

May 4, 2026

The Gates Town Board held FOUR (4) Public Hearings and its Regular Town Board meeting on Monday, May 4, 2026 at the Town Hall Meeting Room starting at 6:45PM. 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
Valerie Orbaker	Deputy Town Clerk

### **6:45 P.M. PUBLIC HEARINGS**

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

**(Withdrawn) TO CONSIDER A CONDITIONAL USE PERMIT FOR  
ANTHONY DANIELE TO OPERATE DANIELE FAMILY COMPANIES  
AT 1100 BROOKS AVE., 1014 BROOKS AVE., 1014 BROOKS AVE.  
AND 360 BUELL RD. "SUNBROOK" (CONSISTING OF 6 LOTS)  
IN A GENERAL INDUSTRIAL DISTRICT**

Supervisor Giunta welcomed everyone and explained there were four (4) Public Hearings on the Agenda, but one actually **withdrew** their application so there will be three (3) heard.

**TO CONSIDER INCENTIVE ZONING CHANGE FOR JAMES HINMAN  
FOR PROPERTY LOCATED AT 1996 SPENCERPORT RD.**

Supervisor Giunta started with the first one on the agenda is to consider an Incentive Zoning change for James Hinman for the property located at 1996 Spencerport Rd. and asked if the applicant was present to speak on this?

James Hinman, of 80 Coleman Ave., Spencerport. Started by saying that the property that we're discussing actually backs directly up to his brother 's house and he is looking to purchase it to create a living space for his mother and his special needs sister. In order to help to pay for it, he would want to turn the lower level into an apartment for his mom with an in-law space for his sister and then put a 2-bedroom apartment upstairs which is large enough to sustain that.

Supervisor Giunta asked if it would be two (2) apartments?

Mr. Hinman, replied yes it will be 2 apartments. The lower level would be a one bedroom with an in-law attachment so it would be a 2 bedroom as there's space enough that he could put a little area for his sister up front make it separate, so his mom doesn't feel like his sister is living on top of her.

Supervisor Giunta, stated he hasn't been to that residence in a while, but knows at one time there were three (3) meters attached to the house.

Mr. Hinman, answered that he believes so, but will be utilizing just two (2) meters. It's been empty for years and years so he'll be cleaning up the property, there's also four (4) dilapidated structures that he'll be cleaning and removing for safety reasons because there's a lot of

grandkids in the family and they'll be running back and forth from Grammas and his brothers house.

Councilman Loughlin asked, is one of the buildings a barn?

Mr. Hinman, stated there is a large barn he'll use that for personal storage but the others that may have been a shop out back

Councilman Loughlin asked how big is that?

Mr. Hinman replied, it's a 20 x 20 structure that's falling apart. Trees have grown up and kind of shoved the structure so it's dangerous.

Supervisor Giunta asked if that's the one you'll knock down?

Mr. Hinman, responded yes

Councilman Cordero asked what kind of shape the barn is in?

Mr. Hinman, replied not great, but salvageable and they'll be doing some work on it to make it safer, and would be a great spot to put supplies in.

Supervisor Giunta asked if the board had any other questions?

Councilman Cordero, clarified that Mr. Hinman was going to have two (2) apartments with three (3) meters, what will he do with the third one?

Mr. Hinman will not need three (3), therefore just disconnect it.

Supervisor Giunta opened it up to the public and asked if anyone wanted to speak for or against?

Hearing none closed the Public Hearing

Supervisor Giunta, stated that usually Incentive Zone is either an amenity to the Town or a monetary compensation to be utilized for one of the Town Parks or something else. What the board did discuss, as it being a 2-unit it would be \$2500 per unit for a total of \$5000.00 for the Incentive piece of it. He added, if this I amenable to him, then the board would go ahead and ahead and do this zoning for him.

Mr. Hinman replied it sounds good and agreed

Town Attorney John DiCaro clarified, when you do this zoning it'll be turning it into a 2-Family and it'll become in effect and not zoning it through multiple residents but you're doing the incentives zoning to make it a 2-Family so he could sell it, but would need to remain a 2-Family. He could arguably knock the whole thing down and rebuild, but it would need to be a 2-Family.

## **RESOLUTION 85-26**

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman Cordero

Resolved, that the Gates Town Board hereby **APPROVES** the Incentive Zone change for James Hinman for the property located at 1996 Spencerport Rd. with the monetary value of \$5000.00 to the Town of Gates to be utilized for a Town Amenity.

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

**TO CONSIDER INCENTIVE ZONING CHANGE FOR JOE FERRARI  
 (JAFCO ENTERPRISES) FOR THE PROPERTY LOCATED AT  
 485-507 SPENCERPORT RD.**

Supervisor Giunta the next Public Hearing is to consider an Incentive Zoning change for Joe Ferrari of Jafco Enterprises for the property located at 485-597 Spencerport Rd. and asked if the applicant was present to speak on this?

Kris Schultz, Schultz Associates with his client Joe Ferrari. He presented renderings for the public to see which the board had copies of as well. He continued, this is an interesting project, it really consists of is the westerly balance of the original Gates Colonial Plaza, which was originally proposed back in the seventies and fortunately has those original site plans. It shows an idea what was supposed to go in there and how they were running it and for the most part just the easterly portion more than anything else was developed in this whole West portion was never touched. There were things like Star Market, Woolworths there was some note of other things going in there. Currently, in the front edge there's an auto parts store and a pretty good Italian restaurant but for the most part it's just a small Plaza and in the back some shops, so a lot of the potential development has just been ignored and skipped. This is unique in the fact that if you look at this parcel and what is around it, it's basically entirely surrounded by apartments including across the street. The Town does own on 8.3-acre parcel to the South that's like a regional stormwater detention facility, but the site isn't very developable. There is water available with public waters sanitary. The one of the biggest things that is an issue and hope to address is the access of Spencerport Road. Right now, if you go in there, for some reason they propose light poles right in the middle of the entrance drives and then there's no control once you go into the Plaza, so it's kind of like a shooting gallery.

He continued and stated a part of this project would include the development of one access that is part of this property to improve and fix. Other parts of this project that are being proposed along the East side are some flex storage buildings, these are buildings that are set up to basically act as business incubators, if you have folks in the trades, electricians or plumbers who are just starting out and working out of their house, it's tough to make the jump to getting their own building or own a shop. So, these are spaces that are rented out for that purpose and will include normally utilities, sewer and water, which gives them space to configured for small office. This has worked very well in other areas where it gets the businesses out of the residential areas so to speak.

The Southern portion is proposed to be standard storage and with the amount of rental property around the perimeter can infer there's probably a good demand for that type of space.

The main building in the center will be his clients corporate building. He has a business and owns a number of restaurants and things like that and wants to be on the site basically in the middle of the development to control all the rental space and make sure that's being done and maintained correctly.

Supervisor Giunta asked what type of business Mr. Ferrari has?

Mr. Ferrari responded, he owns restaurants, but in the larger building, he's proposing having his corporate offices there, his CFO 's and HR department and then storage for all his restaurants for patio furniture, Christmas decorations and restaurant equipment.

Supervisor Giunta, clarified in the main building with none of those items being stored outdoors?

Mr. Ferrari, responded yes, everything would be inside.

Mr. Schultz added, the other type of storage they're showing is on the South side and they are oversized storage bays that are targeted for large RV 's or boats that people want stored inside, instead of having RV 's parked in the driveway driving the neighbors crazy all year long they have a place to put them that's safe and lit and can get at them all throughout the year and prep them for the summer season same thing with boats. It's almost impossible to find good storage for the big size boats that have to be shrink wrapped and left outside.

Councilman Cordero asked how big will these be?

Mr. Schultz, typically these are about a story and a half, usually end up with like a 16-foot overhead door.

Councilman Cordero, questioned, like 10x16, 12x16?

Mr. Schultz, yeah, maybe a little bit bigger. They're about double the width of a standard storage building and have the height so you can do that.

Councilman DiPonzio, asked the door is 16, but then it the building higher?

Mr. Schultz, stated it'll probably be about a story and a half total height. He added, they have done a few of these before and they're popular, immediately people that buy an RV might be spending \$100- \$150,000.00 for this thing and the last thing they want to do is have it shrink wrapped to protect it. It is the same thing with boat storage you got a really nice boat, you end up storing it at the Marina on a bunch of lumber you don't see it until spring and you can't get to it, to do things to prepare for the season.

Continuing to describe the rendering and pointed to the last section, the largest building is the Fieldhouse proposed. This was a piece of the project that the client wasn't really sure what to do with and Mr. Schultz kind of ran into a situation with his grandsons, going to a few lacrosse games. There is a real shortage for enclosed sports fields and everybody he talked to about this say it's a wonderful spot to develop something, and probably have no issue at all with it being used and then if you think about having that type of facility in the middle of that Plaza and it will bring people in from not just Gates, but all around coming in to use the field and that may energize the rest of the Plaza so, they're looking at it as a win-win situation.

Then the last thing, there's room out front for an out parcel right on the road and just to kind of demonstrate what could go there, it's a parcel that could be separated off, he showed an overhead photo of the 7 Brew Coffee shop that's being built in Sweden the Town of Brockport and he just dropped it in for massing and sizing just to show that something of that character could be placed on that parcel and the rendering shows how it would fit with the existing traffic patterns and parking to all blend in. The same thing with the fieldhouse all of that parking proposed meshes in with all the existing parking. Even the entrance drive is set up to meet and has an easement for being able to access their existing parking so they set it up so that it would work perfectly with that so it would not lose any of the parking.

Councilman Cordero, confirmed there are three (3) entrances to that plaza, the first one is in front of the bowling alley and one in the middle.

Mr. Schultz, said they would be using the one in the middle and that's the one they control so, is sure the board can understand, if this moves ahead the biggest issues they're going to deal with is traffic and drainage. Traffic obviously that's the state road they're going to need to do improvements satisfying the state and also, everybody has experienced Spencerport Road and how hard it is to get out and hard to get in, things like that. Just the drawing alone shows a separate left and right turn out of that center and it shows a widened island in the center, and move the pole to a safe location they also need to pull back the existing guide rails that are right on the edge of the ditch and are not forgiving so to speak so that will all be part of the planning.

Councilman Cordero asked if they would widen the ditch?

Mr. Schultz probably close it then pull it back so it's safe so you're not going in between dodging a guide rail and dodge a light post and then cars coming all different directions so this would basically make it a very safe access in.

Councilman Tucciarello asked once this is complete and if you're at Gates Bowl could you make it to CVS without going onto Spencerport road? There will still be able access to travel through the parking lot?

Mr. Schultz, answered yes, that's absolutely right, As that project developed over the years there was a number of easements and the easements basically ensured the ability to drive through throughout the Plaza same thing with the parking at the most Easterly end for Gates Bowl is right to the property line, and that's double so, they have to make sure that you can drive in and still park in all those spaces so they don't lose anything. But again, they were fortunate to have the

original plans that showed how they looked at the project as a whole they basically generated a big perimeter drive aisle that would be the safe fire lane, they designed it so that there would be perimeter hydrants all the way through it and at one point there was a Creek that ran right through the middle of it and that's part of the improvements that are already there and then right down the middle of it is a pure waters pump sewer so, they have sewer, water and are looking into potentially working with the town to maybe do some work in the towns stormwater facility to try to enhance that too.

Councilman Cordero, are there's two ponds back there?

Mr. Schultz, stated there were two ponds, but not much anymore, but one of the nice things is their drive aisles will end up right adjacent to that part so access to that and all the structure of the things will help control the pond will be much easier for town vehicles to get right to the pond.

Councilman Loughlin, clarifying something mentioned was one of the obstacles that would need to be addressed, would be drainage and things of that nature and asked if there were planned grants and also to address existing neighbors that are adjacent to.

Mr. Schultz, said usually when you do a project the first thing you do with the drainage is to see if there is a way to get rid of the water and they do have that on this site and then you look at the value of the land compared to, do you eat up a good part of the land for a stormwater pond? Usually with residential development, the value of the land and the return is such that yeah you can you can lose an acre or two, putting a stormwater pond in when you get into commercial property and higher value you start looking at doing your storage under the parking, under the pavement and so each of these are set up to basically have subsurface ponds so to speak.

Councilman Loughlin, asked then that would have a positive impact on some of the existing neighbors.

Mr. Schultz, replied yes, so basically what they're going to need to do is, their site itself will contain all of their drainage, working with the Town Engineering, who knows a little bit about it because he had a history trying to do some improvements out there, so part of the design they'll probably end up modeling everything downstream plus they'll get the information from him and kind of look at it as a whole picture so, maybe there will be opportunities to help the neighbors. Most of the time when you get into building in the middle of something that's already built, there's always going to be some existing drainage issues and things like that and it's very easy to design your storm sewer system stuff to pick up that but it's going to be fun. He looks forward to this one because it finally fills out that Plaza and thinks what the town will see, is with this amount of investment going in there, the balance of the Plaza, the East side which basically has three (3) or four (4) outparcels that were never built on South of the Italian restaurant, they're just sitting there and thinks it's going to get a lot of life spurred into the Plaza, to see folks go to.

Councilman Tucciarello, added few things, comments, questions. Woolworths was never in there, he lived just a couple streets down since he was a kid back in the 60s, Woolworths went to Westgate Plaza and never made there.

Mr. Schultz, Wilco which was a part of Woolworth?

Councilman Tucciarello asked about the southwest corner of the property where the long storage area is, how far is the edge of that property to the houses that are to the southwest of that corner?

Mr. Schultz, replied that property is owned by the town so from here to the closest thing so approximately 100 feet across the town and then you know that here that they did include a good last safe buffer all the way around with the intention to basically shield the view off site for the development and that's a 30-foot landscape bumper all the way up the perimeter so it's more than sufficient, get some good pine trees in there and everything else you see and would normally want for a landscape buffer.

Supervisor Giunta, asked if there were any other questions from the board and then asked if anyone from the public wanted to speak for or against?

Rebecca Triano, 112 Ford Avenue, is referring to the drainage, she already has a massive drainage problem 3-blocks South of this property, from Wolcot to Ford Ave. All houses got flooded, adding more water and drainage it's just going to come running right to them again so, is there going to be an upgrade in the water system to sustain this throughout that whole section to prevent more flooding.

Supervisor Giunta that's a great question, maybe it's something that they can incorporate.

Mr. Schultz, stated absolutely, they drain on to the property, but there may be some opportunities to do some enhancements onto the big pond area that feature drainage so that there's more available storage and stuff.

Ms. Triano stated it currently runs through her property, the whole water way and that's where all drainage will come. Thirty days ago, when the storm came, her house got submerged in water and condemned to do it, now we want to add drainage, but it's not going to relieve the problem that's there, unless someone is going to pay for the whole thing to get it upgraded to where we need it so that we are not flooding in those areas. It wasn't just her house that flooded.

Mr. Schultz asked for her address? She responded, 112 Ford Ave. He continued and said he will look into that and again this is something that he's already looking into the Town Engineer about the drainage in the area and the concerns. He said that the town in the past has tried to make some improvements out there to the drainage but this is something that we'll work together and if it's possible to improve it, they can do that.

Teresa Dickerson, 94 Ford Ave. stated when you say you're going to possibly fix the drainage problem that's not good enough sorry it's just that all that stuff that you're putting there don't you think we have enough storage units in the Town of Gates, we need something that's going to draw traffic to make a profit. She doesn't think anyone is going to put in a huge boat, it's just wasted land, but if they are going to put in a drainage system, then that has to be put on the board prior to the board saying yes, because as far as he knows Monroe water is not going to do anything about the drainage on their street and this is going to add to it.

Mr. Schultz understands her concerns, so in the process, this is the very first step in the whole thing. So, what will happen is the concerns that they have for drainage are usually always handled by the Planning Board, which is the next board they will be talking to and the Town Engineer will require us to do a drainage study and not just this site, but all the surrounding areas and they'll take it into account issues and that's why he's writing down, so they know what they can do. They've had many projects where they've come into an area that has been existing drainage and we're able to fix it solid, they did one off of Coldwater Road near Mercury Drive where those neighbors were flooded continuously and they did a project in salvaged all of those folk's drainage. Can't promise anything because we haven't done the design yet, but he can tell her that the Planning Board will hold them to do what they can and so will the Town Engineer and they would want to basically be good neighbors and if they can assist they'll do that.

Ms. Dickerson appreciates that, but it's not just the Town's issue, it's MC Pure Waters they're not going to do anything, they won't do anything.

Mr. Schultz, Pure Waters is sanitary sewer

Supervisor Giunta, that's a whole different issue

Ms. Dickerson, he's right, but it's just more that being put on her street, Wolcott, Youngs, Rossmore, if they can't come to an agreement between the town and pure water and OK that's a different subject, that's going to do something they're not going to come up with millions of dollars to fix her house from flooding just it's not that way.

Mr. Schultz, explained Monroe County Pure Waters is in charge of sanitary sewer but they don't get involved with drainage

Ms. Dickerson understands, but you're going to have more buildings there which is going to fill that crack that's on that road she doesn't know, and just think more needs to be looked into.

Mr. Schultz stated that there's a lot of that has to go into this before this thing would move forward and part of it is there's a requirement that with projects and the amount of water and how fast it's leaving the site, it can't exceed what is there before the project starts and there's also a requirement to pull back the water and treat it so that what does go back into the creek is higher quality and they also have the requirement and the Town will push to see if they can throttle the discharge to a level that's even less than today, so that the folks who work downstream have a benefit and then with this, it's trust him, it's a lot they have to do and they have to do this with every project. So, her concerns are valid and he would recommend that if this project moves ahead that she attend the future public hearings because he wants nothing more than to fix the problems, if he can. They have done that before with projects in Gates.

Ms. Dickerson, doesn't know it's just that you take more water you put it in the creek and it's going to run into the yards which goes into the main drains it's just it's too much the area cannot handle it

Mr. Schultz, replied from a liability standpoint you never have a development that basically is proven to impact folks downstream because then there's liability put back on the developer it becomes an issue with town so that's all old stories of things that used to happen.

Councilman Tucciarello, stated he owns a house inside there, he lives off Buffalo road but has a house in and around that neighborhood and he's going to be keeping an eye on it as she brought up the concern and he doesn't want that problem either because he has an investment there.

Ms. Dickerson, understands, but he lives on Buffalo Rd.

Councilman Tucciarello also owns a home on Spencerport Rd, it's where he grew up, 60-years, today. He has a vested interest and has seen this gentleman work especially the Mercury Dr. project and it was an impossible problem with flooding and it was solved and those people are happy, so he understands the process that's here and is telling her the process has to play out. He's going to look at it and she's going to look at it and what's going to happen is all the drainage in the area is going to be looked at which is a big deal because you know when you get a nice macro look of the drainage you can then tell where the problems are he's going to do that that's a great thing, that's a great tool.

Mr. Schultz stated another the benefit is it will identify other issues that the Town can potentially work into future budgets to do some modifications and storm sewer to fix them. They've seen that lots of times where they'll identify pipes that were put in and are undersize and just upgrading the size of the pipe fixes the issue for that immediate area and all it is, is basically they're going to be tasked with getting all of the facts out there and then planning can be done, so it's not just this project, but all that information goes to the benefit of the town and they can look at it and then make plans for you know budget each year to OK they can potentially fix this that all that information becomes paid by my client, given to the town and folks benefit from that. Doing this stuff is expensive, figuring out where the lines wind up and it's very hard for the Town to pay for big studies like this but oftentimes take the benefit of a developer coming in to basically get that information and then they can build off it?

Supervisor Giunta thanked Ms. Dickerson

Josh Osgood, 29 Sungrove Lane shares the sentiment that was expressed about having a lot of storage units here in Gates, but did want to point out we have some storage units that are in dumb places in Gates like in the frontage of plazas that are supposed to have shops, but this seems like a good spot for them and he would hope that this makes those other ones economically unviable and maybe could get some businesses in there, so he likes that. The fieldhouse seems like the big draw for the public. He would encourage making sure that actually happens and it doesn't become more storage or something.

Mr. Schultz, replied that feedback is good there are folks very interested in it and he doesn't think he's mentioned it to one person who says it's a bad idea.

Mr. Osgood asked when was the Mercury drive project that was brought up?

Mr. Schultz responded about 15 years ago, it was Coldwater Villas. It was so bad that folks basically couldn't get on their yards until late July and they had flooding that was just years after years. Mercury Drive itself had such a problem with groundwater that it was burden for the town to highly maintain it and basically with that project was able to fixed it, it wasn't easy.

Mr. Osgood on September 2<sup>nd</sup>, eight-months ago at the Town Board, a guy came in complaining about flooding on Mercury drive, he doesn't doubt it was made better, but it sounds like there's still work to do there.

Supervisor Giunta responded it was an undersized pipe or something.

Supervisor Giunta thanked him and asked if anyone else wanted to speak?

Susan Triano, 112 Ford Ave., talking about building and doing all this research and everything else for future projects, the drainage system and the sewage system that is overtaxed that's caused the disaster to the neighborhoods. Has to be fixed, before any other building like an arena which would be a fantastic idea, but you're going to need bathrooms, you need running water it's going to tax the sewage system that is already taxed.

Supervisor Giunta, reiterated that the sewage system and drainage system are two (2) separate things

Ms. Triano, understands that the drainage system is a disaster, OK, but this can't be built and say future projects will be. No. With the drainage system and the sewage system that is broken right now, this cannot be considered a future project, this has to be addressed.

Supervisor Giunta added as Mr. Schultz had mentioned, looking into this project if this does proceed forward, this is something that will benefit because now it's on their dime to perhaps come with us and fix perhaps potential disaster.

Ms. Triano, but this problem from what she understands has been looked at for years. When she first moved in, she came to the town and it was supposed to be stared. It's not just hers, that's gotten ruined, houses on Wolcott, Ford, and Youngs. These are people who have dumped money into their properties.

Supervisor Giunta, unfortunately, her situation is a bit different

Ms. Triano, is not just talking about her situation, this is the neighborhood she's talking about, and asked to please stop addressing her, as her situation.

Supervisor Giunta, explained the town is looking into it, nothing gets down just like that, it has to be budgeted for

Ms. Triano, stated it's been brought to attention for years and years and have been told it's being looked into. This project cannot proceed unless the drainage and the sewage systems are fixed. She will be at every meeting saying the same thing

Sheila, Maurer, 57 Rossmore, first wanted to Thank the Fire Department and the Highway Department that helps bail them out, when it does flood, she really appreciated it. Sometimes it's very hard to get people to listen when you know that it's coming down it's raining hard, and it's going to flood just like it always has. It has flooded four times for her in the ten years that she's lived there. Nothing 's changed it's just gotten worse and part of the reason she's speaking up, is because of the statement that sewage and runoff water is separate. No longer, they are getting all kinds of neighbors and now their utility seats are filling up with brown water. When her place first flooded it was a geyser of poop coming out of the toilet downstairs because there was, she was told, it couldn't happen, well it did. This time she called Pure Waters, again they said, it's not their problem, it's Gates problem. Someone needs to help.

Supervisor Giunta stated there's no way sewage should be coming back into the home and its strictly Pure Waters, it has nothing to do with the Town. The Town is responsible only for storm sewer. Pure Waters has to start owning up to it. His understanding is back in the day, they allowed people to tap into the pure waters system, that could be an issue OK and the Town is still investigating that because what happens now, is when that system becomes full it,

backs up and comes back into the houses which it shouldn't be. There should be some type of backflow preventer whatever, personally they should have never allowed that connection to happen. Now, the town does sometimes allow someone to connect their sub pump into our storm sewers, we have allowed that and then again with backflow prevention or whatnot. Pure Waters should have never allowed that to happen in the town and if they did, shame on them and that's something that they need to fix.

Ms. Maurer, someone 's needs to be held responsible and stay on them

Supervisor Giunta, Absolutely and 100% agree with her and they need to investigate more. He confirmed her address.

Ms. Maurer, 57 Rossmoor Street, she added, her neighbor to the right of her and a couple doors down same thing, backing up into the utility sinks now I hadn't had that happened really just this last time.

Supervisor Giunta, appreciate this and asked if there was anyone else? Hearing non he continued that the board isn't ready to approve the Incentive Zone yet unless this gets brought to our Planning Board based on some of the recommendations to then work on some type of Incentive, which could be like mentioned something with the drainage system that can maybe be incorporate that and that could be the incentive itself, but at this time doesn't think the Town Board is ready to accept the Incentive portion unless we do have confirmation from our from our Planning Board.

Mr. Schultz, understands with projects like this, it's chicken and the egg what do you do. First Town Board, next step is going to Planning which represents a significant investment by his client and with the understanding that you know if the Town Board generally feels that the incentive would be appropriate then it would make sense to proceed, but what we don't want to do is get in the situation where he invests several thousands of dollars and can't potentially get the incentive. So, he's just wondering how's the board feel in general, how are the members feeling about this application, is this something positive?

Supervisor Giunta, thinks this would be a viable project, based on what was shown and is sure the Planning Board will come back with some recommendations. There could be buffering, some type of variance, but he wouldn't feel comfortable with granting some type of incentive without hearing what they come back with.

Mr. Schultz, understands the scale of the project and everything, but when he presented to the Planning Board last week it was well received, very positive. They had some of the same questions every development has, traffic and drainage. They are well aware and those are always taken care of after a good amount of money spent to get those answers. Originally, part of their letter of intent, was made an offer that was comparable to he thinks a previous incentive application for the project so that was something that they put in their Letter of Intent. So, if it's something that may work better to have drainage improvements is better, that would be fine as well. He needs to make sure his client wants to move forward as long as the board is comfortable with the project.

Supervisor Giunta, would be most inclined if we can help with the drainage. If something could be put together to show how this project would help drainage that only there but around the neighborhoods and maybe alleviate some of the water. They have kind of talked a little offline about that as well and has been mentioning to the Town Board as well and would be interested in something like this

Councilman Tucciarello had mentioned the drainage study after you volunteered it and I want that to be a macro look at the area looking at the mains and so on so forth he'd like to find out where the problem is with the water in the neighborhood and then see what the fix is so if they can include that in their drainage study he's fairly comfortable with the project, but he'd like to see that happen

Mr. Schultz, right now part of this property itself is in the 100 year floodplain and part of the properties to the north are in flood zone, so they're always going to be susceptible, but what you don't want is the flooding to occur and the smaller storms, this past month he thinks we set a record for rainfall so if there was ever going to be a problem though, it would have been last month.

Councilman Tucciarello, right and that was the 100-year storm and that's why everyone in the area had issues, but we're talking about on a regular basis to be able to help rectify a problem on a regular basis, so let's see what gets dug into.

Mr. Schultz speaking with Mike Richie the Town Engineer and he has spent some time studying this already and will make it available and he will work with him and thinks they both use the modeling software so information can exchange relatively easy.

Supervisor Giunta, stated he would be comfortable tabling this and maybe perhaps have some more conversations with the Planning Board or a Pre-meeting with the Board itself and Town Engineer.

Mr. Schultz agrees, a meeting with the town engineer to hash it out and see what the town has already spent to do the study and what they've already looked at, not to duplicate efforts and then build on that and coordinate with him on what needs to be look at overall to kind of tighten it up. That was their next move.

Councilman Cordero asked if they will work with the Water Authority or Pure Waters?

Mr. Schultz the issue with Pure Waters is it may just more of a maintenance issue or it could be something that they just didn't size correctly or something there's an issue with, like damage or something else but, working with Pure Waters for years and basically every project goes through the review and this one will as well. He will basically tell them, there are folks saying the sewers are backing up and spraying sewage all over their houses, what's going on you know?

Town Attorney DiCaro suggested when Mr. Schultz discusses this with the with the Town Engineer and perhaps the Town Supervisor would be involved as well. He ought to consider an alternative Incentive proposal from which you had and specifically dealing with, "Proposal and Analysis" and a proposal to dealing with that drainage situation because that would be an amenity to the town that we very valuable and would justify the project so, he thinks that's what he needs to do.

Mr. Schultz, agreed, but the issue right now without having an idea of what the real issues are is kind of like, he doesn't want to say yeah 100% we'll do this, but will take the first step and meet with the town engineer and any other town staff. They'll get a handle on what they've done and take the information from the Town Board meeting look at you know those issues and he would also need the town to give them information from past complaints that were lodged so they know specifically where the issues are. He looks forward to working with the town.

## **RESOLUTION 86-26**

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman Tucciarello

Resolved, that the Gates Town Board hereby **TABLES** the application for an Incentive Zone change for Joe Ferrari (Jafco Enterprises Inc.) for the property located at 485-507 Spencerport Rd.

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

**TO CONSIDER A CONDITIONAL USE PERMIT FOR BISMA KHAN  
TO OPERATE MOTEL 6, LOCATED AT 1273 CHILI AVE.**

Supervisor Giunta asked the applicant to state name and address.

Bisma Khan, 1273 Chili Ave, is here for a conditional use permit for Motel 6 at the same address.

Supervisor Giunta, stated the CUP had expired and was not renewed, therefore coming back to re-apply for a conditional use permit. Per the last conversations that were had offline, the Town has gone through the motel and did some inspections and he appreciates letting them in to do that. He did share that with the Board as well. There are still some concerns, obviously, for example we spoke with our Assistant Chief of Gates Ambulance recently and he also sent an e-mail, expressing his concerns and had already had ninety-seven (97) calls and average of one-per-day. email read as follows, "to date the ambulances responded to 97 calls at this location nearly averaging one per day the majority of concerns involved are: mental health concerns, substance abuse, violence and then some routine medical calls and other related calls staying at the facility"

He continued, and asked Chief Long who was in attendance, Chief verified the number of calls are still up. Police Chief Long added, less then the last time they presented, but still up.

Supervisor Giunta, re-iterated that this is becoming a big concern for the Town here, more so of a nuisance. We can't have this, he knows they're trying to improve the facility and wants them to proceed and continually improve, but something needs to change in order for the Board to grant this application. The Town walked through the facility and sees they are making modifications and they have come up with a couple of ideas and they have talked about the problems that they have had there and thinks with allowing some of these organizations to come in and continuing to stay at the hotel for an extended period of time is what's causing the trouble.

Councilman Tucciarello, the board would really like to see them make the changes that are needed so the board doesn't have to.

Councilman Loughlin the board has said this in the past and thinks it's a safety concern for both the public for our First Responders. It's a drain on the resources if they're continuously going out there, more so then other residents and things like that. He asked, what steps have they taken, knowing they have made some improvements and have been working with the Fire Marshal and Police to take some steps, but have steps been taken and if so, what?

Bisma Kahn, they currently have no one staying with them from any organization, they only currently have hotel guests staying with them.

Councilman Loughlin asked if there's a 2-week max?

Ms. Kahn, there's no one from any organizations. Basically, there's guests stay for 2 days or 2 weeks it varies. Right now, their occupancy is probably at like a 30%.

Supervisor Giunta confirmed, the back part of the hotel is now vacant

Ms. Kahn, that's completely empty.

Supervisor Giunta knows they are working on everything and appreciates them allowing the Town to go through the motel. Also, although, Ms. Kahn provided the supervisor with the present State guests agreement. It's great, but he would like to see, some type of software that they can generate their reports and if the town needs something, they can provide it. Hand paper reports don't cut, because he's hearing and is going to be honest with her, if some of the guests that are in her area that maybe there extended are now going over to the Red Roof Inn and then going back to Motel 6. He let her know, he will NOT allow that. He's had enough with this hotel they've tried to give her more than enough time to turn this around and knows COVID hit or whatever and expected it but can't have it anymore in the Town. So, with that said, the board is considering giving her a limited Conditional Use Permit, for only four (4) months and then the board will revisit it. That's the best he can do, then rather completely deny the application and she wouldn't be able to operate at all.

Ms. Kahn replied, they really did come a long way, they took over February 2023 from the previous ownership till now have come a long way.

Supervisor Giunta appreciates that and like he told her. The Town has worked with her. He added, she has done a tremendous job, the way she's turned it around from what it used to be and we appreciate that but, we're still not there.

Ms. Kahn, it's not a corporation, it's just her and her dad and whatever revenue they get, they put that directly into the hotel to make it look nicer to attract better clientele and they are getting there, obviously it's not going to be 100% but, we are getting there. Like right now, they don't have any organizations staying with them. They only have a few transient because of that, it's like their occupancy is like a 30% but, they'll take that hit if it means that they don't have any crime and no more police calls. Having police calls is not in her control. There's going to be accidents.

Supervisor Giunta, not too long ago, there was a couple of stings there, that could have been in your control.

Ms. Kahn, from the last meeting till now, thinks and assumes the calls are not less because they are also putting down in their reports, what calls are being made, when they were being made and what guests are making them. So, she actually has a report of all the police calls and are more attentive to that and what the calls were for and how to prevent that from happening repetitively. So, they're trying their best obviously, but they are never going to have no police calls. They try to not have any, criminal police calls, like those that were mental health due to having the organizations there, which they no longer have, so that helps tremendously.

Supervisor Giunta thinks that's a step-in right direction to eliminate these organizations.

Raoul Willock, General Manager, they have increased security, just recently, the Kia boys or whoever come on the property and vandalized Mr. Kahn's vehicle and another car which was something not in their control again.

Supervisor Giunta, asked with increased security, what are the hours now?

Mr. Willock, security is 24/7. They have two (2) guys, one patrols the outside perimeter, and the other individual patrols inside. A couple of issues that they had, were domestic issues, with guests in the room. He documented all those individuals and put them on a do not rent list because they don't want those type of individuals coming back. They have increased their rates, which has attracted better clientele as well. The last two (2) months he has documented probably since the last time they spoke twelve (12) individuals who are DNR (Do Not Rent), so they are working, chiseling it down a little bit.

Ms. Kahn added the guests that were said earlier, that were staying at the hotel and then went to Red Roof are also put on the Do Not Rent list.

Councilman Loughlin asked if there is anything in place for someone to leave for one night and then return?

Mr. Willock, yeah, they don't have that, so they were doing twenty-seven (27) days as an extended stay, he knocked it down to just twenty (20) days. After the 20-days, they leave and maybe are allowed to return in three (3) weeks. But, not right away, they were just rotating them, come back the next day it just wasn't right. Now he thinks the guests are getting it and know they are not playing these games. He has a couple of people that went out Brockport. They're getting cheaper rates out there, and that's fine because they don't have that type of clientele.

Councilman Tucciarello asked if the clientele know that they have security 24/7 and do they know how to call property security?

Mr. Willock, responded they are working on how they could respond and speak to security. He's visible.

Ms. Kahn, stated they have security at the front in the lobby where the security typically sits and patrols, so there's always somebody walking throughout the halls and lobby.

Mr. Willock, said that since the last time he came to the town and spoke the Supervisor, he's there more, he's more of a visual aid in regards to the guests that come in that they can interact with him more. It goes a long way when you see the General Manager on the property. He can interact with them and it alleviates all the stress and helps with customer service.

Supervisor Giunta, believes customer service is key. He appreciates this and it is nice to continually hear this, that you are working on this. Again, they know that from the get go, the board wants them to succeed but, we also don't want it to cause a burden on our Township here, so if it does become an issue at some point we're just going to have to say no?

He's willing, if the board extends this, after opening to the Public, is to maybe do a shorter time period and with their cooperation come back and revisit this

Councilman Loughlin had one question, directed to the Police Chief. Are some of those calls for service or those special intentions, just to kind of sit in the parking, he remembers a resident came to a Town Board meeting complaining of speeders on Chili Ave.

Could we perhaps use that parking lot as a special attention, but also incorporate some speed checkpoint?

Gates Police Chief Rob Long replied, two (2) points on that are, one (1) the police already use the driveway there pretty frequently for traffic enforcement, because there are issues in that area and do address that. The second, some of the service calls that they do receive are the officers with special intentions because of the amount of overnight or long-term parking is in the parking lot, we want to prevent something like, what was just talked about with the Kia boys showing up, stealing and damaging cars so, the Officers proactively go in there which is part of the call volume for that location.

He would rather have the Officers there 200 times doing 199 special events right and having one call to 911. It's like a 70% of the calls are 911 driven, 30% are office driven, but we're working on that to try and show that presence there to keep the riff raff away and also help them the best we can.

Supervisor Giunta thanked the Chief and opened the Public hearing to the audience to speak for or against.

Masood Ahmed is the immediate neighbor, he owns the liquor store and the gas station right next to them. He attended the public hearing, purely from a business point of view, nothing personal. He did not know these people three (3) years ago, but will say, if anyone should have issues, it should be him and he did have issues in the beginning. But, they were trying to get a handle on the situation over there that they walked into blindly and he tried to do the best with them on what to do in certain situations and coming from previous ownership into this that was brutal. He is sure they all remember how it was. He got robbed, the store got broken into, Chief Longs knows that very well. All he knows as a business owner and when you're in a business you want just to go home at the end of the night. What these people are doing, which is just a father, daughter and wife. Three (3) people, a family, running a motel that they put everything into, so when the boards says it'll consider doing a 4 month, asked if they think because they have to do their due diligence in the whole matter and from what he can see as being a neighbor, thinks they're trying to do the best they can, but they cannot directly get involved into the altercations. Him being the gas station owner, if a customer comes in and has an issue, 30-seconds later they're gone. The Motel, now they had a resident for the next night or 2 nights or whatever. They will not just leave away, so the Police will be called and ambulances.

He's not aware of why, they're called there as much as they are, but he thinks, 100% they should be given more time frame to work on things and believes that it is a 2-way street, where the town should work with them a lot more because he remembers when Jay with Red Roof Inn and the Town Police was leaving a car over there, overnight. He doesn't think anyone was in it, but that made such a huge visual deterrent. A lot of people would pull in and they'll leave right away they would not even want to stay over there for the night so, if something like that could be put in place and then Mr. Willock will do his best with security which he sees them there.

It's literally just from a business point of view, they put everything in it, they deserve the best and they're trying to do their best. He came with them, the first time they came in to speak with the Supervisor. He added the Supervisor and the Town Board can speak to him anytime, they

can work as a team because he's literally right there and knows a lot of people there. He doesn't want any issues over there. They can make it happen like a team.

Supervisor Giunta, appreciates him coming.

Don Iannone, 4099 Lyell Rd. this is a franchise operation with Motel 6 and asked if anyone from the town or if the town call Motel 6 corporate office and tell them the Town is having a problem at the Chili Avenue location and what can they do about it?

Supervisor Giunta, appreciates that and believes they actually spoke about this the last time they were there. He confirmed they are looking to move away from the Motel 6 franchise, because to Mr. Iannone point they're not helping them, they're not providing any assistance. Unfortunately, they're in a contract that they're trying to get out of in order to perhaps re-brand this with somebody else or something like that, but to answer the question doesn't know what the town can do as far as contacting corporate office, doesn't know if we have much leverage, that's more between the franchisee and franchise, but that could be an option.

Supervisor Giunta asked if there was anyone else to speak for or against.  
Hearing None, Closed the Public Hearing

### **RESOLUTION 87-26**

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

Resolved, that the Gates Town Board hereby **APPROVES** a Conditional Use Permit for Bisma Kahn to operate Motel 6 located at 1273 Chili Ave. only for a **FOUR (4) MONTH period** to be Reviewed at the end of the 4 months (September 2026) for further Renewal of the Conditional Use Permit.

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

Supervisor Giunta asked Ms. Kahn if she would be amenable to a 4-month renewal to be reviewed in September?

Ms. Kahn replied, Yes

Supervisor Giunta added it's important to have open the lines of communication and that there may be some visits again. Let's work on moving forward.

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

Supervisor Cosmo Giunta welcomed everyone and called the meeting to order at 7:55PM. 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 Monday, April 6, 2026 along with the Workshop Meeting Minutes.

### **RESOLUTION 88-26**

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

Resolved, that the Gates Town Board hereby Accepts the Minutes of the Public Hearings and Regular Town Board Meeting of Monday, April 6, 2026 as well as the Workshop Meeting held

on Monday, April 20, 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?

Sheila Maurer, 57 Rossmore St, she wasn't planning on speaking, this is her town meeting so.

Supervisor Giunta told her he hopes she comes again.

Ms. Maurer answered she probably will. She wanted talked about the damage to her house. Four (4) times, the first time was \$5000, there was no backwater clause in her insurance that would have covered. She has been told, that it's an actual of God and they can't control the amount of water coming down, which is true, but it is a matter of the capacity and the age of the pipes as well. There's still a lot of the clay ones around she believes that need to be looked at so, it's not just an overabundance of rain, but also the condition of the pipes whether they're cleaned out with the basins and drains are cleaned out. They try keeping everything clean so that when it rained it doesn't just immediately start flooding but, more needs to be looked at which has just been discussed. Expanding the capacity is a very important part too because we're getting more population. She didn't flood until the 390/490 construction was done right down where she lives.

Supervisor Giunta asked, so once they put up those walls and stuff is when she started flooding? The sound barriers and construction that's when it started flooding?

Ms. Maurer replied, that's what she noticed it. She thinks it may have been there before but, for her, it didn't happen until a year into the construction. So, it's brought up another problem too unfortunately recently they have noticed rats and there's kids on the street right where one of them came out and got hit by a car. She took it,an got rid. It, but her neighbors have also said they have seen them. There's been mice issues and she believe it's because they're getting flooded out of their homes as well, so they need to have a little help with that as well. It was mentioned about a Creek with the one project, but behind their street there is a Creek that runs and is believed to be owned by the town or RG&E or the apartment complex on Cornelia. It would be great for whoever owns it to maintain it. There have been trees that have come down on that easement and along the street including on some of the neighboring sheds as well as damaging fences. It's a hazard and dangerous. She understands it's in their best interest for letting the trees fall instead of cutting them down because it's expensive. She's had two taken down.

There are several issues in that track that need some help. It's a good neighborhood and would like it to continue to be. Gates is a great place to live, she's been happy, but this has been a very expensive and frustrating issue. The flooding is just not getting better and seems to be getting worse.

Supervisor Giunta, appreciates that and doesn't disagree with her. The town is looking into it. It is 213 years old. Many neighborhoods were developed beforehand and then as the town moved forward there were different systems back then, the pipes could have been smaller compared to what they are now and it's something that the town needs to look into and is trying to look into. He has a commitment from our new Highway Superintendent that now that we have a new Vactor Truck, it's going to be part of their routine maintenance, where they're to come and start flushing the systems. Not too long ago, we received a Grant to pay for the GIS System to actually track all of our storm sewers then they can pull it up on their phones to see where it's going.

He added, the Town is working on it along with being involved in so many other projects as well as looking into other potential Grants

Ms. Maurer that would be awesome. Gov. Hochul has been very generous with New York City. They did Grants for their flooding issues and paid for the back-flow valves as well, so she's like what about us

Supervisor Giunta, the town does have a Grant writer, who'll be meeting with and perhaps look at some of the grants targeting certain areas. It's nice having potential projects like the one that had just presented because they will do all the work as well as work with the town and acquiring the results of the studies that will help. They are trying and does sympathize. Sewage backing up into houses. Should never happen and for them to blame the Town is not right. It is their issue and we need to come together and figure out what we can be done. We do have her information and maybe can contact her and go from there.

Supervisor Giunta thanked her and asked if anyone else from the audience wanted to speak? Hearing none, closed the Audience participation

## **OLD BUSINESS**

The Old Business was taken care of at the Workshop Meeting that was tabled for a Conditional Use Permit for Hempire State, which was Granted.

## **NEW BUSINESS**

**CONSIDER RENEWALS OF THE CONDITIONAL USE PERMITS  
FOR THE FOLLOWING:  
BURGER KING, 130 PIXLEY RD.; CHINA WOK, 1661 HOWARD RD.;  
MACGREGOR'S 2205 BUFFALO RD.; MONTE ALBAN, 2200 BUFFALO RD.;  
WIMPY'S BURGER BASKET, 2160 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 89-26**

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; Burger King, 130 Pixley Rd., China Wok, 1661 Howard Rd.; MacGregor's, 2205 Buffalo Rd., Monte Alban, 2200 buffalo Rd.; Wimpy' s Burger Basket, 2160 Buffalo Rd.;

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

**ACCEPTING THE 2025 TOWN OF GATES AUDITS  
COMPLETED BY THE EFPR GROUP**

Town of Gates Comptroller, Stephanie Soto, addressed the audience and board. She stated the Town had an unmodified clean opinion issued on our financial statements this year which is the best opinion to receive. There were no material weaknesses or significant deficiencies that were noted in the town 's internal controls over the financial reporting. The Town, also had a federal single audit conducted this year because there was over \$1,000,000.00 in federal funding and there were no findings noted in the audit.

Overall there were no recommendations from the auditors for the Town Audit and the Town 's funds and financial fund balances are in a healthy position, overall the Town is in good financial standing.

Supervisor Giunta, thanked Mrs. Soto and commented that the Town had a Great audit.

**RESOLUTION 90-26**

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby Accepting the 2025 Town of Gates Audits completed by EFPR Group.

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

**REVIEWING THE APPLICATION FROM OAK DISPOSAL SERVICES / OAK DUMPSTER TO ISSUE A GARBAGE & REFUSE COLLECTION LICENSE IN THE TOWN OF GATES**

Supervisor Giunta asked if the applicant was present to speak on this, the board has the application and has been reviewing it, knows they are looking to pick-up refuse in the Town

A representative, this is owned by Chris Oaks. It is Oaks & Oaks Construction and Kitchens by Oaks, Quality Homes, Grey's Brothers, it all falls under the bundle of The Oaks Incorporated. Mr. Kyle Cleary is the Operations Manager for Oaks Dumpster Rental and are expanding into the residential trash business to start servicing the West side of Monroe County for now, with further expansion.

Supervisor Giunta asked if they going to be actually collecting garbage, refuse, not just dumpsters. He asked if they have a couple packers' trucks, garbage trucks.

Mr. Cleary replied yes, exactly. They have two (2) currently with more on the way.

Councilman Cordero asked if they are currently collecting anywhere?

Mr. Cleary said, this would be the first, they are just expanding into this business. They saw the need for locally owned, locally operated. When someone calls the phone, they're going to get him or a couple people from their phone team that will answer the calls and come out to service.

Supervisor Giunta, awesome so Gates is their first official site if approve

Mr. Cleary, replied yes, they're looking at Gates, Greece and probably in the Henrietta area, but really Gates and Greece are their focus. Chris Oaks is also a resident of Gates

Supervisor Giunta, thanked him for his time and explanation

**RESOLUTION 91-26**

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Approves the application from Oak Disposal Services / Oak Dumpster to be issued a Garbage & Refuse Collection License in the Town of Gates.

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

**ADOPTING A RESOLUTION AUTHORIZING LEGAL REPRESENTATION  
AND COVERAGE OF EXPENSES FOR SUPERVISOR GIUNTA BY  
GALLO & IACOVANGELO, LLP, IN ACCORDANCE WITH CHAPTER 36  
(OFFICERS AND EMPLOYEES) SECTION OF THE GATES TOWN CODE**

Supervisor Giunta recued himself from this vote.

**RESOLUTION 92-26**

Motion by Councilman Tucciarello who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Adopts a resolution authorizing legal representation and coverage of expenses for Supervisor Giunta by Gallo & Iacovangelo, LLP, in accordance with Chapter 36 (Officers and Employees) of the Gates Town Code.

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

**Motion Carried.**

**AUTHORIZING THE TOWN COMPTROLLER TO MAKE 2026 BUDGET  
AMENDMENTS WITHIN THE GENERAL, HIGHWAY AND LIBRARY FUNDS**

**RESOLUTION 93-26**

Motion by Councilman Cordero who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Authorizing the Town Comptroller to make 2026 budget amendments within the General, Highway and Library funds.

**Increase General Fund Budget:**

A00-3120-4850	Police- Misc.	\$ 2,200.14
A00-3120-4790	Police- Clothing	\$ 2,231.56
A00-3120-2000	Police- Capital Equip.	\$ 181,064.60
A00-9065-8000	POLICE- FLEX SPEND ACCT	\$ 9,980.61
A00-1620-2000	BLDG/GRNDS-CAPITAL EQUIP.	\$ 54,896.50
A00-5132-4310	GARAGE/ TH-FUEL	\$ 18,000.00
A00-3089-0000	STATE AID - OTHER	\$ 30,000.00
A00-3120-2000	Police- Capital Equip.	\$ 16,476.13
A00-4389-0000	Federal AID, Other Public Safety	\$ 131,933.57

**Increase Library Fund Budget:**

L00-7410-4520	BUILDINGS & GROUNDS	\$ 500.00
L00-2705-0000	DONATIONS & GIFTS	\$ (500.00)

**Increase Highway Fund Budget:**

DA0-5148-4370	CONT.SERV.-SALT PURCHASES	\$ 26,000.00
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**Transfers:**

From: A00-7020-1000	Highway Administration- Wages	\$ (5,000.00)
To: A00-1490-1000	Public Works Administration- Wage	\$ 5,000.00

From: A00-8540-2000 Drainage- Capital Equip. and Outlay \$ (47,766.30)  
 To: A00-1990-4850 Contingency \$ 47,766.30

From: A00-1430-4370 PAYROLL - CONTRACTUAL SERVICE \$ (250.00)  
 To: A00-1430-4670 PAYROLL-CONFERENCES \$ 250.00

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

**AUTHORIZING THE SUPERVISOR TO EXECUTE THE COLLECTIVE  
 BARGAINING AGREEMENT ON BEHALF OF THE TOWN WITH GATES  
 HIGHWAY DEPARTMENT AND TEAMSTERS LOCAL NO. 118, 3-YEAR  
 AGREEMENT STARTING JANUARY 1, 2026 AND ENDING DECEMBER 31, 2028.**

**RESOLUTION 94-26**

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

Resolved, that the Gates Town Board hereby Authorizing the Supervisor to execute the collective bargaining agreement on behalf of the Town with the Gates Highway Department and Teamsters Local No. 118, 3-year agreement starting January 1, 2026 and ending December 31, 2028

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

Supervisor Giunta explained, Item 7 and 8 are TWO (2) Public Hearings to be scheduled, however agenda item number 8 - Considering a CUP for Abraham Eissa To Operate an All Girls Private school located at 36+ Pixley Rd in a General Industrial (GI) District **is NOT** a permitted use in this zone so, therefore is DENIED and will be REMOVED.

Town Attorney, John DiCaro clarified and thinks the applicant believed that there's a reference in the code about educational activities however, it does not refer to a school, it refers to educational activities that are in connection with other permitted uses so, this particular parcel can't be subject to a Condition Use Permit. It would have to seek a Zoning Variance from the Zoning Board.

Supervisor Giunta will contact them and advise on the decision advise if they want to proceed they will need have to go before the Zoning board.

**SCHEDULING A PUBLIC HEARING FOR  
 MONDAY, JUNE 1, 2026 AT 7:00PM  
 TO CONSIDER AN INCENTIVE ZONING FOR LUIS RIBIERO  
 FOR THE PROPERTY LOCATED AT 2600 BUFFALO RD.**

**RESOLUTION 95-26**

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

Resolved, that the Gates Town Board hereby Schedules a Public Hearing for June 1, 2026 at 7:00pm in the Town Hall at 1605 Buffalo Rd. to consider Incentive Zoning for Luis Ribiero for the property located at 2600 Buffalo Rd.

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

**ACCEPTING THE RESIGNATION OF DENISE CAMBISI AS A  
PERMENANT MEMBER OF THE PLANNING BOARD**

Supervisor Giunta received an e-mail from her, that she will be moving out of the town and therefore has given her resignation.

**RESOLUTION 96-26**

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman DiPonzio

Resolved, that the Gates Town Board hereby Accepts the resignation of Denise Cambisi as a permanent member of the Planning Board.

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

**Motion Carried**

**APPOINTING ANGELO CIRESI TO THE POSITION OF  
PERMENANT MEMBER OF THE GATES PLANNING BOARD TO FILL THE  
UNEXPIRED TERM OF DENISE CAMBISI OF SEPTEMBER 30, 2026.**

**RESOLUTION 97-26**

Motion by Supervisor Giunta who moved its adoption:

Seconded by Councilman Loughlin

Resolved, that the Gates Town Board hereby Appoints Angelo Ciresi to the position of permanent member of the Gates Planning Board to fill the unexpired term of Denise Cambisi of September 30, 2026.

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

**Motion Carried**

**NEW BUSINESS OF COUNCIL MEMBERS**

Supervisor Giunta, May 6<sup>th</sup> will be the Kick-Off for the Unity Tour, at the Town Hall at 10:00am. Our own Captain Pascarella will be riding for Cameron Girvin the fallen officer from Virginia Beach who was also a Gates Chili Graduate and Interned with our Gates Police Department. Also, one of our Special Police, Jay Fridley will also be riding.

Councilman Loughlin added, May 7<sup>th</sup> is National Day of Prayer and the Town will hold on the front lawn as long as the weather permits or will be moved inside. Father Tomasso from Diocese down the road will lead the Prayer. All are Welcome to attend and participate.

Supervisor Giunta added in the evening there will be a Police Vigil at 8:00 PM right on our front lawn to remember all the fallen Officers that have given the ultimate sacrifice.

Also, Memorial Day, on the front lawn at 9:00AM. Our celebration will be here and the new Flag will be presented and put up.

Councilman Loughlin added on May 7<sup>th</sup> in Downtown Rochester there will be a “Do the Right Thing” program by the city of Rochester Police Department will recognize at least Three (3) of our youth from the Town of Gates, Grayson Williams, Luke and Brendan Carney will be recognized for their services to the Community. He believes it starts at 10:00AM at the Public Safety Building.

**REPORTS****ACCEPTING THE TOWN CLERKS REPORT FOR  
THE MONTH OF APRIL 2026**

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

TOTAL REVENUE COLLECTED	\$33,146.10
TOTAL REVENUE TO THE SUPERVISOR	\$33,682.22
TOTAL NON-LOCAL REVENUE	\$536.12

**RESOLUTION 98-26**

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 April 2026.

**PERSONAL STATUS REPORT**

The Deputy Town Clerk presented the Personnel Status Report for the Month of April 2026.

Additions:	2 (1-Police & 1-Assessors Office)
Terminations:	0
Net Change:	+2

**SUPERVISOR'S****ACCEPTING THE SUPERVISOR'S REPORT FOR THE  
MONTH OF APRIL 2026****WARRANTS****GENERAL**

CLAIMS # A26-0274 – A26-0360	\$205,542.95
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**HIGHWAY**

CLAIMS # D26-0108 - D26-0148	\$205,730.64
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**LIBRARY**

CLAIMS # L26-0083 – L26-0138	\$49,172.18
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<b>TOTAL DISBURSEMENTS</b>	<b>\$1,697,696.50</b>
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<b>TOTAL RECEIPTS</b>	<b>\$251,866.28</b>
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Supervisor Giunta noted for the record that the warrants for the month of April 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 99-26**

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

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

**Motion Carried.**

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 8:45 PM.

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Deputy Town Clerk