

July 7, 2025

The Gates Town Board held Two (2) Public Hearings and its Regular Town Board meeting on Monday, July 7, 2025 at the Town Hall Meeting Room starting at 7:10PM. Those attending the meeting were as follows:

Cosmo A. Giunta	Supervisor
Christopher B. DiPonzio	Councilman
Andrew M. Loughlin	Councilman
Steve Tucciarello	Councilman
John DiCaro	Town Attorney
Valerie Orbaker	Deputy Town Clerk
Absent	
Lee A. Cordero	Councilman

7:10 P.M. PUBLIC HEARING

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

**TO CONSIDER A CONDITIONAL USE PERMIT FOR
AIMAL SULTAN & ABDUL REZA SAMADI
TO OPERATE LAZEEZ KABAB HOUSE CORP. LOCATED AT
1273 CHILI AVE. SUITE 1 IN A GENERAL BUSINESS(GB) DISTRICT**

Supervisor Giunta asked if the applicant was present to speak on this?

Present were, Abdul Reza Samadi, president of the Lazeez Kabob House as well as general manager and Aimal Sultan who is the co-buyer and the general manager of the Kabob House which is located at 1273 Chili Ave. The plan is to open a dine-in and take-out Afghanistan & Pakistani food restaurant.

Supervisor Giunta asked approximately how many tables?

Mr. Sultan replied about sixteen (16). He shared a letter of intent as well.

Supervisor Giunta asked if they owned restaurants previously?

Mr. Sultan replied he was previously worked is several restaurants and is currently a real estate agent, but has had several other businesses including car sales as well as a restaurant in Afghanistan.

Supervisor Giunta asked if approved, what would the hours of operation be and how many employees?

Mr. Sultan replied, Sunday to Thursday from 6:00am to 10:00pm and Friday & Saturday from 7:00am to 11:00pm. The hotel has asked them to provide breakfast for the guests. He added, right now he has 10-12 employees on the schedule, but looking for more people.

Supervisor Giunta asked of they will serve alcohol?

Mr. Sultan replied, No alcohol. He presented a copy of the site-plan and passed it to the board.

Supervisor Giunta reminded Mr. Sultan to visit the Building Department, the Fire Marshal and Building Inspectors with the site-plans for approvals with any type of construction, lighting, and sign permits needed prior to moving forward.

Councilman Tucciarello asked why there are different plans (A1, A2, A3....)?

Mr. Sultan believes there were some plans from the prior business idea, but his is Site Plan A3

Councilman DiPonzio asked about the entrance?

Mr. Sultan, there are two (2) entrances from the main lobby. One for hotel guest and other for anyone else but both through main lobby.

Supervisor Giunta asked if anyone from the audience wanted to speak for or against this? Hearing none, closed the public hearing at 7:22pm.

RESOLUTION 129-25

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby approves an application for a Conditional Use Permit for Aimal Sultan & Abdul Reza Samadi to operate Lazeez Kabob House Corp. located at 1273 Chili Ave. Suite 1 in a General Business District (GB) with the following Conditions:

Hours of Operation: Sun-Thurs 6:00am-10:00pm
Fri & Sat 7:00am-11:00pm

No Alcohol

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

Motion Carried.

**TO CONSIDER A CONDITIONAL USE PERMIT FOR LINDA MASTRODONATO
TO OPERATE FAZOOŁ'S ITALIAN BISTRO LOCATED AT 120 PIXLEY RD
IN A GENERAL BUSINESS DISTRICT**

Supervisor Giunta asked if the applicant was present to speak on this?

Linda Mastrodonato owner looking at going into 120 Pixley Rd. along with chef Allen Kallstrand.

Supervisor welcomed them back to Gates. He asked what they are looking to do?

Mr. Kallstrand, They were previously in Brockport for 14-years, but the building owner sold the building and the new owner wanted double the rent. He added this is a nice location and if the board approves, feels it will do well. it's an Italian Bistro, Tuesdays through Saturdays and will try lunches on Fridays to start and see how well it goes.

Supervisor Giunta asked ideally, having all the help needed, what would the hours of operation be?

Mr. Kallstrand replied with the various hours Tuesday, Wednesday Thurs through Saturday and Sunday would be private parties only. Listed various hours through the days.

Councilman Tucciarello suggested making it seven days a week 11:00am-10:00pm because the board is happy with those operating hours and they can work within those hours.

Supervisor Giunta agreed and then asked about serving liquor, when will they open and how many employees?

Mr. Kallstrand, yes, beer, wine, and liquor. They already have their temporary license and are hoping to open next week sometime. They currently have 20 employees and hope to hire more.

Supervisor Giunta added to be sure to visit the Building Department and get all the permits required for any and all construction changes.

Mr. Kallstrand replied, building inspector Mr. Minster has already been there and approved all the updates.

Supervisor Giunta asked if anyone from the audience wanted to speak for or against this? Hearing none, closed the public hearing at 7:29pm.

Councilman Tucciarello added their reputation in the Brockport location is very good and has friends who visited many times and really enjoyed it. It's good to see a business come in with such great experience and take over this building, which is in the center of the town. He is very happy with this.

RESOLUTION 130-25

Motion by Councilman Tucciarello who moved its adoption:
Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby approves an application for a Conditional Use Permit for Linda Mastrodonato to operate Fazool's Italian Bistro, located at 120 Pixley Rd. in a General Business District (GB) with the following Conditions:

Hours of Operation: Sun-Sat 11:00am-10:00pm

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

Motion Carried.

7:30PM REGULAR TOWN BOARD MEETING

Supervisor Cosmo Giunta welcomed everyone and called the meeting to order at 7:35PM. He began with a moment of silent prayer and Pledge of Allegiance, led by Councilman Tucciarello.

He asked the board members, if they had an opportunity to review the Public Hearing and Regular Town Board Meeting minutes from the June 2, 2025.

RESOLUTION 131-25

Motion by Councilman DiPonzio who moved its adoption:
Seconded by: Councilman Loughlin

Resolved, that the Minutes of the Regular Town Board Meeting of June 2, 2025. There being no revisions or omissions to them, stand approved as drafted.

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

Motion Carried.

AUDIENCE PARTICIPATION

Chief Long presented Tyler O’Neil with a Certificate of Recognition. On May 16, 2025 he promptly helped a woman who had been stabbed several times by a live-in boyfriend and left fleeing on Wegman Rd. Tyler’s assistance helped her to safety as well as assisted in the suspects arrest. He saw something and did something.

Supervisor Giunta also presented Mr. O’Neil with a Certificate of Recognition from the entire Town Board as well and thanked him for his quick response.

APPOINTING MICHAEL WOOD AS A SPECIAL POLICE OFFICER TO THE GATES POLICE DEPARTMENT

Officer Pratt, with the Gates Police Department also assists the Chief with the Special Police Dept. The town is very lucky to have this special group of volunteers who give their time to assist the Gates Police Department wherever they can and possible. They do park patrols in the evening, traffic direction in emergency situations and parking enforcement at shopping centers. Currently there are eight (8) members of the Special Police and is asking for approval to swear in the ninth member, Michael Wood. He lives in Chili, attended Roberts Wesleyan College, interned this past semester and is a very hard working, dedicated individual with a very clear goal of a career in law enforcement.

Supervisor Giunta thanks Michael for considering Gates Police Department for the Special Police.

RESOLUTION 132-25

Motion by Supervisor Giunta who moved its adoption:
Seconded by: Councilman Loughlin

Resolved, that the Gates Town Board hereby Appoints Michael Wood as a Special Police Officer to the Gates Police Department.

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;
Motion Carried.

Officer Pratt swore Michael Wood in as a Special Police. Michael thanked his family and girlfriend who were here to support him. He added from the moment he interned, he was immediately interested in the Special Police program and just knows this is what he wants to do and it’s a step in his career path and is excited.

Supervisor Giunta agreed this is a great step in the path of law enforcement and many have started with the Special Police and have continued onto law enforcement.

OLD BUSINESS

A PETITION TO CONSIDER AN INCENTIVE ZONING FROM SAMUEL A. SIMONE FOR THE PROPERTY LOCATED AT 795 HOWARD RD IN A NEIGHBORHOOD BUSINESS DISTRICT

Town board has elected to continue to table this on old business while additional due diligence is being conducted.

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

**VALVOLINE INSTANT OIL CHANGE, 427 SPENCERPORT RD.; TOPS MARKET
GASOLINE SERVICE, 2345 BUFFALO RD.; LKQ/KEYSTONE CORP.
72 SPENCERPORT RD.; NEWCOMB ELMGROVE INC., 2960 BUFFALO RD.;
SPLASH CAR WASH, 2234 CHILI AVE.; TIM HORTON'S (TWO LOCATIONS)
1508 BUFFALO RD. AND 2311 CHILI AVE.; LASER CAR WASH, 3365 BUFFALO 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 133-25

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby approves Renewals of Conditional Use Permits for the following Valvoline Instant Oil Change, 427 Spencerport Rd.; Tops Market Gasoline Service, 2345 Buffalo Rd.; LKQ/Keystone Corp., 72 Spencerport Rd.; Newcomb Elmgrove, Inc., 2960 Buffalo Rd.; Splash Car Wash, 2234 Chili Ave.; Tim Horton's (TWO locations) 1508 Buffalo Rd. & 2311 Chili Ave.; Laser Car Wash, 3365 Buffalo Rd.

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

Motion Carried.

**AUTHORIZING THE WAIVING OF THE SPECIAL EVENTS PERMIT FEE FOR THE
APPLICANT HOT ROD FOR HOSPICECAR SHOW, FUNDRAISER EVENT TO BE
HELD ON AUGUST 23, 2025 AT ALVAH HOLLORAN & SONS FUNERAL HOME
LOCATED AT 2125 CHILI AVE.**

Supervisor Giunta added this is a fundraiser that will benefit this foundation that purchases smoke alarms to be installed in homes of residents when asked for.

Councilman Tucciarello added this is a foundation that benefits the community and is really great these folks do this.

RESOLUTION 134-25

Motion by Councilman DiPonzio who moved its adoption:

Seconded by: Councilman Tucciarello

Resolved, that the Gates Town Board hereby Authorizes waiving of the Special Event permit fee for applicant Hot Rods for Hospice Car Show to be held on August 23, 2025 at Alvah Halloran & Son Funeral Home located at 2125 Chili Ave.

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

Motion Carried.

**AUTHORIZING THE WAIVING OF THE SPECIAL EVENTS PERMIT FEE FOR THE
APPLICANT MICHAEL COWAN FOR THE WILMONT CANCER CENTER GOLF
TOURNAMENT FUNDFAISER EVENT TO BE HELD ON JULY 20, 2025 AT
MC DUGOUT LOCATED AT 1370 BUFFALO RD.**

Supervisor Giunta added this is a fundraiser that will benefit this foundation that purchases smoke alarms to be installed in homes of residents when asked for.

Councilman Tucciarello added this is a foundation that benefits the community and is really great these folks do this.

RESOLUTION 135-25

Motion by Councilman DiPonzio who moved its adoption:
Seconded by: Councilman Loughlin

Resolved, that the Gates Town Board hereby Authorizes waiving of the Special Event permit fee for applicant Michael Cowan for the Wilmot Cancer Center Golf Tournament Fundraiser event to be held on July 20, 2025 at MC Dugout located at 1370 Buffalo Rd.

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;
Motion Carried.

**ADOTPING A RESOLUTION TP RENEW THE CONTRACT WITH THE
COUNTY OF MONROE ENERGY AGGREGATION GROUP FOR
THE PERIOD OF SEPTEMBER 1, 2025 THROUGH AUGUST 31, 2030.**

RESOLUTION 136-25

Motion by Supervisor Giunta who moved its adoption:
Seconded by: Councilmen DiPonzio

WHEREAS, the Town of Gates has heretofore participated in and has been a member of the Monroe County Energy Aggregation Group; and

WHEREAS, in order to continue such membership, the Town of Gates must renew its contract with the County of Monroe which contract will cover the period September 1, 2025 through August 31, 2030; and

NOW, THEREFORE, be it resolved by the Town Board of the Town of Gates, Monroe County, New York, as follows:

Section 1. That by the adoption of this Resolution the Town Board of the Town of Gates approves the membership of the Town of Gates in the Monroe County Energy Aggregation Group and authorizes the Supervisor to execute a renewal contract with the County of Monroe covering the period of September 1, 2025 through August 31, 2030.

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;
Motion Carried.

**AUTHORIZING THE TOWN DIRECTOR OF FINANCE TO MAKE 2025
BUDGET AMENDMENTS WITHIN THE GENERAL AND HIGHWAY FUND**

RESOLUTION 137-25

Motion by Councilman Loughlin who moved its adoption:
Seconded by Councilman Tucciarello

Resolved, that the Gates Town Board hereby Authorizes the Town Director of Finance to make 2025 budget amendments within the General fund and Highway funds.

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

Motion Carried.

**AUTHORIZING THE TOWN OF GATES TO SUBMIT A REQUEST FOR
QUALIFICATION (RFQ) TO FIND A VENDOR TO ENTER INTO AN
ENERGY PERFORMANCE CONTRACT**

RESOLUTION 138-25

Motion by Councilman Tucciarello who moved its adoption:
Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby Authorizes the Town of Gates to submit a Request for Qualification (RFQ) to find a vendor to enter into an Energy Performance Contract.

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin –; Tucciarello – Aye;
Motion Carried.

**SCHEDULING ONE (1) PUBLIC HEARING FOR AUGUST 4, 2025
AT 7:15PM TO CONSIDER A CONDITIONAL USE PERMIT
FOR AN ELECTRONIC SIGN AT THE ITALIAN AMERICAN SPORTS COUNCIL
LOCATED AT 1250 BUFFALO RD. INA NEIGHBORHOOD DISTRICT**

RESOLUTION 139-25

Motion by Councilman DiPonzio who moved its adoption:
Seconded by Councilman Tucciarello

Resolved, that the Gates Town Board hereby schedules a Public Hearings for August 4, 2025 at 7:15pm to consider a Conditional Use Permits for: Serafino Pavone for an Electronic Signage Board at the Italian American Sports Council located at 1250 Buffalo Rd. in a Neighborhood Business (NB) District.

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin – Aye; Tucciarello – Aye;
Motion Carried.

**APPROVING THE AMENDMENTS TO THE DUTIES AND RULES OF THE
CONDUCT POLICY FOR THE GATES POLICE DEPARTMENT**

RESOLUTION 140-25

Motion by Councilman Loughlin who moved its adoption:
Seconded by Councilman Tucciarello

Resolved, that the Gates Town Board hereby Approves the amendments to the Duties and Rules of Conduct Policy for the Gates Police Department

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin –; Tucciarello – Aye;
Motion Carried.

**REJECTING THE BID FOR WATER SERVICE IMPROVEMENT
FOR GATES MEMORIAL PARK**

RESOLUTION 141-25

Motion by Supervisor Giunta who moved its adoption:
Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Rejects the Bid for Water Service Improvement for Gates Memorial Park

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin –; Tucciarello – Aye;
Motion Carried.

NEW BUSINESS OF COUNCIL MEMBERS

None

REPORTS

**SUPERVISOR’S
ACCEPTING THE SUPERVISOR’S REPORT FOR THE
MONTH OF JUNE 2025**

WARRANTS

GENERAL

CLAIMS # A25-0476 - A25-0576	\$625,987.91
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HIGHWAY

CLAIMS # D25-0226 - D25-0272	\$158,639.41
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LIBRARY

CLAIMS # L25-0149 - L25-0184	\$84,069.24
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TOTAL DISBURSEMENTS	\$1,758,839.88
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TOTAL RECEIPTS	\$1,209,810.18
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Supervisor Giunta noted for the record that the warrants for the month of June 2025 have been examined by the Town Board and signed. The Town Board also examined and approved all payroll and in-lieu of claim expenses per fund for the month.

RESOLUTION 142-25

Motion by Councilman Loughlin who moved its adoption:
Seconded by Councilman Tucciarello

Resolved, that Gates Town Board hereby accepts the Supervisor’s Report for the month of June 2025 as read; and the warrants for the month of June 2025 as read.

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin – Tucciarello – Aye;
Motion Carried.

**ACCEPTING THE TOWN CLERKS REPORT FOR
THE MONTH OF JUNE 2025**

The Deputy Town Clerk read the report for the month of June 2025 showing the following:

TOTAL REVENUE COLLECTED	\$20,553.20
TOTAL REVENUE TO THE SUPERVISOR	\$19,634.06
TOTAL NON-LOCAL REVENUE	\$919.14

RESOLUTION 143-25

Motion by Councilman Tucciarello who moved its adoption:
Seconded by Councilman Loughlin

Resolved, that Gates Town Board hereby accepts the Town Clerk’s report for the month of June 2025.

VOTE: Giunta – Aye; DiPonzio – Aye; Loughlin – Tucciarello – Aye;
Motion Carried.

PERSONAL STATUS REPORT

The Deputy Town Clerk presented the Personnel Status Report for the Month of June 2025.

Additions: 3 (Police and Building Department)
Terminations: 0
Net Change: 3

There being no further business to come before the Town Board, Councilman Loughlin and Councilman Tucciarello second to adjourn the meeting. All were in favor; motion carried. Supervisor Giunta adjourned the meeting at 7:55 PM.

Deputy Town Clerk