

March 7, 2016

The Gates Town Board held its regular Town Board meeting on Monday, March 7, 2016 at the Gates Town Hall, 1605 Buffalo Road and beginning at 7:30 P.M. Those in attendance for the regular Town Board meeting were as follows:

Mark W. Assini	Supervisor
Lee A. Cordero	Councilman
David R. DiCaro	Councilman
Christopher B. DiPonzio	Councilman
Steve Tucciarello	Councilman
John A. DiCaro	Town Attorney
Cosmo A. Giunta	Town Clerk

**7:30 P.M. REGULAR TOWN BOARD MEETING**

Supervisor Assini called the meeting to order at 7:30 P.M. He began the meeting with a Silent prayer and Pledge of Allegiance to the Flag.

**RESOLUTION 60-16:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the Minutes of the February 1, 2016 Public Hearings and regular Town Board meeting as received.

Seconded by Councilman Cordero.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

**AUDIENCE PARTICIPATION – NONE**

**OLD BUSINESS - NONE**

**NEW BUSINESS**

**RE-APPOINTING DON RUTHERFORD TO  
THE GATES ZONING BOARD OF APPEALS  
FOR A 7 YEAR TERM; SAID TERM TO  
EXPIRE MARCH 7, 2023**

**RESOLUTION 61-16:** Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby re-appoints Don Rutherford to the Gates Zoning Board of Appeals for a 7 year term; said term to expire March 7, 2023.

Seconded by Councilman DiPonzio.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

**RE-APPOINTING GLORIA CONTI TO THE  
GATES CONSERVATION ADVISORY BOARD  
FOR A TWO YEAR TERM; SAID TERM TO  
EXPIRE MARCH 7, 2018**

**RESOLUTION 62-16:** Motion by Councilman DiCaro who moved its adoption:

Resolved that the Gates Town Board hereby re-appoints Gloria Conti to the Gates Conservation Advisory Board for a two year term; said term to expire March 7, 2018.

Seconded by Councilman Cordero.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

**CONSIDERING THE RENEWAL OF THE  
CONDITIONAL USE PERMITS FOR THE  
FOLLOWING BUSINESSES: TAYPOR  
RENTAL – 2222 – 2232 LYELL AVE.;  
CLASSY CHASSY CAR WASH – 2150  
LONG POND ROAD; CLASSY CHASSY  
CAR WASH - 1985 BUFFALO ROAD;  
FLOWER CITY BOTTLE AND CAN  
RETURN – 2374 CHILI AVE.**

Supervisor Assini stated that he has received a memo from the Building Department stating that they have reviewed the Code Enforcement files, there are no outstanding violations against these businesses. They find no reason why the Conditional Use Permits for these businesses should not be renewed.

**RESOLUTION 63-16:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby renews the Conditional Use Permits for the above captioned businesses for a period of (1) one year (through March 7, 2017) ; subject to the same terms and conditions applicable to the original permits.

Seconded by Councilman Cordero.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

**SCHEDULING A PUBLIC HEARING TO  
CONSIDER THE APPLICATION OF JOSE  
ABARCA FOR A CONDITIONAL USE  
PERMIT TO SELL MEXICAN FOOD “TO GO”  
AT VALERO’S GAS STATION LOCATED  
AT 3585 BUFFALO ROAD**

**RESOLUTION 64-16:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Monday, April 4, 2016 at 7:00 P.M. to consider the above captioned application.

Seconded by Councilman Cordero.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

**SCHEDULING A PUBLIC HEARING TO  
CONSIDER THE APPLICATION OF DAWN  
SAUNDERS FOR A CONDITIONAL USE  
PERMIT TO OPERATE A DOG DAY CARE,  
BOARDING, TRAINING, GROOMING AND  
EVENTS FACILITY AT 616 TROLLEY BLVD.**

**RESOLUTION 65-16:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Monday, April 4, 2016 at 7:15 P.M. to consider the above captioned application.

Seconded by Councilman DiCaro.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello - aye; Assini – aye.

Motion Carried.

**APPROVING THE 2016 PURCHASE OF SERVICE  
AGREEMENT BETWEEN THE TOWN OF GATES  
AND LIFESPAN**

**RESOLUTION 66-16:** Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby approves the 2016 Lifespan/Eldersource Service Agreement for the frail, at risk, elderly citizens in the town of Gates; as well as the caregivers residing in the town. (\$4,303.00)

Seconded by Councilman DiCaro.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

**AUTHORIZING THE FINANCE DIRECTOR  
TO MAKE THE ATTACHED LIST OF  
FUND TRANSFERS WITHIN THE 2015 AND 2016  
TOWN BUDGETS**

The Finance Director explained that the 2015 fund transfers were the normal end of the year transfers done every year. The 2016 fund transfers are due to accounting changes made in the Recreation & Parks Department to better track expenditures for various programs.

**RESOLUTION 67-16:** Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby authorizes the Finance Director to make the attached list of fund transfers within the 2015 and 2016 Town Budgets.

Seconded by Councilman DiCaro.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

**NEW BUSINESS OF COUNCIL MEMBERS**

Supervisor Assini congratulated Police Chief VanBrederode on being selected the Gates Chili Chamber of Commerce “Community Leader of the Year”. He will be leading the St. Patrick’s Day Parade in Rochester on Saturday March 12, 2016.

Councilman DiPonzio stated that the Gates Chili High School will be presenting the play “Once Upon A Mattress” from March 17 – 19, 2016 at the Gates Chili High School auditorium.

The annual Town Easter Egg Hunt will take place on March 26, 2016 at 10:00 A.M. at Unity Health Total Sports on Elmgrove Road.

**REPORTS**

**ACCEPTING THE SUPERVISOR’S REPORT  
FOR THE MONTH OF FEBRUARY 2016**

Supervisor Assini read his report for the month of February 2016 showing the following:

TOTAL RECEIPTS	\$7,566,613.24
TOTAL DISBURSEMENTS	\$2,507,898.36

**WARRANTS**

GENERAL FUND  
Accounts Payable

CI # A15-1288 – 1289	\$11,983.14
A16-0064-0157	\$73,811.41
<b>HIGHWAY FUND</b>	
Accounts Payable	
CI # D16-0020 – 0046	\$29,758.38
<b>LIBRARY FUND</b>	
Accounts Payable	
CI # L15-0421 – 0422	\$3,928.43
L16-0012 – 0041	\$22,297.75

Supervisor Assini noted for the record that the warrants for the month of January 2016 have been examined by the Town Board and paid.

**RESOLUTION 68-16:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Supervisor's Report for the month of February 2016 as read; and the warrants for the month of February 2016 as read; subject to the approval of the Gates Town Board.

Seconded by Councilman Cordero.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

#### **ACCEPTING THE TOWN CLERK'S REPORT FOR THE MONTH OF FEBRUARY 2016**

The Town Clerk read his report for the month of February 2016 showing the following:

Total revenues to the supervisor	\$19,327.23
Total non-local revenues	632.84
Total Revenues Collected	\$19,960.07

**RESOLUTION 69-16:** Motion by Councilman DiCaro who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Town Clerk's Report for the month of February 2016 as read.

Seconded by Councilman Tucciarello.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

#### **PERSONNEL STATUS REPORT**

The Town Clerk read the report for the Town Board's information.

There being no further business to come before the Town Board, Councilman DiPonzio made a motion to adjourn the meeting. Councilman DiCaro seconded the motion. All were in favor, the motion carried. Supervisor Assini adjourned the meeting at 8:00 P.M.

---

Town Clerk