

November 8, 2017

The Gates Town Board held two Public Hearings and its regular Town Board meeting on Wednesday, November 8, 2017 at the Gates Town Hall, 1605 Buffalo Road, beginning at 7:00 P.M. Those in attendance for the Public Hearings and 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
Daniel G. Schum	Town Attorney
Cosmo A. Giunta	Town Clerk

7:00 P.M. PUBLIC HEARING

**APPROVING THE PRELIMINARY
2018 TOWN OF GATES BUDGET**

Supervisor Assini called the Public Hearing to order at 7:00 P.M. The Town Attorney verified that the Legal Notice had been published as required by law.

Supervisor Assini stated that the Budget Workshop was held on October 16th at 5:30 P.M. in the Supervisor's Conference Room at the Gates Town Hall.

The meeting was advertised and posted per local law and open to the public. At the workshop the budget was amended as follows:

From: A6410.4850 Miscellaneous Expenses	- \$3,500.00
To: A5010-1000 Wages & Salaries	+ \$3,500.00

Net result to the levy tax rate -0.

The amended budget was passed 5 to 0.

The Tax Cap has been submitted to the State as requested by law following the budget workshop.

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

RESOLUTION 146-17: Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby approves the 2018 Preliminary Town of Gates Budget as the official 2018 Town of Gates Budget.

Seconded by Councilman DiPonzio.

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

Motion Carried.

Supervisor Assini adjourned the Public Hearing at 7:12 P.M.

7:25 P.M. PUBLIC HEARING

**CONSIDERING A LOCAL LAW TO RESIND
LOCAL LAW 2-2014 ESTABLISHING
TAX GRIVENANCE DAY**

Supervisor Assini stated that when Local Law 2-2014 was passed we shared an Assessor with the town of Chili. At the Assessor's request the date was changed for the Tax Grievance Day to accommodate her schedule.

We no longer share an Assessor with Chili, we now have our own. Therefore, he is requesting that the date be changed back to the fourth Tuesday in May.

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

RESOLUTION 147-17: Motion by Councilman Cordero who moved its adoption:

WHEREAS, the Town Board of the Town of Gates did heretofore adopt Local Law No. 2 of the year 2014, which local law amended the first date on which the Gates Board of Assessment Review meets, commonly known as Tax Grievance Day, to the 1st Tuesday in June of each year, and

WHEREAS, pursuant to §512(1)(a) of §512 of the Real Property Tax Law, such previous local law, as adopted by the Town Board of the Town of Gates, may be rescinded and that upon being so rescinded Tax Grievance Day shall be restored and shall thereafter be the 4th Tuesday in May of each year.

Seconded by Councilman DiPonzio.

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

Motion Carried.

Supervisor Assini adjourned the Public Hearing 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 Pledge of Allegiance to the Flag.

RESOLUTION 148-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the Minutes of the October 2, 2017 Public Hearing and regular Town Board meeting as received.

Seconded by Councilman Cordero.

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

Motion Carried.

AUDIENCE PARTICIPATION

Don Ioannone and Frank Allkofer, County Legislator congratulated the newly elected officials on their victories.

Legislator Allkofer also reminded everyone of the upcoming Veterans Day ceremony to be held at the Gates Town Hall on November 11, 2017 at 10:30 A.M.

OLD BUSINESS

CONSIDERING A REQUEST FOR A STOP SIGN ON GOLDEN OAKS WAY

Councilman DiPonzio reported that he and Police Chief VanBrederode have visited the area and met with the neighbors. The majority are in favor of the proposed stop sign. He and the Chief recommend placing the Stop sign facing Harbor Oaks at the entrance. They suggested moving the street sign and attaching the Stop sign to the same pole as the street sign.

RESOLUTION 149-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby approves the installation of a Stop Sign at the intersection of Harbor Oaks and Golden Oaks Way, facing Harbor Oaks. The street sign is to be moved and the Stop sign is to be attached to its pole.

Seconded by Councilman Cordero.

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

Motion Carried.

NEW BUSINESS

APPROVING A CONDITIONAL OFFER OF EMPLOYMENT TO GUY BURKE FOR THE POSITION OF GATES POLICE OFFICER

Chief VanBrederode introduced the applicant, Guy Burke to the Supervisor and Town Board. In anticipation of an upcoming retirement in the Police Department Chief VanBrederode is asking that Mr. Burke be considered to fill the position. Mr. Burke has been a Police Officer in the town of Albion, New York. This would be a lateral transfer for Officer Burke.

RESOLUTION 150-17: Motion by Councilman DiCaro who moved its adoption:

Resolved that the Gates Town Board hereby approves a Conditional Offer of Employment be given to Guy Burke for the position of Gates Police Officer.

Seconded by Councilman Tucciarello.

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

Motion Carried.

Chief VanBrederode administered the Oath of Office to Officer Guy Burke for the position of Police Officer in the Gates Police Department.

DEDICATING A PAGE IN THE TOWN OF GATES MINUTES BOOK IN MEMORY OF RETIRED GATES POLICE CHIEF THOMAS J. ROCHE

Supervisor Assini stated that retired Police Chief Thomas J. Roche has passed. It is appropriate that a dedicated page be placed in the Town of Gates Minutes Book in his memory.

Councilman DiCaro noted that Chief Roche served the town for 32 years as Chief, the longest of any Police Chief in Monroe County. He was very instrumental in establishing 911 and the Gates Police Department initiating new and innovative methods and programs. He will be greatly missed.

RESOLUTION 151-17: Motion by Supervisor Assini who moved its adoption:

Resolved that the Gates Town Board hereby dedicates a page in the Town of Gates Minute Book in memory of retired Police Chief Thomas J. Roche.

Seconded by Councilman DiCaro.

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: LOVING TOUCH DAY CARE CENTER – 395 SPENCERPORT RD.; MARK’S PIZZERIA – 2103 BUFFALO RD.; PONTILLO’S PIZZA –

777 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 152-17: Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby renews the Conditional Use Permits for the (noted in these minutes) businesses for a period of one (1) year (through November 8, 2018); subject to the same terms and conditions applicable to the original permits.

Seconded by Councilman DiPonzio.

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

Motion Carried.

**AUTHORIZING THE TOWN CLERK TO
OBTAIN A BLANKET BOND COVERING
ALL TOWN EMPLOYEES AND
TOWN OFFICIALS**

Supervisor Assini stated that this bonding is done annually.

RESOLUTION 153-17: Motion by Councilman DiPonzio who moved its adoption:

Resolved that the Gates Town Board hereby authorizes the Town Clerk to obtain a Blanket Bond covering all Town Employees and Town Officials; Employees to be bonded for \$5,000.00; and the Town Officials and Employees to be bonded for the additional amounts showing as follows: Supervisor and Deputy Supervisor \$195,000; Town Clerk and Receiver of Taxes \$95,000; Deputy Town Clerk \$95,000; Director of Finance \$95,000; Payroll Clerk \$45,000.

Seconded by Councilman Tucciarello.

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

Motion Carried.

**AUTHORIZING THE FINANCE DIRECTOR TO
TRANSFER \$300,000 FROM THE GENERAL FUND
TO THE HIGHWAY FUND**

Finance Director, Art Plewa stated that we need to transfer \$300,000 from the General Fund to the Highway Fund to cover expenses until we can get our money from the State for snow and ice removal for 2017 – 2018 for approximately \$160,000 and CHIPS money which will be in the range of \$200,000. Last year the Town did not receive the money from the State for both until later in the month of December. Once the money is received from the State we will transfer it back from the Highway Fund to the General Fund.

RESOLUTION 154-17: Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby authorizes the Finance Director to make a \$300,000 fund transfer from General Fund to the Highway Fund.

Seconded by Councilman Tucciarello.

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

Motion Carried.

**AUTHORIZING THE FINANCE DORECTOR TO
MAKE THE FOLLOWING FUND TRANSFERS
WITHIN THE 2017 LIBRARY FUNDS**

Supervisor Assini stated that these fund transfers have been approved by the Library Board of Trustees at their October 18, 2017 meeting; a request for a budget revision was made.

RESOLUTION 155-17: Motion by Councilman Tucciarello who moved its adoption:

Resolved that the Gates Town Board hereby authorizes the Finance Director to make the following fund transfers:

FROM: L00-3840-0000 State Aid Library	-\$15,000.00
L00-0200-0000 Library Fund Balance (Chase Banking)	-\$ 2,874.00
TO: L00-7410-2000 Library Capital Expenditures	+1,783.00
L00-7410-4300 Supplies Business Services	+ 16,091.00
FROM: L00-7410-4260 Books - New Adult	- 433.00
TO: L7419-4260 Standing Order	+433.00
FROM: L00-7410-4280 Books New YA	-500.00
TO: L7410-4850 Program	+500.00

Seconded by Councilman DiPonzio.

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

Motion Carried.

APPOINTING KURT RAPPAZZO TO THE POSITION OF PUBLIC WORKS DIRECTOR

Supervisor Assini stated that the town's Public Works Director, Joe Amico will be retiring in January 2018. Mr. Rappazzo will be filling this position. He is an engineer and a member of the Gates Planning Board. He is also the Chairman of the committee that recently updated the town's comprehensive Master Plan. Mr. Rappazzo's weekly wage for 2017 will be \$1,586.50. After January 2018 he will also assume the title of Highway Superintendent. Mr. Rappazzo will begin on November 27, 2017, if he is appointed by the Town Board.

RESOLUTION 156-17: Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby appoints Kurt Rappazzo to the position of Public Works Director beginning November 27, 2017 at a weekly wage of \$1,586.50 for 2017.

Seconded by Councilman Tucciarello.

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

Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

Councilman DiPonzio reminded everyone of the upcoming Holiday Party and Tree Lighting on Saturday, December 2, 2017, from 5:00 to 8:00 P.M.

REPORTS

ACCEPTING THE SUPERVISOR'S REPORT FOR THE MONTH OF OCTOBER 2017

Supervisor Assini read his report for the month of October 2017 showing the following:

TOTAL RECEPTS	\$213,791.27
TOTAL DISBURSEMENTS	\$1,420,297.68

WARRANTS

GENERAL FUND	
Accounts Payable	
CI #0894 – 0995	\$68,407.87
HIGHWAY FUND	
Accounts Payable	
CI # 0277 – 0308	\$20,080.06
LIBRARY FUND	
Accounts Payable	
CI # 0225 – 0247	\$18,245.32

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

RESOLUTION 157-17: Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Supervisor's Report for the month of October 2017 as read; and the warrants for October 2017 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 OCTOBER 2017

The Town Clerk read the Town Clerk's Report for the month of October 2017 showing the following:

TOTAL REVENUES TO THE SUPERVISOR	\$11,455.35
TOTAL NON-LOCAL REVENUES	2,011.50
TOTAL REVENUES COLLECTED	\$13,466.85

RESOLUTION 158-17: Motion by Councilman Cordero who moved its adoption:

Resolved that the Gates Town Board hereby accepts the Town Clerk's Report for the month of October 2017 as read.

Seconded by Councilman DiPonzio.

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

Motion Carried.

PERSONNEL STATUS REPORT

The October 2017 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 Cordero seconded the motion. All were in favor; the motion carried. Supervisor Assini adjourned the meeting at 8:05 P.M.