

February 2, 2026

The Gates Town Board held its Regular Town Board meeting on Monday, February 2, 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 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 Cordero.

He asked the board members, if they had an opportunity to review the Organizational Meeting and Regular Town Board Meeting minutes from the Monday, January 5, 2026.

RESOLUTION 48-26

Motion by Councilman Cordero who moved its adoption:

Seconded by: Councilman DiPonzio

Resolved, that the Gates Town Board hereby Accepts the Minutes of the Organizational Meeting and Regular Town Board Meeting of Monday, January 5, 2026. 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?

Josh Osgood, 29 Sungrove Lane had two questions as he is learning how the town works. Item #5 on the Agenda (Appointing Stephanie Soto as the Town of Gates Comptroller) as she is currently the Financial Director would this replace that role or an addition to it?

Supervisor Giunta replied, this was a position that was actually created back in 2017 in which the supervisor can appoint the director of finance to work under the supervisor as comptroller and work along with the town board.

Mr. Osgood, With item #11 amending local laws. Is this something the public has access to and be able to see them?

Supervisor Giunta, replied once it gets scheduled for public hearing they will have it available in the clerk’s office for anyone to review prior to the public hearing.

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

Hearing none, closed the Audience Participation.

OLD BUSINESS

None

NEW BUSINESS

Supervisor Giunta pushed item agenda #1 to later in meeting.

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

**BIRCHCREST TREE & LANDSCAPING, 150 LEE RD.; LIVIE'S JAMAICAN
RESTAURANT, 1583 HOWARD RD.; MAC'S PIZZERIA AND GRILL, 2346 LYELL
AVE.; SERVICE KING, 73 MAR WAY CIR.; VG TRUCKING INC. TWO (2)
LOCATIONS, #1. 78 MAR WAY CIR. AND #2. 48 PIXLEY INDUSTRIAL PARKWAY;
WISE GUY SMOKE SHOP, 720 ELMGROVE RD.; WORKFIT MEDICAL, LLC, 1190
CHILI AVE.; MAVIS DISCOUNT TIRE, 410 SPENCERPORT RD.;
TIM HORTONS, 1536 SPENCERPORT 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 49-26

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: Birchcrest Tree & Landscaping, 150 Lee Rd.; Livie's Jamaican Restaurant, 1583 Howard Rd.; Mac's Pizzeria and Grill, 2346 Lyell Ave.; Service King, 73 Mar Way Cir.; VG Trucking Inc., **TWO** (2) locations; 78 Marway Cir. AND 48 Pixley Industrial Parkway; Wise Guys Smoke Shop, 720 Elmgrove Rd.; Workfit Medical, LLC., 1190 Chili Ave.; Mavis Discount Tire, 410 Spencerport Rd.; Tim Hortons, 1563 Spencerport Rd.

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

**ACCEPTING THE RESIGNATION OF KURT RAPPAZZO FROM THE
POSITIONS OF DIRECTOR OF PUBLIC WORKS
AND HIGHWAY SUPERINTENDENT**

RESOLUTION 50-26

Motion by Councilman DiPonzio who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby Accepts the resignation of Kurt Rappazzo from the positions of Director of Public Works and Highway Superintendent

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

**APPOINTING RANDY MINSTER AS THE SUPERINTENDENT
OF PUBLIC WORKS AND BUILDING INSPECTOR**

Supervisor Giunta added Randy has been a building inspector for the past five (5) years for the town. The board has decided to split the two positions and looking at making Randy the Superintendent of Public Works along with his Building Inspector role. He continued to say in working with Randy the past five years, knows he is more than capable and is confident he can take on this dual role position, which will involve all of the building department and the staff involved as well as the public works side, while maintaining his building inspector responsibilities. He has done a great job thus far and sees no reason it wouldn't continue.

RESOLUTION 51-26

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Appoints Randy Minster as the Superintendent of Public Works and Building Inspector.

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

Motion Carried.

Moving back to item agenda 1.

PRESENTING A LIFE SAVING AWARD TO OFFICER TYLER PRATT

Gates Police Chief, Rob Long thanked the Town Supervisor and Town Board for the opportunity to recognize Officer Tyler Pratt with the Life Saving Award. Stated, this event happened back on September 2025 but there hasn't been an opportunity to do this sooner. Officer Pratt, was also recently promoted to First Lieutenant in the military.

Chief Long said that this happened back on September 12, 2025, and went into detail of the incident. Stated that Officer Pratt responded to a call at 3am on Sandy Lane for a male that was unconscious and not breathing. When he arrived, he quickly moved him from the bed to the floor and began CPR which was effective and then the EMT and Fire Department came and took him to the hospital for further care. About a week and a half later the gentleman stopped into the Gates Police department to personally thank Officer Pratt.

Chief Long continued to express how important it is to learn CPR. It's preached of how important it really is and he hopes more people get trained to know how to do it if need be. He is proud of his officers for going out and doing what they do daily. He then presented Office Pratt with a plaque and the life-saving pin, his second one.

Supervisor Giunta, also speaking on behalf of himself and the Town Board, thanked Officer Pratt for doing this and for having the knowledge and skill set to do it. Stated this makes them so proud that one of our officers and first responders was successful in their training. He congratulated him on this Award and his promotion with the military.

APPOINTING STEPHANIE SOTO AS THE TOWN OF GATES COMPTROLLER FOR A (2) TWO-YEAR TERM, TERM TO EXPIRE DECEMBER 31, 2027.

Supervisor Giunta stated as mentioned earlier in audience participation, this position is in pursuit of Local Law section 20 and 34. This position of comptroller was created in 2017 to Art Plewa which when he resigned in 2020 was not backfilled. Stephanie Soto was appointed as Finance Director reporting directly to him and has been in this position for the past five (5) years and has done a great job.

He continued and stated that the Office of Town Comptroller, pursuant to Town Law §20 and §34. Said position would be for a term of two years, and serve at the pleasure of the Town Board beginning February 1, 2026 and ending December 31, 2027. The powers of the comptroller will be limited as follows:

1. The Supervisor will retain final approval for any and all purchases as well as all payment authorizations (all town checks).
2. All warrants will continue to be reviewed for approval by members of the Town Board.
3. All audit reviews and associated management letters will be the responsibility of the Town Supervisor in conjunction with the Gates Town Board.

Mrs. Soto's salary will not change for the remainder of this year.

RESOLUTION 52-26

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilmen Tucciarello and Cordero

Resolved, that the Gates Town Board hereby appoints Stephanie Soto as the Town of Gates Comptroller for a (2) two-year term, said term to be February 1, 2026 through December 31, 2027; and subject to the conditions stated at this meeting by the Town Supervisor.

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

Motion Carried.

AUTHORIZING THE COMPTROLLER TO MAKE 2026 BUDGET AMENDMENTS WITHIN THE GENERAL FUND

RESOLUTION 53-26

Motion by Councilman Loughlin who moved its adoption:

Seconded by Councilman Tucciarello

Resolved, that the Gates Town Board hereby Authorizes the Comptroller to make 2026 budget amendments within the General fund.

From: A00-5010-1000	Highway Administration-Wages	\$ (30,000.00)
To: A00-1490-1000	Public Works Administration-Wages	\$ 30,000.00
From: A00-1990-4850	Contingency	\$11,000.00
To: A00-1910-4370	Insurance	\$(11,000.00)
From: A00-1990-4850	Contingency	\$ 47,766.30
To: A00-8540-2000	Drainage-Capital Equip and Outlay	\$(47,766.30)
Increase:		
A00-3060-0000	State Aid, Records Management	\$ 11,550.00

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

Motion Carried.

ADOPTING A RESOLUTION TO ACCEPT THE STORMWATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT BETWEEN CHURCHVILE HOUSING DEVELOPMENT FUND CORPORATION, CHURCHVIEW DEVELOPMENT LLC AND THE TOWN OF GATES.

RESOLUTION 54-26

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman DiPonzio

WHEREAS, Churchview Housing Development Fund Corporation and Churchview Development LLC, both located at 400 East Avenue, Rochester, New York 14607 (the “Facility Owner”), are required to enter into a Stormwater Management Facility Maintenance Agreement with the Town of Gates; and

WHEREAS, the Agreement applies to the property located at 1051 Wegman Road, identified as Section 119.09, Block 1, Lot 47. /LEAS; and

WHEREAS, the Town Board has reviewed the Agreement dated January 7, 2026 and finds it acceptable;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the Stormwater Management Facility Maintenance Agreement for 1051 Wegman Road (SBL 119.09-1-47. /LEAS); and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute the Agreement and any related documents on behalf of the Town; and

BE IT FURTHER RESOLVED, that the Town Clerk shall retain a fully executed copy in the Town’s official records.

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

ADOPTING A RESOLUTION OF A SEQR TYPE II ACTION DETERMINATION TOWARDS THE TOWN’S APPLICATION TO THE NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION - ENVIRONMENTAL BOND ACT MUNICIPAL PARKS AND RECREATION GRANT PROGRAM – ROUND 2

RESOLUTION 55-26

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

WHEREAS, the Town of Gates is re-applying through the Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022, through Article 58, Title 5 of the Environmental Conservation Law, providing that recreational infrastructure projects are eligible for Bond Act funding, and pursuant to the authority granted to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) will administer the Environmental Bond Act *Municipal Parks and Recreation Grant Program* (MPR) Round 2 to improve natural, ecological, cultural, and recreational resources within existing municipal parks; and

WHEREAS, the Town of Gates supports this application to the MPR program for assisting local governments in improving existing park sites with a strongly eligible project scope to resurface existing multi-use courts at Lions Park reflecting a County Relative Index of Need (RIN) score of 10/10, is identified as High/Medium Statewide Need according to recent 2024 PORS and PPS

survey data, as well as aligns with the recently updated 2025-2030 NYS Statewide Comprehensive Outdoor Recreation Plan; and

WHEREAS, pursuant to program requirements, the Town of Gates must determine the environmental impact, if any, of the proposed activity upon the environmental pursuant to the provisions of the New York State Environmental Quality Review (SEQR); and

WHEREAS, the proposed application submission and refurbishing of existing recreational activity areas on municipally owned property to be conducted through this project is determined to be a Type II Action with no direct environmental impact.

NOWTHEREFORE, be it RESOLVED by the Town Board for the Town of Gates as follows:

SECTION I. That by the adoption of this resolution, the Town Board of the Town of Gates finds, determines, and supports this project application scope refurbishing activity, to be submitted through the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) administering the Environmental Bond Act *Municipal Parks and Recreation Grant Program* (MPR) as a SEQR Type II Action.

SECTION II. That this is deemed a Negative Declaration of Environmental Significance with respect to the proposed activity which may continue without further review pursuant to the provisions of SEQR.

SECTION III. That the Supervisor be and hereby is authorized to execute any and all grant application related documentation.

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

**RESOLUTION OF SUPPORT FOR THE TOWN OF GATES APPLICATION FOR
THE NYS PARKS, RECREATION & HISTORIC PRESERVATION
ENVIRONMENTAL BOND ACT MUNICIPAL PARKS AND RECREATION GRANT
PROGRAM- ROUND 2**

RESOLUTION 56-26

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

WHEREAS, the Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022, through Article 58, Title 5 of the Environmental Conservation Law, providing that recreational infrastructure projects are eligible for Bond Act funding, and pursuant to the authority granted to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) will administer the Environmental Bond Act *Municipal Parks and Recreation Grant Program* (MPR) Round 2 to improve natural, ecological, cultural, and recreational resources within existing municipal parks; and

WHEREAS, the Town of Gates supports an updated application submission to the MPR program for assisting local governments in improving existing park sites with a strongly eligible project scope to resurface existing multi-use courts at Lions Park; and

WHEREAS, this project scope reflects a County Relative Index of Need (RIN) score of 10/10, is identified as High/Medium Statewide Need according to recent 2024 PORS and PPS survey data, as well as aligns with the recently updated 2025-2030 NYS Statewide Comprehensive Outdoor Recreation Plan; and

WHEREAS, this recreational infrastructure municipal park project is located on eligible park property in a 51% disadvantaged community (DAC) according to the Bond Act DAC guidance, benefiting populations across demographics, while aligning with recently updated enhanced accessibility community planning document initiatives; and

WHEREAS, the Town is committed to funding the minimum 10% project award match requirements to be allocated from the Town's general fund for this community supported municipal multi-use recreational courts project scope, which also complements other recent area park capital improvement initiatives in collaboration with state and federally funding programs; and

NOWTHEREFORE, be it RESOLVED by the Town of Gates as follows:

The Town Board of the Town of Gates hereby authorizes the Town Supervisor to execute all program related documentation, expresses its full support and is committed to the minimum 10% financial contribution for the submission of an application to the New York State Office of Parks, Recreation, and Historic Preservation for the Environmental Bond Act Municipal Parks and Recreation Grant Program Round 2 with a project scope to improve multi-use courts on existing eligible municipal park property, a capital improvement project located at Lions Park addressing the community's on-going need for more accessible recreational opportunities for all.

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

**SCHEDULING THREE (3) PUBLIC HEARINGS FOR
MONDAY, MARCH 2, 2026 STARTING AT 7:00PM
TO CONSIDER:**

#1. A CONDITIONAL USE PERMIT

**FOR GERMAINE MITCHUM TO OPERATE ROYALL EVENT HALL LOCATED AT
505 SPENCERPORT RD. SUITE 8 IN A GENERAL BUSINESS DISTRICT**

**#2. TO CONSIDER A ZONING CHANGE FOR STEPHEN CHABOT TO OPERATE
ERIE MATERIALS, INC. LOCATED A 911 & 0 BROOKS AVE. IN A GENERAL
BUSINESS (GB) DISTRICT TO A GENERAL INDUSTRIAL (GI) DISTRICT.**

**#3. TO REVIEW LOCAL LAW #1-2026 TO AMEND THE RESIDENCY
REQUIREMENTS FOR THE POSITION OF SUPERINTENDENT OF
HIGHWAYS FOR THE TOWN OF GATES**

RESOLUTION 57-26

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

Resolved, that the Gates Town Board hereby schedules Three (3) Public Hearings for Monday, March 2, 2025 starting at 7:00pm to consider #1. A Conditional Use Permit for Germaine Mitchum to Operate Royall Event Hall located at 505 Spencerport Rd. Suite 8. in a General Business (GB) District. #2. To consider a Zoning Change for Stephen Chabot to Operate Erie Materials, Inc. located at 911 & 0 Brooks Ave. in a General Business (GB) District to a General Industrial (GI) District. #3. To Amend Local Law #1-2026 the residency requirements for the position of Superintendent of Highways for the Town of Gates.

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

NEW BUSINESS OF COUNCIL MEMBERS

Councilman Loughlin wished everyone a Happy Groundhog Day and also let everyone know about the Gates Public Library's food pantry program. People are welcome to take a non-perishable food item as well as drop an item.

REPORTS

SUPERVISOR'S

ACCEPTING THE SUPERVISOR'S REPORT FOR THE MONTH OF JANUARY 2026

WARRANTS

GENERAL

CLAIMS # A25-1092 - A25-1131	\$75,524.26
CLAIMS # A26-0018 – A26-0070	\$1,137,312.47

HIGHWAY

CLAIMS # D25-0545 - D25-0568	\$487,553.03
CLAIMS # D26-0001 - D26-0024	\$208,187.33

LIBRARY

CLAIMS # L25-0410 - L25-0445	\$9,576.14
CLAIMS # L26-0002 – L26-0011	\$23,411.34

TOTAL DISBURSEMENTS	\$4,109,432.35
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TOTAL RECEIPTS	\$9,507,353.53
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Supervisor Giunta noted for the record that the warrants for the month of January 2026 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 58-26

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 January 2026 as read; and the warrants for the month of January 2026 as read.

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

ACCEPTING THE TOWN CLERKS REPORT FOR THE MONTH OF JANUARY 2026

The Town Clerk read the report for the month of January 2026 showing the following:

TOTAL REVENUE COLLECTED	\$92,118.87
TOTAL REVENUE TO THE SUPERVISOR	\$91,891.71
TOTAL NON-LOCAL REVENUE	\$227.16

RESOLUTION 59-26

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

Resolved, that Gates Town Board hereby accepts the Town Clerk's report for the month of January 2026.

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 January 2026.

Additions: 0
Terminations: -1 (Resignation)
Net Change: -1

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

Supervisor Giunta adjourned the meeting at 7:53 PM.

Town Clerk