

December 7, 2015

The Gates Town Board held its regular Town Board meeting on Monday, December 7, 2015 at the Gates Town Hall, 1605 Buffalo Rd. and beginning at 7:30 P.M. Those in attendance for the regular Town Board meeting were as follows:

Mark W. Assini	Supervisor
Frank X. Allkofer	Councilman
Lee A. Cordero	Councilman
Christopher B. DiPonzio	Councilman
Richard A. Warner	Councilman
John A. Dicaro	Town Attorney
Cosmo 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 with a Silent Prayer and Pledge of Allegiance to the flag.

RESOLUTION 157-15: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the Minutes of the November 4, 2015 Public Hearings and regular Town Board meeting as received.

Seconded by Councilman Cordero.

VOTE: Allkofer – aye; Cordero – aye; DiPonzio – aye; Warner – aye; Assini – aye.

Motion Carried.

AUDIENCE PARTICIPATION

Don Ioannone , a town resident, Greg Benoit, Library Director and Monroe County Legislator Stephen Tucciarello all expressed their gratitude to Councilman Allkofer and Councilman Warner for their years of dedicated service on the Gates Town Board. Councilman Allkofer will be leaving to go to the Monroe County Legislature and Councilman Warner will be retiring.

Mr. Benoit, Library Director invited the Supervisor and Town Board members to the Library's Volunteer Appreciation Luncheon on January 27, 2016 at the Gates Public Library.

OLD BUSINESS – NONE

NEW BUSINESS

**CONSIDERING THE RENEWAL OF THE
CONDITIONAL USE PERMITS FOR THE
FOLLOWING BUSINESSES: CARAGLIO'S
PIZZERIA – 3869 LYELL RD.; LITTLE
CAESAR'S PIZZA – 2394 LYELL AVE.;
STARBUCK'S \$14142 – 2110 CHILI AVE.;
TACO BELL – 2317 LYELL AVE.**

Supervisor Assini stated that he has received a memo from the Building Department stating that they have reviewed the Code Enforcement files, there are no outstanding violations against these businesses. They find no reason why the Conditional Use Permits for these businesses should not be renewed.

RESOLUTION 158-15: Motion by Councilman Allkofer 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 7, 2016); subject to the same terms and conditions applicable to the original permits.

Seconded by Councilman DiPonzio.

VOTE: Allkofer – aye; Cordero – aye; DiPonzio – aye; Warner – aye; Assini – aye.

Motion Carried.

**SCHEDULING A PUBLIC HEARING TO
CONSIDER THE APPLICATION OF
SHERILA RIVERS FOR A CONDITIONAL
USE PERMIT TO OPERATE A BOTTLE
AND CAN RETRIEVAL CENTER TO
BE LOCATED AT 509 SPENCERPORT RD.**

RESOLUTION 159-15: Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Monday, January 4, 2016 at 6:30 P.M. to consider the above captioned application.

Seconded by Councilman Allkofer.

VOTE: Allkofer – aye; Cordero – aye; DiPonzio – aye; Warner – aye; Assini – aye.

Motion Carried.

**SCHEDULING A PUBLIC HEARING TO
RECONSIDER THE CONDITIONAL USE PERMIT FOR
FAITH OUTREACH MINISTRY TO BE LOCATED
AT THE INTERSECTION OF BUFFALO RDL. AND
ELMGROVE ROAD (CHANGES TO THE PLANS
HAVE NECESITATED THIS ACTION)**

RESOLUTION 160-15: Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Monday, January 4, 2016 at 6:50 p.m. to consider the above captioned application.

Seconded by Councilman Warner.

VOTE: Allkofer – aye; Cordero – aye; DiPonzio – aye; Warner – aye; Assini – aye.

Motion Carried.

**SCHEDULING A PUBLIC HEARING TO
AMEND SEVERAL SECTIONS OF THE
TOWN CODE**

RESOLUTION 161-15: Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Monday, January 4, 2016 at 6:40 P.M. to consider the above captioned matter.

Seconded by Councilman Cordero.

VOTE: Allkofer – aye; Cordero – aye; DiPonzio – aye; Warner – aye; Assini – aye.

Motion Carried.

**APPOINTING BARBARA GIANCURSIO TO THE
GATES PUBLIC LIBRARY BOARD OF TRUSTEES**

RESOLUTION 162-15: Motion by Supervisor Assini who moved its adoption:

Resolved that the Gates Town Board hereby appoints Barbara Giancursio to the Gates Public Library Board of Trustees for a five year term; said term to expire December 31, 2020.

Seconded by Councilman Allkofer.

VOTE: Allkofer – aye; Cordero – aye; DiPonzio – aye; Warner – aye; Assini – aye.

Motion Carried

Supervisor Assini noted for the record that the warrants for the month of October 2015 have been examined by the Town Board and paid.

RESOLUTION 165-15: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Supervisor's Report for the month of November 2015 as read and the warrants for the month of November 2015 as read; subject to the approval of the Gates Town Board.

Seconded by Councilman Cordero.

VOTE: Allkofer – aye; Cordero – aye; DiPonzio – aye; Warner – aye; Assini – aye.

Motion Carried.

**ACCEPTING THE TOWN CLERK'S REPORT
FOR THE MONTH OF NOVEMBER 2015**

The Town Clerk read his report for the month of November 2015 showing the following:

TOTAL REVENUE TO THE SUPERVISOR	\$18,418.29
TOTAL NON-LOCAL REVENUE	\$ 2,167.98
TOTAL REVENUE COLLECTED	\$20,586.27

RESOLUTION 166-15: Motion by Councilman Allkofer who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Town Clerk's Report for the month of November 2015 as read.

Seconded by Councilman Warner.

VOTE: Allkofer – aye; Cordero – aye; DiPonzio – aye; Warner – aye; Assini – aye.

Motion Carried.

PERSONNEL STATUS REPORT

The Town Clerk read the Personnel Status Report for the Board's information.

There being no further business to come before the Town Board, Councilman Allkofer made a motion to adjourn the meeting. Councilman Warner seconded the motion. All were in favor; the motion carried. Supervisor Assini adjourned the meeting at 8:00 P.M.

Town Clerk