

June 1, 2020

The Gates Town Board held one Public Hearing and its Regular Town Board meeting on Monday, June 1, 2020 via Zoom Video/Conference Call beginning at 7:15PM. Those attending the Zoom 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

7:15PM PUBLIC HEARING

**CONSIDER AMENDING AN EXISTING CONDITIONAL USE PERMIT FOR
WEST GATES CIP LLC., STURDI-BUILT SHEDS LLC,
2345 BUFFALO RD IN A NB DISTRICT**

Supervisor Giunta called the Public Hearing to order at 7:15PM. The Town Attorney verified that the Legal Notice was published as required by law.

Supervisor Giunta, Sturdi-Built has been with Gates several years with 15 sheds and want to increase inventory to 25, as well as change months of operation from April 1st – October 30th to March 15th November 15th. There have been no issues or complaints and has generated many sales and have no issue granting this request.

Corey Auerbach, Thanked the Town and Code Enforcer for assisting in facilitating this permit modifications, being sure all documents on file with the Town reflects the actual state of the shed display at 2345 Buffalo Rd. This is a vital location for Sturdi-Built and appreciates the continued support in Gates.

Councilman DiPonzio, asked if the increase causes any issues or concerns with the plaza owner with spacing?

Mr. Auerbach stated there are no issues and have a strategic location that keeps outside of any area they utilize. In the winter, they may use the area for snow storage if needed. This is to stay in-line with the existing lease with the land owner. He also wanted to note and point out about Shed Marshaling would happen and there occasionally may be a few extra sheds as “dropped-off” temporarily till the end delivery destination.

Supervisor Giunta asked the length of time the additional sheds would remain on premise?

Mr. Auerbach replied that it’s temporary and they may remain for about a week while delivery is being scheduled.

Councilman Tucciarello asked about how many in any given time total?

Mr. Auerbach stated there would be no more than about 20 additional shed in additional to the 25 in inventory for holding purposes until they are delivered.

Councilman Cordero asked if that many sheds could be held in that property area.

Mr. Auerbach answered yes more than adequate space as that area is an overflow parking for the global storage building and that it's not a new process and is how it's they've been done along. He just want to make note that it could occasionally happen since we are amending and wanted to make sure it was put on the record to acknowledge that.

RESOLUTION 92-20: Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby approves Amending the Conditional Use Permit for Sturdi-Built Sheds located at 2345 Buffalo Rd, Rochester, NY 14624 to increase on site inventory from 15 to 25 sheds, allowing shed Marshaling for temporary drop off of inventory up to 20 sheds, also amending months of operation from April 1st – October 30th to March 15th - November 15th in a NB District, incorporating the approval with all the conditions set forth in the meeting minutes.

Seconded by Councilman DiPonzio

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

Motion Carried.

7:30PM REGULAR TOWN BOARD MEETING

Supervisor Cosmo Giunta called the meeting to order at 7:30PM. He began with a silent Prayer and Pledge of Allegiance to the Flag, led by Councilman Lee Cordero.

Supervisor Giunta thanked everyone for joining via Zoom.

RESOLUTION 93-20 Motion by Councilman Andrew Loughlin to approve

The Gates Town Board hereby approves the minutes of May 4, 2020 Public Hearings and regular Town Board meeting as received.

Seconded by Councilman Steve Tucciarello.

VOTE: Giunta – Aye; Cordero – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;
Motion Carried.

AUDIENCE PARTICIPATION

OLD BUSINESS

NEW BUSINESS**CONSIDERING RENEWAL OF THE CONDITIONAL USE PERMITS
FOR THE FOLLOWING:**

CLIFTON LAND COMPANY LLC [CLASSY CHASSY CAR WASH], 1985 BUFFALO RD; BRONGO CONTRACTING & SUPPLY, 2548 MANITOUR RD; MR. THEO'S INC., 1174 BROOKS AVE; LASER CAR WASH, 3565 BUFFALO RD; PRAXAIR DISTRIBUTION INC., 140 EMLGROVE RD, OPEN DOOR MISSION COLDWATER LLC, 240 COLDWATER RD; McDONALD'S CORPORATION, 1965 CHILI AVE; SENSENIG LANDSCAPING, 3670 BUFFALO RD

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 94-20 Motion by Councilman Loughlin who moved its adoption:

Resolved, that the Gates Town Board hereby approves the renewal of the Conditional Use Permits on mass for the following: Clifton Land Company LLC [Classy Chassy Car Wash], 1985 Buffalo Rd; Brongo Contracting & Supply, 2548 Manitou Rd; Mr. Theo's Inc., 1174 Brooks Ave; Laser Car Wash, 3565 Buffalo Rd; Praxair Distribution Inc., 140 Elmgrove Rd.; Open Door Mission Coldwater LLC, 240 Coldwater Rd; McDonald's Corporation, 1965 Chili Ave; Sensenig Landscaping, 3670 Buffalo Rd

Seconded by Councilman Tucciarello

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

Motion Carried.

**APPROVING THE PROCHAMPS CONTRACT WHO HANDLES
PROPERTY REGISTRATION FOR THE TOWN OF GATES**

RESOLUTION 95-20 Motion by Councilman Tucciarello who moved its adoption:

Resolved, that the Gates Town Board hereby approves the PROCHAMPS contract who handles property registration for the Town of Gates

Seconded by Councilman Loughlin

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

Motion Carried.

**SCHEDULE A PUBLIC HEARING FOR
A CONDITIONAL USE PERMIT FOR IMDAT OZDEMIR TO
OPERATE PARADISE PIZZA, A PIZZA RESTAURANT IN A NB
(NEIGHBORHOOD BUSINESS) DISTRICT AT 777 SPENCERPORT RD**

RESOLUTION 96-20 Motion by Councilman DiPonzio who moved its adoption.

Resolved, that the Gates Town Board hereby schedules a Public Hearing for Monday, July 6, 2020 at 7:00PM to consider the application for Imdat Ozdemir to operate Paradise Pizza, a pizza restaurant in a Neighborhood Business District at 777 Spencerport Rd

Seconded by Councilman Cordero

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

Motion Carried.

**SCHEDULE A 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
AREA AT 2000 CHILI AVE.**

RESOLUTION 97-20 Motion by Councilman DiPonzio who moved its adoption.

Resolved, that the Gates Town Board hereby schedules a Public Hearing for Monday, July 6, 2020 at 7:10PM to consider the application G & I IX Empire Westgate Plaza, LLC c/o DLC Management Corp. to operate a Trampoline Park in a GB area at 2000 Chili Ave

Seconded by Councilman Cordero

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

Motion Carried.

**RE-APPOINTING RHODA RIDE
TO THE GATES RECREATION & PARK COMISSION FOR THE
7 [SEVEN] YEAR TERM EXPIRING JUNE 5, 2027**

RESOLUTION 98-20 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Town of Gates do hereby re-appoints Rhoda Ride to the Gates Recreation & Park Commission for the 7 [seven] year term, expiring June 5, 2027

Seconded by: Councilman Cordero

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

Motion Carried.

Councilman DiPonzio added that Rhoda has been the chair for a vast number of years and is very conscientious and always looks out for the Towns people and different programs and does and outstanding job as an advocate.

Supervisor Giunta agreed.

**APPROVING AMENDMENT B TO CHANGE THE ESTIMATED EXPENDITURE
FOR 2019 / 2020 SNOW AND ICE AGREEMENT BETWEEN NYS AND TOWN.**

RESOLUTION 99-20 Motion by Councilman Cordero who moved its adoption:

Resolved, that the Gates Town Board hereby authorizes Amendment B to change the estimated expenditure of 2019/2020 Snow and Ice Agreement between NYS and Town of Gates.

Seconded by Councilman DiPonzio

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

Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

Supervisor Giunta, the Memorial Day Ceremony went very well, considering there wasn't a crowd in attendance but truly enjoyed the Gates Keystone Pipes and Drums with all the anthems was very nice. Grateful that Dan recorded it all and next year when things are back to normal, we should still stream live.

Councilman Loughlin thanked everyone who put it together, Grounds and Building did a very good job. It was all well organized and very much appreciated.

Supervisor Giunta gave accolades to our Gates Police Department, our Chief and Lieutenant Long who took control of the command post and worked here the past two nights. They were on top of things. All the officers on hand and ready on Saturday and Sunday and were here all night. Thanks to Kurt for getting a couple Snow trucks to help block the entrances to the Town Hall, they strategized, and planned. Only 1 business effected liquor store at Westmar plaza.
Great Job

Councilman Tucciarello added, he received an email from David Dworkin the Plaza owner on Chili Ave near 390. Thanking us for doing such fine work and the Police Department for protecting that plaza. He owns many propertied throughout Monroe County and they didn't fair so well, but the one in Gates wasn't touched.

Supervisor Giunta added that today concluded the Grievance reviews. The Board of Assessment Review did a great job, there was a little over 100 heard from last Tuesday, Wednesday and Thursday.

REPORTS

SUPERVISOR'S

**ACCEPTING THE SUPERVISORS
REPORT FOR THE MONTH OF MAY 2020**

WARRANTS**GENERAL**

CLAIMS # A20-0349 – A20-0398	\$79,611.62
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HIGHWAY

CLAIMS # D20-0223 – D20-0249	\$13,598.61
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LIBRARY

CLAIMS #L20-0048 – L20-0061	\$38,331.56
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TOTAL DISBURSEMENTS	\$1,191,458.63
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TOTAL RECEIPTS	\$942,326.06
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Supervisor Giunta noted for the record that the warrants for the month of May 2020 have been examined by the Town Board and paid.

RESOLUTION 100-20 Motion by Councilman Cordero who moved its adoption:

Resolved, that Gates Town Board hereby accepts the Supervisor's Report for the month of May 2020 as read; and the warrants for the month of May 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 MAY 2020**

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

TOTAL REVENUE COLLECTED	\$17, 217.48
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TOTAL REVENUE TO THE SUPERVISOR	\$17,970.24
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TOTAL NON-LOCAL REVENUE	\$752.76
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RESOLUTION 101-20 Motion by Councilman Loughlin who moved its adoption:

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of May 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 May 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 7:50 PM.

Town Clerk