

September 2, 2025

The Gates Town Board held One (2) Public Hearings and its Regular Town Board meeting on Tuesday, September 2, 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
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 RECCO JEWELL
TO OPERATE SUAVE KITCHEN AT 505 SPENCERPORT RD
IN A GENERAL BUSINESS DISTRICT**

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

Recco Jewel, 505 Spencerport Rd., sells pizza, wings, plates, makes sauce and also has apparel.

Supervisor Giunta asked if he has had a pizza shop somewhere else?

Mr. Jewell, yes, he owned Lyell/Mount Read Pizzeria inside of Lyell Donuts for a few years back in 2004-2006

Supervisor Giunta asked how many employees and the hours of operation?

Mr. Jewel, right now there are four (4) employees and the hours of operation are 11:00am-10:00pm Monday-Sunday.

Supervisor Giunta asked if he has any sit-down area?

Mr. Jewel, not right now, maybe in the future when business gets better.

Councilman Cordero has had the pizza and has known the family forever and they always do a great job.

Supervisor Giunta asked if anyone from the audience wanted to speak for or against this? Hearing none, closed the public hearing at 7:13pm.

RESOLUTION 154-25

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

Resolved, that the Gates Town Board hereby approves an application for a Conditional Use Permit for Recco Jewel to operate Suave Kitchen at 505 Spencerport Rd in a (GB) General Business District with the following Conditions:

Hours of Operation: **Mon-Sun 11:00am-10:00pm**

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

**TO CONSIDER ENACTING INTRODUCTORY LOCAL LAW #2-2025
AMENDING CERTAIN PROVISIONS OF
CHAPTER 62 (ANIMALS) AND CHAPTER 94 (FIREARMS)**

Supervisor Giunta highlighted what was being changed on each Chapter 62 on Animals. Definitions were added and certain sections were amended. Chapter 94 will be renamed to Firearms and Fireworks. Stated that for many years Gates was incorrect in labeling Bow and Arrow as a firearm per DEC and case law. Also incorporated getting a special permit to discharge a firearm if needed, with a permit, that would require approval from the Town Board as well as the Chief of Police.

He then opened it up to the audience for public comment.

Don Iannone, 4099 Lyell Rd asked for clarification does this mean that Bow and Arrow can be used to hunt in the Town of Gates.

Supervisor Giunta, responded that technically the town never had a “no hunting” in the town, however the Town of Gates was incorrect in labeling bow and arrow as a firearm. Through a case in Supreme Court in Long Island as well as being warned by the DEC that the town code was incorrect we have decided to correct it. Could it lead to hunting? potentially, but DEC / hunting regulations still need to be followed. He feels there really isn’t much area in Gates to hunt on not is there enough distance even for target practice.

Supervisor Giunta asked if anyone else from the audience wanted to speak on this?
Hearing none, closed the public hearing at 7:20pm

He also added that there is some additional time before the regular town board meeting starts and asked town board to consider enacting Local Law 2-2025. Stated that a SEQR resolution needs to be passed first which it would be a type 2 action with no significant impact to the environment.

**NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE
INTRODUCTORY LOCAL LAW #2-2025
AMENDING CERTAIN PROVISIONS OF CHAPTER 62 (ANIMALS) AND
CHAPTER 94 (FIREARMS)**

RESOLUTION 155-25

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

WHEREAS, the Town Board of the Town of Gates did hold and conduct a public hearing to consider the enactment of Introductory Local Law #2-2025 which public hearing was held and conducted at a regular meeting thereof held on the 2nd day of September, 2025 at 7:15 pm at the Gates Community Center, 1605 Buffalo Road, Rochester, New York 14624; and

WHEREAS, the Town Board of the Town of Gates is desirous of enacting such Local Law; and

WHEREAS, it is necessary for the Board to consider the impact of such Local Law upon the environment pursuant to the provisions of the State Environmental Quality Review Act; and

WHEREAS, the enactment of legislation is a purely administrative function and as such is a listed Type 2 Action, and Action that requires no further environmental review;

NOWTHEREFORE, be it RESOLVED by the Town Board of the Town of Gates, Monroe County, New York as follows:

SECTION I. That by the adoption of this resolution the Town Board of the Town of Gates declares itself to be lead agency with respect to the consideration of the adoption of the proposed Local Law.

SECTION II. That the Town Board finds and determines that such legislative action is a Type 2 Action and as such is an Action that will have no significant adverse environmental impact and this resolution shall be considered a Negative Declaration pursuant to the provisions of SEQR.

SECTION III. That the town Board may take such further action with respect to such proposed Local Law without further regard to SEQR.

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

**ENACTING INTRODUCTORY LOCAL LAW #2-2025
AMENDING CERTAIN PROVISIONS OF
CHAPTER 62 (ANIMALS) AND CHAPTER 94 (FIREARMS)**

RESOLUTION 156-25

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

WHEREAS, the Town Board of the Town of Gates did hold and conduct a public hearing to consider the enactment of Introductory Local Law #2-2025 proposing to amend certain provisions of Chapter 62 (Animals) and Chapter 94 (Firearms) which a public hearing was held and conducted at a regular meeting thereof held on the 2nd day of September, 2025 at 7:15 pm at the Gates Community Center, 1605 Buffalo Road, Rochester, New York 14624 and at which hearing all interested persons were heard concerning the subject matter thereof; and

WHEREAS, the Town Board of the Town of Gates is desirous of enacting such Local Law; and

WHEREAS, the Town Board of the Town of Gates did heretofore adopt such Negative Declaration of Environmental Significance with respect to the enactment of such Local Law;

NOWTHEREFORE, be it RESOLVED by the Town Board of the Town of Gates, Monroe County, New York as follows:

SECTION I. That by the adoption of this resolution the Town Board of the Town of Gates does hereby enact Introductory Local Law #2-2025 which the Local Law

proposes to amend certain provisions of Chapter 62 (Animals) and Chapter 94 (Firearms) of the Gates Town Code.

INTRODUCTORY LOCAL LAW #2 -2025

This Local Law proposes to amend certain provisions of Chapter 62 Animals and Chapter 94 Firearms as follows:

§ 62-3. Definitions

Amend:

ANIMAL any species of fowl, rodent, reptile, fish or mammal domesticated or non-domesticated

Add:

CAT Any member of the species felis catus, both male and female, referred to as the domestic cat or house cat.

FERAL CAT Any member of the species felis catus, both male and female that lives outdoors and avoids human contact; it does not allow itself to be handled or touched.

DOG Any member of the species canis familiaris, both male and female, licensed or unlicensed.

HARBORING shall include knowingly permitting feral cats to inhabit decks, sheds, garages, abandoned buildings, crawl spaces, or similar structures, or otherwise providing conditions conducive to the establishment of a feral cat colony

SERVICE DOG Dogs trained to assist individuals with disabilities.

§ 62-5 B. (1-4) Delete entire section (1-4) and replace with the following:

B. License Fee shall be determined by the Town Clerk and included in the Town’s fee schedule, as adopted annually by resolution of the Town Board.

§ 62-6 A. Delete and replace as follows:

A. The owner of any dog or cat must securely confine the animal at all times while it is in heat, ensuring it remains effectively restrained to prevent unwanted interactions or disturbances.

§ 62-7 B (1) Amend to read as follows:

(1) A homeowner owning more than two dogs may apply for a special use permit from the Dog Control Officer. The Dog Control Officer shall review applications for permission to retain more than two dogs on a case-by-case basis. The Dog Control Officer shall consider the effect on the character of the neighborhood in the event that additional dogs are permitted to remain on the homeowner's premises.

Add section:

§ 62-7 C It shall be unlawful for any person to feed, provide sustenance to, harbor, shelter, or otherwise allow feral cats to reside on property they own, lease, or control within the Town of Gates. This provision shall not apply to individuals or organizations operating under the authority of a Town-approved Trap-Neuter-Return (TNR) program or animal control initiative.

§ 62-7 D Any person found to be in violation of this subsection shall be subject to enforcement action by the Town Code Enforcement Officer including but not limited to the issuance of appearance tickets, fines, or other penalties as provided under this Code or other applicable law. Each day a violation continues shall constitute a separate offense. The Town reserves the right to take any and all lawful measures necessary to abate the nuisance posed by the unlawful harboring of feral cats.

§ 62-8 Animals to be leased. Amend title to read as:

§ 62-8 Dogs to be leased

§ 62-9 Dangerous Animal. Amend title and section as follows:

§ 62-9 Dangerous Dog

It shall be unlawful for any dog determined to be dangerous to be at large within the Town of Gates at any time, even if the dog is licensed, muzzled, and effectively immunized against rabies. A dangerous dog found at large may be taken and impounded. If any dangerous, fierce, or vicious dog found at large cannot be safely captured and impounded, it may be summarily put down.

§ 62-10 C. Amend as follows:

Causes damage to, or the destruction of, property not owned by the animal's owner or the individual harboring such animal, or unlawfully tampers with the property of another, resulting in substantial inconvenience.

§ 62-15 C. Amend as follows:

If the dog seized bears a license tag, the Dog Control Officer shall make reasonable efforts to identify and contact the owner. Notice may be provided by verbal communication, telephone call, or in writing, including personal delivery or mail. If notice is given verbally, by phone, or through personal delivery, the dog shall be held for a period of five (5) business days from the date of notice, during which time the owner may redeem the dog. If notice is provided by mail, the dog shall be held for a period of seven (7) calendar days from the date of mailing. If the dog is not redeemed within the applicable time period, it shall be subject to disposition as provided in this section.

Add section:**§ 62-15 H.**

In the case of a dog that does not bear a license tag and whose owner cannot be identified after reasonable efforts by the Dog Control Officer, such dog shall be held for a period of not less than three (3) days. If the dog is not claimed or redeemed within that period, the Town may transfer the dog to a shelter or adoption agency authorized by the Town for the purpose of adoption. Alternatively, the Town may adopt out the dog directly to a responsible individual, provided that the person meets any requirements established by the Town and obtains a license for the dog at the time of adoption. All adoptions shall be conducted in a humane and lawful manner. Nothing in this subsection shall prevent the Town from extending the holding period at its discretion or from euthanizing the dog in accordance with Subsection E if no other disposition is feasible.

§ 62-22 Purpose. Amend to read as follows:

It is the purpose and intent of this article to provide for rules and regulations for residents of the Town of Gates to apply for and obtain permits to keep chickens on their properties within the Town. Farms, as defined in Chapter 190 "Farms" are exempt from the Rules and Regulations outlined in 62-24

CHAPTER § 94 FIREARMS Delete entire Chapter and Replace with:

Chapter 94

FIREARMS AND FIREWORKS

§ 94-1.	Title.	§ 94-6	Permit for fireworks display, rockets and other use of explosives
§ 94-2.	Purpose.	§ 94-7	Enforcement.
§ 94-3.	Definitions.	§ 94-8	Penalties for offenses.
§ 94-4.	Prohibitions.	§ 94-9	Exceptions.
§ 94-5	Permit for discharge of firearm.	§ 94-10	Target ranges.

§ 94-1. Title.

This chapter shall be known as the "Firearms and Fireworks Regulating Ordinance."

§ 94-2. Purpose.

It is the purpose of this chapter to preserve and to promote the health, safety, morals and general welfare of the inhabitants of the Town of Gates.

§ 94-3. Definitions.

AIR GUN - a firearm that uses to expel a projectile through the use of compressed air, gas, or other means that do not involve combustion. This includes but is not limited to BB guns, pellet guns, air rifles, and air pistols, regardless of caliber or projectile velocity.

ARROW- a shafted projectile that is designed to be shot from a bow, typically consisting of a pointed tip, a straight shaft, and stabilizing fletching or vanes.

BOW - any device designed to launch an arrow or similar projectile by means of energy stored in a flexible, bent limb or limbs. This includes, but is not limited to, longbows, recurve bows, compound bows, and crossbows.

DISPLAY FIREWORKS -Fireworks devices that contain explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation.

EXPLOSIVES -Fireworks, gunpowder, powders used for blasting, high explosives, blasting materials, detonating fuses, detonators and other detonating agents, smokeless powder and any chemical compound or any mechanical mixture containing any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that ignition by fire, friction, concussion, percussion or detonation of any part thereof may and is intended to cause an explosion, but shall not include gasoline, kerosene, naphtha,

FIREARM or GUN – means any rifle, pistol, shotgun, muzzle-loading firearm, or air gun (whether spring-powered or using compressed air or gas) that is designed to expel a projectile by the action of an explosive, compressed air, gas, or mechanical means, or that may be readily converted to do so. This includes devices capable of discharging a bullet, shot, pellet, or other projectiles.

FIREWORKS DISPLAY - A presentation of fireworks for viewing at a public or private gathering.

HANDGUN - is any pistol or revolver intended to be aimed and fired with one hand and having a barrel length not exceeding 16 inches. Possession of handguns in New York State requires a NYS Pistol Permit. New York State does not recognize permits issued by other states.

MUZZLE-LOADING FIREARM - A gun which is loaded through the muzzle or front end of the barrel, shooting a single projectile.

PRIVATE DISPLAY - A presentation of fireworks not intended for public viewing; intended for a limited number of persons.

PUBLIC DISPLAY - Mass gathering of citizens to view a fireworks display.

RIFLE - A firearm with barrel length of 16 inches or more, designed or redesigned, made or remade, that uses metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

SHOTGUN - A firearm barrel length of 18 inches or more, designed or redesigned, made or remade, and that uses non-metallic shells except for the base to fire through either a number of ball shot or a single projectile for each single pull of the trigger.

§ 94-4. Prohibitions

No person shall fire, discharge, or cause to be fired or discharged any firearm within the Town of Gates, except when used in lawful self-defense. For the purposes of this Code, bows, including longbows, recurve bows, compound bows, and crossbows, shall not be considered firearms.

§ 94-5 Permit for discharge of firearm

No person or persons shall, within the Town of Gates, discharge firearms as specified above without a permit granted by the Town of Gates and approval from the Gates Police Department, considering the following conditions:

- A. Whether the firearm to be discharged is an antique weapon or shotgun.
- B. The proposed area in which the discharge may be permitted shall be considered, the times and dates of the discharge, the experience of the person discharging the firearm, the record and character of the person to whom the permit shall be issued, the types of weapons to be discharged, the purpose of discharging the weapon and the danger to persons and property within the Town of Gates by reason of the discharge of the particular weapon in the requested area during the times and dates applied for.
- C. The special permit shall be issued only at the request of the owner of the property upon which the firearm will be discharged and shall specify the time, the firearm, the person or persons who are permitted to discharge the firearm, the permitted area of discharge and the times and dates of the permitted discharge.
- D. The Gates Police Department may issue the above-specified permit upon the satisfactory compliance with the above conditions and any other conditions that may be prescribed from time to time by the Gates Town Board.
- E. Said permit may contain conditions that in the opinion of the Gates Police Department or the Town Board are necessary for the health, safety or welfare of the inhabitants of the Town and their property

§ 94-6 Permit for fireworks display, rockets and other use of explosives

- A. Private display of fireworks. Private displays of fireworks are not allowed in the Town of Gates.
- B. Public display of fireworks; permit required. Permits for public displays of fireworks shall be obtained from the Gates Town Board upon proper application made pursuant to Article 405 of the Penal Law. The permitting authority as defined in Article 405 of the Penal Law shall be the Town of Gates Fire Marshal. in accordance with, and pursuant to, the applicable provisions of the laws, rules, and regulations of the New York State Fire Prevention and Building Code, the National Fire Protection Association Standards 1123 and 1126, General Business Law Article 28-D, and 12 NYCRR Part 61. All permits for public displays of fireworks shall be issued through the Technical Services Department in accordance with the above laws, rules and regulations. This permit shall be valid only for a specific event. The permit holder shall also provide proof of liability insurance in effect at least five days in advance of the display, except as prohibited under Subsection

A. This permit shall only be issued to entities allowed pursuant to 12 NYCRR Part 61. The permit holder shall comply with all requirements set forth within the permit application issued by the Fire Marshal.

C. Permit for explosives for industrial use; permit required.

- 1) Permits for explosives for industrial use shall be obtained from the Gates Town Board upon proper application made pursuant to law. The permitting authority for the industrial use of explosives shall be the Town of Gates Fire Marshal or the Town of Gates Department of Public Works. Any permit issued hereunder shall be site-specific and valid for the duration of the project. The permit holder shall notify the Town of Gates Fire Marshal or Town of Gates Department of Public Works of the blast site and provide proof of liability insurance in effect at least five business days in advance of each blast. This permit shall only be issued to persons duly trained and licensed by the appropriate licensing agency of the appropriate municipality. The permit holder shall comply with all requirements set forth within the permit application issued by the Fire Marshal or Department of Public Works.
- 2) The application for the above permits shall be in a form acceptable to the Town of Gates Department of Public Works, and be in compliance with this chapter and pursuant to the applicable provisions of Article 405 of the Penal Law, the New York State Fire Prevention and Building Code, the National Fire Protection Association Standards 1123 and 1126, General Business Law Article 28-D and 12 NYCRR Part 61. Such application shall contain such other factual information and insurance information as the Fire Marshal or Department of Public Works may deem necessary to protect the health, safety or welfare of persons or their property.

§ 94-7. Enforcement.

All police officers, peace officers or Code Enforcement officers within the Town of Gates shall enforce the provisions of this chapter.

§ 94-8. Penalties for offenses.

Any person, firm or corporation who violates any provision of this chapter shall be guilty of a misdemeanor and subject to a fine of not more than \$1,000 or imprisonment for a period of not more than one year, or both such fine and imprisonment. In addition, any such permit may be rescinded, withheld or revoked at the discretion of the Gates Town Board or its designee, or any other authorized agency.

§ 94-9. Exceptions.

The provisions of this chapter shall not apply to any police officers or peace officers while engaged in the performance of his or her duties.

§ 94-10. Target ranges.

The provisions of this chapter shall not apply to the discharge of rifles or firearms on target ranges approved by the Chief of Police of the Town of Gates. Such target ranges shall be constructed, maintained and supervised in accordance with regulations prescribed by the Chief of Police of the Town of Gates and shall be subject to inspection by any duly authorized police or peace officer.

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

Motion Carried

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 asking to keep the Youngblood family and Investigator Daly in our prayers followed by the Pledge of Allegiance, led by Councilman DiPonzio.

He asked the board members, if they had an opportunity to review the Public Hearings and Regular Town Board Meeting minutes from the August 4, 2025.

RESOLUTION 157-25

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

Resolved, that the Minutes of the Public Hearings and Regular Town Board Meeting of August 4, 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

Supervisor Giunta asked if anyone from the audience wanted to speak?

Mike Polidori, 27 Mercury Dr., about three (3) years ago the street was redone, with paving, gutters and all the drain basins, except for two (2). The one in front of his house (27 Mercury Dr.) and across the street (24 Mercury Dr.). The new ones measure 28-inches deep by 24 1/2-inches wide and 26-inches long. He measured his and across the street and they are 14-inches deep by 18-inches wide and 26-inches long. Mercury Dr has been known to flood and with the two smaller basins and four (4) homes going into the smaller basins, the water has no where to go and he has had it go up over his driveway and sidewalk and the same across the street. He then thought to measure them to see. He has actually cleaned the basin in front of his home himself. He has photos to show.

Supervisor Giunta, the town will have to review this and see what can be done.

Mr. Polidori also the stops signs that were put at the crossroads, each morning all the cars from the end of the street come racing up to get to the corner doing 50-60 mph. It's the same thing coming off of Coldwater. The cars coming out of the Villages will stop and look both ways anyway for the traffic going east and west. He feels the stop sign should be on the Mercury Dr side. This way the people coming from the circle will stop, at least make some effort to slow down. His wife has actually gone onto the middle of the street to stop people racing down the road.

Supervisor Giunta, the Police Chief is present and maybe can add some details to the area and he will also look into adding some stop signs.

Police Chief Long added he will be sure there is extra patrols in that area and will speak with Mr. Rappazzo (Director of Public Works) about a three-way stop. Unfortunately, people do not always stop at stop signs in neighborhoods, but then get a learning experience from the Town of Gates Police Department.

Rita Comenale, 45 Arrowhead Dr. is addressing the problem of rats in the area for herself and the neighbors. She has been there 42/43 years and has never had this problem. The town did come and cut some of the brush at her neighbor's house. She called the county to ask what can

be done and someone came out to check Walmart and reported it's very clean and have rat traps. The berm behind her house has not been mowed and throughout the years when Spectrum, Frontier, Greenlight, RG&E and others have cut down trees and just left them. The neighbors who usually walk their dogs there, no longer do. She has also seen people complaining on the Next-door about rat problems in other areas in town. She wants to know how the town can address this problem?

Supervisor Giunta people don't realize birdfeeders can be partly the cause, wood piles there are other underlying causes. We could put something in the Cornerstone.

Mrs. Comenale added the guy from the county did give her a sheet on preventing infestation

Supervisor Giunta asked if she could email it to him and possibly incorporate something on the town website as well.

Mrs. Comenale agreed.

Chief Long asked if that area belonged to the town or Benderson?

Supervisor Giunta it belongs to the town.

Mrs. Comenale also added as a new walker, she walks Westgate Park, old Behan Rd and Chili Ave and there is a lot of litter out there including in the drainage ditch. She has photos. It's even behind the building of the tailor.

Supervisor Giunta will look into getting out there and also maybe the Keep Gates Clean group could help. Its sad people have no respect.

Mrs. Comenale wanted to commend Chief Long for the truck thing at Walmart.

Chief Long met the new store manager of Walmart (Pearl) she started as a clerk and has worked her way up. They had a great conversation on crime, as well as shopping cart all over the neighborhood and the trash. Spoke on bringing back the parking lot cleaner. He has personally along with Keep Gates Clean, cleaned that whole area and knows how it is. He's hoping in discussing all the issues with Pearl that there will be a change.

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

The applicant asked to continue to table till next month. He is working on something.

NEW BUSINESS

AUTHORIZING THE SUPERVISOR TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE TOWN WITH THE GATES KEYSTONE CLUB FOR A 3-YEAR AGREEMENT STARTING JANUARY 1, 2026 AND ENDING DECEMBER 31, 2028

RESOLUTION 158-25

Motion by Councilman DiPonzio who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby Authorizes the Supervisor to execute the collective bargaining agreement on behalf of the Town with the Gates Keystone Club for a 3-year agreement starting January 1, 2026 and ending December 31, 2028.

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

Motion Carried.

**AUTHORIZING A YEAR EXTENSION TO EMERGENCY ENCLOSURES AS
THE TOWN’S PREFERRED CONTRACTOR FOR EMERGENCY CALL OUT
SERVICES FOR ANY STRUCTURAL BOARD-UP PURPOSE.
CONTRACT EXTENSION TO EXPIRE OCTOBER 1, 2026**

RESOLUTION 159-25

Motion by Councilman Loughlin who moved its adoption:

Seconded by: Councilman Tucciarello

Resolved, that the Gates Town Board hereby Authorizing a year extension to Emergency Enclosures as the Town’s preferred contractor for emergency call out services for any structural board-up purposes. Contract extension to expire October 1, 2026

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

Motion Carried.

**AWARDING VEREGY AS THE TOWN’S ENERGY SERVICE COMPANY (ESCO)
AND ENTER INTO AN ENERGY PERFORMANCE SAVINGS CONTRACT TO
DELIVER SUSTAINABLE ENERGY EFFICIENCY AND INFRASTRUCTURE
UPGRADES FOR THE TOWN MUNICIPAL BUILDING**

Supervisor Giunta, this is for the RFQ last month or so. The town had two (2) companies come through and put in RFQ’s and decided to go with Veregy.

RESOLUTION 160-25

Motion by Councilman Loughlin who moved its adoption:

Seconded by: Councilman Tucciarello

Resolved, that the Gates Town Board hereby Awarding Veregy as the Town’s Energy Service Company (ESCO) and enter into an Energy Performance Savings Contract to deliver sustainable energy efficiency and infrastructure upgrades for the town municipal

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

Motion Carried.

**ACCEPTING A SEALT BELT MOBILIZATION GRANT IN THE AMOUNT OF \$1,615
AND A POLICE TRAFFIC SERVICES ENFORCEMENT GRANT IN THE AMOUNT
OF \$7,268 INCLUDING ANY ADDITIONAL FUNDS THAT MAY BECOME
AVAILABLE FROM THE POLICE TRAFFIC SERVICES PROGRAM**

RESOLUTION 161-25

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

Resolved, that the Gates Town Board hereby Accepting a Seat Belt Mobilization Grant in the amount of \$1,615 and a Police Traffic Services Enforcement Grant in the amount of \$7,268 including any additional funds that may become available from the Police Traffic Services Program

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

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

BURGER KING, 1300 CHILI AVE.; CINEMARK TINSELTOWN USA, 2291 BUFFALO RD.; DOLOMITE GROUP, 1075 BUFFALO RD.; DUNKIN DONUTS (#344162) 1482 BUFFALO RD.; GATES-CHILI FEDERAL CREDIT UNION, 2870 BUFFALO RD.; JCB RICE NOODLE & RAMEN, 3872 LYELL RD.; ROCHESTER ACADEMY CHARTER SCHOOL, 310 HINCHEY RD.; WINES BY DESIGN, 3392 BUFFALO RD.; SHINY RIDE OF GATES, LLC, 1985 BUFFALO RD.; WAGS DOG CLUB, 7 MARWAY DR.; KFC (TWO LOCATIONS) 2222 LYELL AVE., AND 1345 CHILI AVE.;

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 162-25

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: Burger King, 1300 Chili Ave.; Cinemark Tinseltown USA, 2291 Buffalo Rd.; Dolomite, 1075 Buffalo Rd.; Dunkin Donuts (#344162) 1482 Buffalo Rd.; Gates Chili Federal Credit Union, 2870 Buffalo Rd.; JCB Rice Noodle & Roman, 3872 Lyell Rd.; Rochester Academy Charter School, 310 Hinchey Rd.; Wines by Design, 3392 Buffalo Rd.; Shiny Ride of Gates, LLC. 1985 Buffalo Rd.; Wags Dog Club, 7 Marway Dr.; KFC (2 Locations) 2222 Lyell Ave. AND 1345 Chili Ave.

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

**SCHEDULING A PUBLIC HEARING FOR
THE 2026 BUDGET WORKSHOP**

RESOLUTION 163-25

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

Resolved, that the Gates Town Board hereby schedules a Public Hearing Monday, October 20, 2025 at 6:30pm in the Supervisors Conference Room for the 2026 Budget Workshop.

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

Motion Carried.

**SCHEDULING A PUBLIC HEARING FOR
TO REVIEW LOCAL LAW #3-2025 AMENDING SECTIONS
CHAPTER 131 PARKING, CHAPTER 133 PROPERTY MAINTENANCE AND
CHAPTER 190 ZONING**

RESOLUTION 164-25

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

Resolved, that the Gates Town Board hereby schedules a Public Hearing Monday, October 6, 2025 starting at 7:20pm for Local Law #3-2025 to amend Chapter 131 Parking, Chapter 133 Property Maintenance and Chapter 190 -Zoning.

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 Hots with Cops, Friday, September 5, 2025 at the Town Hall, 1605 Buffalo Rd. 4:30pm-7:00pm. All is welcome. Also, School is back in session and School taxes should be out soon.

Councilman Loughlin recognized September as Childhood Cancer Awareness Month, possibly change the lights in front to gold.

REPORTS

SUPERVISOR’S

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

WARRANTS

GENERAL

CLAIMS # A25-0678 - A25-0760	\$ 136,163.95
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HIGHWAY

CLAIMS # D25-0321 - D25-0358	\$73,837.17
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LIBRARY

CLAIMS # L25-0226 - L25-0260	\$ 70,399.08
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TOTAL DISBURSEMENTS	\$ 1,525,711.41
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TOTAL RECEIPTS	\$ 1,198,986.06
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Supervisor Giunta noted for the record that the warrants for the month of August 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 165-25

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

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

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

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

TOTAL REVENUE COLLECTED	\$30,980.68
TOTAL REVENUE TO THE SUPERVISOR	\$26,761.47
TOTAL NON-LOCAL REVENUE	\$4,219.21

RESOLUTION 166-25

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 August 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 August 2025.

Additions: 2 (Highway & Public Works)
Terminations: 1 (Public Works-resignation)
Net Change: 1

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

Town Clerk