

March 4, 2019

The Gates Town Board held a Public Hearing and its regular Town Board meeting on Monday, March 4, 2019 at the Gates Town Hall, 1605 Buffalo Road, and beginning at 7:00 P.M. Those present for the Public Hearing and regular Town Board 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

7:00 P.M. PUBLIC HEARING

**CONSIDERING THE APPLICATION OF
VITALIY BASISTY FOR A CONDITIONAL
USE PERMIT TO OPERATE A NON-PROFIT RELIGIOUS
USE FOR PROPERTY LOCATED AT 2445 LYELL ROAD.**

Supervisor Giunta called the Public Hearing to order at 7:00PM. The Town Attorney verified that the Legal Notice had been published as required by law. Denise Christopher, realtor for applicant requesting the usage change of building for the use of it as a church. Supervisor Giunta stated this is a zoned use. Attorney Schum clarified that this is use allowed by permit from the Town Board. It is not use permit as of right but the Town Board can under existing zoning allow this use upon granting a Conditional Use Permit by the board and for the purpose of this application this evening.

RESOLUTION 53-19 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Town Board hereby grants a Conditional Use Permit for Medhane Alem Eritrean Orthodox Tewahdo Church to operate a non-profit religious use for property located at 2445 Lyell Road with the following conditions:

1. The term of the Conditional Use Permit is for (1) year.
2. The hours of operation permitted are:

Saturday	4pm-8pm
Sunday	7am-2pm
Holy days or Holidays	7pm-Midnight
3. Maximum of 50 members allowed for this Public Assembly.

Seconded by: Councilman Cordero

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Giunta-aye
Tucciarello-nay

Motion carried

7:30pm REGULAR TOWN BOARD MEETING

Supervisor Giunta called the meeting to order at 7:30PM. He began with a silent Prayer and Pledge of Allegiance.

RESOLUTION 54-19 Motion by Councilman Tucciarello who moved its adoption:

Resolved, that the Gates Town Board hereby approves the minutes of the February 4th, 2019 regular Town Board Meeting.

Seconded by: Councilman Cordero

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

AUDIENCE PARTICIPATION

Frank Allkofer, mentioned that Ken Moore from Chapter 20, passed away last week. Ken Moore was very active in the community assisting Veterans. Frank also thanked Councilman Loughlin for heading the honor guard at the memorial service.

PROCLAMATION

Proclamation Presented by Tracy DiFlorio and Frank Allkofer to Diane Selentro

All of Monroe County Legislator, Tracy DiFlorio District 3, and Frank Allkofer District 4 presented a proclamation to Diane Selento for all of her lasting commitment to the Town of Gates Community. Diane has dedicated her entire life in serving residents in the Town of Gates. Diane has served in numerous capacities including Cystic Fibrosis Foundation, Gates Chili Chamber of Commerce and Rochester Youth Hockey. Currently serves on the Board of Directors for Story of Hope, Comfort Care home. Projects where she uses her firsthand experience with hospice care, to better suit the needs to patients and their families. We are beyond proud to have Diane as a part of our Gates Community. Her work has left a lasting impression on our community and we thank her for her services.

OLD BUSINESS

RESCHEDULING THE PUBLIC HEARING TO CONSIDER THE APPLICATION FOR BENJAMIN SECOR (SENENIG'S LANDSCAPE SUPPLY LLC) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AN LED SIGN LOCATED AT 3670 BUFFALO ROAD.

Resolution 55-19 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Gates Town Board hereby rescheduled the public hearing to Monday, April 1st 2019 at 7:00pm to consider the application for Benjamin Secor (Sensenig's Landscape Supply LLC) for a Conditional Use Permit to construct an LED sign located at 3670 Buffalo Road.

Seconded by: Councilman Cordero

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

NEW BUSINESS

CONSIDERING THE RENEWAL OF THE CONDITIONAL USE PERMITS FOR THE FOLLOWING BUSINESSES.

RESOLUTION 56-19 Motion by Supervisor Giunta who moved its adoption:

Resolved, that the Gates Town Board hereby grants renewal of the Conditional Use Permits to the following businesses:

1. Bell Atlantic Mobile of Rochester, L.P., D/B/A Verizon Wireless located at 2150 Chili Avenue.
2. Sushi Edoya Restaurant/Edoya Japanese Restaurant located at 2115 Buffalo Road.

This will be for a one year period thru March 4, 2020 subject to the same terms and conditions applicable to the original permits.

Seconded by: Councilman DiPonzio

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

**APPONTING MIC SILIVESTRO
TO THE POSITION OF CODE
ENFORCEMENT OFFICER.**

RESOLUTION 57-19 Motion by Councilman Cordero who moved its adoption:

Resolved, that the Gates Town Board hereby appoints Mic Silivestro to the position of Code Enforcement Officer.

Seconded by: Councilman Loughlin

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

**APPOINTING AGOSTINO MINEO
TO THE POSITION OF THE TOWN
OF GATES ASSESSOR.**

RESOLUTION 58-19 Motion by Councilman Loughlin who moved its adoption:

Resolved, that the Gates Town Board hereby appoints Agostino Mineo to the position of the Town of Gates Assessor.

Seconded by: Councilman Tucciarello

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

**ACCEPTANCE OF THE INTER-MUNICIPAL
SIGNED AGREEMENT FOR BUILDING
INSPECTION SERVICES CONTRACT.**

RESOLUTION 59-19 Motion by Councilman Tucciarello who moved its adoption:

Resolved, that the Gates Town Board hereby accepts the Inter-Municipal signed Agreement for building inspection services contract.

Seconded by: Councilman Loughlin

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

**SCHEDULING A PUBLIC HEARING
TO CONSIDER A LOCAL LAW TO THE ZONING
CODE (CHAPTER 190 OF TOWN CODE)**

RESOLUTION 60-19 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Gates Town Board hereby schedules a Public Hearing to Monday, April 1st 2019 at 7:15PM to consider a local law to the zoning code (chapter 190 of Town Code).

Town Attorney stated that the code committee has been meeting pretty extensively as he was reading thru their meeting minutes. They have done a good job of addressing the holes in Code. This will be a good addition once adopted.

Seconded by: Councilman Cordero

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

**AUTHORIZING THE TOWN COMPTROLLER
TO MAKE FUND TRANSFERS WITH THE 2018
TOWN OF GATES BUDGET FOR POLICE
DEPARTMENT, LIBRARY AND GENERAL**

RESOLUTION 61-19 Motion by Councilman Tucciarello who moved its adoption:

Resolved, that the Gates Town Board hereby accepts the Town Comptroller to make fund transfers with the 2018 Town of Gates budget for Police Department, Library and General.

Seconded by: Councilman Cordero

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

**APPOINTING ABRAMO BIANCHI TO
THE BOARD OF ASSESSMENT REVIEW
TO FILL THE REMAINING UNEXPIRED
TERM TO SEPTEMBER 30, 2022 FOR
THOMAS CARPENTER.**

RESOLUTION 62-19 Motion by Councilman DiPonzio who moved its adoption

Resolved, that the Gates Town Board do hereby appoints Abramo Bianchi to the Board of Assessment Review to fill the remaining unexpired term to September 30, 2022 for Thomas Carpenter.

Councilman DiPonzio stated that Abramo Bianchi is an active participant in the Town of Gates in many different facets such as Recreation Commissions and almost 40 years of experience of being a Realtor. He is a quality guy and we are lucky to have him to step into the position for the remaining unexpired term for Thomas Carpenter.

Seconded by: Councilman Cordero

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

NEW BUSINESS OF COUNCIL MEMBERS

Councilman Tucciarello stated that there is a luncheon at Ricks Prime Rib to support DWI STOP. Great work they do – good function. Wednesday March 6th.

Councilman Loughlin wanted to advise everyone about the milk jugs around the town. There is one at the Information Desk, Police Department and the Library. This is to benefit the charitable organization to Cure Childhood Cancer Association.

REPORTS**ACCEPTING THE SUPERVISOR REPORT
FOR THE MONTH OF FEBRUARY 2019**

TOTAL RECEIPTS	1,137,831.27
TOTAL DISBURSEMENTS	1,742,070.57

WARRANTS**GENERAL**

CLAIMS # A18-1401- A18-1402	21,865.58
CLAIMS # A19-0067- A19-0135	48,826.97

HIGHWAY

CLAIMS # D18-0482 - D18-0483	4,955.87
CLAIMS # D19-0017 - D19-0052	115,216.48

LIBRARY

CLAIMS # L18-0329	51.32
CLAIMS # L19-0010 – L19-0031	30,642.05

Supervisor Giunta noted for the record that the warrants for the month of February 2019 have been examined by the Town Board and paid.

RESOLUTION 63-19 Motion by Councilman Tucciarello who moved its adoption:

Resolved, that Gates Town Board hereby accepts the Supervisor's Report for the month of February 2019 as read, and the warrants for the month of February 2019 as read; subject to the approval of the Gates Town Board.

Seconded by: Councilman Loughlin

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

**ACCEPTING THE TOWN CLERK'S
REPORT FOR THE MONTH OF
FEBRUARY 2019**

TOTAL REVENUE TO THE SUPERVISOR	8,650.36
TOTAL NON-LOCAL REVENUE	350.18
TOTAL REVENUE COLLECTED	9,000.54

RESOLUTION 64-19 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of February 2019.

Seconded by: Councilman Cordero

VOTE: Cordero-aye; DiPonzio-aye; Loughlin-aye; Tucciarello-aye; Giunta-aye

Motion carried

PERSONNEL STATUS REPORT

The Town Clerk read the Personnel Status Report for the month of February 2019.

There being no further business to come before the Town Board, Councilman Cordero made a motion to adjourn the meeting. Councilman Loughlin seconded the motion. All were in favor; the motion carried. Supervisor Giunta adjourned the meeting at 7:54.

Town Clerk