

August 1, 2016

The Gates Town Board held its regular Town Board meeting on Monday, August 1, 2016 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
Lee A. Cordero	Councilman
David R. DiCaro	Councilman
Christopher B. DiPonzio	Councilman
Steve Tucciarello	Councilman
John A. DiCaro	Town Attorney
Shirley Quinlan	Deputy Town Clerk
Absent: Cosmo A. 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 the meeting with a Silent Prayer and Pledge of Allegiance to the Flag.

**RESOLUTION 125-16:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the Minutes of the July 5, 2016 Public Hearings and regular Town Board meeting as received.

Seconded by Councilman DiCaro.

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

Motion Carried.

### **AUDIENCE PARTICIPATION**

Don Ioannone presented a copy of the new book on the history of Coldwater Center to the Town Board. He stated that this is a limited edition and anyone interesting in purchasing a copy of the book could contact him to order one.

Supervisor Assini commended Mr. Ioannone and Mr. Robotella on the excellent job they did in collecting all the information and photos and writing the book.

### **OLD BUSINESS – NONE**

### **NEW BUSINESS**

#### **AUTHORIZING THE FIRE MARSHAL TO ADVERTISE FOR BIDS FOR STRUCTURE EMERGENCY CODE COMPLIANCE VIOLATIONS AND SAFETY CALL OUT SERVICE**

Supervisor Assini stated that bids are not required for this agreement, as it is an RFP. This is a request for proposals as the term of this agreement has expired.

**RESOLUTION 126-16:** Motion by Councilman DiCaro who moved its adoption:

Resolved that the Gates Town Board hereby authorizes the Fire Marshal to advertise for proposals for the above captioned services.

Seconded by Councilman DiPonzio.

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

Motion Carried.

**CONSIDERING THE RENEWAL OF THE  
CONDITIONAL USE PERMITS FOR THE FOLLOWING  
BUSINESSES: HUNAN GARDEN - 781 SPENCERPORT RD.;  
STURDI – BUILT SHEDS – 2345 BUFFALO RD.;  
SHMEG’S RESTAURANT – 3092 BUFFALO RD.;  
BLM CONSTRUCTION CO., INC. – 3392 BUFFALO RD.;  
246 SPENCERPORT LLC – 246 SPENCERPORT RD.;  
BUCKMAN’S CAR WASH – 2234 CHILI AVE.;  
ALLOCO’S RESTAURANT & CATERING –  
1742 LONG POND 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 127-16:** Motion by Councilman DiPonzio 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 August 1, 2017); subject to the same terms and conditions applicable to the original permits.

Seconded by Councilman Tucciarello.

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

Motion Carried.

**AUTHORIZING THE RECREATION & PARKS  
DIRECTOR TO ADVERTIZE FOR BIDS FOR  
THE PURCHASE AND CONSTRUCTION OF A PARK PAVILION/BAND  
SHELLAT GATES MEMORIAL PARK; BIDS TO BE  
OPEN SEPTEMBER 2, 2016 AT 12:00 P.M. IN THE  
SUPERVISOR’S CONFERENCE ROOM**

Supervisor Assini stated that this will not cost the taxpayers any money. It is completely paid for by the New York State grant that the department has received.

**RESOLUTION 128-26:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby authorizes the Recreation & Parks Director to advertise for bids for the above captioned item; said bids to be open September 2, 2016 at 12:00 P.M. in the Supervisor’s Conference Room.

Seconded by Councilman Cordero.

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

Motion Carried.

**SCHEDULING A PUBLIC HEARING TO  
CONSIDER THE APPLICATION AND  
PROPOSAL FRANCHISE AGREEMENT FOR  
FRONTIER TELEPHONE OF ROCHESTER (FRONTIER COMMUNICATIONS)  
TO OFFER CABLE/VIDEO SERVICE IN THE TOWN OF GATES**

**RESOLUTION 129-16:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that a Public Hearing be scheduled for Tuesday, September 6, 2016 at 7:00 P.M. to consider the application and proposed franchise agreement for Frontier Telephone of Rochester Inc. (Frontier Communication) to offer cable/video service in the Town of Gates.

Seconded by Councilman DiCaro.

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

Motion Carried.

**NEW BUSINESS OF COUNCIL MEMBERS**

Councilman DiCaro stated that he has seen the book on the history of Coldwater. He congratulated Don Ioannone and John Robotella on the excellent job they did in writing this history.

**REPORTS**

**ACCEPTING THE SUPERVISOR'S REPORT  
FOR THE MONTH OF JULY 2016**

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

TOTAL RECEIPTS	\$222,386.21
TOTAL DISBURSEMENTS	\$1,323,650.06

**WARRANTS**

**GENERAL FUND**

Accounts Payable CI # 0616 – 0739	\$234,494.68
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**HIGHWAY FUND**

Accounts Payable CI # 0193 – 0219	\$47,894.90
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**LIBRARY FUND**

Accounts Payable CI # 0170 – 0202	\$18,948.62
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Supervisor Assini noted for the record that the warrants for the month of June, 2016 have been examined by the Town Board and paid.

**RESOLUTION 130-16:** Motion by Councilman Cordero who moved its adoption:

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

Seconded by Councilman DiPonzio.

VOTE: Cordero – aye; DiCaro – aye; DiPonzio – aye; Tucciarello – aye; Assini – aye.  
Motion Carried.

**ACCEPTING THE TOWN CLERK'S REPORT  
FOR THE MONTH OF JULY 2016**

The Deputy Town Clerk read the report for the month of July 2016 showing the following:

TOTAL REVENUES TO THE SUPERVISOR	\$54,785.13
TOTAL NON-LOCAL REVENUES	1,528.72
TOTAL REVENUES COLLECTED	\$56,313.85

**RESOLUTION 131-16:** 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 July 2016 as read.

Seconded by Councilman Cordero.

VOTE: Cordero – aye; 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 Tucciarello made a motion to adjourn the meeting. Councilman DiCaro seconded the motion. All were in favor; the motion carried. Supervisor Assini adjourned the meeting at 7:45 p.m.

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Deputy Town Clerk