

February 3, 2020

The Gates Town Board held three Public Hearings and its regular Town Board meeting on Monday, February 3, 2020 at the Gates Town Hall, 1605 Buffalo Road, and beginning at 7:00 PM. 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

7:00PM PUBLIC HEARING

**CONSIDERING A CONDITIONAL USE PERMIT FOR
VG TRUCKING INC. / VADYM GALUSHKO
TO OPERATE A TRUCK PARKING TERMINAL AT
78 & 82 MARWAY CIRCLE**

Supervisor Giunta called the Public Hearing to order at 7:08PM. The Town Attorney verified that the Legal Notice was published as required by law.

Anthony Perrotta, 711 Pixley Rd spoke on behalf of the owners. Sold land 2-3 years ago to the business owners. Stated the property is kept neat, clean and organized. Business is growing and there is a need for cars to be parked for duration by workers as they are delivering in company trucks. Would like to see board approval of this use.

Applicant Vadym Galushko stated becoming more difficult to run the business without the ability to park cars overnight. Workers have to be dropped off and picked up making it difficult delivering regional. No regular set hours for the drivers feels it could really hurt business if the conditional use permit cannot be amended. Drivers inconvenience family members / friends to drop them off early in morning.

Supervisor Giunta stated there is an currently and existing Conditional Use Permit and this would be to amend current one to allow the use of overnight parking Asked how many cars, & drivers are going out at once?

Applicant responded there are 18 trucks, so it would be 18 cars. All vehicles are those of the drivers. All NY State registered and in good condition, nothing broken down or damaged.

Supervisor Giunta, asked if there is ample parking for all 18 cars to be there all at once or would it fluctuate and if so if there a specific schedule? Is it a 7 day /week operation?

Applicant responded it would fluctuated depending on deliveries during the week Monday-Friday, No weekend deliveries. Parking lot would be tractor trailers only, no cars unless there are some out of state deliveries. No specific hours of operation.

Supervisor Giunta asked about if trailers would be kept on property.

Applicant stated yes there is a heavy duty utility trailer to house a machine to clean the snow or repair any holes in the parking lot. It's our own personal trailer would like to add it to the conditional permit.

Councilman Loughlin asked if there is any outside lighting to light the property.

Mr. Perrotta stated a light was installed in the rear lot many years ago and the applicant added that there is a 24 hour camera surveillance, from every angle of the parking lot with backup recording for a week or two

Councilman Tucciarello, stated he was glad business was doing well and thanked them for having their business in Gates.

RESOLUTION 52-20: Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby approves a Conditional Use Permit for VG Trucking Inc. / Vadym Galushko allowing overnight parking for employees, subcontractors including their personal utility trailer which is used to maintain their parking lot.

Seconded by Councilman Loughlin

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

Motion Carried.

Supervisor Giunta closed the Public Hearing at 7:16pm

7:10PM PUBLIC HEARING

CONSIDERING A CONDITIONAL USE PERMIT FOR THREE A RESOURCES LLC/WORKFIT MEDICAL TO OPERATE A FREE STANDING ELECTRONIC MESSAGE BOARD IN A GB DISTRICT AT 1160 CHILI AVENUE

Supervisor Giunta called the Public Hearing to order at 7:17 PM. The Town Attorney verified that the Legal Notice was published as required by law.

Applicants Dr. Jay Ellie and Nelson Barnes with Premier Signs Company

Supervisor Giunta asked if the sign already installed and functional.

Mr. Barnes stated he has been in the sign business for 30 years and knows that a permit was needed. Paperwork was submitted into the town. After 2-3 days, Natalie approved it, permit was picked up. Installation took months as they were working in electrical portion. Inspector r came and stated there wasn't a permit. He stopped back to show he had permit. Building Dept. stated permit was for the sign, but not the message board and needed special use varieance. Had he known 80 months ago he needed separate ones he would have taken the proper steps for both approvals. He stated it was all included on original submission and though the permit issued was for the entire project. He's been in the business for 30 years. All speciation and sizes are within the guidelines.

Supervisor Giunta questioned dimensions and measurements.

Mr. Barnes stated everything fits to criteria and that digital board is 4' x 8' within specifications. Building Inspector Terry Rech advised to keep going as it fits criteria but must attend this meeting.

Supervisor Giunta checking his understanding that the message board would be medical related messages

Mr. Barnes distributed photos to board members to show the actual Message Board

Dr. Ellie stated he wanted to replaced current board and engaged the sign company to do so .He believes it's a big improvement from the sign that was there and would allow him to display public messages like "Get your flu shot" etc.

Councilman Cordero asked if the white slots on the bottom were for other tenants.

Dr. Ellie the intention is for the other tenants to be able to utilize the sign also and Mr. Barnes they are vinyl and back lite which was stated on the original permit.

Councilman DiPonzio asked the frequency of the message change

Mr. Barnes, everyone has different codes. The DOT says 8 seconds, so right now it's at 8 seconds, not sure what Gates requires

Attorney Schum stated the town does have restrictions, it cannot be more than a certain frequency, Supervisor Giunta added, non-scrolling, and not flashing. Highway Superintendent Kurt Rappazzo he believes it is 60 seconds.

Dr. Ellie, stated they will definitely stay within guidelines

Councilman Cordero assuming that's private property, run by you with no easement issues

Dr. Ellie, purchased property about 15 years ago and believe he has made good improvement to that area and neighborhood. Looking to add a new door on the entrance and reface the long side of the building. The sign was like the final stage.

Supervisor Giunta closed the Public Hearing at 7:28pm

RESOLUTION 53-20: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby allow the Conditional Use Permit for the Electronic Message Board adhering to the ordinances and regulations set forth by the town code

Seconded by Councilman Cordero

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

Motion Carried.

7:20PM PUBLIC HEARING

**CONSIDERING A CONDITIONAL USE PERMIT FOR
MARDANTH TO OPERATE AS ROYAL CAR WASH IN A GB DISTRICT
AT 1190 CHILI AVE**

Supervisor Giunta called the Public Hearing to order at 7:29 PM. The Town Attorney verified that the Legal Notice had been published as required by law.

Applicants Davis Cox, Passero & Associates, Anthony and Danny Daniele all in attendance
 Mr. Cox stated this would be the 12th Royal Car Wash in Monroe County. They've been looking to get into Gates for a while, but not always easy to get the right location. They feel this site provides all the right factors needed for a successful location and provide full utilization of the property.

Proceeded to explain operation. Fast process about 2-3 minutes in and out. Does not generate too much traffic. Uses latest technology very low water usage, heated concrete to prevent freezing, much safer. Self-serving site

Employees: 2-4 on site at a time.

Hours of operation: Mon-Fri 7am-9pm Sat. 8am-9pm Sun. 8am-7pm

Building: Brick building and well landscaped.

Councilman Cordero asked if planning on purchasing or leasing the 2 acres.

Mr. Anthony Daniele stated the intent is to purchase with planning board process sub-divide the property into its own parcel and some cross access easements that would be required, but with the current owner it seems like a win-win situation,

Councilman Cordero clarified that it would be just the two parcels, the car wash and doctor's office

Supervisor Giunta about the water if it's all going to be recyclable/reusable

Mr. Anthony Daniele some recycling but use high pressure technology only 35-38 gallons per wash. Unusable water goes into public sewer system but all chemicals used are biodegradable, municipal sewer friendly, so no taxing of anything, heard from other communities that the chemicals going in the sewer are actually cleaning the take grease and build-up in the sewer system away.

Attorney Schum asked if is there is enough room for ingress and egress of if they envision any conflicts with cars coming out of the car wash trying to exit while other cars are trying to come in.

Mr. Cox no that there is plenty of room.

Councilman Loughlin asked about the 3 kiosks and security with any possibility of break-ins, theft or mischief if not staffed 24 hrs.

Mr. Daniele stated the kiosks are pretty secure, linked the same as a bank teller machine. The site ensures about 70% of customers are fast pass customers or Royal Club, with an RFID on windshield linked to a credit card. Customers who pay directly, 90% use credit cards, so actual cash in terminal is minimal. BRINKS comes a few times a week to get cash, not employees. It's not an operation that runs in the evening. Some lights are turned off, but security lighting remains all night and camera surveillance.

Councilman Loughlin asked if they have ever experienced break-ins.

Mr. Daniele responded there has only been one incident with someone breaking window of building and took money in register about \$26.00

Councilman Loughlin asked how many customers expected in the course of any given day

Mr. Daniele, varies with weather, a busy day could be 800-900 from open to close, on a slow day it could be less than 100 cars. Average is about 400-500 cars per day.

Councilman DiPonzio asked if on other sites who does the snow plowing or snow removal

Mr. Daniele, responded that they do it and have a small fleet 3 pickup trucks the snow is stored on site. He doesn't anticipate that being a problem at this site.

Dara Rennert, 1414 Clover a Brighton resident commented that they made a great improvement to the Brighton community and think it would do the same in Gates.

Supervisor Giunta closed the Public Hearing at 7:42pm

RESOLUTION 54-20: Motion by Supervisor Giunta who moved its adoption:

Resolved that the Gates Town Board hereby allow the Conditional Use Permit for Mardanth to operate as Royal Car Wash in a GB District at 1190 chili Ave.

Seconded by Councilman DiPonzio

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

Motion Carried.

7:30PM REGULAR TOWN BOARD MEETING

Supervisor Giunta called the meeting to order at 7:43PM. He began with a silent Prayer and Pledge of Allegiance to the Flag.

RESOLUTION 55-20 Motion by Councilman DiPonzio to approve

The Gates Town Board hereby approves the minutes of January 6, 2020 Organizational meeting and January 6, 2020 Public Hearings and regular Town Board meeting as received.

Seconded by Councilman Cordero.

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

Motion Carried.

AUDIENCE PARTICIPATION

County Legislator Frank Allkofer greeted all and wanted to update everyone:

Saturday, March 7, 2020 Veterans Forum sponsored by Senator Joe Robach, here the Gates Town Annex. Speakers Laura Stradley, from Veterans Outreach, Nicholas Stefanovic, from Monroe County Veterans Services Agency and Bruce Tucker the new director of the Veterans Health Care System on Calkins R, Patriot Guard Riders, and former Judge John Demarco, and an addition of about 15 different agencies setting up tables for the veterans. 8am-9am is coffee and donuts, then at 9am-noon sessions begin.

He is looking to hold a bail Reform session here at the Town Hall for March.

OLD BUSINESS

Supervisor Giunta, motioned to un-table the Public Hearing for a Conditional Use Permit for G&I IX Empire Westgate Plaza, LLC C/O DLC Management Corp. to operate a trampoline park in a GB district at 2000 Chili Ave.

Second by Councilman DiPonzio.

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

Motion Carried.

Rachel Gregnon Fun City Trampoline Park, Michael Delisanti, for DLC Management and on behalf of the landlord, and Dara Rennert of Keller Williams Commercial Realtor

Supervisor Giunta, stated this was tabled pending additional information to be provided and appreciated that it was and also stated it gave the town a little more opportunity to gather more information as well.

Ms. Gregnon wanted to touch on questions and concerns the town had.

First was safety of facility.

Trampoline parks are becoming more popular across the country and understands the concern but feels it's a misconception that they are a danger zone. Pointing out to her documents on injury rate being extremely low and less than 1% of customers get a serious injury Document references how many calls we have to make to our local police department. Out of the 3 locations she represented, each called 911, 10-15 times for the year, some injuries and non-injury issues. Felt safety of their facility reflects on the injury rates which were extremely low. Explained other things to help create a safer environment. Such as; one staff for every 25 jumpers, facility size and type of equipment will create the capacity of how many jumpers for the facility and software so they don't go over capacity preventing overcrowding and lessen injury rate. Staff trained on injuries, security issues can hold CPR and First Aid Trainings. Looking to build a close relationship with the community, local police department, and EMT's.

Concerns on under 18.

A waiver form in place which everyone needs to sign. If under 18 a legal parent or guardian need to fill out and sign, if not the parent then they would fill out so parent contact information is gathered if there is a need to contact a parent in case of emergency or if the child is causing issues. They have stickers issued to them when they check in with their names on them. If a child is hurt or causing issues, the sticker will allow them to pull up their waiver information and contact their parent.

Supervisor Giunta asked about the waiver and if an adult or legal guardian has to complete for each child including a larger group of children come. Each parent needs to sign a waivers? Do you check ID's?

Ms. Gregnon, yes to both questions also depended on the locations, Staff is trained to catch situations that are not right.

Councilman Tucciarello asked if a child's parents signs a waiver on day one, can they come and go as they please in the course of the year because they have a waiver on file

Ms. Gregnon, Children under 13 are not to be left unattended so a parent would need to be there. Understands this is a concern. They would be willing to add that to their policy and add to the waiver. Just because a child has a waiver on file doesn't mean they can be dropped off. They would have to be of a certain age, a responsible age in order to come to our facility.

Attorney Schum asked what is used to verify the age of a young person who may not have a driver's license

Ms. Gregnon, advised they would have to give us their date of birth, including that of the person's first and last name and date of birth who signed their waiver.

Attorney Schum stated that a child comes in and gives a name of a parent who is not the actual parent could be a problem.

Ms. Gregnon agreed it's a concern but they don't really run into that issue. Knowing it would be a concern of ours she checked into their software used to check in customer to look into possibly doing a fingerprint system so a fingerprint would be directly linked to the family account.

Attorney Schum asked if there is time restrictions on age and time of day as long as they have a waiver.

Ms. Gregnon currently they don't those types of restrictions, but if that's big concern they can look into it and change it.

Attorney Schum, the glow night is attractive for teenagers and that would go till 11:00pm under your proposal

Supervisor Giunta interjected and asked if we were to make this a condition to have a parent present would it drop your capacity in half to about 190 because you stated full capacity is 380 people.

Mr. Delisanti stated not day to day, that's absolute building code capacity for purposes other than day to day operation. Ms. Gregnon added, the jumper capacity would be significantly less, like half of that.

Supervisor Giunta commented that the parent would have then have to be in the facility as well

Mr. Delisante wanted to clarify the question he heard about how often waivers needed to be signed, whether on file or each time

Ms. Gregnon stated in the other facilities the waiver is valid for a year and after the year it needs to be renewed. It can get changed to expire within 24 hours, a week, whatever it needs to be.

Councilman Cordero inquired on 911 calls, a percentage was for injuries, what was the other percentage of calls for?

Ms. Gregnon, advised of a scenario of under aged teenagers who left the facility to walk across the street. They felt it was a safety issue for the children as the child was in their care. Another time the police were called because there was a physical altercation between adults, staff stopped it immediately and police followed up on issue

Supervisor Giunta, stated that the document references can only stay up to 2 hours, how do you monitor or enforce this?

Ms. Gregnon stickers are used with first and last name and start / stop time. Staff to be alert of the stickers. If someone is missing their sticker they are sent back to replace sticker and their time frame gets confirmed for the day, if time is up they must leave.

Supervisor Giunta, asked after the 2 hours are up are they told to leave, but what if a friend is their ride is not done with their 2 hours or not there yet to pick them up, how is that handled?

Ms. Gregnon its case by case, they would need to see why the child is still waiting and deal with it.

Attorney Schum is there a place for them to wait for a ride, what does the child do?

Ms. Gregnon, they have a seating area in close proximity to the front desk so they would be able to keep eye on them

Supervisor Giunta asked if able to re-entrance is allowed once jumper leaves facility, can go in and out?

Ms. Gregnon, if 2 hour time is over, No, but if there is still time on their sticker then Yes they can re-enter, Never had issues with people leaving and coming back in, but if that became an issue, they can address that.

Councilman DiPonzio asked about pricing as well as specialty nights like glow jump and is anyone monitoring the parking lot with cars and the other businesses.

Ms. Gregnon responded 2 hour Jump time is typically \$25.00 and specialty nights like glow night could be \$18.00, but could vary per location. We have security cameras that are recording 24/7 and is displayed in main office

Councilman DiPonzio clarified this site would run the same way

Don Ioannone, 4099 Lyell Rd doesn't believe this would not be a good fit or mix in the Town of Gates, being in the former Staples building and next to Walmart where there have been issues feels it would put a strain on the emergency resources

Mr. Jim Grey 1001 Elmgrove Rd. President of the Gates Volunteer Ambulance, has concern waiver or no waiver, if an ambulance is called for a person under 16 years of age who consents to that?

Ms. Gregnon clarify if for a child under 16 who requires immediate medical attention 991 would be called, if it's a situation where immediate attention is not needed parents would be called / located and fill out an incident report and asked if they want an ambulance called.

Attorney Schum questioned again if the 16 year old needs immediate treatment at that minute who provides that consent?

Ms. Gregnon, the manager on duty would make that critical call on calling or not

Attorney Schum, respectfully doesn't know or feel the manger has the authority do make that call for the minor child

Mr. Grey, stated the ambulance need consent to treat and consent to transport

Mr. Delisanti respectfully, questioned if this same situation happened in a school environment who would consent?

Supervisor Giunta, believes there is also a waiver signed in the beginning of the school year that covers that with the school district.

Mr. Delisanti believes that the waiver would include a consent and that the business owner wouldn't take the risk.

Councilman DiPonzio asked Mr. Grey if verbal consent is acceptable or must it be written.

Mr. Grey answered if verbal consent is coming from verified parent than yes and as for schools there is a registered nurse there and its set up that they have consent to make that call.

Ms. Gregnon asked if signed waiver proves there is consent and staff can make that decision.

Councilman DiPonzio stated he thinks a medical professional needs to make that determination, because a parents might feel it wasn't as bad as the staff thought.

Ms. Gregnon stated that they have never had any of these issues

Councilman Cordero asked if the parent doesn't agree, but the staff gave consent who is responsible to pay

Ms. Gregnon. Not us

Supervisor Giunta has seen other organizations require parents fills out a medical release form with their insurance information could this be added as part of the waiver.

Ms. Gregnon their insurance company has a form that the parents fill out, but only completed after something has happened and it's required, but is something we could definitely add to the waiver.

Mary Yates, 538 Valley Creek Rd. Concerns that waivers alone are not sufficient, names and who says they are may not match, also the location is an issue, as well as ages should not be mixed. There should be specific times for specific ages and never anyone under 16 be left alone.

Chief VanBrederode asked the applicant what state she was from (Maine). He stated he called the New Hampshire and Massachusetts locations but not sure what the demographic in those areas look like, or if it's in the middle of the suburbs or near a large city. Concerns here in Gates, past venues that have catered to teenagers for recreational activities turned pretty ugly with mass fights therefore has concerns with any type of venue that would have teenagers.

Asked about the Friday & Saturday event, what the age groups, times and parent requirements

Ms. Gregnon, Friday & Saturday nights are Glow Nights 7:00pm -11:00pm. It could be a teen night 13 and older, with the exception of the playground area that's for toddlers. Parents must be present for 13 and younger.

Chief asked about 14 & 15 year olds and parent

Ms. Gregnon commented their current locations can be without parent, but it can change if needed.

Chief JVB feel Rochester has unique issues dealing with in Law Enforcement not just Gates, it's just the area and the issues in dealing with the teenagers. Other concerns after speaking with the other locations were the number of calls made to the ambulance and fire trucks that had to go there, both taxing on their paying medical services. Feels this location, is a tough location right there on Chili Ave. Walmart closes at 10:00pm and is a busy Walmart with issues. Dollar Store and restaurants have also experienced issues. The overall concern from the Police department is

what happens with the kids left stranded with no ride, no parents and the Police become the babysitters and taxi services for that. Chief does not support the Chili Ave location.

Dara Rennert realtor with Keller Williams Commercial stated she was helpful in identifying this location and has been involved with several other projects in the area. She is a mother of 5 [12 to 17 years old] and deals with multiple teenage issues, understandably. Gates was identified as its first NY location because from a parental perspective there is no Entertainment use. Wanted to address Mr. Ioannone concerns that if children are given an activity and someplace to go, the likelihood of gang like activity and things we are all fearful of is greatly lessened.

Supervisor Giunta thanked Ms. Rennert for her comments as well as what she has done to help our community and agrees that if children are given a place to go it may deter other things but feels the question and true concern is that actual location and that it's been a troubled area for quite some time, and that's the main concern and burden that it could cause on our public services.

Supervisor Giunta closed the Public Hearing.

RESOLUTION 56-20 Motioned to Deny the application for Conditional Use Permit by Councilman Tucciarello

Seconded by Councilman Loughlin

Supervisor Giunta asked the secretary to do a Roll Call Vote

Secretary Lily Alberto, roll call Councilman DiPonzio – Aye; roll call councilman: Cordero – Aye; roll call Supervisor Giunta – Aye; roll call councilman Tucciarello – Aye; roll call councilman Loughlin – Aye

Motion carried, the application has been denied for a Conditional Use Permit

Reasons for denial of conditional use permit for G&I 1X Empire Westgate Plaza LLC, c/o DLC Management Corp. to operate a trampoline park in a GB District at 2000 Chili Avenue

Lack of any detailed security plan, security issues are handled by telling the customer to leave or calling the police

Operation includes substantial percentage of pre-teen and teenage persons,

- A. Glow night activities – attracts high percentage of teenagers and most “issues” occur with teenagers. Glow nights holidays and weekends are usually at or over capacity which creates even a greater likelihood of possible “incidents”
- B. Glo night activities run from 7 p.m. to 11 p.m. on Friday nights, too late an hour for teens and pre-teens to be out unaccompanied by their parents or legal guardian
- C. Security cameras are available – if issues arise – answer is to call the police
- D. 2 Hour Jump Time Rules – then must be picked up and go home – no control or process to assure that this happens – what assurances that minor children will have a safe and secure pick-up – what about repurchasing of additional time
- E. Waiver policy was very weak and did not provide or address the following concerns:
 - 1. Waiver from parent or guardian can be filled out online, with no ability to verify that the person filing out the online waiver was in fact a parent or legal guardian,

- and no ability to determine if the teenager is in fact related to the person filling out the waiver
2. Only verification of filed waiver is to look up the customer's name and verify his/her birthdate – no picture ID or other means of identification
 3. Waiver can be filled out over the phone – totally unacceptable from either a safety or security standpoint
 4. Underage person can jump without a parent or legal guardian present by verifying the driver's license of the parent or legal guardian who signed the online waiver
- F. No policy or procedure in place for injuries on premises – not sure if waiver even addressed medical care or treatment concerns or who can/is authorized to approve emergency medical treatment
- G. Medical emergency plan is to call 911 or the ambulance – putting a strain on town-wide emergency medical services for others
- H. With no parent or legal guardians present, how is emergency medical treatment authorization handled for minor children – no answer
- I. No plan to require a parent or legal guardian to be physically present with underage jumper
- J. Premises of proposed use is immediately adjacent to Walmart and the Dollar Tree and in store and parking lot issues are already present in the vicinity of the proposed use
- K. Proposed use places and unneeded and anticipated increased demand on police and emergency medical services, with no corresponding community benefit
- L. That the proposed use will be detrimental to the property and improvements in the neighborhood and to the general welfare, health and safety of those who work in the neighborhood, and will negatively impact the general welfare of the Town

NEW BUSINESS

APPROVING THE INTER-MUNICIPAL BUILDING INSPECTOR SERVICES AGREEMENT BETWEEN THE TOWN OF WHEATLAND AND THE TOWN OF GATES

RESOLUTION 57-20 Motion by Councilman Tucciarello, who moved its adoption:

Resolved, that the Gates Town Board hereby accepts the inter-municipal building inspector services agreement between the Town of Wheatland and the Town of Gates

Seconded by Councilman Loughlin

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

Motion Carried.

APPROVING THE RIGHT-OF-WAY AND POLE ATTACHMENT AGREEMENT BY AND BETWEEN VERIZON WIRELESS AND THE TOWN OF GATES

RESOLUTION 58-20 Motion by Councilman Cordero who moved its adoption:

Resolved, that the Gates Town Board hereby accepts the Right-of-Way and Pole Attachment Agreement by and between Verizon Wireless and the Town of Gates

Seconded by Councilman DiPonzio

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

Motion Carried.

**CONSIDERING RENEWAL OF THE CONDITIONAL USE PERMITS
FOR THE FOLLOWING
WESTMAR PLAZA LLC, EDOYA JAPANESE RESTAURANT 2115 BUFFALO ROAD;
JACK’S BBQ & PIZZA 3055 BUFFALO ROAD;
HANK PARKER’S PARTY & TENT RENTAL 200 PIXLEY ROAD; BIRCHCREST
TREE & LANDSCAPE 150 LEE ROAD**

Supervisor Giunta stated that he has reviewed the files and there are no violations against these businesses and finds no reason why the Conditional Use Permits for these businesses should not be renewed and approved on mass.

RESOLUTION 59-20 Motion by Councilman Cordero who moved its adoption:

Resolved, that the Gates Town Board hereby approves the renewal of the Conditional Use Permits on mass for the following Westmar Plaza LLC, Edoya Japanese Restaurant 2115 Buffalo Rd; Jack’s BBQ & Pizza 3055 Buffalo Rd; Hank Parker’s Party & Tent Rental 200 Pixley Rd; Birchcrest Tree & Landscape 150 Lee Rd

Seconded by Councilman DiPonzio

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

Motion Carried.

**SCHEDULE A PUBLIC HEARING TO
INTRODUCE LOCAL LAW #1-2020 SPECIAL EVENTS LAW
OF THE TOWN OF GATES**

RESOLUTION 60-20 Motion by Councilman DiPonzio who moved its adoption.

Resolved, that the Gates Town Board hereby schedules a Public Hearing for Monday, March 2, 2020 at 7:20PM to introduce Local Law #1-2020 Special Events Law of the Town of Gates

Seconded by Councilman Cordero

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

Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

Councilman DiPonzio would like a Punxsutawney Phil report from Councilman Loughlin

Councilman Loughlin believes it’s an accurate report judging from today’s weather, being an early spring, with Phil not seeing his shadow

Councilman Tucciarello added that February 25, 2020 at 11:30am at the Italian Sports Club the Gates Town Supervisor and Chili Town Supervisor will give the State of Town Address through the Chamber of Commerce. It’s always a wonderful event to go to.

Council Loughlin added that February 9th is the Polar Plunge at Charlotte Beach at noon. It benefit Special Olympics

REPORTS

SUPERVISOR'S

ACCEPTING THE SUPERVISORS REPORT FOR THE MONTH OF JANUARY 2020

TOTAL RECEIPTS \$4,929,630.43

TOTAL DISBURSEMENTS \$1,589,528.50

WARRANTS

GENERAL

CLAIMS # A19-1260 – A19-1293 \$48,434.76

CLAIMS # A20-0001 – A20-0059 \$43,640.21

HIGHWAY

CLAIMS # D19-0429 – D19-0437 \$5,584.79

CLAIMS # D20-0001 – D20-0026 \$73,844.43

LIBRARY

CLAIMS #L19-0250 – L19-0274 \$ 4,450.20

CLAIMS #L20-0001 – L20-0002 \$ 4,020.00

Supervisor Giunta noted for the record that the warrants for the month of January 2020 have been examined by the Town Board and paid.

RESOLUTION 61-20 Motion by Councilman Cordero who moved its adoption:

Resolved, that Gates Town Board hereby accepts the Supervisor's Report for the month of December 2019 as read; and the warrants for the month of January 2020 as read.

Seconded by Councilman DiPonzio

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

Motion Carried.

ACCEPTING THE TOWN CLERKS REPORT FOR THE MONTH OF JANUARY 2020

The Town Clerk read the report for the month of January 2020 showing the following:

TOTAL REVENUE TO THE SUPERVISOR \$38,769.12

TOTAL NON-LOCAL REVENUE \$525.18

TOTAL REVENUE COLLECTED \$39,294.30

RESOLUTION 62-20 Motion by Supervisor Giunta who moved its adoption:

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of January 2020.

Seconded by Councilman Tucciarello

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

Motion Carried.

PERSONAL STATUS REPORT

The Town Clerk read the Personnel Status Report for the month of January 2020.

There being no further business to come before the Town Board, Supervisor Giunta motioned to adjourn the meeting. All were in favor; motion carried. Supervisor Giunta adjourned the meeting at 8:30PM.

Town Clerk