

December 4, 2017

The Gates Town Board held its regular Town Board meeting on Monday, December 4, 2017 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
Daniel G. Schum	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 158-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the Minutes of the November 8, 2017 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

Senator Joe Robach, Legislator Frank Allkofer and several residents expressed their gratitude to Councilman DiCaro , who is retiring from the Town Board at the end of the year, for his many years of service as a Police Officer, Police Chief, and Councilman in the town of Gates.

Rose Marie LaPietra (Chairman of the Wreaths Across America) and Theresa May, President of the Gates Garden Club addressed the Town Board. They stated that everyone is invited to come to the ceremony for Wreaths Across America. It will take place on December 16, 2017 at 12:00 noon in the front of Town Hall. They will convene at 11:30 A.M. in the Town Hall Annex.

OLD BUSINESS – NONE

NEW BUSINESS

**CONSIDERING THE RENEWAL OF THE
CONDITIONAL USE PERMITS FOR THE
FOLLOWING BUSINESSES: DEPAUL
COMMUNITY SERVICES – 1931 BUFFALO RD.;
JACK’S BBQ & PIZZERIA – 3055 BUFFALO RD.;
LYELL RD. BOTTLE AND CAN RETRIVAL
CENTER – 2445 LYELL RD.; MAC’S PIZZERIA
AND GRILL – 2346 LYELL AVE.; TACO BELL-
2317 LYELL AVE.**

Supervisor Assini stated that he has received a memo from the Building Department stating that they have renewed 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 160-17: 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 December 4, 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.

**SCHEDULING A PUBLIC HEARING
TO CONSIDER THE APPLICATION
FOR A CONDITIONAL USE PERMIT
TO CONSTRUCT AND OPERATE A
DRIVE-THROUGH & ATM FOR A
FINANCIAL INSTITUTION TO BE
LOCATED AT 2870 BUFFALO RD.**

RESOLUTION 161-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Tuesday, January 2, 2018 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 THE 2018 TOWN OF GATES
ORGANIZATIONAL MEETING AND THE
REGULAR JANUARY TOWN BOARD MEETING**

RESOLUTION 162-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the 2018 Town of Gates Organizational Meeting be scheduled for Tuesday, January 2, 2018 at 9:00 A.M. in the Town Hall Meeting Room.

Further Resolved that the regular Town Board meeting be scheduled for January 2, 2018 at 7:00 P.M. in the Town Hall Meeting Room.

Seconded by Councilman Cordero.

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

Motion Carried.

**APPROVING THE ELIMINATION OF THE
10 YEAR LIMITATION ON THE COLD
WAR VETERANS EXEMPTION**

Supervisor Assini stated that the Assessor has been notified that he has been required to make this change by the County.

RESOLUTION 163-17: Motion by Councilman DiCaro who moved its adoption:

Resolved that the Gates Town Board hereby approves the elimination of the 10 year limitation on the Cold War Veterans exemption.

Seconded by Councilman DiPonzio.

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

Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

Councilman DiCaro expressed his gratitude to the Senator and County Legislator and residents for their kind remarks. He stated that it has been a pleasure and an honor to be a part of Gates and to service its residents.

He stated that he has been requested by Chairman Tannous (of the Gates Garden Club) to inform everyone that the Conservation Board is collecting for the Open Door Mission for Christmas. There is a large box located in the Town Hall lobby for items anyone wishes to donate.

REPORTS

ACCEPTING THE SUPERVISOR'S REPORT FOR THE MONTH OF NOVEMBER 2017

Supervisor Assini read his report for the month of November, 2018 showing the following:

TOTAL RECEP TIS	\$843,804.31
TOTAL DISBURSEMENTS	\$1,504,195.13

WARRANTS

GENERAL FUND

Accounts Payable CI #0996 – 1213	\$181,540.01
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HIGHWAY FUND

Accounts Payable CI # 0309 – 0347	\$36,610.86
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LIBRARY FUND

Accounts Payable CI #0248 – 0268	\$35,227/65
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Supervisor Assini noted for the record that the warrants for the month of October 2017 have been examined by the Town Board and paid.

RESOLUTION 164-17: Motion by Councilman Cordero who moved its adoption:

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

Seconded by Councilman DiPonzio.

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

Motion Carried.

ACCEPTING THE TOWN CLERK'S REPORT FOR THE MONTH OF NOVEMBER 2017

The Town Clerk read the Town Clerk's Report for the month of November 2017 showing the following:

TOTAL REVENUE TO THE SUPERVISOR	\$27,471.21
TOTAL NON-LOCAL REVENUES	2,341.36
TOTAL REVENUES COLLECTED	\$29,812.57

RESOLUTION 165-17: 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 November 2017 as read.

Seconded by Councilman DiCaro.

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

Motion Carried.

PERSONNEL STATUS REPORT

The November 2017 Personnel Status Report was read for the Town Board's information.

There being no further business to come before the Town Board, Councilman DiCaro made a motion to adjourn the meeting. Councilman Tucciarello seconded the motion. All were in favor; the motion carried. Supervisor Assini adjourned the meeting at 7:50 P.M.

Town Clerk