENYING THE SCHEDULING OF A PUBLIC HEARING TO CONSIDER A PETITION FOR ZONING CHANGE FOR STEVEN TACCONE FOR THE PROPERTY LOCATED AT 2242 LYELL RD. FROM RESIDENTIAL (R-1-15) TO NEIGHBORHOOD BUSINESS**

**RESOLUTION 42-24**

Motion by Councilman Tucciarello moved that we NOT schedule the public hearing and deny this request:  
 Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Denies scheduling a Public Hearing to consider a Petition for Zoning Change for Steven Taccone for the property located at 2242 Lyell Rd from Residential (R-1-15) to Neighborhood Business.

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

**NEW BUSINESS OF COUNCIL MEMBERS**

Councilman Loughlin reminded everyone about Polar Plunge on February 4, 2024 at Ontario Beach Park starting at 9:00am. He along with his youngest son will be participating and invites all to join in or help support the cause, Special Olympics.

**REPORTS**

**SUPERVISOR’S**

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

**WARRANTS****GENERAL**

CLAIMS # A23-0941 – A23-1021	\$94,339.79
------------------------------	-------------

**HIGHWAY**

CLAIMS # D23-0535 – D23-0575	\$102,626.05
------------------------------	--------------

**LIBRARY**

CLAIMS #L23-0313 – L23-0344	\$27,332.43
-----------------------------	-------------

<b>TOTAL DISBURSEMENTS</b>	<b>\$2,589,947.88</b>
----------------------------	-----------------------

<b>TOTAL RECEIPTS</b>	<b>\$902,468.28</b>
-----------------------	---------------------

Supervisor Giunta noted for the record that the warrants for the month of December 2023 have been examined by the Town Board and signed.

**RESOLUTION 43-24**

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 December 2023 as read; and the warrants for the month of December 2023 as read.

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

**Motion Carried.**

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

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

TOTAL REVENUE COLLECTED	\$33,500.46
-------------------------	-------------

TOTAL REVENUE TO THE SUPERVISOR	\$29,862.38
---------------------------------	-------------

TOTAL NON-LOCAL REVENUE	\$3,688.08
-------------------------	------------

**RESOLUTION 44-24**

Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman Tucciarello

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

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

**Motion Carried.**

**PERSONAL STATUS REPORT**

Town Clerk reported there were no personnel changes for the month of December 2023.

There being no further business to come before the Town Board, Councilman Cordero motioned and Councilman Tucciarello second to adjourn the meeting. All were in favor; motion carried. Supervisor Giunta adjourned the meeting at 8:10 PM.

---

Town Clerk