

August 4, 2025

The Gates Town Board held One (1) Public Hearing and its Regular Town Board meeting on Monday, August 4, 2025 at the Town Hall Meeting Room starting at 7:15PM. Those attending the meeting were as follows:

Cosmo A. Giunta	Supervisor
Christopher B. DiPonzio	Councilman
Lee A. Cordero	Councilman
Andrew M. Loughlin	Councilman
Steve Tucciarello	Councilman
John DiCaro	Town Attorney
Sarah L. Lobene	Town Clerk

**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 SERAFINO PAVONE  
TO OPERATE AN ELECTRONIC SIGNAGE BOARD AT 1250 BUFFALO RD.  
IN A NEIGHBORHOOD BUSINESS DISTRICT**

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

Rick Antelli, (Greece NY) on the board of directors of the Italian American Sports Club along with Serafino Pavone, President of the Club 418 Jackson Rd. Stated they are looking to update the existing monument sign which has been weathered throughout the years to improve it and make it more visible

Supervisor Giunta asked the size of the sign. He wants them to be sure to follow the sign regulations and requirements of the Town.

Mr. Pavone replied 7ft 6 in. wide and 85-inches tall. They presented the board with a drawing of the sign as well as the measurements. He is aware of No running signs or any advertisements.

Councilman Cordero asked if the old sign is coming down?

Mr. Pavone replied, Yes.

Supervisor Giunta asked if they have a sign company picked out?

Mr. Pavone, yes, Skylight Signs Inc.

Councilman DiPonzio with traffic coming east, traveling west with the trees along the line, and the sign being 7-feet tall cause any visibility issue?

Mr. Pavone referred to the drawing, to show the placement.

Councilman Tucciarello wanted to clarify, the sign will only say Italian American Sports Club on the top part of the sign, but what about the digital section?

Mr. Pavone, confirmed the top of the sign will say Italian American Sports Club and the digital section will announce the events for the club (for example; lunch, meetings) only.

Mr. Antelli added if they host a wedding or something like that, that would not be announced.

Supervisor Giunta asked if the sign will be shut off or dimmed at night, at some point?

Mr. Pavone they can, they have the option and can be programmed.

Supervisor Giunta feels it would be best to be shut off at a certain hour.

Attorney DiCaro recommended making that a condition.

Supervisor Giunta asked if anyone from the audience wanted to speak for or against this?  
Hearing none, closed the public hearing at 7:21pm.

## **RESOLUTION 144-25**

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 an Electronic Sign for the Italian American Sports Council located at 1250 Buffalo Rd in a (NB) Neighborhood Business District with the following Conditions:

**The Sign is to be Turned OFF: Sun-Sat 1:00am-7:00am**

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

Supervisor Giunta reiterated they be sure to follow all the sign permit guides and regulations and to check in with the Building Dept at the Town.

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

Supervisor Cosmo Giunta welcomed everyone and called the meeting to order at 7:30PM. He began with a moment of silent prayer and Pledge of Allegiance, led by Councilman Loughlin.

He asked the board members, if they had an opportunity to review the Public Hearing and Regular Town Board Meeting minutes from the July 7, 2025.

## **RESOLUTION 145-25**

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; Cordero -Abstained  
**Motion Carried.**

## **AUDIENCE PARTICIPATION**

Don Iannone, 4099 Lyell Rd. at last month's TB meeting it was approved an additional building inspector, was that to replace Mic or add on?

Supervisor Giunta it was actually an additional Code Enforcer along with Mark for Code Enforcing and Rental properties inspections.

Val Foote, 29 Sungrove Lane spoke on the reference to the CUP renewal for storage facility at Westmar Plaza and read a few statements from past (2021) board meetings and what was proposed for the plaza revitalization. She read from TB minutes, August 2021, as well as PB Minutes in July. She commented that the applicant had said just about the same thing at both board meetings, hoping to create greenspace, desire to have a farmer's market, more convenient parking for the current tenants, wanting to fix the parking lot, addressing stormwater and landscaping concerns as well as hoping to turn the LineX building into a future restaurant, but then admitted later some of the ideas were just marketing and didn't actually have anything lined up.

So now fast forward to four (4) years and the LineX building has been turned into a Hertz Rental Car instead of a brewery, the parking lot, technically got fixed a little bit, but there are still issues, especially with the stormwater situation that hasn't been addressed even with so many tenant expressing concerns with. She wants to be sure everyone reflexes on those "promises" and take a look at what has really happened in four (4) years and what the plaza looks like at this point.

Mrs., Foote's question to the board is, if prior to renewing their CUP could the board look at the plazas current state and see if it reflects the conditions discussed in their seeking and if it should be renewed now?

Supervisor Giunta, to be honest, not 100%, but they have turned the plaza around. They refaced the plaza, they did redo the parking lot with greenspace. There was a section of the parking lot that the Town Farmers Market was held last year, but the reason it was not done there this year was because they have a potential pad-site that they are coming to the town about and the town decided to move the market to the town hall, so there wouldn't be any disruption. As far as the storage, it's a modular storage for the purpose of any potential big box retail to still come in, the tenants that are there are thriving. The U of R has taken over the one whole corner, Patriots Bingo Hall, Mark's Pizza, Pura Vida, UPS (and doing as build out next to). He is excited about having a local developer instead of the previous out of NY City. His opinion is it's 110% better than is used to be and knows they are in process of doing more, but it's not public yet. The town is on top of them about the drainage with constant reminders.

Mrs., Foote asked how does the town hold them accountable, and letting them know the tenants are not happy or the residents?

Supervisor Giunta, when they come to the town about the potential pad site, it's a card they can hold.

Kurt Rappazzo, the town has man "tools in their tool box" to address property concerns, ranging from Code Enforcement, to permit approvals. As for the water issue in the parking lot, it would be the property maintenances responsibility.

Mrs. Foote, just wanted to be sure the concerns were on the record. In previous years there was no one to address any of it and if no one shows up to say anything, then nothing can get done.

Supervisor Giunta agreed and thanked her for doing so and will look into Hertz especially with 30 plus cars.

Mrs. Foote added there are issue with the storage units as well with the way they use the parking lot and littering the back of the plaza. There is a lot going on there and thinks the board should be talking with the tenants and getting for information.

Supervisor Giunta asked if anyone from the audience wanted to speak?  
Hearing none, closed the Audience Participation.

**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**

Continue to table, applicant out of state

**NEW BUSINESS**

**TO CONSIDER A PROJECT UPDATE PROPOSAL ON THE PROPOSED  
GATES (PUD) PLANNED UNIT DEVELOPMENT LOCATED  
AT 500 FRANK DIMINO WAY AND 3410 BUFFALO RD.**

Betsey Brugg, Woods Oviatt Gilman, Justin Mirando for Whitestone Dev. and Trevor Haut, from Passero Assoc. They were here back 2023 for Zoning and went through a very length approval process. They received Site Plan Approval from the Planning Board, but due to fluctuation in the market place are here proposing some modifications to the project and feels the board will find some improvements that are consistent with the original approved resolution and the comments the town board included in the resolution and the planning boards recommendations that are referenced in that resolution. She went over what was previously approved and explained the changes. The project has been reconfigured to adapt to the market conditions. They have decreased the density, decreased the number of town homes (from 370 to 260) and increased the number of for-sale single-family homes (from 58 to 144) and eliminated the self-storage. Essentially the proposal is consistent with the PUD Zoning which was adopted. They are not moving any driveways, keeping the buffer to the east the same. Keeping the “Tree” all of the impacts are less. They are ultimately looking for the approval of the Town board and be able to go back to Planning board to seek site plan modifications base on these changes.

Supervisor Giunta likes this plan much better and even though the plan was approved is pleased with the changes. Considering this had already been approved as a PUD and nothing is really changing besides the density, which decreased.

Councilman Tucciarello likes this layout and design much better and feels it is an improvement. He asked if the cottages from the original are eliminated?

Mrs. Brugg, yes, the cottages have been eliminated

Councilman Tucciarello asked if there has been a shovel to the ground on this project yet?

Trevor Haut, Passero Assoc. replied that there has been some dirt moved and some stormwater ponds created. They opened up their general species permit with the state. Ground was broke last fall while contemplating the extension and then receiving it.

Councilman Tucciarello asked when will the project actually get kicked off into doing underground work?

Mrs. Brugg, they are currently in discussions with home builder they are expected to be working with and once that contact is firmed up, they’ll move forward with the single-family homes. There is no firm timeline, but as quickly as possible.

Justin Mirando, Whitestone Development, depending on negotiations and going through financials could be Spring of 2026

Councilman Cordero asked, wasn't the finance already in place for the original project?

Mr. Miranda replied that there are a lot of moving parts off site and have met a lot of challenges.

Councilman Cordero asked who the builder will for the one-family homes?

Mr. Miranda stated that it is still in negotiations and can't speak on.

Councilman Tucciarello, so within a year, you really want to be moving along with site work

Supervisor Giunta asked if the new developer will custom build if someone wants a ranch style home vs a two-story?

Mr. Haut replied yes

Councilman Cordero asked if they have all the permits needed

Mr. Haut replied yes and stated they haven't them

Councilman Loughlin, the multi-resident units are consistent with the previous plans, same units per structure?

Mr. Haut, replied yes and Mrs. Brugg stated that the buildings have not changed.

Supervisor Giunta asked if anyone from the audience wanted to speak?  
Hearing none, closed the discussion

## **RESOLUTION 146-25**

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

Resolved, that the Gates Town Board hereby approves the project update proposal which is consistent with the previous accepted proposed Gates (PUD) Planned Unit Development located at 500 Frank Dimino Way and 3410 Buffalo Rd. deferring the plans to the Planning Board for final approval.

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

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

**#1 CHINESE RESTAURANT, 2317 BUFFALO RD.; COLDWATER LLC,  
630 COLDWATER RD.; CONTACT PRINTING SOLUTIONS, 246 SPENCERPORT  
RD.; GERBER COLLISION & GLASS, 1931 LYELL AVE.; HUNAN GARDEN, 781 B  
SPENCERPORT RD.; IMAGINATION CHILD CARE ACADEMY, 230 COLDWATER  
RD.; QUALITY INN, 1954 LYELL AVE.; QUICKLEE'S #1. FUEL SERVICE FACILITY  
AND #2. FAST-FOOD RESTAURANT, 2055 CHILI AVE.;  
WESTMAR PLAZA SELF-STORAGE,**

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 147-25**

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: #1 Chinese Restaurant, 2317 Buffalo Rd.; Coldwater LLC, 630 Coldwater Rd.; Contact Printing Solutions, 246 Spencerport Rd.; Gerber Collision & Glass, 1931 Lyell Ave.; Hunan Garden, 781 B Spencerport Rd.; Imagination Child Care Academy, 230 Coldwater Rd.; Quality Inn, 1954 Lyell Ave.; Quicklee’s #1. Fuel Service Facility AND # 2. Fast-food Restaurant 2055 Chili Ave.; Westmar Plaza Self-Storage, 2175 Buffalo Rd.;

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

**RE-APPOINTING AGOSTINO MINEO AS THE ASSESSOR OF  
THE TOWN OF GATES FOR A SIX (6) YEAR TERM.  
NEXT TERM TO BEGIN 10/1/2025 AND END 09/30/2031**

**RESOLUTION 148-25**

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

Resolved, that the Gates Town Board hereby Re-Appoints Agostino Mineo as the Assessor of the Town of Gates for a six (6) year term. Next term to begin 10/1/2025 and end 09/30/2031.

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

**ADOPTING A RESOLUTION ALLOWING THE TOWN SUPERVISOR  
TO EXECUTE AN AMENDMENT TO SUPPLEMENTAL AGREEMENT NO. 5  
OF CONTRACT NO. D014863 OF THE 2024-2025 SNOW AND ICE AGREEMENT  
BETWEEN THE NYSDOT AND TOWN OF GATES BY AN ADDITIONAL AMOUNT  
OF \$62,141.92 TOTALING \$392,684.07**

**RESOLUTION 149-25**

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

**WHEREAS**, the Town Board of the Town of Gates did heretofore execute a certain lump sum Snow and Ice Agreement with the State of New York being Contract # D014863; and

**WHEREAS**, due to the winter severity of the snow and ice season during the calendar year 2024-25 it is proposed that an Amendment B to the Snow and Ice Contract be revised to reflect a total estimated expenditure of \$392,684.07; and

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

Section 1. That the Supervisor, be and he hereby is authorized to execute Amendment B to the Contract by and between the Town of Gates and the New York State Department of Transportation amending the estimated expenditures to be received by the Town of Gates.

VOTE: Giunta – Aye; DiPonzio – Aye; Cordero - 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 150-25**

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

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; Cordero - Aye; Loughlin –; Tucciarello – Aye;  
**Motion Carried.**

**SCHEDULING TWO (2) PUBLIC HEARINGS FOR  
TUESDAY, SEPTEMBER 2, 2025 STARTING AT 7:10PM  
TO CONSIDER A CONDITIONAL USE PERMIT  
FOR RECCO JEWELL TO OPERATE SUAVE KITCHEN LOCATED AT  
505 SPENCERPORT RD. IN A GENERAL BUSINESS DISTRICT  
AND  
TO REVIEW LOCAL LAW #2-2025 AMENDING SECTIONS  
CHAPTER 62 ANIMALS, CHAPTER 94 FIREARMS AND  
CHAPTER 190 ZONING**

**RESOLUTION 151-25**

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

Resolved, that the Gates Town Board hereby schedules a Public Hearings for Tuesday, September 2, 2025 starting at 7:10pm to consider a Conditional Use Permits for: Recco Jewell to Operate Suave Kitchen located at 505 Spencerport Rd. in a General Business (GB) District. **AND** to review Local Law #2-2025 Amending sections Chapter 62 Animals, Chapter 94 Firearms and Chapter 190 Recreational Vehicles Ordinance.

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

**NEW BUSINESS OF COUNCIL MEMBERS**

Supervisor Giunta reminded everyone of the Gates Celebration, Saturday, August 9, 2025 at Memorial Park 5:00pm-10:00pm with live music, food trucks and fireworks.

Councilman DiPonzio wanted everyone to be sure to note next months TB Meeting is held on Tuesday instead of Monday due to the holiday.

**REPORTS**

**SUPERVISOR’S**

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

**WARRANTS**

**GENERAL**

CLAIMS # A25-0577 - A25-0677 \$ 477,132.87

**HIGHWAY**

CLAIMS # D25-0273 - D25-0319 \$ 444,488.67

**LIBRARY**

CLAIMS # L25-0185 - L25-0225 \$ 34,087.84

**TOTAL DISBURSEMENTS \$ 3,056,848.18**

**TOTAL RECEIPTS \$ 513,847.77**

Supervisor Giunta noted for the record that the warrants for the month of July 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 152-25**

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 July 2025 as read; and the warrants for the month of July 2025 as read.

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

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

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

TOTAL REVENUE COLLECTED \$72,927.59

TOTAL REVENUE TO THE SUPERVISOR \$71,870.03

TOTAL NON-LOCAL REVENUE \$1,057.56

**RESOLUTION 153-25**

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 July 2025.

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



**PERSONAL STATUS REPORT**

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

Additions: 0  
Terminations: 2 (Police and Public Works)  
Net Change: -2

There being no further business to come before the Town Board, Councilman Tucciarello and Councilman Loughlin second to adjourn the meeting. All were in favor; motion carried. Supervisor Giunta adjourned the meeting at 8:01 PM.

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Town Clerk