

April 4, 2022

The Gates Town Board held one Public Hearing and its Regular Town Board meeting on Monday, February 7, 2022 at the Town Hall Meeting Room at 7:00PM. Those attending the 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

**7:00PM PUBLIC HEARING**

Supervisor Giunta called the Public Hearing to order at 7:00PM.

**CONSIDERING TWO CONDITIONAL USE PERMITS FOR MICHAEL GRUBKA TO OPERATE SPLASH CARWASH IN TWO LOCATIONS.**

**#1. AT 1985 BUFFALO RD. IN A GENERAL BUSINESS [GB] DISTRICT AND**

**#2. AT 2234 CHILI AVE., IN A (NB) NEIGHBORHOOD DISTRICT**

The Town Attorney, Dan Schum verified that the Legal Notice was properly published as required by law.

Supervisor Giunta asked if the applicant was present and would come up to speak on this application.

Michael Grubka, 121 Avon Rd., Syracuse, NY. They merged with Buckman's and Classy Chassy Car Washes and looking at continuing the Conditional Use Permits that are already existing on those sites.

The car wash on 2234 Chili Ave. (Buckman's) will be Splash Car Was Express and the 1985 Buffalo Rd location (Classy Chassy) has not been determined yet.

There will be new technology, same employees and just updating.

Councilman Cordero asked if they will update the names as they come up for renewal

Mr. Grubka already put in the paperwork for the name change for the Chili Ave location, but not yet for the Buffalo Rd due to not knowing yet if changing to Splash 24 or keeping it as Classy Chassy.

Supervisor Giunta asked if anyone in the audience had additional comments, hearing none closed the public hearing.

**RESOLUTION 73-22**

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby Approves **TWO (2)** Conditional Use Permits for Michael Grubka to Operate #1. Splash Carwash at 1985 Buffalo Rd. Rd. in a General Business (GB) District. AND #2. Splash Carwash at 2234 Chili Ave. in a (NB) Neighborhood District.

## VOTE OF THE BOARD

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

**Motion Carried.**

**CONSIDERING AN APPLICATION FROM JEFF DICESARE, NICAL LLC  
TO REZONE 40 HYTEC CIRCLE  
TO (MR) MULTI-RESIDENTIAL FROM (LI) LIGHT INDUSTRIAL**

The Town Attorney, Dan Schum verified that the Legal Notice was properly published as required by law.

Supervisor Giunta asked if the applicant was present and would come up to speak on this application.

Matt Tomlinson, Marathon Engineering, 39 Cascade Dr., Rochester, NY 14614 along with James Cucinelli, property owner and Jeff DiCesare, applicant. Hytec Circle is zoned (LI) Light Industrial and the existing parcel is eleven point two-five acres (11.25) acres with an approximate hundred and fifteen thousand (115,000) square foot existing building on site on the north and associated parking, loading docks, utilities, developed infrastructure primarily on the eastern side of site, leaving approximately four and a half (4.5) acres on the west side portion of the site with landscape buffer and land that has been cleared use for overflow onto Midway Drive. The parcel itself fronts Mercer Ave. and Auburn Ave. and the Erie Canal towards the North.

The proposal is to rezone approximately one point eight acres (1.8) to multi-family residential as noted. That will support ten (10) multi-family residential units and the intend is for that parcel to be under a single parcel, one owner, for rent units, with the current proposal of a mix of two-story and ranches split up into three (3) buildings with a proposed buffer consistent with zoning between the light industrial and multi-family residential. The Multi-family residential that is shown comply with the required set-back, which give the fifty (50) foot front yard, which is larger than the existing neighborhood. Multi-family residential is a lot of times utilized as transitional zoning or transitional type development between business or Industrial and single family residential as it is a less intense use property than could be utilized for as industrial.

**(using graphic on projector)**

“Image One” is the perspective of the street with the proposed type of style utilized **(actual photos of buildings similar to what will be built)** showing the ranches on the ends and the two-story in the middle, with driveways and the trees in the back that will buffer. Hoping that **(using graphic on projector)** will help everyone understand the street scape or what the view along that street is going to presents instead of the woods there now.

Not only will they provide landscape buffering, and berm between the multi-family residential and the industrial behind it, but also the buildings themselves with the nice architecture as a buffer or a barrier along that side for the view point from the neighborhood

Supervisor Giunta **(using graphic on projector)** the two outside units are ranches and the center is two-story.

Mr. Tomlinson, yes, but it is interchangeable, no basements, on slab, two-car garages, and with a fifty (50) foot set-back plenty of room in the driveway for two to three (2-3) cars in the driveway, to avoid cars parking on the street.

Councilman Cordero asked if this is attached or separate

Mr. Tomlinson they are separate **(using graphic on projector)** The first photo shows from the north corner where Midway bends parallel to the Erie Canal. The second photo would be down at the intersection of Auburn Ave looking northeast to the Erie Canal to give perspective and the

bottom two photos represents the property in its form. In the industrial zoning the property is currently zoned, there is allowable up to forty-five (45) percent lot coverage by buildings, so for a parcel this size of what they are talking about at eleven and half (11.5) acres, in theory they could build a two-hundred and twenty-five thousand square feet ( 225,000) building as of right within the existing code as long as the set backs are met and that would have somewhat of a significant impact with the square footage almost doubling the square footage of the existing building that's on the site currently. Something they looked at early in this project originally was for the property was **(using graphic on projector)** an approximate sixty-thousand (60,000) square-foot building with associated loading docks, parking, and some other expansion that would or could be expected if this site was to remain Light Industrial. This does represent on the graphic one-hundred (100) feet which is the required minimum buffer of the existing woods left along the west side. The existing building **(using graphic on projector)** is somewhat visible through that area of woods **(using a recent photo to show)**. They also had a landscaping architect go through to look at the trees and give an expectation of the quality of the trees, and there are a lot of Ash and underbrush, but are looking to modify that to support the multi-family residential if allowed to move forward. A lot of the landscaping conflicts with the power lines. The did appear before the Planning Board and believes the TB is in receipt of a letter with several comments normal for planning and sit-plan approval, which they would address once given the approval to move forward along with working on the Town Engineer's comment letter, with the straight forward comments.

Also, from a Revenue standpoint, a multi-family residential would be assessed at the value and pay taxes immediately and typically if this site was to be developed Light Industrial, in totality at time there are comida and other tax considerations relative to Industrial development. They don't believe there are any negative impacts to the Town from a revenue or fiscal stand point, as well as providing a permanent buffer through the residential neighborhood.

Supervisor Giunta, added, the Town Board did receive the letter from the Planning Board Chairman with four (4) things noted.

1. The appropriateness of rezoning the subject parcel to MR District
2. The approvability of the development
3. The number of units per acre and
4. Additional MR Zone requirements to provide more buffer

It also stated that after careful consideration of all presented materials, hearing and testimony, the Planning Board has NO Planning objection, should the Town grant the rezoning. He continued that the PB did give the applicant additional comments.

Chairman DiPonzio asked what the square footage of each unit from the ranch style to the colonial style?

Mr. Tomlinson eleven-hundred to thirteen-hundred (1,100-1,300) square feet

Supervisor Giunta **(using graphic on projector)** sees six (6) driveways, and asked if they are two-car (2) driveways, with two-car garage?

Mr. Tomlinson they are two-car driveways with two-car garages

Councilman Tucciarello asked what is the proposed rent for the ranches and the two-story

Mr. DiCesare responded in and around eighteen-hundred to two-thousand (\$1800-\$2,000) a month, which is what others in the area are getting.

Councilman Tucciarello also asked what size buffer of woods would they be maintaining between this parcel and the industrial area

Mr. Tomlinson on the Northern side (**using graphic on projector**) there is a pretty significant wedge left behind the property. The clearing limit extends in there, so they would be building a berm and landscaping to the remaining portion. The buffer requirements are one-hundred (100) feet minimum between Light Industrial and Multi-Family Residential, there will be some back and forth with Planning Board, town staff and town Attorney to make sure the definition of that buffer. In the code there is a requirement of who's in last of which side of the goes on, but in this case it's a common property owner and potential future development, so it could be shared between two (2) properties or put all on one.

Councilman Tucciarello knowing the woods that are already there not being high quality with brush, debris, and ash trees (which have had problems the past decade), asked if they would be doing a clean-up of what's left behind, will they remove the ash trees with-in range of the houses (to not have issues with), would they be planting anything, and what is the plan to do with the trees left?

Mr. Tomlinson the intention is to provide backyards for the units about thirty-five (35) feet behind the unit with a little patio or fenced area between each of the units as availability. Then the rear setback of forty-feet (40) for Multi-Family Residential would be cleaned up as mentioned, but leave any viable trees, leave what's behind that and then again to the south (**using graphic on projector**) for common stormwater maintenance build a berm about four to six (4-6) feet in height and add landscaping to it to insure separation from the Industrial and Multi-family

Mr. DiCesare added that luckily the back corner where the trees will remain are a lot of thicker more mature trees than on Midway front. Getting rid of the bad and keeping the better.

Supervisor Giunta asked if each unit will have its own refuge and maintain lawn service?

Mr. DiCesare, it's included in the rental, lawn and snow maintenance. It would be a triple net situation.

Supervisor Giunta asked if Mr. Cucinelli would ever consider selling.

Mr. DiCesare if he was to ever sell it would be as a unit not individual

Councilman Cordero asked if he would sell as patio homes each one?

Mr. Tomlinson it would then not met the intend of Multi-family at that point. Typically, that would require some other rezone attached to accommodate that sale and another layer of approvals if it was to be done in the future, but that's not the intent.

Mr. DiCesare utilities will be separate just the lots will not be sub-divided

Attorney Schum asked if the utilities are separate is that for each of the three (3) buildings or each unit including sewer?

Mr. DiCesare each unit will have separate utilities, sewer, and water

Mr. Tomlinson that's the intention, through the Planning Board approval process or the water authority, or Gates Chili sewer district if they have something to say about it

Councilman Tucciarello asked if the only way they could be sold as individuals is if an HOA situation

Mr. Tomlinson would need to review with the Town Attorney. His understanding is Multi-Family would not allow for individual sale of the units, but doesn't know 100% for sure.

Attorney Schum there is no common wall lot line development showing,

Mr. Tomlinson it's all one parcel, at a minimum it would require a resub-division of the parcel and potential rezoning. Is not sure how the town code reads, but would have to come before this board and planning board.

Councilman Cordero how far is the back yard from the back of the property do they need to have.

Mr. Tomlinson what's represented is the total of one point eight (1.8) acres is thirty (30) feet to the back of the unit and another forty (40) feet setback, so seventy (70) feet to the rear property line **(using graphic on projector)**

Councilman Cordero asked what will be cleared? Mr. Tomlinson just to the setback line

Councilman DiPonzio asked if there will be any separation of the backyards of any of the units or will it be a common

Mr. Tomlinson typically it would be common, with an eight-foot (8) fence with a six-foot (6) patio just outside the doors and then common backyard same as the front, no separation

Councilman Cordero asked if the photos **(using a recent photo to show)** provided are what they will actually look like?

Mr. DiCesare replied yes unless the board doesn't like grey (joking) they are similar to others around the area, with stack stone

Councilman Cordero how about the driveways **(using a recent photo to show)** the photos are used were taken from a drone and cropped into the display, so not the exact representation

Councilman DiPonzio is there something other than grass between the driveways instead of the patch of grass. Can see the possibility of it being unattainable.

Mr. DiCesare could put something more permanent instead.

Supervisor Giunta opened the public hearing to the audience and asked for additional comments

Frank Ricotta 176 Mercer Ave. asked from the curb where the project is to Trolley Blvd. how far down is that and will they be added sidewalks, draining systems, new lighting?

Mr. Tomlinson, the frontage on Midway is approximately five-hundred and fifty feet (550) long and probably another twelve hundred to fifteen hundred (1200-1500) feet to the intersection. Also, the intention is to build off the existing roadway system, not to add sidewalks, no extra lighting except for normal residential lights on the buildings, utilities will only be extended to service the buildings needed.

Supervisor Giunta looks like it'll start at right about Auburn and currently there are no sidewalks on Midway.

Mr. Ricotta the reason he asks about sidewalks is at night it's a dark street and thinking about people backing out without lights. There are stop signs on Auburn and Mercer, but it could be a potential accident.

Supervisor Giunta, maybe RG&E can be reached out to about adding lights on the poles

Kyle Savarese, 6 Jordan Ave. and has two concerns, #1. Traffic, people fly up and down and is worried people will be parked on the street if there is a party and **(using graphic on projector)** at the bend in the winter the snow piles up and only one car can get through there and adding more traffic and pedestrians is an accident waiting to happen and a major concern. #2. Confirming the size of the units, and putting into the perspective of his own house that is at the corner of Jordan Ave and Midway, feels it's going to be quite large and obtrusive and feels they will be crammed in there with cars everywhere.

Anna Casserly, 7 Valencia Dr. she is here because she doesn't appreciate not having a notice of what's going on in the community. She continued that the sign was not put out until this past Thursday at 4:00pm and feels it because the town doesn't want the residents to know about the board meeting and what's going on and not giving the neighbors a chance to get together to discuss and sign a petition and no one can afford two-three thousand dollars (\$2000.00-\$3000,00) for rent

Supervisor Giunta replied that it was brought to the attention that the previous signs were put out on Hytec and not on Midway which is why it was added. As for the public to share their opinions it's why there is a Public Hearing being held. Nothing has been approved, we are here to get information on the project.

Kelsey Flanagan, 7 Auburn Ave has a few questions, does anyone know the actual intentions for the light Industrial company expansion because it does seem to being used as a scare tactic

Councilman DiPonzio it's owned by the same person

Ms. Flanagan it seems like a lot of "this could", "this could", "this could" and there's not an expansion talk.

Supervisor Giunta added the person who owns this is the same person developing it

Ms. Flanagan asked if the business did expand and not build the homes, they would still need to leave a buffer, correct?

Supervisor Giunta replied correct

Ms. Flanagan as for the backyards, would fencing enclose the entire backyard, for pets to not get out

Mr. Tomlinson it's not the intention, but if the property manager could decide to add

Councilman DiPonzio is there any consideration for restriction on pets?

Mr. DiCesare doesn't know yet, still discussing plans

Ms. Flanagan, added there is high traffic already and people use as a race track going fifty-sixty (50-60) miles per hour and it's all day, every day. Also, the bend does build up with snow and cuts to one lane

Highway Superintendent Kurt Rappazzo both side of the road get plowed, but it is something they can pay more attention to.

Ms. Flanagan, also feels the houses being built will stick out with the size and color, but how will it effect the taxes and assessments in the neighborhood.

Supervisor Giunta it's hard to say, depending on what the whole property is valued at is how Mr. DiCesare is taxed at. The market across the nation is booming. We just went through a reassessment and honestly could do another one if they really wanted to, but won't because the market is so crazy right now and every town in Monroe County is seeing that, so it's hard to say.

Bruno Fallone, 20 Valencia Dr. thanked Mr. Cucinelli for the beautiful design he presented. When it was originally done, he owned the parcel and still owns the adjacent property next to it, lot number four (#4) **(using graphic on projector)**. He stated he didn't speak with any of the people hear and felt he was the only one who bought it to the Supervisors attention last week that a sign should have been placed on what's going on and it was added, but what strikes him the most is that when it was originally presented to the town twenty plus, thirty (20+/30) years ago, the Conservation Board specifically wanted one-hundred (100) foot buffer and to maintain the trees between Mercer, Auburn so people don't see the building he was building. So, he built lot numbers one, two and three (1, 2 & 3), four (4) is empty and across the street Mr. Cucinelli built two more.

He asked, why we would want to reinvent the wheel, when this was already Light Industrial, now wants to go to Multi-Family Residential, which Nisa Lane is all Multi-Residential, it puts a burden to the school system, the Police force. The first year may be nice, but after not.

Why go from LI to MR when the tax values are more in the Light Industrial and there is a demand for Light Industrial in the Town of Gates. Why change, it was an R-8-A the lowest zoning and went to R-11 on Valencia Dr., Lucena Drive and so forth, why create a problem. It is impressive coming in with the displays **(using graphic on projector)**. He himself has done this in other towns.

He has lived on Valencia Dr for forty-eight (48) years and with the trees that are forty-eight years plus old, how do you replace. He asks that before decisions get made for the board to think about it. The board is elected by all the people, be considerate of the people who live there, because they don't live in the area. He also doesn't think it's an area for Eighteen-hundred (\$1800) rent. Let's make sure the rules apply the same for everyone.

It was made Light Industrial, let keep it Light Industrial.

Supervisor Giunta, in speaking with the Assessor there is more of a taxable value in a Multi-Family Residential than Light Industrial.

Mr. Fallone, that's a good point, usually Light Industrial is more

Cherise Stuhler, 11 Jordan Ave. has lived there about nineteen (19) years. It's always been a child friendly neighborhood, but can no longer have the children outside because there are no sidewalks, there is racing through the neighborhoods, the amount of houses turned into rentals as well as all of Nisa Lane being rentals, there is nothing but problems now.

The property around there is Old Gates and not maintained. The sewers system is not appropriate and has never been upgraded and never been looked at again. The drainage ditch in her yard, that she didn't even know was a drainage ditch, took her ten (10) years to get the Town to re dig it and when they did the slab on the neighbor's driveway sunk. So, there is no system to maintain it. On top of that, one of the draws was the woods there, which was very nice for them on the end and they had it looking very nice, and then the Town came through, with some sort of machine and demolished the woods and destroyed it. One of the neighbors had actually planted things in there and everything got taken down. It was nice thick woods that you couldn't even see through and provided a wonderful sound barrier and a nice safe place for the kids to play in as well because they do not have sidewalks and the areas that so have sidewalks a not maintained, they are lifting, cracked, the roots of the trees are coming out. The trees for the streets are into the sewer system and effecting the drainage, so their sewers are backing up into the houses, hers for one. So, it's not maintained as it is and now bring in all of this.

Supervisor Giunta sewers backing up, meaning sewage, that would be Pure Waters and nothing to do with the Town

Mrs. Stuhler, means actual filth coming back into the house because of the trees that are busting the pipes, as well as water from the street on Jordan. The system cannot handle because Old Gates has been neglected. Sidewalks are not safe, their kids have nowhere to go. They don't need more traffic and doesn't feel comfortable with that. The crime rate now in the neighborhood, which was once peace and quiet, not anymore, so to bring more of this, especially with the existing run-down rentals, that the town says they really can't do anything about.

Jennifer Camp, 179 Mercer Ave. is concerned with the traffic. They speed up and down Midway and in the winter, there are always accidents on the bend. She likes to walk on that road to get exercise, but it's not safe anymore. It's a nasty corner and is afraid someone will get hurt. People rarely use the stop side at the end of her road.

Supervisor Giunta seems there's a theme with speed and it's happening all over, not just in that area. Hopefully it can get patrolled more. He asked if anyone else had comments other than traffic and speed?

Brom Bianchi, 10 Silkwood Circle, how many bedrooms are these proposed units?

Mr. Tomlinson replied two and three (2 & 3) bedrooms

Mr. Bianchi added the Town of Gates has a great need to Senior Housing. He added, if this project goes further, could there be a restriction put on it for fifty-five (55) and older for rental and like the Town of Henrietta, that has restrictions like being family related, so putting restrictions, so the services of the town are not being strained

Mr. DiCesare to that point their target audience would be fifty-five (55) plus or new family occupant, so it would be a quiet at 9:00pm.

Mr. Bianchi, targets are nice, but if you make it the conditions for approval, then it's restricted.

Mr. Tomlinson added they are not implementing any restrictions

Mark Genaux has lived in Gates for twenty (20) years, but had to learn about the area and he uses google earth. Something he would appreciate is to have the DDC come in and do soil samples and sub-water system because he feels there may be issues.

Supervisor Giunta if this was to go forward it would require a SEQR review.

Dave Lipka, 46 Valencia Dr. Midway is not built wide enough now for the traffic now and to put these units there is not going to help. Having cars parked on the street on Midway and having these apartments, not mattering how many cars can go in there its going to line up on the street which is not wide enough. A solution is if they build it onto Hytec not Midway

Supervisor Giunta asked if anyone else from the audience wanted to speak, hearing none then stated due to the posting not be put out till Thursday (3-31-2022) as well as email concerns that were received, giving everyone an opportunity to reach out or stop in to the Town Hall to express concerns or approvals of the property believes we should leave this public hearing open.

Councilman Tucciarello as the Town Board, they see applicants bring projects up across the town on a regular basis. The board has to hear all the projects, whether they are personally, individually in favor them or not, the board has to do their research and hear from the residents and take all the concerns. So here is a project, here's the town board that represent the residents and you are learning about it, we are learning about it, and the board is getting information and learning from you and that's what a public hearing is really about, so they can ask the right

questions and have the right perspective. He will be tabling this project to be able to sift through the information and get a better understanding of how the neighborhood would work with this project and will have a month to do that.

#### **RESOLUTION 74-22**

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Supervisor Giunta

Resolved, that the Gates Town Board hereby **TABLE** the application from Jeff DiCesare, Nical, LLC to Rezone 40 Hytec Circle to (MR) Multi-Residential from (LI) Light Industrial to the May 2, 2022 TB Meeting in Old Business.

#### **VOTE OF THE BOARD**

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

**Motion Carried.**

#### **7:30PM REGULAR TOWN BOARD MEETING**

Supervisor Cosmo Giunta called the meeting to order at 8:04PM. He began with a moment of silent prayer and Pledge of Allegiance, led by Councilman Cordero

There were no revisions made to the minutes of the Public Hearings and Regular Town Board Meeting held March 7, 2022. Minutes stand and will be published and made available on the website and Town Clerk's office.

#### **AUDIENCE PARTICIPATION**

Chris Maurice, 13 Loderdale Rd. Chairperson of the Gates Comprehensive Plan Update Board, which was done five (5) years ago and is time to be updated. She is taking this opportunity to publicize a drop in forum event which will be held on Saturday, April 30, 2022 at the Gates Public Library. It will allow residents and business owners to share ideas and vision of they want for Gates

Chief Robert Long wanted to share that our Gates PD went through an accreditation audit this year. Similar to a business receiving their ISO etc. for a business. Gates PD once again received their accreditation this year and has done so since 1992 and wanted to present it to the board.

Supervisor Giunta congratulated the Chief and the Gates PD for receiving their accreditation once again this year and appreciates all the staff efforts in assisting the state by providing all necessary policy and records needed.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

#### **APPOINTING JAY FRIDLY AND JERMAINE MARKS TO THE GATES SPECIAL POLICE**

Officer Rebecca Leonard, Special Police Coordinator spoke about each candidate and wanted to bring them aboard to be part of our Special Police.

**RESOLUTION 75-22**

Motion by Councilman Cordero who moved its adoption:

Seconded by: Councilman DiPonzio

Resolved, that the Gates Town Board hereby Appoints Jay Fridly and Jermaine Marks to the Gates Special Police

**VOTE OF THE BOARD**

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

**Motion Carried.**

Officer Leonard then administered the oaths of office to both officers.

**CONSIDER RENEWALS OF THE CONDITIONAL USE PERMITS  
FOR THE FOLLOWING:**

**COLDWATER ANIMAL HOSPITAL, 612 COLDWATER RD.; CLASSY CHASSY  
CARWASH, 2150 LONG POND RD.; DUNN TIRE #33, 1941 BUFFALO RD.;  
ELMGROVE AUTO SERVICES, 725 ELMGROVE RD.; GUIDA’S PIZZA,  
736 ELMGROVE RD.; COLLEGE COUND SEALERS, 989 BUFFALO RD.;  
HAUS OF NAILS, 2909 BUFFALO RD.**

Supervisor Giunta stated that he has reviewed the files and there are no violations against these businesses with the exception and finds no reason why the Conditional Use Permits for these businesses should not be renewed and approved on mass.

**RESOLUTION 76-22**

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby approves the renewal of the Conditional Use Permits on mass for the following: Coldwater Animal Hospital, 612 Coldwater Rd.; Classy Chassy Car Wash, 2150 Long Pond Rd.; Dunn Tire #33, 1941 Buffalo Rd.; Elmgrove Auto Services, 725 Elmgrove Rd.; Guida’s Pizza, 736 Elmgrove Rd.; College Bound Sealers, 989 Buffalo Rd.; Haus of Nails, 2909 Buffalo Rd.

**VOTE OF THE BOARD**

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

**Motion Carried.**

**AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE 2022 BUDGET  
AMENDMENTS WITHIN THE GENERAL FUND AND HIGHWAY FUNDS  
FOR THE PURCHASE OF A STREET SWEEPER  
USING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS**

**RESOLUTION 77-22**

Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman Tucciarello

Resolved, that the Gates Town Board hereby Authorizes the Director of Finance to make the following 2022 Budget Amendments within the General Fund and Highway Funds for the purchase of a street sweeper using American Rescue Plan Act (ARPA) funds:

- \*Increase budget for account A00-5031-0000 (Interfund Transfers) by \$299,088
- \*Increase budget for revenue account A00-4489-0000 (Federal Aid - Other Health) by \$299,088
- \*Increase budget for expenditure account DA0-5130-2001 (Highway- Capital Equipment – ARPA) by \$299,088
- \*Increase budget for account DA0-5031-0000 (Interfund Transfers) by \$299,088

**VOTE OF THE BOARD**

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

**Motion Carried.**

**AUTHORIZING AND APPROVING THE SALE OF A 63 X 48-FOOT PARCEL  
FROM THE WESTERLY END OF THE PUMP STATION PARCEL ON  
HOWARD ROAD TO BRIAN DEWEAVER**

**RESOLUTION 78-22**

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Town of Gates do hereby Authorizes and Approving the sale of a 63 x 48-foot parcel from the westerly end of the Pump Station parcel on Howard Road to Brian DeWeaver

**VOTE OF THE BOARD**

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

**Motion Carried.**

**ACCEPTING THE RESIGNATION FROM ROMEO DELUCIA AS CHAIR  
AND EMILY LEONE AS SECRETARY  
OF THE GATES CONSERVATION ADVISORY BOARD**

**RESOLUTION 79-22**

Motion by Councilman DiPonzio who moved its adoption:

Seconded by: Councilman Cordero

Resolved, that the Town of Gates do hereby Accepts the resignation from Romeo DeLucia as Chair of the Gates Conservation Advisory Board

**VOTE OF THE BOARD**

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

**Motion Carried.**

Councilman DiPonzio just wanted to say Thank you and appreciation to both Romeo and Emily for the many years of input on this board

**ACCEPTING THE RESIGNATION FROM ROB KEISTER  
OF THE GATES RECREATION AND PARKS COMMISSION**

**RESOLUTION 80-22**

Motion by Councilman Loughlin who moved its adoption:

Seconded by: Councilman Tucciarello

Resolved, that the Town of Gates do hereby Accepts the resignation from Rob Keister from the Gates Recreation and Parks Commission

**VOTE OF THE BOARD**

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

**Motion Carried.**

Councilman Loughlin also wanted to say Thank you and appreciation to Rob for his many years of service given to this board and his input will be missed.

**NEW BUSINESS OF COUNCIL MEMBERS**

Councilman Loughlin reminded all about the Easter Egg hunt coming on April 16<sup>th</sup> at Westgate Park

**REPORTS**

**SUPERVISOR'S**

**ACCEPTING THE SUPERVISOR'S  
REPORT FOR THE MONTH OF MARCH 2022**

**WARRANTS**

**GENERAL**

CLAIMS # A22-0106 – A22-0175	\$45,979.59
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**HIGHWAY**

CLAIMS # D22-0066 – D22-0125	\$382,379.06
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**LIBRARY**

CLAIMS #L22-0025 – L22-0043	\$24,597.70
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**TOTAL DISBURSEMENTS**

**\$2,140,060.90**

**TOTAL RECEIPTS**

**\$509,843.11**

Supervisor Giunta noted for the record that the warrants for the month of March 2022 have been examined by the Town Board and signed.

**RESOLUTION 81-22**

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that Gates Town Board hereby accepts the Supervisor's Report for the month of March 2022 as read; and the warrants for the month of March 2022 as read.

**VOTE OF THE BOARD**

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

**Motion Carried.**

**ACCEPTING THE TOWN CLERKS REPORT  
FOR THE MONTH OF MARCH 2022**

The Town Clerk read the report for the month of March 2022 showing the following:

TOTAL REVENUE COLLECTED	\$29,936.69
TOTAL REVENUE TO THE SUPERVISOR	\$29,318.99
TOTAL NON-LOCAL REVENUE	\$617.70

**RESOLUTION 82-22**

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of March 2022.

**VOTE OF THE BOARD**

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 March 2022

Personnel Status Report for the month of March 2022.

Additions: (1) One (Highway)

Terminations: (3) Three (1) One Highway/Retirement and (2) Police Dept./Retired

Net Change: (-2) Negative Two

There being no further business to come before the Town Board, Councilman Tucciarello motioned and Councilman Loughlin second to adjourn the meeting. All were in favor; motion carried. Supervisor Giunta adjourned the meeting at 8:21 PM.

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Town Clerk