

March 6, 2017

The Gates Town Board held a Public Hearing and its regular meeting on Monday, March 6, 2017, at the Gates Town Hall, 1605 Buffalo Rd. and beginning at 7:05 P.M. Those in attendance for the Public Hearing and 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
Dan Schum	Town Attorney
Cosmo A. Giunta	Town Clerk

7:00 P.M. PUBLIC HEARING

**CONSIDERING LOCAL LAW 1-17
PROPERTY MAINTENANCE**

Supervisor Assini called the Public Hearing to order at 7:05 P.M. The Town Attorney verified that the Legal Notice was published as required by law.

Supervisor Assini stated that the Town Board would not be voting on this Local Law tonight. They are still waiting to hear back from Monroe County as to it being a local or state matter. Clarification is needed regarding leaf pick up and storage of antique vehicles in a garage.

There was no one in the audience appearing for or against this application.

RESOLUTION 57-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the above captioned item is hereby tabled to allow the County to advise the Town Board of their decision.

Seconded by Councilman Cordero.

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

Motion Carried.

Supervisor Assini adjourned the Public Hearing at 7:10 P.M.

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 58-17: Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby approves the Minutes of the February 6, 2017 Public Hearing and regular Town Board meeting.

Seconded by Councilman Tucciarello.

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

Motion Carried.

AUDIENCE PARTICIPATION – NONE

OLD BUSINESS – NONE

NEW BUSINESS

**CONSIDERING THE RENEWAL OF THE CONDITIONAL
USE PERMITS FOR THE FOLLOWING BUSINESSES:**

**TAYLOR RENTAL – 2222 – 2232 LYELL AVE.;
CLASSY CHASSY CAR WASH – 2150 LONG POND RD.;
YMCA – 920 ELMGROVE RD.; CLASSY CHASSY CAR
WASH – 1985 BUFFALO RD.; 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 violations against these businesses. They find no reason why the Conditional Use Permits for these businesses should not be renewed.

RESOLUTION 59-17: 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 one (1) year (through March 6, 2018); 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.

**APPROVING THE 2017 STOP-DWI
ENHANCED ENFORCEMENT AGREEMENT**

Supervisor Assini stated that this is an on-going agreement between Monroe County and the Town of Gates. It provides \$32,917.87 for enhanced enforcement services.

RESOLUTION 60-17: Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby approves the 2017 STOP – DWI Enhanced Enforcement Agreement with the County of Monroe. (\$32,917.87).

Seconded by Councilman DiPonzio.

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

Motion Carried.

**ACCEPTING THE 2016 YEAR END REPORTS
FOR JUSTICES PUPATELLI; JUSTICE
VALLERIANI; JUSTICE CONNORS**

Supervisor Assini reviewed the reports for the Board; the courts were very busy in 2016.

RESOLUTION 61-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby accepts the 2016 Year End Reports for Justices Pupatelli; Justice Valleriani' and Justice Connors.

Seconded by Councilman Cordero.

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

Motion Carried.

**APPROVING THE 2017 PURCHASE OF SERVICE
AGREEMENT BETWEEN THE TOWN OF GATES
AND LIFESPAN**

RESOLUTION 62-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the 2017 Lifespan/Eldersource Service Agreement for the frail and elderly citizens in the Town of Gates as well as the caregivers residing in the town. (\$4,303).

Seconded by Councilman DiCaro.

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

Motion Carried.

APPROVING A LICENSE FOR AJS WASTE SOLUTIONS TO DELIVER AND PICK-UP DUMPSTER CONTAINERS IN THE TOWN OF GATES

RESOLUTION 63-17: Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby approves a license for AJS Waste Solutions to deliver and pick-up dumpster containers in the town of Gates.

Seconded by Councilman DiPonzio.

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

Motion Carried.

CONSIDERING THE REQUEST OF THE MONROE COUNTY DEPARTMENT OF TRANSPORTATION TO ESTABLISH A TRAFFIC CONTROL

RESOLUTION 64-17: Motion by Supervisor Assini who moved its adoption:

Resolved that the Gates Town Board hereby approves Monroe County Department of Transportation request to establish a Traffic Control (Left Turn Only - Southbound) on Manitou Rd. at FedEx Way.

Seconded by Councilman Tucciarello.

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

Motion Carried.

AUTHORIZING THE FINANCE DIRECTOR TO MAKE POLICE DEPARTMENT END OF YEAR FUND TRANSFERS WITHIN THE 2016 TOWN OF GATES BUDGET

RESOLUTION 65-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby authorizes the Finance Director to make the following fund transfers within the 2016 Town Budget.

POLICE DEPARTMENT

From: A00-5132-4310 Garage Fuel	(26,419.47)
To: A-00-3120-2000 Public Safety	23,264.00
A-5132-4850 Garage Misc.	800.00
A-3120-4550 Police Cell Phones	2,355.47

Seconded by Councilman Cordero.

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

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
HELEN GERONIKUS FOR A CONDITIONAL
USE PERMIT TO OPERATE A RESTAURANT/BAR
AT 1174 BROOKS AVE.**

RESOLUTION 66-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Monday, April 3, 2017 at 6:45 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.

**SCHEDULING A PUBLIC HEARING TO
CONSIDER A STREET NAME CHANGE
TO BRAMBLEWOOD CIRCLE FROM
BRAMBLEWOOD LANE WEST**

RESOLUTION 67-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Monday, April 3, 2017 at 7:00 P.M. to consider the above captioned matter.

Seconded by Councilman DiCaro.

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

Motion Carried.

ADDITION TO THE AGENDA

**SCHEDULING A PUBLIC HEARING TO
CONSIDER THE REQUEST OF VG TRUCKING
INC. FOR A CONDITIONAL USE PERMIT TO
OPERATE A TRUCK PARKING TERMINAL
TO BE LOCATED AT 78 & 82 MARWAY CIRCLE**

RESOLUTION 68-17: Motion by Councilman DiPonzio who moved its adoption;

Resolved that a Public Hearing be scheduled for Monday, April 3, 2017 at 7:15 P.M. To consider the above captioned matter.

Seconded by Councilman Cordero.

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

Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

Supervisor Assini stated that they are investigating proposals for replacement of the lighting in the town hall. As they progress he will update the Town Board.

He also stated that he will be meeting with the Recreation & Parks Director to consider various proposals for the band shelter at Memorial Park.

REPORTS**ACCEPTING THE SUPERVISOR'S REPORT
FOR THE MONTH OF FEBRUARY 2017**

Supervisor Assini read his report for the month of February 2017 showing the following:

TOTAL RECEIPTS	\$5,541,027.82
TOTAL DISBURSEMENTS	\$1,733,932.08

WARRANTS**GENERAL FUND**

Accounts Payable	
CI #A16-1363 – A16-1368	\$15,447.61
CI # A17-0087 – A17-0141	\$77,278.89

HIGHWAY FUND

Accounts Payable	
CI #D17-0019 – D17 – 0047	\$71,494.34

LIBRARY FUND

Accounts Payable	
CI # L17-0008 – L17-0041	\$10,893.50

Supervisor Assini noted for the record that the warrants for the month of January 2017 have been examined by the Town Board and paid.

RESOLUTION 69-17: Motion by Councilman DiCaro who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Supervisor's Report for the month of February 2017 as read and the warrants for February 2017 as read; subject to the approval of the Gates Town Board.

Seconded by Councilman Tucciarello.

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

Motion Carried.

**ACCEPTING THE TOWN CLERK'S REPORT
FOR THE MONTH OF FEBRUARY 2017**

The Town Clerk read the report for the month of February 2017 showing the following:

TOTAL REVENUES TO THE SUPERVISOR	\$19,504.71
TOTAL NON-LOCAL REVENUES	833.36
TOTAL REVENUES COLLECTED	\$20,338.07

RESOLUTION 70-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Town Clerk's Report for the month of February 2017 as read.

Seconded by Councilman Tucciarello.

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

Motion Carried.

PERSONNEL STATUS REPORT – NONE

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

Town Clerk