

February 5, 2018

The Gates Town Board held its regular meeting on Monday, February 5, 2018 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
Christopher B. DiPonzio	Councilman
Andrew M. Loughlin	Councilman
Steve Tucciarello	Councilman
Daniel G. Schum	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 43-18:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the Minutes of the January 2, 2018 Organizational Meeting and the regular Town Board Meeting as received.

Seconded by Councilman Tucciarello.

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

Motion Carried.

### **PROCLAMATIONS**

Legislators Frank X. Allkofer and Tony Micciche and Supervisor Assini presented Proclamations to the Gates Keystone Pipe and Drum Corp. on their 20th anniversary. They also presented a Proclamation to Donna Forrest on her retirement, thanking her for her 40 years of dedicated services to the residents of Gates.

**AUDIENCE PARTICIPATION – NONE**

**OLD BUSINESS – NONE**

**NEW BUSINESS**

**CONSIDERING THE RENEWAL OF THE  
CONDITIONAL USE PERMITS FOR THE  
FOLLOWING BUSINESSES: HANK PARKER'S  
PARTY AND TENT RENTAL – 200 PIXLEY  
RD.; HUB-LUNGE PAVING INC. – 39 DEEP  
ROCK RD.; NATIONAL ENTERTAINMENT  
NETWORK (WALMART) – 2150 CHILI AVE.  
BIRCHCREST TREE & LANDSCAPE –  
150 LEE RD.; EDOYA JAPANESE  
RESTAURANT – 2115 BUFFALO 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 those businesses. They find no reason why the Conditional Use Permits for these businesses should not be renewed.

**RESOLUTION 44-18:** Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby renews the Conditional Use Permits (captioned above) for a period of one year (through February 5, 2019); subject to the same terms and conditions applicable to the original permits.

Seconded by Councilman Tucciarello.

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

Motion Carried.

**APPOINTING ZAC MAY TO THE  
GATES CONSERVATION ADVISORY  
BOARD**

**RESOLUTION 45-18:** Motion by Councilman Loughlin who moved its adoption:

Resolved that the Gates Town Board hereby appoints Zac May to the Gates Conservation advisory Board for a two year term; said term to expire February 5, 2020.

Seconded by Councilman DiPonzio.

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

Motion Carried.

**APPOINTING JUAN RUIZ AND  
JEFFRIE WILKINSON TO THE  
GATES PLANNING BOARD**

**RESOLUTION 46-18:** Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby appoints Juan Ruiz and Jeffrie Wilkinson to the Gates Planning Board for a seven (7) year term; said terms to expire February 5, 2025.

Seconded by Councilman Tucciarello.

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

Motion Carried.

**APPOINTING STEVE ZIMMER TO THE  
GATES ZONING BOARD OF APPEALS**

**RESOLUTION 47-18:** Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby appoints Steve Zimmer to the Gates Zoning Board of Appeals for a seven (7) year term; said term to expire February 5, 2025.

Seconded by Councilman Cordero.

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

Motion Carried.

**APPOINTING LISA WEST TO THE  
GATES BOARD OF ASSESSMENT REVIEW**

**RESOLUTION 48-18:** Motion by Supervisor Assini who moved its adoption:

Resolved that the Gates Town Board hereby appoints Lisa West to the Gates Board of Assessment Review to fill the unexpired term of Dominic Cocuzzi, said term to expire April 1, 2020.

Seconded by Councilman Cordero.

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

Motion Carried

**APPROVING THE REQUEST OF THE  
RECREATION & PARKS DIRECTOR FOR STAFF,  
COMMISSIONERS AND HIMSELF TO ATTEND  
THE 2018 NYRPS CONFERENCE TO BE HELD  
ON APRIL 15 – 17, 2018, IN SYRACUSE, NY**

Supervisor Assini noted that this item is a budgeted it for 2018. This is a yearly conference.

**RESOLUTION 49-18:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the Recreation & Parks Director's request as noted above.

Seconded by Councilman Loughlin.

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

Motion Carried.

**ACCEPTING THE 2017 YEAR END REPORTS  
FOR JUSTICE PUPATELLI AND JUSTICE CASSARA**

**RESOLUTION 50-18:** Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby accepts the 2017 Year End Reports for Justice Pupatelli and Justice Cassara.

Seconded by Councilman Tucciarello.

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

Motion Carried.

**SCHEDULING A PUBLIC HEARING TO  
CONSIDER THE AMENDDDDMENT OF CHAPTER 131  
OF THE CODE TO REGULATE THE  
PARKING OF RECREATIONAL VEHICLES  
ON TOWN HIGHWAYS**

THIS ITEM WAS DROPPED FROM THE AGENDA FOR FURTHER CONSIDERATION.

**CORRECTIONS IN WAGES AS NOTED  
IN THE ORGANIZATIONAL MEETING**

Supervisor Assini stated that two wages were incorrectly noted on the agenda for the organizational meeting. Valerie Young's wage is hereby increased by \$1,472 and Cosmo Giunta's wage is increased by \$1,706.

**RESOLUTION 51-18:** Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves increasing Valerie Young's wage by \$1,472 and Cosmo Giunta's wage by \$1,706.

Seconded by Councilman Tucciarello.

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

Motion Carried.

**NEW BUSINESS OF COUNCIL MEMBERS**

Councilman Loughlin stated that as liaison to the Conservation Advisory Board he has gotten to know Joan in her capacity as Chairperson. She was an excellent Chairperson. She truly cared about the Board and its members. Everyone will miss Joan. She was dedicated to her work and to the residents of the Town of Gates.

Supervisor Assini stated that as a Board member and a volunteer for the Town, she has been outstanding. We want to recognize her passing officially in the Town Board Minutes. She cared about everything she did deeply and did it to the best of her ability.

Councilman Tucciarello also expressed his deep sympathy for Joan's passing. He will miss Joan's quick wit and sense of humor very much.

## REPORTS

### ACCEPTING THE SUPERVISOR'S REPORT FOR THE MONTH OF JANUARY 2018

Supervisor Assini read his report for the month of January 2018 showing the following:

TOTAL RECEIPTS	\$7,547,256.95
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TOTAL DISBURSEMENTS	1,502,173.21
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#### WARRANTS

##### GENERAL FUND

###### Accounts Payable

CI # A17-1294 – A17 – 1337	\$36,229.02
A18-0001 – A18 – 0063	\$84,398.86

##### HIGHWAY FUND

###### Accounts Payable

CI # D17-0381 – D17 – 0394	\$26,774.78
D18-0001 – D18 – 0027	\$133,992.39

##### LIBRARY FUND

###### Accounts Payable

CI # L17 – 0296 - L17 – 0311	\$ 4,798.23
L18 – 0001 – L18 – 0006	\$ 9,729.55

Supervisor Assini noted for the record that the warrants for the month of December 2017 have been examined by the Town Board and paid.

**RESOLUTION 52-18:** Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Supervisor's Report for the month of January 2018 as read and the warrants for the month of January 2018 as read; subject to the approval of the Gates Town Board.

Seconded by Councilman Tucciarello.

VOTE: Cordero – aye; DiPonzio – aye; Loughlin – aye; Tucciarello – aye.

Motion Carried.

### ACCEPTING THE TOWN CLERK'S REPORT FOR THE MONTH OF JANUARY 2018

The Deputy Town Clerk read the Town Clerk's Report for January 2018 showing the following:

TOTAL REVENUES TO THE SUPERVISOR	\$16,640.55
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TOTAL NON-LOCAL REVENUES	341.96
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TOTAL REVENUES COLLECTED	\$16,982.51
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**RESOLUTION 53-18:** 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 January 2018 as read.

Seconded by Councilman Tucciarello.

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

Motion Carried.

#### **PERSONNEL STATUS REPORT**

The January 2018 Personnel Status Report was read.

There being no further business to come before the Town Board, Councilman Loughlin made a motion to adjourn the meeting. Councilman Cordero seconded the motion. All were in favor; the motion carried. Supervisor Assini adjourned the meeting at 8:10 P.M.

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Deputy Town Clerk