

Supervisor Assini adjourned the Public Hearing at 7:08 P.M.>

Seconded by Councilman DiPonzio.

VOTE: DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

Supervisor Assini adjourned the Public Hearing at 7:08 P.M.,

7:15 P.M. PUBLIC HEARING

CONSIDERING THE APPLICATION OF BIRCHCREST TREE & LANDSCAPE FOR A CONDITIONAL USE PERMIT TO OPERATE A COMMERCIAL TREE AND LANDSCAPING BUSINESS AND TO STORE LANDSCAPE MATERIALS AND EQUIPMENT

Supervisor Assini called the Public Hearing to order at 7:15 P.M. The Town Attorney verified that the Legal Notice had been published as required by law.

Mr. David Crowe represented the applicant, he began by describing the property and existing building. He noted the proposed renovation to the building. Mr. David Daily, owner of the business, explained that there would be storage of equipment and materials inside and outside on the site. The materials they would be storing would be mulch, wood chips, top soil, and various types of pavers.

They will not be storing any hazardous material on site. They use an organic material for fertilizer and only store what they will need for a job.

Councilman Tucciarello asked where they were presently located.

Mr. Daily replied that they have been in business for 30 years and are presently located at 1385 Empire Blvd.

Supervisor Assini asked what the hours of operation would be.

Mr. Daily replied that they are open Monday through Friday 6:00 A.M. to 6:00 P.M. and sometimes on Saturday 6:00 A.M. to 1:00 P.M.

Discussion followed on the hours of operation.

There was no one in the audience appearing for or against this application.

RESOLUTION 118-16: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby grants a Conditional Use Permit to Birchcrest Tree and Landscape to operate a commercial tree and landscape business and to store equipment and materials at 150 Lee Road; subject to the following conditions:

1. The term of the Conditional Use Permit is one (1) year.
2. Hours of operation to be Monday through Saturday 6:00 A.M. through 6:00 P.M. Office hours to start at 6:00 P.M. equipment to start at 7:00 A.M. with the exception of a valid emergency.
3. All DEC regulations, Town Codes, and Building Code requirements are to be adhered to.

Seconded by Councilman DiCaro.

VOTE: DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

Supervisor Assini adjourned the Public Hearing at 7:29 P.M.

7:30 P.M. REGULAR TOWN BOARD MEETING

Supervisor Assini called the meeting to order at 7:30 P.M. He began the meeting with a Silent Prayer and a Pledge of Allegiance to the Flag.

RESOLUTION 119-16: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the Minutes of the June 6, 2016 Public Hearings and regular Town Board meeting as received.

Seconded by Councilman Tucciarello.

VOTE: DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

AUDIENCE PARTICIPATION

Monroe County Legislators Frank Allkofer and Tony Micciche stated that the Legislature will be honoring Gates residents Nellie and Quintino DiCesare on July 12, 2016 for their community involvement and at a later date they will recognize Martusciello's Bakery, a local business in Gates.

OLD BUSINESS – NONE

NEW BUSINESS

**CONSIDERING THE RENEWAL OF THE
CONDITIONAL USE PERMITS FOR THE
FOLLOWING BUSINESSES: FRANK'S
ITALIAN ICE – 479 SPENCERPORT RD.;
NEWCOMB OIL – 2960 BUFFALO RD.;
TOPS GAS STATION - 2345 BUFFALO RD.;
VALICIA'S RESTAURANT – 2158 LONG POND RD.;
VALVOLINE INSTANT OIL CHANGE –
427 SPENCERPORT RD.**

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 violations against these businesses They find no reason why the Conditional Use Permits for these businesses should not be renewed.

RESOLUTION 120-16: Motion by Councilman DiCaro 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 July 5, 2017); subject to the same terms and conditions applicable to the original permits.

Seconded by Councilman DiPonzio.

VOTE: DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

ACCEPTING THE NJPA COOPERATIVE AGREEMENT

Supervisor Assini stated that the money received from this grant would enable the Recreation and Parks Department to purchase a much needed bus to be used for their programs. The cost of the bus is \$67,867, the town's share would be \$13,573 and the grant money would provide \$54,294.

RESOLUTION 121-16: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby accepts the NJPA Cooperative Purchasing Agreement.

Seconded by Councilman Tucciarello.

VOTE: DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

APPOINTING TWO LIBRARY BOARD OF TRUSTEES MEMBERS

RESOLUTION 122-16: Motion by Councilman DiCaro who moved its adoption:

Resolved that the Gates Town Board hereby approves Theresa May and Christopher Karas to the Gates Library Board of Trustees; terms to expire September 30, 2021.

Seconded by Councilman DiPonzio.

VOTE: DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

Councilman DiCaro thanked the Recreation & Parks Department and all the people who were involved in the Town's Summer Celebration, which was held at the Gates Chili High School. It was a great event.

Supervisor Assini congratulated the Police Chief, Historian and all those people involved in beautifying our community with the flags and flower pots, which were sponsored by local businesses. He has received many complements on this project.

He also thanked the Town Clerk for his work on establishing a new Town website.

REPORTS

ACCEPTING THE SUPERVISOR'S REPORT FOR THE MONTH OF JUNE 2016

Supervisor Assini read his report for the month of June 2016 showing the following:

TOTAL RECEIPTS	\$406,720.93
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TOTAL DISBURSEMENTS \$1,092,226.37

WARRANTS

GENERAL FUND

Accounts Payable
CI #0519 – 0615 \$77,866.49

HIGHWAY FUND

Accounts Payable
CI # 0163 – 0192 \$62,888.89

LIBRARY FUND

Accounts Payable
CI # 0140 – 0169 \$23.137/11

Supervisor Assini noted for the record that the warrants for the month of May 2016 have been examined by the Town Board and paid.

RESOLUTION 123-16: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Supervisor's Report for the month of June 2016 as read and the warrants for the month of June 2016 as read; subject to the approval of the Gates Town Board.

Seconded by Councilman Tucciarello.

VOTE: DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

ACCEPTING THE TOWN CLERK'S REPORT FOR THE MONTH OF JUNE 2016

The Town Clerk read his report for the month of June 2016 showing the following:

TOTAL REVENUES TO THE SUPERVISOR	\$39,531.88
TOTAL NON-LOCAL REVENUES	2,580.18
TOTAL REVENUES COLLECTED	\$42,112.08

RESOLUTION 124-16: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Town Clerk's report for the month of June 2016 as read.

Seconded by Councilman Tucciarello.

VOTE: DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.

Motion Carried.

PERSONNEL STATUS REPORT

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

There being no further business to come before the Town Board, Councilman DiPonzio made a motion to adjourn the meeting. Councilman Tucciarello seconded the motion. All were in favor; the motion carried. Supervisor Assini adjourned the meeting at 7:45 P.M.

Town Clerk