

May 4, 2020

The Gates Town Board held its Regular Town Board meeting on Monday, May 4, 2020 via Zoom Video/Conference Call beginning at 7:30PM. 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

7:30PM REGULAR TOWN BOARD MEETING

Supervisor Cosmo Giunta called the meeting to order at 7:31PM. He began with a silent Prayer and Pledge of Allegiance to the Flag, lead by Councilman Chris DiPonzio.

Supervisor Giunta thanked everyone for joining via Zoom.

RESOLUTION 77-20 Motion by Councilman DiPonzio to approve

The Gates Town Board hereby approves the minutes of April 6, 2020 Public Hearings and regular Town Board meeting as received.

Seconded by Councilman Cordero.

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

Motion Carried.

AUDIENCE PARTICIPATION

Laurie Clocksin, 69 Coldwater Rd. questioned the local ordinance about masks being required

Supervisor Giunta responded that technically there isn't a local ordinance but it's cascaded down from the state/county government agencies. The town will not stop people but as a common courtesy to your fellow residents and community, asked that you please wear a mask if entering any type of public facility or public grounds where you cannot maintain your six feet of social distancing and the town is following this protocol.

Laurie, has seen the signs posted at almost all the local stores. Believes it is not a law, but a mandate, she does respect the six feet distance. If she is not allowed in a store because she is not wearing a mask then she will leave. Stated if Governor Cuomo doesn't wear one does not feel people should be required to wear masks. She also wondering why we would pay the same taxes, with greatly reduced services. Parks are taped up as well other towns, kids can't go to school. Law Enforcement and other important services are active, but at some point, residents are not going to want to continue to pay into services they're not receiving. As for the Assessment review of May 26th, falls after the May 15th guideline, if stores and other government entities can follow the social distancing how will it be addressed with town residents.

Supervisor Giunta, we are still in pause mode until May 15th and we are abiding by the Governors press conference today, he is going to start allowing certain functions in phases. Phase 1 would be like manufacturing, construction, and other jobs in phase 1, then continue in phases.

Laurie, stated the governor said schools would be at the end of the list which would be like September. Asked if parks and recreation will remain closed?

Supervisor Giunta stated our parks are open. Caution tape was placed around the playgrounds and some of the courts like tennis and basketball, because they are close contact activities. We're trying to mitigate that per the NY pause order. People can still go for a walk and enjoy the park and hopefully maintain the six feet distance with other residents there. If walking the parks and not wearing a mask, please have common courtesy, if you see others, to move over by at least six feet as you pass each other. That's all we can do till we get through this.

Grievance day, the assessor is planning on doing some phone reviews. If a resident in fact needs to come in front of us, we will make arrangements following social distancing.

Town is waiting till May 15th for the governor's review and cascade from there. Slowly and surely, we will start to reopen our offices and bringing on more staff. Highway Dept. is still working just at a reduced rate until we get back to full capacity.

Mrs. Clocksin thanked the supervisor for answering her questions, but had concerns on the 5G close to her home.

Supervisor Giunta stated they are picking and choosing the poles and using existing utility poles.

Attorney Schum, some of the 5G poles are smaller and will be installed in the south side of Buffalo Rd., but most are located on existing poles. They are being installed on areas to alleviate dead spots areas. Building permits would be required for any new installments and subject for review by the building department before the permit is issued.

Mrs. Clocksin, found it interesting and stated these companies in past would have to get permission from residents to install on private property or on easement.

Attorney Schum stated these are installed on a road right of way or developer's property.

Mrs. Clocksin stated she has seen trucks park on resident driveways which they shouldn't be allowed to.

Both Mr. Schum and Supervisor stated if that is the case the resident would need to advise them not to or call us if there is an issue.

Councilman DiPonzio, questioned if County Executive Bello reached out regrading setting up a meeting with the Town Supervisors on what the County of Monroe's plan of action in staging of different areas opening up

Supervisors Giunta, we're on a conference call each day at 2:00pm. He mentioned some of the items today as well as a testing site at MCC for all essential workers who choose to be tested free of charge with an appointment. Town Supervisors conference each Tuesday and Thursday to share information, but still waiting on the County for more information

OLD BUSINESS

None

NEW BUSINESS

**CONSIDERING RENEWAL OF THE CONDITIONAL USE PERMITS
FOR THE FOLLOWING:
TIM HORTON'S DONUTS, 2311 CHILI AVE.; CLASSY CHASSY CAR WASH,
2150 LONG POND RD; WIMPY'S BURGER BASKET, 2160 BUFFALO RD;
AND CHINA WOK, 1661 HOWARD 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 85-20 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Gates Town Board hereby approves the renewal of the Conditional Use Permits on mass for the following: Tim Horton's Donuts, 2311 Chili Ave; Classy Chassy Car Wash, 2150 Long Pond R; Wimpy's Burger Basket, 2160 Buffalo Rd; China Wok, 1661 Howard Rd

Seconded by Councilman Cordero

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

Motion Carried.

**SCHEDULE A PUBLIC HEARING FOR AN AMENDMENT TO AN EXISTING
CONDITIONAL USE PERMIT FOR WEST GATES CIP LLC., STURDI-BUILT SHEDS
LLC, 2345 BUFFALO RD. IN A NB DISTRICT**

RESOLUTION 86-20 Motion by Councilman DiPonzio who moved its adoption:

Resolved, that the Gates Town Board hereby schedules a Public Hearing for Monday, June 1, 2020 at 7:15PM to amend an existing Conditional Use Permit for West Gates CIP LLC., Sturdi-Built Sheds LLC, 2345 Buffalo Rd. in a NB District.

Seconded by Councilman Cordero

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

Motion Carried.

ACCEPTING THE 2019 TOWN OF GATES AUDIT COMPLETED BY EFPR GROUP

RESOLUTION 87-20 Motion by Councilman Cordero who moved its adoption:

Resolved, that the Gates Town Board hereby accepts the 2019 Town of Gates Audit completed by EFPR Group.

Seconded by Councilman DiPonzio

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

Motion Carried.

Councilman DiPonzio, like seeing Unmodified Clean, which is the highest grade available from Group. Good job on everyone's behalf

**AMENDING THE EXPIRING TERMS FOR TERESA MAY AND SARAH ONKEN OF
THE GATES LIBRARY BOARD OF TRUSTEES
FROM SEPTEMBER 30, 2021 TO DECEMBER 31, 2021**

RESOLUTION 88-20 Motion by Councilman Loughlin who moved its adoption:

Resolved, that the Gates Town Board hereby authorizes amending the expiring terms for Teresa May and Sarah Onken of the Gates Library Board of Trustees from September 30, 2021 to December 31, 2021

Seconded by Councilman Tucciarello

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

Motion Carried.

**APPOINTING CARLA VAZQUEZ
TO THE GATES LIBRARY BOARD OF TRUSTEES FOR THE
FIVE YEAR TERM EXPIRING DECEMBER 31, 2024**

RESOLUTION 89-19 Motion by Councilman Tucciarello who moved its adoption:

Resolved, that the Town of Gates do hereby appoints Carla Vazquez to the position of The Gates Library Board of Trustees for the five-year term, expiring December 31, 2024

Seconded by: Councilman Loughlin

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

Motion Carried.

Councilman Loughlin added that Carla has been wonderful on the Board of Library Trustees as President the past year and looks forward to working with her the next five years.

Library Director Anna Souannavong enjoys working and the support from the Board and looks forward to continue working with them

NEW BUSINESS OF COUNCIL MEMBERS

Supervisor Giunta wished Councilman Tucciarello a Happy Birthday. Discussion on Memorial Day ceremony still waiting on May 15th to see when things will open up. If it goes on then do a very low-key event to commemorate the Veterans. Possibly a rose from one person representing each organization, someone with a benediction, outside seating 6 feet apart, providing masks and possibly a 21-gun salute.

Councilman Cordero agrees if it is a go, then low-key, even if the Governor does open things up people may be reluctant to attend.

Councilman Loughlin agrees we need to wait for direction from our Governor and see the guidelines, we don't want have a large gathering in our town hall and send the wrong message to our residents.

Councilman DiPonzio it is too important of a day to not acknowledge, maybe something recorded and posted on web-site or live televised, but low-key.

Councilman Loughlin, maybe if there is something where participants are present, but separated and have live stream.

Supervisor Giunta said grave markings flags are ordered and hopefully in on time, a few of us could meet and go around to a few cemeteries and do our annual tradition.

Councilman DiPonzio acknowledge Lauren Habets and her group that started the beautification of Gates. Picking up debris around the town.

Supervisor Giunta agreed and added Teresa Marko, from the Court, Dan Switzer are helping and it is truly appreciated and once this has all settled down, we can have some sort of recognition for all the work they are doing.

Councilman Loughlin added he was able to join them and they picked up about 60 bags of garbage around Lee Rd and Trolley Blvd. They have been very active during the pandemic.

Supervisor Giunta added this past Saturday we held a Food Drive by Gates Keystone Police Pipes and Drums at the Town for St. Theodore's Food Cupboard. A ton of food was collected.

Councilman Loughlin added that the Town was also used as a distribution site a few weeks ago with Food link.

Supervisor Giunta, this Saturday we have the Lions Club with their annual flower sale. It's a pre-order and pick-up situation

Councilman Loughlin brought up the passing of Dave Chamberlain

Supervisor Giunta commented, Dave worked for the Town for the past 7-8 years. He was very instrumental to the town and was also on the Planning Board and was a tremendous asset. His passing was very sudden and very sad. Condolences to Dave's family, he was a great guy and surely will be missed. Possibly commemorate him with a brick in his name for the front.

Councilman Cordero added that the planning board members were thinking the same thing, getting together and ordering one as well.

Supervisor Giunta, speaking of the bricks, we also have to get for, John Lathrop and Beverly Magliocco, once we get past this a bit. Also, pots and planters are getting cleaned up and ready to be put around the Town.

**REPORTS
SUPERVISOR'S**

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

WARRANTS

GENERAL

CLAIMS # A20-0209 – A20-0348 \$49,137.68

HIGHWAY

CLAIMS # D20-0101 – D20-0222 \$31,373.17

LIBRARY

CLAIMS #L20-0036 – L20-0047 \$14,983.68

TOTAL DISBURSEMENTS \$1,148,366.23

TOTAL RECEIPTS \$487,016.75

Supervisor Giunta noted for the record that the warrants for the month of April 2020 have been examined by the Town Board and paid.

RESOLUTION 90-20 Motion by Councilman Laughlin who moved its adoption:

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

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

TOTAL REVENUE COLLECTED \$13, 224.61

TOTAL REVENUE TO THE SUPERVISOR \$13,823.42

TOTAL NON-LOCAL REVENUE \$598.81

RESOLUTION 91-20 Motion by Councilman Cordero who moved its adoption:

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of April 2020.

Seconded by Councilman DiPonzio

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 April 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 8:04 PM.

Town Clerk