

January 5, 2026

The Gates Town Board held its Regular Town Board meeting on Monday, January 5, 2026 at the Town Hall Meeting Room starting at 7:30PM. 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

7:30PM REGULAR TOWN BOARD MEETING

Supervisor Cosmo Giunta welcomed everyone and wished them all a Happy New Year. He called the meeting to order at 7:30PM. He began with a moment of silent prayer 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 Monday, December 1, 2025.

RESOLUTION 36-26

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

Resolved, that the Minutes of the Public Hearings and Regular Town Board Meeting of Monday, December 1, 2025. There being no revisions or omissions to them, stand approved as drafted.

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

AUDIENCE PARTICIPATION

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

OLD BUSINESS

None

NEW BUSINESS

REVISING THE APPOINTMENTS OF STEVE ZIMMER FROM THE POSITION OF A PERMANENT MEMBER TO A POSITION OF AN ALTERNATE MEMBER AND ROGER THAINE JR. FROM A POSITION OF AN ALTERNATE MEMBER TO POSITION OF A PERMENANT MEMBER OF THE ZONING BOARD OF APPEALS.

RESOLUTION 37-26

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

Resolved, that the Gates Town Board hereby Revises the appointments of Steve Zimmer from the position of a permanent member to a position of an alternate member and Roger Thaine Jr.

from a position of alternate member to position of a permanent member of the Zoning Board of Appeals.

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

**REVISING THE APPOINTMENTS OF JUAN RUIZ FROM THE POSITION
 OF A PERMANENT MEMBER TO A POSITION OF AN ALTERNATE MEMBER AND
 DENISE CAMBISI FROM A POSITION OF AN ALTERNATE MEMBER TO
 POSITION OF A PERMENANT MEMBER OF THE PLANNING BOARD**

RESOLUTION 38-26

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

Resolved, that the Gates Town Board hereby Revises the appointments of Juan Ruiz from the position of a permanent member to a position of an alternate and Denise Cambisi from a position of an alternate member to the position of a permanent member of the Planning Board.

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

**RE-APPOINTING BOTH WENDY HEFFER AND CATHY RAPPAZZO TO THE
 POSITION OF GATES LIBRARY BOARD OF TRUSTEE FOR A
 FIVE (5) YEAR TERM, TERM TO EXPIRE DECEMBER 31, 2030.**

Councilman Loughlin thanked them for their service and continuing to volunteer and for being present.

Supervisor Giunta also thanked them.

RESOLUTION 39-26

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

Resolved, that the Gates Town Board hereby Re-Appoints both Wendy Heffer and Cathy Rappazzo to the position of Gates Library Board of Trustee for a five (5)-year term, term to expire Dec. 31, 2030.

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

**APPOINTING SUSAN MELIA TO THE POSITION OF
 GATES LIBRARY BOARD OF TRUSTEE TO FULLFILL THE UNEPIRED TERM,
 TERM TO EXPIRE DECEMBER 31, 2029.**

Councilman Loughlin added the library board did a wonderful job of interviewing potential candidates and feels Susan will be a nice addition to the board.

RESOLUTION 40-26

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

Resolved, that the Gates Town Board hereby Appoints Susan Melia to the position of Gates Library Board of Trustee to fulfill the unexpired term of Amanda McGinnis, term to expire December 31, 2029.

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

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

**GATES EXPRESS INC. (TWO) #1. FAST FOOD RESTAURANT #2. GASOLINE
SERVICE STATION, 2206 BUFFALO RD.; FEDEX EXPRESS, 2580 MANITOU RD.;;
MC’S DUGOUT BAR & GRILL, 1370 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 41-26

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

Resolved, that the Gates Town Board hereby approves the renewal of the Conditional Use Permits on mass for the following; (2) Two for Gates EXPRESS Inc., 2206 Buffalo Rd. #1. Fast-food Restaurant & #2. Gasoline Service Station; FedEx Express, 2580 Manitou Rd.; MC’s Dugout Bar & Grill, 1370 Buffalo Rd;

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

**DESIGNATING SUPERVISOR GIUNTA AS THE DELEGATE FOR
THE 2026 NEW YORK STATE ASSOCIATION OF TOWN ANNUAL BUSINESS
MEETING IN FEBRUARY.**

RESOLUTION 42-26

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

Resolved, that the Town of Gates do hereby approves Designating Supervisor Giunta as the delegate to attend the 2026 New York State Association of Town annual business meeting in February.

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

**ADOPTING THE TOWN OF GATES NON-UNION PERSONNEL AND
EMPLOYEE HANDBOOK REVISIONS**

RESOLUTION 43-25

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

Resolved, that the Gates Town Board hereby adopts the Town of Gates Non-Union personnel and employee handbook revisions.

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

**AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO AN ENERGY
 PERFORMANCE CONTRACT AGREEMENT WITH VEREGY FOR
 THE TOWN HALL NOT TO EXCEED \$3,999,000.00**

Attorney DiCaro explained the board issued bids due to the HVAC in the town hall being very old and in need of repair and Veregy was a successful bidder who have been putting together a proposal. The supervisor has signed a notice of intent with Veregy to allow them to move the process forward. They are now at the point of presenting the town with the proposed contract, which will outline in detail the work they will do. This authorization allows Veregy to begin that final process, but it also gives the supervisor the opportunity in reviewing along with the board and attorney if the contract is not as expected, to be able to reject it with a small payment that was included with the letter of intent.

Supervisor Giunta added the current system is sixty (60) years old and there have been many issues and band-aided for too long. There are several other things included in this proposal such as generator to power the Town Hall so it can an actual cooling and warming site for residents in case there is a need, LED's and multiple heating and cooling units as well.

Councilman Loughlin, his understanding is, they can be looking at a couple million dollars of savings over the life of the equipment in energy cost savings, etc. as well as working with our grant writer.

Supervisor Giunta went through some of the highlights.

RESOLUTION 44-26

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

WHEREAS, the HVAC and related systems in the Town Hall in the Town of Gates are in need of upgrade and/or replacement, and

WHEREAS, the Gates Town Supervisor has been involved in discussions and negotiations with **Veregy Energy Solutions** (hereinafter Veregy), an Energy Services Company, regarding the necessary improvements to the Town's HVAC and related systems, and

WHEREAS, Veregy is prepared to provide the Town of Gates with an Energy Savings Performance Contract, the scope of which is to include upgrades/replacements to the following items: indoor and exterior lighting, building automation, HVAC system replacement of the failing original town hall system, fire detection/protection, new ceiling grid in the original town hall, minor roofing upgrades, and a new generator to serve all of town hall including the annex and courts.

BE IT RESOLVED, that the Town Supervisor is authorized to enter into an agreement for Veregy to provide said work as described above, at a cost not to exceed \$3,999,000.00. Said agreement is subject to final review and approval of terms and conditions by the Attorney for the Town of Gates and said agreement is subject to final approval by the Town pursuant to the terms of the Town's Letter of Intent dated September 18, 2025.

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

NEW BUSINESS OF COUNCIL MEMBERS**AMENDING RESOLUTION #33-26**

Supervisor Giunta, at the Organizational Meeting there was an error. Resolution #33-26 had last years salary listed which was wrong and needs to be updated.

RESOLUTION 45-25

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

Resolved, that the Gates Town Board hereby Amends Resolution #33-26.

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

REPORTS**SUPERVISOR'S**

**ACCEPTING THE SUPERVISOR'S REPORT FOR THE
MONTH OF DECEMBER 2025**

WARRANTS**GENERAL**

CLAIMS # A25-1013 - A25-1091	\$118,000.01
CLAIMS # A26-0001 – A26-0017	\$32,072.59

HIGHWAY

CLAIMS # D25-0493 - D25-0544	\$144,523.26
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LIBRARY

CLAIMS # L25-0375 - L25-0410	\$48,092.22
CLAIMS # L26-0001	\$910.00

TOTAL DISBURSEMENTS	\$1,661,415.75
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TOTAL RECEIPTS	\$479,149.02
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Supervisor Giunta noted for the record that the warrants for the month of December 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 46-26

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

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

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

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

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

TOTAL REVENUE COLLECTED	\$53,393.61
TOTAL REVENUE TO THE SUPERVISOR	\$50,157.97
TOTAL NON-LOCAL REVENUE	\$3,235.64

RESOLUTION 47-26

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

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

Additions: 0
Terminations: 0
Net Change: 0

Councilman Loughlin mentioned the Gates Library will be collecting socks for their Sock Drive the whole month of January. Socks are the number one item requested by the homeless and people in need.

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

Supervisor Giunta adjourned the meeting at 7:46 PM.

Town Clerk