

April 1, 2019

The Gates Town Board held a Public Hearing and its regular Town Board meeting on Monday, April 1, 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

**TO CONSIDER THE APPLICATION FOR
BENJAMIN SECOR (SENSENIQ'S LANDSCAPE SUPPLY LLC)
FOR A CONDITIONAL USE PERMIT TO
CONSTRUCT AN LED SIGN LOCATED
AT 3670 BUFFALO RD.**

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.

Andrew Henner of 14 Front Stone Ln, Penfield, NY and Benjamin Secor showed pictures of the existing sign and the new proposed LED sign. The LED sign is 2 sided and approximately 28 square feet to be added to existing frame sign totaling 32 sq. ft. Still image no strobes, full color lighting. Will be lit 24/7 and dimmed at night. To show they are retail store vs the impression of contractor base store. Total square footage between both signs is 64 sq. ft.

No further discussion – Supervisor Giunta closed the Public Hearing
Councilman Tucciarello made motioned to deny. No further discussion. Attorney Schum stated motion will them fail for lack of a second.

RESOLUTION 65-19: Motion by Councilman DiPonzio to table this request for further examination and discussion until the next Town Board Meeting May 6, 2019.

Seconded by Councilman Loughlin

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

7:15 P.M.

**TO CONSIDER CREATING
A LOCAL LAW TO CHANGE THE ZONING
CODE (CHAPTER 190 OF TOWN CODE)**

Supervisor Giunta called the Public Hearing to order at 7:15PM asked if public meeting notices for both were published as required by law. The Town Attorney verified that both the Legal Notices have been published as required by law.

Christine Maurice from the Zoning Board worked on these changes along with Michael Wall who lead this committee and is the Chair Person. Some of these zoning code changes include definition updates, parking code, in-law apartment and fencing on corner lots. Also same variances have come to the board of appeals over and over which have been approved every time. If any questions on these changes Christine would be more than glad to answer questions. Supervisor thanked Christine and Mike Wall along with other board members for the work they had done for the Zoning Code changes. Christine had stated that Kurt Rappazzo, Lee Cordero and Lee Sinebox also took part of these changes.

John Siamo Zeppetella 1676 Buffalo Rd commented on the changes of the Zoning codes.

RESOLUTION 66-19: Motion by Supervisor Giunta to table this request for further discussion.

Seconded by: Councilman Tucciarello

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

Supervisor Giunta closed the Public Hearing meeting and adjourned for 5 minutes before starting the regular Town Board meeting.

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: 67-19: Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Gates Town Board hereby approves the Minutes of March 4, 2019 Public Hearings and regular Town Board Meeting Minutes.

Seconded by Councilman Tucciarello

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

AUDIENCE PARTICIPATION

Stephanie DiCenzo who lives on 76 Brookline Lane wanted to inform the town that she is planning on opening a Home Away from Home Child Care center in the Town of Gates with children ages form 6 weeks old to 12 years old. Stephanie is interested in a building in Gates. Target date to open fall 2019

Dan Glanton from 17 Sudbury Dr. asked why we have to pay dog license fees when there are people who have not licensed their dogs in Gates. It is a New York State requirement and Town Ordinance to license these dogs. Dan Schum explained how it worked with the State with dog enumeration back in the day but now its placed back on the towns to do it. Mr. Glanton stated he was accosted by four dogs of which they were not licensed. What is the town going to do about this issue? Supervisor Giunta stated we have now hired a full time Dog Warden/Code Enforcer and by doing this we should have better control over these non-licensed dogs. John Zeppetella stated that all dogs should also have rabies shots.

Frank Allkofer mentioned the Memorial Day Service on June 17, 2019 at MCC Auditorium with Guest speaker Nick Stefanovic who served our country for 3 tours and is a dynamic speaker. The Monroe County Youth Awards is coming up. If you would like to nominate a youth you can see the Supervisor for the form. This will need to be in by April 19, 2019. Frank Allkofer has been working with Art Plewa (Comptroller) & Senator Robach with the NYS budget which we had lost \$500,000 in Veterans Services. Frank would like to thank Art Plewa for his work in monitoring the budget.

PRESENTATION OF PROCLAMATIONS

Legislator Frank Allkofer and Supervisor presented to Dominic Tarasco and Louis Paolino. They are Veterans from the Korean War and World War II. We recognize and congratulate them for serving our Country during these wars and their dedication to the Gates Community. Dominic had attended Honor Flight Mission #56 two years ago and Louis will be attending Honor Flight Mission #64 on April 6th.

Legislator Frank Allkofer presented to the American Legion a Certificate of Recognition, celebrating their 100th year Anniversary. The American Legion was chartered in 1919 and is one of the most influential non-profit groups across the United States focusing on service to veterans, service members and communities.

Chief VanBrederode has put this all together and is on the Board of Directors at Dunn Towers. Gates has been very involved in the Honor flight. Our Bag Pipe Band has played many times to welcome them home as it is an amazing event. We are honored and proud to have these people live at Dunn Towers.

Bill Gillette Town Historian – came in costume as Constable Harry Olmstead who was the first Constable of the Town of Gates to wish the Town of Gates a Happy Birthday for being 206 years old.

Close Audience Participation

OLD BUSINESS - NONE

NEW BUSINESS

**RENEWAL OF CONDITIONAL USE
PERMITS FOR THE FOLLOWING BUSINESS:
FQRS KENTUCKY FRIED CHICKEN LOCATED AT 1345 CHILI AVENUE;
RC REAL ESTATE LOCATED AT 955 BUFFALO RD.**

RESOLUTION 68-19: Motion by Supervisor Giunta who moved its adoption:

Resolved, that the Gates Town Board hereby grants renewal of the Conditional Use Permits for a period of 1 year through April 1, 2020. Subject to the same terms and conditions applicable to the original permit. According to the Building Department there are no violations

Seconded by Councilman Tucciarello

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

**APPROVING THE PURCHASE
OF A PLOW TRUCK FROM THE
TOWN OF CHILI FOR \$39,500**

RESOLUTION 69-19 Motion by Councilman Cordero who moved its adoption:

Resolved, that the Gates Town Board hereby approves the purchase of the plow truck from Chili for \$39,500.

Seconded by Councilman DiPonzio

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

**ESTABLISHING A RESOLUTION TO ADOPT ENERGY
BENCHMARKING REQUIREMENTS
FOR CERTAIN MUNICIPAL BUILDINGS**

RESOLUTION 70-19 Motion by Councilman Loughlin who moved its adoption:

Resolved, that the Gates Town Board hereby establish resolution for Energy Benchmarking requirements for certain Municipal Buildings.

Seconded by Councilman Cordero

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

**APPROVING THE NYS UNIFIED
SOLAR PERMIT APPLICATION METHOD
FOR RESIDENTIAL SCALE SOLAR SYSTEM**

RESOLUTION 71-19 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Gates Town Board hereby approves the NYS Unified Solar permit application method for residential scale Solar System.

Seconded by Councilman Loughlin

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

**AUTHORIZING THE CONVEYANCE OF
CERTAIN VACANT REAL PROPERTY
LOCATED AT THE REAR OF 67 RAHWAY LANE**

RESOLUTION 72-19 Motion by Councilman Cordero

Resolved, that the Gates Town Board hereby authorize the conveyance of certain vacant real property located at the rear of 67 Rahway Lane.

Seconded by Councilman Cordero

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

**ACCEPTING THE DONATION OF
2 GLASS DISPLAY CASES FROM THE
MONROE COUNTY SHERIFF’S OFFICE
VALUED APPROXIMATELY \$400**

RESOLUTION 73-19 Motion by Councilman Tucciarello who moved its adoption:

Resolved, that the Gates Town Board hereby accepts the donation of 2 glass display cases from the Monroe County Sheriff’s office valued at \$400.

Seconded by Councilman DiPonzio

Councilman Loughlin asked for a roll call.

Town Clerk Veronica – roll call vote

Vote: Loughlin – Abstain; Tucciarello – Aye; Cordero – Aye; DiPonzio – Aye; Giunta – Aye

**APPROVE APPLICATION FOR A
CERTIFICATE OF COMPETENCY TO
JEREMY SULLIVAN FOR A PLUMBING
LICENSE. THIS WILL ALLOW HIM TO PROVIDE
SERVICES IN THE TOWN OF GATES.**

RESOLUTION 74-19 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Gates Town Board hereby approve the application for a Certificate of Competency to Jeremy Sullivan for a plumbing license to allow him to provide plumbing services in the Town of Gates.

Seconded by Councilman Tucciarello

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

NEW BUSINESS OF COUNCIL MEMBERS

Councilman Loughlin – April 22, 2019 the Conservation Board and the Recreation Department will be working together on Earth Day Clean Up. Anyone is welcome to join them. While the Chief is here, we would like to congratulate the 3 new Police Officers in completing their training at the Academy and now going on to Field training. Welcome aboard.

Supervisor Giunta – On April 20th, 2019 there will be an Easter Egg Hunt at TSE at 10:00 a.m.

Close New Business

ACCEPTING THE SUPERVISORS REPORT FOR THE MONTH OF MARCH 4, 2019

TOTAL RECEIPTS	591,521.66
TOTAL DISBURSEMENTS	1,178,275.44

WARRANTS

GENERAL

CLAIMS # A19-0136 – A19-0204	63,671.35
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HIGHWAY

CLAIMS # D-19-0053 – D19-0068	47,215.60
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LIBRARY

CLAIMS # L19-0032 – L19-0051	22,535.62
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Supervisor Giunta noted for the record that the warrants for the month of March 2019 have been examined by the Town Board and paid.

RESOLUTION 75-19 Motion by Councilman Diponzio who moved its adoption:

Resolved, that Gates Town Board hereby accepts the Supervisor's Report for the month of March 4, 2019 as read, and the warrants for the month of March 4, 2019 as read; subject to the approval of the Gates Town Board.

Seconded by Councilman Cordero

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

ACCEPTING THE TOWN CLERK'S REPORT FOR THE MONTH OF MARCH 2019

TOTAL REVENUE TO THE SUPERVISOR	18,338.66
TOTAL NON-LOCAL REVENUE	1,018.34
TOTAL REVENUE COLLECTED	19,357.00

RESOLUTION 76-19 Motion by Councilman Cordero who moved its adoption:

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

Seconded by Councilman Loughlin

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

PERSONNEL STATUS REPORT

The Town Clerk read the Personnel Status Report for the month of March 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 8:15PM

Town Clerk