



Amherst Town Board

Regular Meeting of the Town Board

Minutes

5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
Town Clerk

Monday, June 8, 2026

3:00 PM

Amherst Municipal Building

I. IN MEMORY

James J. Aprile – Former Firefighter for the Eggertsville Hose Company

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL:

3:00 PM Meeting called to order on June 8, 2026 at Amherst Municipal Building, 5583 Main Street, Williamsville, NY.

Attendee Name	Organization	Title	Status	Arrived
Shawn Lavin	Town of Amherst	Supervisor	Present	
Angela Marinucci	Town of Amherst	Deputy Supervisor	Present	
Michael Szukala	Town of Amherst	Councilmember	Present	
John B. Davis	Town of Amherst	Councilmember	Present	
Jack Kavanaugh	Town of Amherst	Councilmember	Present	
Francina J. Spoth	Town of Amherst	Town Clerk	Present	
Timothy Koller	Town of Amherst	Deputy Town Clerk	Present	
Steven B. Bengart	Town of Amherst	Town Attorney	Present	
Dan Howard	Town of Amherst	Planning Director	Present	
Lynda Juul	Town of Amherst	Director of Finance	Present	
Emily Murphy	Town of Amherst	Assessor	Present	
Mark S. Berke	Town of Amherst	Building Commissioner	Present	

V. MINUTES APPROVAL

1. Tuesday, May 26, 2026

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

VI. PROCLAMATIONS AND ANNOUNCEMENTS

Recognizing Pride Month

Recognizing Juneteenth

Recognizing the Amherst Youth Consortium Volunteers

Recognizing Employee Retirement

Presentation by Jonathan Schechter, Counsel for Regency Commons LLC for a requested Sidewalk Waiver along Birch Lane - the speaker is limited to 5 minutes

VII. COUNCILMEMBER RESOLUTIONS

A. *SUPERVISOR LAVIN:*

B. *DEPUTY SUPERVISOR MARINUCCI:*

C. *COUNCILMEMBER SZUKALA:*

1. **Resolution 2026-455**

Set Public Hearing Date – Removal of Parking Restriction on Coronation Drive Between Hartford Road and Rosemont Drive

Please schedule a public hearing for July 27, 2026 regarding the proposed removal of the parking restriction on the east side of Coronation Drive between Hartford Road and Rosemont Drive.

"The parking restriction on the east side of Coronation Drive between Hartford Road and Rosemont Drive is hereby rescinded."

6/8/2026

A motion to approve was made by Councilmember Szukala, seconded by Supervisor Lavin and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Szukala, Councilmember
SECONDER:	Shawn Lavin, Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

D. *COUNCILMEMBER DAVIS:*

1. **Resolution 2026-456**

Amherst Community Diversity Commission Appointment

WHEREAS, the purpose of the Amherst Community Diversity Commission (ACDC) is to enhance and increase cooperation, understanding, and dialogue among residents of diverse cultural, religious, socio-economic and racial backgrounds, and to promote inclusion throughout the town; and

WHEREAS, the ACDC has a maximum roster of 15 members, with the Supervisor and each Councilmember personally appointing up to three individual members who shall serve a two year term; and

WHEREAS, Cheryl Terranova expressed interest in serving on the ACDC;

NOW, THEREFORE, BE IT RESOLVED, that the Amherst Town Board appoints Cheryl Terranova to the Amherst Community Diversity Commission, for a term to expire 12/31/2026.

6/8/2026

A motion to approve was made by Councilmember Davis, seconded by Supervisor Lavin and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John B. Davis, Councilmember
SECONDER:	Shawn Lavin, Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

2. Resolution 2026-457

Request to Waive Sidewalks Regency Commons Subdivision (7 - 81 Birch Lane)

WHEREAS, on May 11, 2026 Regency Builders, LLC filed an application with the Amherst Planning Department requesting the waiver of the requirement to install sidewalks as part of an approved 18 lot realty subdivision known as Regency Commons, AND

WHEREAS, on July 23, 2024 the Amherst Planning Board approved a final plat for such realty subdivision with a condition that sidewalks be constructed along the proposed private roadway and along Klein Road consistent with the requirements of Chapter 204 (Subdivision Regulations), Section 3-2-4H of the Town Code, AND

WHEREAS, Regency Builders, LLC has constructed the public sidewalk along Klein Road, and does not desire to construct the sidewalks along the private roadway known as Birch Lane, AND

WHEREAS, pursuant to Chapter 83(Building Construction Administration), Part IX, Section 83-9-1 of the Town Code provides authority for the Planning Board or the Town Board to waive the requirements for the installation of sidewalks as part of a site plan or subdivision approval, AND

WHEREAS, Regency Builders, LLC when seeking approval of its realty subdivision did not request that the Planning Board waive the installation of sidewalks during its application

for Sketch Plan approval, Preliminary Plat approval or Final Plat approval, AND

WHEREAS, the Town Engineering Services Division and the Planning Department have reviewed the proposed sidewalk waiver request and recommends its denial, AND

WHEREAS, this Board has reviewed the recommendations from both the Engineering Services Division and The Planning Department and agree with their findings, AND

WHEREAS, this Board believes that the original condition of the subdivision approval granted by the Planning Board requiring the installation of sidewalks is appropriate and should not be waived,

NOW THEREFORE BE IT RESOLVED that the request to waive sidewalks along Birch Lane by Regency Builders, LLC is hereby DENIED.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Davis and unanimously approved via Roll Call vote 5-0.

RESULT:	ROLL CALL VOTE (ADOPTED) [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	John B. Davis, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

E. COUNCILMEMBER KAVANAUGH:

VIII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

IX. DEVELOPMENT REVIEW ACTIONS

X. PERSONAL APPOINTMENTS TO BOARDS & COMMITTEES

Board Appointments - Amherst Conservation Advisory Council, Board of Ethics, Historic Preservation, IDA, Planning, Recreation, Recycling & Waste, Traffic Safety and the Zoning Board of Appeals.

NOTE - The number of vacancies is listed after the Committee name.

1. 9/11 Commemoration Committee

Membership is unlimited.

2. Amherst Committee on Disabilities

3. Amherst Community Diversity Commission

- 4. Amherst Conservation Advisory Council**
- 5. Amherst Government Financial Advisory Board**
- 6. Amherst Industrial Development Agency**
Membership is full.
- 7. Amherst Veterans Committee**
- 8. Arts & Culture in Public Places Board**
- 9. Board of Assessment Review**
Membership is full.
- 10. Board of Electrician Examiners**
Membership is full.
- 11. Board of Ethics**
Membership is full.
- 12. Board of Plumbing and Drainage Examiners**
Membership is full.
- 13. Design Advisory Board**
- 14. Employee Suggestion Program Merit Award Board**
Membership is full.
- 15. Employee Suggestion Review Committee**
- 16. Energy Conservation Citizens Advisory Committee**
- 17. Freedom of Information Law (FOIL) Board**
- 18. Glen Park Joint Board**
- 19. Historic Preservation Commission**
Membership is full.
- 20. Information Technology Advisory Committee**
- 21. Library Board of Trustees**
Membership is full.
- 22. Minority / Woman Owned Business**

23. Open Government Advisory Board**24. Planning Board**

Membership is full.

25. Recreation Commission**26. Recycling and Waste Committee****27. Senior Services Advisory Board****28. Traffic Safety Board**

Membership is full.

29. Youth Board

Adult vacancies (6), Youth vacancies (0)

30. Zoning Board of Appeals

Membership is full.

XI. PUBLIC EXPRESSION

This is an opportunity for residents to comment on matters involving Amherst other than those pertinent to Public Hearings that day. Speakers will be limited to 3 minutes.

A motion to open Public Expression was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. Public Expression was opened at 3:18 PM.

The following speakers addressed the Town Board:
Andrea Morgante, Getzville - Residency & hiring practices
Adam Nethero, 29 Kingsway Dr - Resolution 2026-457
Ju Joh, 26 Bentley Ct - Resolution 2026-457
Spike Mertes, Troy Del Way - Recognizing holidays
Jane Cox, 4584 Harlem Rd - Resolution 2026-458
Don Smith, 201 N Long St - Resolution 2026-458
Christine Koziol, 59 Kingsway Dr - Resolution 2026-457
Dennis Szywala, 31 Bentley Ct - Resolution 2026-457

There were no further speakers from the public, therefore Supervisor Lavin moved to close Public Expression, seconded by Councilmember Davis and unanimously approved 5- 0. Public Expression was closed at 3:43 PM.

XII. CONSENT AGENDA**XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS****A. TOWN ATTORNEY:****1. Resolution 2026-458****Set Public Hearing to Repeal Chapter 22 of the Code of the Town of Amherst (Freedom of Information)****AGENDA ITEM : JUNE 8TH, 2026****TO: Town Board****FROM: Steven B. Bengart, Esq., Town Attorney****DATE: June 3, 2026****RE: Set Public Hearing To Repeal Chapter 22 of the Code of the Town of Amherst (Freedom of Information)**

Kindly adopt a resolution to set a Public Hearing for July 6, 2026 at 3:00 p.m. to repeal Local Law 3-2003.

The Town's Local Law is being repealed to allow for a less restrictive process to access government information. The Town will be governed by New York State Public Officers Law and a Town policy after repealing Chapter 22 of the Code of the Town of Amherst.

Thank you.

SBB:nmb

c: Tim Koller, Deputy Town Clerk (**Agenda Item : June 8, 2026**)

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Davis and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	John B. Davis, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

B. TOWN CLERK:**1. Resolution 2026-459****Authorization to Use T-Account Funds**

The Town Clerk's Office respectfully requests approval to spend \$1,194.47 (plus shipping) from the Town Clerk's Preservation Fund (T3064 4002). These funds will be used to purchase shelving and a typewriter for the vital statistics department. The shelving will be purchased from Grainger and the typewriter will be purchased from Staples.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Davis and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	John B. Davis, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

C. ASSESSOR:**D. BUILDING/BUILDING MAINTENANCE:****E. CENTRAL ALARM:****F. COMPTROLLER:****1. Resolution 2026-460****Budget Transfers and Amendments****For June 8, 2026 Town Board Agenda**

To: Town Board
From: Office of Town Comptroller
Date: 6/3/2026
Re: Various Department Budget Transfers / Amendments

I have received the following request(s) requiring budget transfers and / or amendments. Based on my review, I ask that the Town Board approve the following list;

BUDGET TRANSFERS – 2026**DECREASE:**

A1990.4000 Contingency \$5,000.00

To transfer funds out of contingency for central alarm radio equipment repairs.

INCREASE

A3020.4000 Contractual \$5,000.00

A1310.4110 Comptroller- Contractual \$50,000.00 A1310.9000 Interfund Transfers \$50,000.00
To transfer funds out of contractual into KP2402 to properly account for building permit software.

BUDGET AMENDMENTS – 2026

INCREASE:

INCREASE

N0284.02785 Princeton- PI \$3,900.00 N0284.4000 Contractual \$3,900.00
To recognize Community Development program income from repayment of prairie ponds.

N2540.02785 AMH HOME- PI \$170.00 N2540.4000 Contractual \$170.00
To recognize Community Development program income from 169 Hillcrest, Amherst.

A8023.02785 NYS HCR- PI \$895.00 A8023.4090 Professional Svcs \$895.00
To recognize repayment of pre-development costs expended on 182 Lafayette Blvd.

N2544.02785 CHEEK HOME- PI \$29,970.00 N2544.4000 Contractual \$29,970.00
 N2549.02785 CHEEK HOME Admin- PI \$3,330.00 N2549.4003 10% Admin \$3,330.00
To recognize Community Development program income from 16 Wallace, Cheektowaga.

N2550.02785 TON HOME-PI \$40,707.00 N2550.4000 Contractual \$40,707.00
 N2553.02785 TON HOME ADMIN- PI \$4,523.00 N2553.4003 10% Admin \$4,523.00
To recognize Community Development program income from 62 Conant, Tonawanda.

KP2402.05031 Online Permit- Transfer In \$50,000.00 KP2402.2130 Computer Equipment \$50,000.00
To recognize revenue transferred from general to KP.

N0001.20092 CDBG Income 26/27 \$614,310.00 See attached detail \$614,310.00
 N0001.20093 Amherst HOME 26/27 \$349,802.42 See attached detail \$349,802.42
 N0001.20094 Cheektowaga HOME 26/27 \$262,351.81 See attached detail \$262,351.81
 N0001.20095 Tonawanda HOME 26/27 \$262,351.81 See attached detail \$262,351.81
To setup 2026 / 2027 CDBG and HOME budget amounts, pending release of funds from HUD.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

G. CONTRACT COMPLIANCE:

1. Resolution 2026-461

Reassignment of Bid #2024008 Town Wide Building Generator Maintenance Contract - CRS #6337

WHEREAS, the Town of Amherst entered into a contract with Emergency Power Systems LLC for Bid #2024028 Town Wide Building Generator Maintenance Services (Town Board Resolution #2024-657, CRS #4990); and

WHEREAS, Emergency Power Systems, LLC merged and was consolidated under the name Stark Tech Services, LLC;

NOW, THEREFORE, BE IT RESOLVED, that the above referenced contract is reassigned to Stark Tech Services, LLC for the remainder of the current contract, which expires on August 4, 2026.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

2. Resolution 2026-462

Award Bid #2026025 Police Vehicles - CRS #6343

WHEREAS, the Contract Compliance and Administration Department received bids on May 14, 2026 for Bid #2026025 Police Vehicles; and

WHEREAS, the bid process resulted in a response from six (6) vendors, as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Van Bortel Ford, including the trade in of the vehicles listed in the attached 2026 Trades table; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Van Bortel Ford; and

BE IT FURTHER RESOLVED, that approval is pending successful completion of the Contract Routing System due to the long lead time and the fact that the vehicles have to be ordered from the factory.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

H. COURT:**I. ECONOMIC DEVELOPMENT:****J. EMERGENCY SERVICES:****K. ENGINEERING SERVICES:****L. FINANCE:****M. HIGHWAY****1. Resolution 2026-463****Authorize Payment to D&W Diesel and Electric**

WHEREAS, due to a miscommunication between the Highway Department and D&W Diesel and Electric, Highway ordered an item not under contract, and

WHEREAS, a rebuilt Duetz stump grinder engine for the machinery section was ordered and received, and

WHEREAS, Funding is available under D5130-2600 (\$8,954.65) and A7110-4240 (\$115.27), and

NOW, THEREFORE BE IT RESOLVED, that the Amherst Town Board authorizes the payment of \$9,069.92, via Purchase Order Number 25-20747 to D&W Diesel and Electric.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

N. HUMAN RESOURCES:**1. Resolution 2026-464****Assistant Planner/Planning Department**

Please appoint an Assistant Planner to the Planning Department. Provisional, pending satisfactory completion of a Civil Service Examination. Effective June 9, 2026 at an annual

salary of \$68,778, Grade 13, Step F.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

2. Resolution 2026-465**Maternity Leave Without Pay**

Please authorize a Maternity Leave Without Pay to an employee in the Supervisor's Office. Effective July 13, 2026 through September 1, 2026.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

O. INFORMATION TECHNOLOGY:**P. PLANNING:****1. Resolution 2026-466****Engraving the Names of Veterans on the Veterans Memorial**

WHEREAS, the Town of Amherst Town Board established the Town of Amherst Veterans Memorial in 2011, and

WHEREAS, the names of Veterans are engraved on the Memorial at the request of veterans or their families, and a fee of \$200 is charged per name that includes \$150 for engraving with the remaining amount deposited into a Trust Account for repairs and maintenance, and

WHEREAS, currently the Town of Amherst has received 35 applications for names to be added to the Memorial this year, and

WHEREAS, the Town of Amherst has Leon Komm and Sons under contract to engrave the names of the Veterans at \$150 per name in 2026, now

THEREFORE BE IT RESOLVED, that the Amherst Town Board hereby authorizes the Planning Department to use funds from the Veterans Memorial Trust Account T-4017-4002 for the purpose of engraving veterans names on the Amherst Veterans Memorial in an amount not to exceed \$10,000.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

2. Resolution 2026-467

**Set Public Hearing Date - Text Amendment to Chapter 203 (Zoning)
Battery Energy Storage System Storage (BESS)**

Please schedule a public hearing for your regular meeting of July 6, 2026 to amend Chapter 203 (Zoning) of the Code of the Town of Amherst creating a new section establishing regulations for the establishment of Battery Energy Storage Systems (BESS).

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

Q. POLICE:

R. SENIOR SERVICES:

S. SEWER/PLANT 16:

T. YOUTH AND RECREATION:

XIV. UNFINISHED BUSINESS

XV. COMMUNICATIONS

1. Communication 2026-55

Notice of Claim: Justin Clareus Vs. Town of Amherst

6/8/2026

A motion to refer to the Town Attorney was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	REFERRED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

2. Communication 2026-56

Notice of Claim: Michael Ide Vs. Town of Amherst

6/8/2026

A motion to refer to the Town Attorney was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	REFERRED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

XVI. PUBLIC IMPROVEMENT PERMITS**XVII. EXECUTIVE SESSION**

Employment History of Particular Person(s)

Proposed, Pending and Current Litigations(s)

Proposed Sale of Real Property When Publicity Might Affect Value

Attorney Client Privileged

At 3:59 PM, Supervisor Lavin moved to adjourn to Executive Session, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. At 4:42 PM, a motion to exit the Executive Session was made by Supervisor Lavin, seconded by Councilmember Davis and unanimously approved 5-0.

XVIII. ADJOURNMENT

The Town Board meeting of June 8, 2026 was adjourned at 4:42 PM.


Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Councilmembers
 Initiated by: **Michael Szukala**
 Co-Sponsored by:

DOC ID: 31917

RESOLUTION 2026-455
ADOPTED

Set Public Hearing Date – Removal of Parking Restriction on Coronation Drive Between Hartford Road and Rosemont Drive

Please schedule a public hearing for July 27, 2026 regarding the proposed removal of the parking restriction on the east side of Coronation Drive between Hartford Road and Rosemont Drive.

“The parking restriction on the east side of Coronation Drive between Hartford Road and Rosemont Drive is hereby rescinded.”

6/8/2026

A motion to approve was made by Councilmember Szukala, seconded by Supervisor Lavin and unanimously approved 5-0.

FINANCIAL IMPACT:

None for public hearing.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Szukala, Councilmember
SECONDER:	Shawn Lavin, Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh



Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Councilmembers
 Initiated by: **John B. Davis**
 Co-Sponsored by:

DOC ID: 31918

RESOLUTION 2026-456

ADOPTED

Amherst Community Diversity Commission Appointment

WHEREAS, the purpose of the Amherst Community Diversity Commission (ACDC) is to enhance and increase cooperation, understanding, and dialogue among residents of diverse cultural, religious, socio-economic and racial backgrounds, and to promote inclusion throughout the town; and

WHEREAS, the ACDC has a maximum roster of 15 members, with the Supervisor and each Councilmember personally appointing up to three individual members who shall serve a two year term; and

WHEREAS, Cheryl Terranova expressed interest in serving on the ACDC;

NOW, THEREFORE, BE IT RESOLVED, that the Amherst Town Board appoints Cheryl Terranova to the Amherst Community Diversity Commission, for a term to expire 12/31/2026.

6/8/2026

A motion to approve was made by Councilmember Davis, seconded by Supervisor Lavin and unanimously approved 5-0.

FINANCIAL IMPACT:

None.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John B. Davis, Councilmember
SECONDER:	Shawn Lavin, Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh



Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Town Board
 Initiated by: **John B. Davis**
 Co-Sponsored by:

DOC ID: 31912

RESOLUTION 2026-457

ROLL CALL VOTE (ADOPTED)

Request to Waive Sidewalks Regency Commons Subdivision (7 - 81 Birch Lane)

WHEREAS, on May 11, 2026 Regency Builders, LLC filed an application with the Amherst Planning Department requesting the waiver of the requirement to install sidewalks as part of an approved 18 lot realty subdivision known as Regency Commons, AND

WHEREAS, on July 23, 2024 the Amherst Planning Board approved a final plat for such realty subdivision with a condition that sidewalks be constructed along the proposed private roadway and along Klein Road consistent with the requirements of Chapter 204 (Subdivision Regulations), Section 3-2-4H of the Town Code, AND

WHEREAS, Regency Builders, LLC has constructed the public sidewalk along Klein Road, and does not desire to construct the sidewalks along the private roadway known as Birch Lane, AND

WHEREAS, pursuant to Chapter 83(Building Construction Administration), Part IX, Section 83-9-1 of the Town Code provides authority for the Planning Board or the Town Board to waive the requirements for the installation of sidewalks as part of a site plan or subdivision approval, AND

WHEREAS, Regency Builders, LLC when seeking approval of its realty subdivision did not request that the Planning Board waive the installation of sidewalks during its application for Sketch Plan approval, Preliminary Plat approval or Final Plat approval, AND

WHEREAS, the Town Engineering Services Division and the Planning Department have reviewed the proposed sidewalk waiver request and recommends its denial, AND

WHEREAS, this Board has reviewed the recommendations from both the Engineering Services Division and The Planning Department and agree with their findings, AND

WHEREAS, this Board believes that the original condition of the subdivision approval granted by the Planning Board requiring the installation of sidewalks is appropriate and should not be waived,

NOW THEREFORE BE IT RESOLVED that the request to waive sidewalks along Birch Lane by Regency Builders, LLC is hereby DENIED.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Davis and unanimously approved via Roll Call vote 5-0.

RESULT:	ROLL CALL VOTE (ADOPTED) [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	John B. Davis, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

MEMORANDUM

June 2, 2026

To: Honorable Town Board Members

From: Daniel C. Howard, AICP, Planning Director *DC*

Re: Sidewalk Waiver Request – 7-81 Birch Lane
SWW-2026-01- Regency Commons Subdivision

The petitioner's rationale for relief from the sidewalk requirement lacks merit and should be denied for the following reasons:

1. The subdivision was designed to accommodate sidewalks and construction of sidewalks was a condition of the Planning Board's final plat resolution of approval.
2. During the multiple stages of review and associated public hearings on the proposed realty subdivision the developer did not seek a waiver of sidewalks pursuant to section 4-7 of the subdivision regulations. Neither the developer nor his counsel objected to the condition of sidewalk installation during sketch plan approval, preliminary plat approval or final plat approval.
3. Chapter 204 (subdivision regulations), section 3-2-4H of the Code of the Town of Amherst establishes standards for sidewalks and pedestrian circulation. The construction plans approved for the realty subdivision are consistent with those standards and provide a plan for safe and convenient circulation within the subdivision and between the subdivision and the surrounding area.
4. The developer's condominium offering plan accepted by the New York State Attorney General's Office included a "Description of Common Areas and Facilities to Be Maintained By Patio Homes By Regency, LLC" and certified by Paul C. Case, P.E. for Greenman – Pedersen, Inc. The certification states that:

"There will be four (4) foot wide sidewalks along the eastern and western sides of Birch Lane connecting to the existing sidewalks along the northern right-of-way of Klein Road. A four foot wide sidewalk with ADA sidewalk ramps with warning fields will be installed along the east and west sides of Birch Lane along Klein Road".
(Pg. 161-162 Condominium Offering Plan Regency Commons Condominium)

June 2, 2026
 Page 2 -Sidewalk Waiver
 Birch Lane – Regency Commons Subdivision

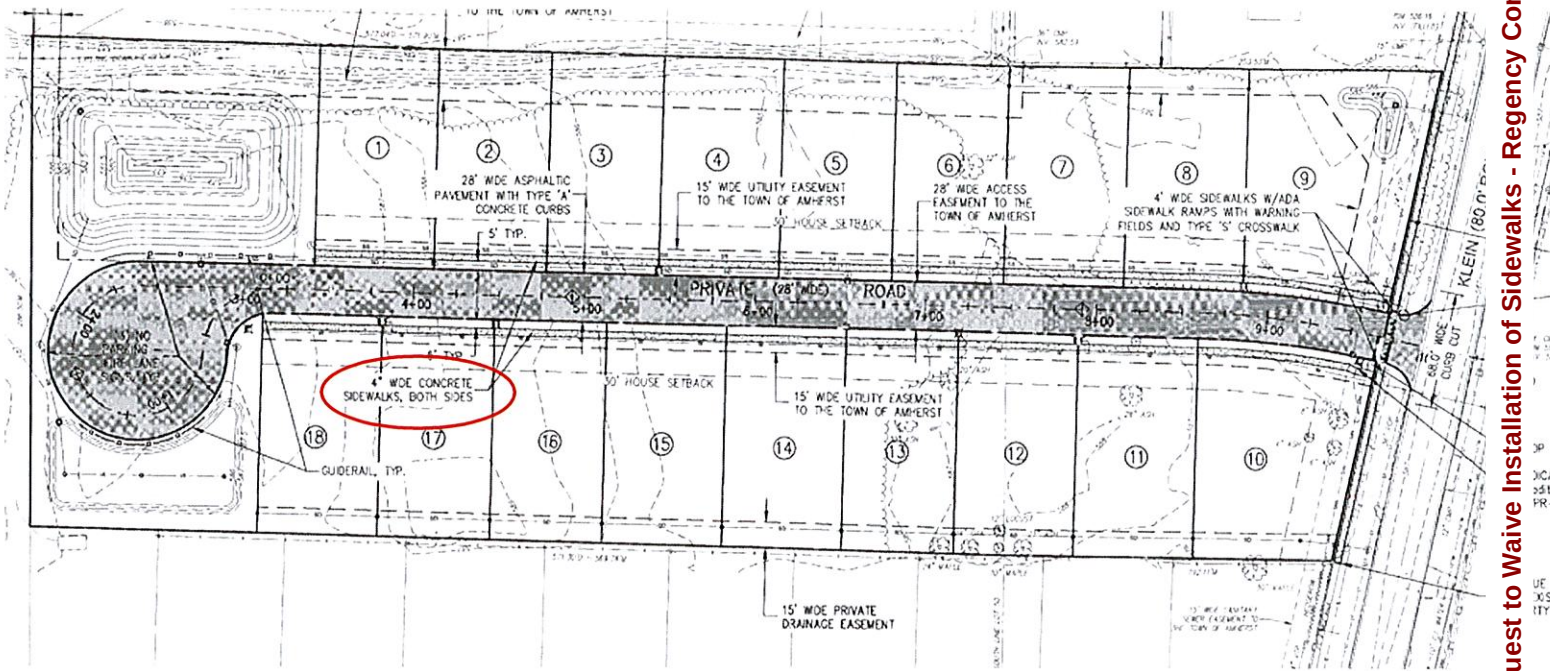
5. The same condominium plan accepted by the Attorney General’s Office included the approved construction plans prepared by Greenman – Pederson, Inc. showing the proposed sidewalks to be constructed along both sides of Birch Lane (see following page).
 (Pg. 174 Condominium Offering Plan Regency Commons Condominium)
6. The original construction plans include a sidewalk fronting each home (see plan excerpt). The homes constructed to date have a sidewalk constructed within each driveway, consistent with the approved plan. The photos below show the location of the sidewalk within each driveway. The photo on the left illustrates the location of the utility corridor (yellow lines) relative to the sidewalk location. It is noted that each home can accommodate cars parked on the driveway side-by-side without interfering with the designated walk location. The utilities constructed do not conflict with the designated location of the sidewalk. (see photos below).



7. Birch Lane is a private roadway, the Williamsville School District will not provide bus service for children on a private road as indicated in their review correspondence dated July 1, 2021 and August 26, 2022 (see attached). Waiving the Planning Board’s original requirement to provide sidewalks as originally designed and accepted by the developer, forces school aged children to walk in the roadway to the designated bus stop at the newly installed public walk along Klein Road (at the intersection of Birch Lane).
8. The Town’s Traffic Safety Coordinator has reviewed the petitioner’s current request for a sidewalk waiver and has recommended its denial as shown on the attached recommendation dated May 27, 2026.

A draft resolution to deny the waiver request is attached for your consideration.

June 2, 2026
 Page 3 -Sidewalk Waiver
 Birch Lane – Regency Commons Subdivision



Approved civil plans showing 4 foot concrete walks on both sides.

DU/du

https://amherstnyusgcc.sharepoint.com/sites/plndept/Shared Documents/Common/Current_Planning/Files/Sidewalk Waivers/SWW 2026/SWW-2026-01_4_Birch_Ln_2026/Birch Lane Sidewalk waiver.docx

cc: Building Department
 Planning Department
 Town Attorney

Attachment: SWW-2026-01 Memo to TB 060326 (RES-2026-457 : Request to Waive Installation of Sidewalks - Regency Commons Subdivision



TOWN OF AMHERST ENGINEERING DEPARTMENT

ENGINEERING SERVICES DIVISION

BRIAN J. ARMSTRONG – DIRECTOR OF ENGINEERING SERVICES

Memorandum

May 27, 2026

TO: Daniel C. Howard, AICP, Planning Director

FROM: Christopher P. Schregel – Project Manager

SUBJECT: Sidewalk Waiver Request - **SWW-2026-01**
Petitioner: Regency Builders LLC

LOCATION: 4 (7-81) Birch Lane

X SIDEWALK WAIVER IS**X DENIED FOR SUBLOTS 1-18**Recommendation:

The Engineering Department recommends that this sidewalk waiver request be denied for sublots 1 through 18. A four-foot-wide sidewalk is constructable in accordance with the approved design plan.

Note: Engineering Department review is solely based on constructability.

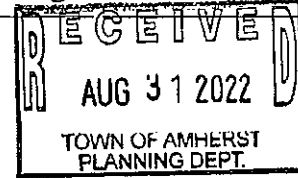
CPS/GJ/ch

Cc: Mark Burke, Commissioner of Building
Francina Spoth, Town Clerk
Steven Bengart, Town Attorney
Jeffery Burroughs, Town Engineer
Dan Ulatowski, Planning Department
Regency Builders LLC, PO Box 1454, Williamsville, NY 14221

Attachment: SWW-2026-01 Memo to TB 060326 (RES-2026-457 : Request to Waive Installation of Sidewalks - Regency Commons Subdivision



Thomas R. Matuski
 Assistant Superintendent for Finance & Management Services
 tmatuski@willamsvillek12.org



August 26, 2022

Daniel J. Ulatowski
 Assistant Planning Director
 Town of Amherst Planning Department
 5583 Main Street
 Williamsville, NY 14221

RE: PRELIMINARY PLAT REVIEW, **SUB-2021-01PP**, FOR A PROPOSED
 18-SUBLOT SUBDIVISION; PROPERTY LOCATED AT **166 KLEIN ROAD**.
 REGENCY BUILDERS, LLC, PETITIONER.

Dear Mr. Ulatowski:

The Williamsville Central School District has reviewed the site plans for this project. Please be advised that school bus transportation to this proposed development will be based on school board policy.

Sincerely,

Thomas R. Matuski
 Assistant Superintendent for Finance & Management Services

cc:

Sean Hopkins, Hopkins Sorgi & McCarthy, 5500 Main St, Ste 343, Williamsville, NY 14221
 Ken Zollitsch, Greenman-Pedersen Inc., 4950 Genesee St, Ste 100, Buffalo, NY 14225



Phone: (716) 626-8012
 Fax: (716) 626-8017



105 Casey Road,
 P.O. Box 5000, East Amherst, NY
 14051-5000



www.willamsvillek12.org
 @WCSD_K12
 @WCSDK12

Attachment: SWW-2026-01 Memo to TB 060326 (RES-2026-457 : Request to Waive Installation of Sidewalks - Regency Commons Subdivision



July 1, 2021

Ms. Ellen Kost
Associate Planning Director
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

RE: SKETCH PLAN REVIEW, SUB-2021-01-SK, FOR A PROPOSED; 18-LOT
SUBDIVISION; PROPERTY LOCATED AT 166 KLEIN ROAD. REGENCY
BUILDERS, LLC, PETITIONER.

Dear Ms. Kost:

The Williamsville Central School District has reviewed the plan regarding the proposed subdivision at 166 Klein Road and in response to the information presented, the district will follow the Board of Education policy regarding transportation and pick-up points. Per Board of Education policy, district buses do not travel on private roads; therefore, no bus services will be provided to this new development.

Sincerely,

Thomas R. Matuski
Assistant Superintendent for Finance & Management Services

TRM/lid

cc:

Scott Marshall, Principal Planner - smarshall@amherst.ny.us
Regency Builders LLC, 4899 Meyer Rd, Pendelton, NY 14120
Ken Zollitsch, Greenman=Pedersen Inc, 4950 Genesee Street, Ste 100, Buffalo, NY 14225



Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Town Attorney
 Initiated by: **Steven B. Bengart**
 Co-Sponsored by:

DOC ID: 31921

RESOLUTION 2026-458

ADOPTED

Set Public Hearing to Repeal Chapter 22 of the Code of the Town of Amherst (Freedom of Information)

AGENDA ITEM : JUNE 8TH, 2026

TO: Town Board

FROM: Steven B. Bengart, Esq., Town Attorney

DATE: June 3, 2026

RE: Set Public Hearing To Repeal Chapter 22 of the Code of the Town of Amherst (Freedom of Information)

Kindly adopt a resolution to set a Public Hearing for July 6, 2026 at 3:00 p.m. to repeal Local Law 3-2003.

The Town's Local Law is being repealed to allow for a less restrictive process to access government information. The Town will be governed by New York State Public Officers Law and a Town policy after repealing Chapter 22 of the Code of the Town of Amherst.

Thank you.

SBB:nmb

c: Tim Koller, Deputy Town Clerk (**Agenda Item : June 8, 2026**)

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Davis and unanimously approved 5-0.

FINANCIAL IMPACT:

None for the purposes of this resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	John B. Davis, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh


Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Town Clerk
 Initiated by: **Francina J. Spoth**
 Co-Sponsored by:

DOC ID: 31905

RESOLUTION 2026-459
ADOPTED

Authorization to Use T-Account Funds

The Town Clerk's Office respectfully requests approval to spend \$1,194.47 (plus shipping) from the Town Clerk's Preservation Fund (T3064 4002). These funds will be used to purchase shelving and a typewriter for the vital statistics department. The shelving will be purchased from Grainger and the typewriter will be purchased from Staples.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Davis and unanimously approved 5-0.

FINANCIAL IMPACT:

T3064-4002 Town Clerk Preservation Fund

\$854.48 Vital Statistics Shelving (plus shipping)

\$339.99 Vital Statistics Typewriter

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	John B. Davis, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh



Cart

Order Summary

Subtotal	\$854.48	Estimated Tax	N/A	Estimated Shipping	\$258.99
----------	-----------------	---------------	------------	--------------------	-----------------

Estimated Total \$1,113.47



HALLOWELL

Metal Shelving: Add-On, Medium-Duty, 36 in x 18 in, 84 in Overall Ht, 6 Shelves

Item # 1BLC2

Qty
1

Web Price
\$402.07 / each



Availability

Ships from supplier. Expected to arrive on or before **Tue. Jun 16**.
This item requires special shipping, additional charges may apply.



HALLOWELL

Metal Shelving: Starter, Medium-Duty, 36 in x 18 in, 84 in Overall Ht, 6 Shelves

Item # 1BLA2

Qty
1

Web Price
\$452.41 / each



Availability

Ships from supplier. Expected to arrive on or before **Tue. Jun 16**.
This item requires special shipping, additional charges may apply.

Products You Have Recently Viewed



HALLOWELL

Metal Shelving: Starter, Medium-Duty, 36 in x 18 in...

Item # 1BLA2

Web Price
\$452.41 / each

Qty
1

Add to Cart



HALLOWELL

Metal Shelving: Add-On, Medium-Duty, 36 in x 18 in...

Item # 1BLC2

Web Price
\$402.07 / each

Qty
1

Add to Cart



TENNSCO

Metal Shelving: Standalone, Light-Duty, 36 in x 18 in, 7...

Item # 39FM58

Web Price
\$268.77 / each

Qty
1

Add to Cart



APPROVED VENDOR

Metal Shelving: Stand Industrial, 36 in x 18 in

Item # 852F21

Web Price
\$196.30 / each

Qty
1

Add to Cart





May 22, 2026

Shipping & Delivery

Ashley Brownson
TOWN OF AMHERST
TOWN OF AMHERST (NYS)
5583 MAIN ST
Town Clerk's Office
WILLIAMSVILLE, NY 14221 USA
716-631-7048

Accounting

Budget Center
Not specified

Purchase Order
Not specified

PO Release
Not specified

Payment

Credit card
Visa
XXXX-XXXX-XXXX-3569

Expiration date
07/2027

Order Summary

Items (1)	\$339.99
Pretax subtotal	\$339.99
Total	\$339.99

1 item in cart

Delivery



Royal Consumer Scriptor Electric Typewriter, White (ROYAL TYPEWRITE)
Item #: 2604742 | MFR Item #: 69149V

Business price (1/EA)	\$339.99
1 @ \$339.99	\$339.99

Attachment: Vital Statistics Typewriter (RES-2026-459 : Authorization to Use T-Account Funds)



Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Comptroller
 Initiated by: **Jennifer M. Adams**
 Co-Sponsored by:

DOC ID: 31911

RESOLUTION 2026-460

ADOPTED

Budget Transfers and Amendments

For June 8, 2026 Town Board Agenda

To: Town Board
 From: Office of Town Comptroller
 Date: 6/3/2026
 Re: Various Department Budget Transfers / Amendments

I have received the following request(s) requiring budget transfers and / or amendments. Based on my review, I ask that the Town Board approve the following list;

BUDGET TRANSFERS – 2026

DECREASE:

A1990.4000 Contingency \$5,000.00

To transfer funds out of contingency for central alarm radio equipment repairs.

A1310.4110 Comptroller- Contractual \$50,000.00

To transfer funds out of contractual into KP2402 to properly account for building permit software.

INCREASE

A3020.4000 Contractual \$5,000.00

A1310.9000 Interfund Transfers \$50,000.00

BUDGET AMENDMENTS – 2026

INCREASE:

N0284.02785 Princeton- PI \$3,900.00

To recognize Community Development program income from repayment of prairie ponds.

N2540.02785 AMH HOME- PI \$170.00

To recognize Community Development program income from 169 Hillcrest, Amherst.

A8023.02785 NYS HCR- PI \$895.00

To recognize repayment of pre-development costs expended on 182 Lafayette Blvd.

N2544.02785 CHEEK HOME- PI \$29,970.00

N2549.02785 CHEEK HOME Admin- PI \$3,330.00

To recognize Community Development program income from 16 Wallace, Cheektowaga.

N2550.02785 TON HOME-PI \$40,707.00

N2553.02785 TON HOME ADMIN- PI \$4,523.00

To recognize Community Development program income from 62 Conant, Tonawanda.

KP2402.05031 Online Permit- Transfer In \$50,000.00

To recognize revenue transferred from general to KP.

N0284.4000 Contractual \$3,900.00

N2540.4000 Contractual \$170.00

A8023.4090 Professional Svcs \$895.00

N2544.4000 Contractual \$29,970.00

N2549.4003 10% Admin \$3,330.00

N2550.4000 Contractual \$40,707.00

N2553.4003 10% Admin \$4,523.00

KP2402.2130 Computer Equipment \$50,000.00

N0001.20092 CDBG Income 26/27 \$614,310.00

N0001.20093 Amherst HOME 26/27 \$349,802.42

N0001.20094 Cheektowaga HOME 26/27 \$262,351.81

N0001.20095 Tonawanda HOME 26/27 \$262,351.81

To setup 2026 / 2027 CDBG and HOME budget amounts, pending release of funds from HUD.

See attached detail \$614,310.00

See attached detail \$349,802.42

See attached detail \$262,351.81

See attached detail \$262,351.81

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

FINANCIAL IMPACT:

See above.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

Town of Amherst
2026 - 2027 N Fund Budget Amendment

		<u>Increase</u>	<u>Increase</u>
N0001.20092	CDBG Income 26/27	614,310.00	
N2620.4000	CDBG Stabilization Rehab Vg Section House		43,002.00
N2621.4000	CDBG Housing Rehabilitation		64,808.00
N2623.4000	CDBG & Vg. Program Income		-
N2624.1000	CDBG Payroll - Personal Services		45,514.38
N2624.1300	CDBG Payroll - Longevity		720.00
N2624.4050	CDBG Payroll - Mileage		18.00
N2624.8030	CDBG Payroll - FICA		3,535.73
N2624.8010	CDBG Payroll - Retirement		5,064.46
N2624.8050	CDBG Payroll - Health Insurance		7,846.90
N2624.8051	CDBG Payroll - Dental		270.43
N2624.8052	CDBG Payroll - Vision		30.10
N2625.1000	CDBG Admin Staff & Fringe - Personal Services		50,816.52
N2625.1300	CDBG Admin Staff & Fringe - Longevity		2,295.00
N2625.4050	CDBG Admin Staff & Fringe - Mileage		35.00
N2625.8030	CDBG Admin Staff & Fringe - FICA		4,081.23
N2625.8010	CDBG Admin Staff & Fringe - Retirement		15,966.92
N2625.8050	CDBG Admin Staff & Fringe - Health Insurance		22,479.94
N2625.8051	CDBG Admin Staff & Fringe - Dental		750.29
N2625.8052	CDBG Admin Staff & Fringe - Vision		75.10
N2626.4010	CDBG Office Expenses		500.00
N2627.4000	CDBG Public Information Advertising		2,000.00
N2628.4000	CDBG Lead Based Paint Testing / Clearance		-
N2629.4000	CDBG Weatherization Services		12,000.00
N2630.1000	CDBG-PI Admin Staff & Fringe- Personnel Services		-
N2630.8030	CDBG-PI Admin Staff & Fringe- FICA		-
N2631.4000	CDBG Meals on Wheels - Cook		45,000.00
N2632.4000	Child & Family Services of Erie County (Haven House)		25,000.00
N2633.4000	CDBG ASTS Senior Van		-
N2634.4000	CDBG HOME Fair Housing Counseling		12,500.00
N2635.4000	CDBG Belmont Housing Counseling Services		20,000.00
N2636.4000	CDBG Center For Elder Law & Justice		20,000.00
N2637.4000	CDBG Public Infrastructure		210,000.00

Total CDBG Budget	614,310.00	614,310.00
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To set up 2026 - 2027 CDBG Budget.

N0001.20093	Amherst Home 25/26	349,802.42	
N2640.4000	Amherst Home Housing Rehab		-
N2641.4000	Amherst Homebuyer Assistance		150,000.00
N2642.4000	Amherst Acquisition/New Construction/Rehab		-
N2654.1000	Amherst Home Admin - Personal Services		51,150.34
N2654.1300	Amherst Home Admin - Longevity		1,835.00
N2654.4050	Amherst Home Admin - Mileage		27.00

Attachment: N Fund 2026-2027 resolution (RES-2026-460 : Budget Transfers and Amendments)

N2654.8030	Amherst Home Admin - FICA	4,089.90
N2654.8010	Amherst Home Admin - Retirement	14,928.74
N2654.8050	Amherst Home Admin - Health Insurance	14,865.53
N2654.8051	Amherst Home Admin - Dental	501.84
N2654.8052	Amherst Home Admin - Vision	52.25
N2655.4000	Amherst Home Rental Subsidy	112,351.82

349,802.42	349,802.42
------------	------------

To set up 2026 - 2027 Amherst Home Budget.

N0001.20094	Cheektowaga Home 25/26	262,351.81
N2644.4000	Cheektowaga Home Housing Rehabilitation	130,595.81
N2646.4000	Cheektowaga Acquisition New Construction	131,756.00
N2649.4003	Cheektowaga HOME Administration	

262,351.81	262,351.81
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To set up 2026 - 2027 Cheektowaga Home Budget.

N0001.20095	Tonawanda Home 25/26	262,351.81
N2650.4000	Tonawanda Home Housing Rehab	262,351.81
N2653.4003	Tonawanda HOME Administration	

262,351.81	262,351.81
------------	------------

To set up 2026 - 2027 Tonawanda Home Budget.

Total Home Budget	874,506.04	874,506.04
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Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Contract Compliance
 Initiated by: **Lynda Juul**
 Co-Sponsored by:

DOC ID: 31913

RESOLUTION 2026-461

ADOPTED

Reassignment of Bid #2024008 Town Wide Building Generator Maintenance Contract - CRS #6337

WHEREAS, the Town of Amherst entered into a contract with Emergency Power Systems LLC for Bid #2024028 Town Wide Building Generator Maintenance Services (Town Board Resolution #2024-657, CRS #4990); and

WHEREAS, Emergency Power Systems, LLC merged and was consolidated under the name Stark Tech Services, LLC;

NOW, THEREFORE, BE IT RESOLVED, that the above referenced contract is reassigned to Stark Tech Services, LLC for the remainder of the current contract, which expires on August 4, 2026.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

FINANCIAL IMPACT:

Town Wide; Various Accounts; Amount TBD

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh



Stark Tech Services, LLC, a Stark Tech® Business
2100 Wehrle Drive Buffalo, NY 14221 | 716.693.4490 | Starktech.com

May 22, 2026

Town of Amherst
Amherst Municipal Building
5583 Main Street
Williamsville, NY 14221

Re: Emergency Power Systems, LLC
Bid # 2024028 – Town Wide Building Generator Maintenance

Dear Sir/Madam:

Please let this letter serve to confirm that the contract awarded in connection with the above-referenced Bid has been assigned by Emergency Power Systems, LLC to its parent entity, Stark Tech Services, LLC. Stark Tech Services, LLC hereby agrees to abide by the terms of the original Contract referenced above. We would appreciate if you would note this Assignment in your records.

Should you have any questions, or require additional information, please do not hesitate to contact the undersigned.

Very truly yours,

Stark Tech Services, LLC

A handwritten signature in blue ink, appearing to read 'R. Beckman', written over a horizontal line.

By: Robert Beckman
Its: Manager

Total Optimization.




Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Contract Compliance
 Initiated by: **Lynda Juul**
 Co-Sponsored by:

DOC ID: 31916

RESOLUTION 2026-462
ADOPTED

Award Bid #2026025 Police Vehicles - CRS #6343

WHEREAS, the Contract Compliance and Administration Department received bids on May 14, 2026 for Bid #2026025 Police Vehicles; and

WHEREAS, the bid process resulted in a response from six (6) vendors, as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Van Bortel Ford, including the trade in of the vehicles listed in the attached 2026 Trades table; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Van Bortel Ford; and

BE IT FURTHER RESOLVED, that approval is pending successful completion of the Contract Routing System due to the long lead time and the fact that the vehicles have to be ordered from the factory.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

FINANCIAL IMPACT:

KP2618-2200; \$377,378 (includes the purchase of (6) 2026 vehicles and (1) 2027 vehicle from Line Item #1 and (4) 2026 vehicles from Line Item #2)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

Bid #2026025 Police Vehicles																
Low Bidder		Vendor Name:	C. Basil Ford		TT of FD Haverhill dba Autofair Ford of Haverhill		Van Bortel Ford (2026 Models)		Van Bortel Ford (2027 Models)		Myers Auto Group		Davidson Ford		Delacy Ford	
Item #	U/M		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	6	2026 or Newer Ford Police Interceptor Utility AWD (LK Dark Blue) (Non Hybrid)	\$50,291.54	\$301,749.24	\$47,379.00	\$284,274.00	\$47,338.00	\$284,028.00	\$48,338.00	\$290,028.00	\$50,972.00	\$305,832.00	\$47,987.70	\$287,926.20	\$46,200.00	\$277,200.00
2	4	2026 or Newer Ford Police Interceptor Utility AWD (Non-Hybrid) Detective Color: TBD at time of order	\$48,250.07	\$193,000.28	\$45,398.00	\$181,592.00	\$45,328.00	\$181,312.00	\$46,328.00	\$185,312.00	\$49,062.00	\$196,248.00	\$46,457.09	\$185,828.36	\$44,300.00	\$177,200.00
		Total Trade-In Value (Enter individual trade-in values in the table on page 8 and total of all trade-ins here)		-\$76,000.00		-\$90,800.00		-\$136,300.00		-\$136,300.00		-\$31,000.00		-\$127,600.00		-\$47,500.00
		Total Net Bid (minus trade-in)		\$418,749.52		\$375,066.00		\$329,040.00		\$339,040.00		\$471,080.00		\$346,154.56		\$406,900.00
		Estimated lead time between order and delivery:	6-7 Months		120 Days		90-180 Days		8-11+ months		18 Weeks		60-90 Days upon receipt of PO		Delivery 1st Quarter of 2027	
		Price quoted to be delivered price. No additional freight will be allowed.														
		NO ADDITIONAL CHARGES WILL BE ALLOWED														
NOTES:																
Davidson Ford of Clay, Inc. noted 2027 as the model year for their bid.																
TT of FD Haverhill: Trades valued with an additional 3,000 miles per vehicle. All trades subject to adjustment of \$0.20 per mile over the 3,000 mile allotment. See additional notes re: trades and equipment on letter submitted with bid.																
Van Bortel Ford: Police requested one (1) additional 2027 Police Interceptor Utility (Item #1) at a price of \$48,338, which changes the Net Bid total to \$377,378 .																
USER NOTES:																

2026 Trades											
				Vendor:		C. Basil Ford	AutoFair Ford of Haverhill	Van Bortel Ford	Myers Auto	Davidson Ford	Delacy Ford
CAR #	YEAR	MAKE	MODEL	VIN #	Mileage	Trade in Amount	Trade in Amount	Trade in Amount	Trade in Amount	Trade in Amount	Trade in Amount
104	2023	FORD	EXPLORER	1FM5K8AB7PGA03506	122,200	\$6,000.00	\$8,700.00	\$13,200.00	\$3,500.00	\$9,500.00	\$4,000.00
105	2024	FORD	EXPLORER	1FM5K8ABXRGA50631	122,252	\$7,500.00	\$7,000.00	\$14,200.00	\$3,500.00	\$13,500.00	\$4,000.00
107	2024	FORD	EXPLORER	1FM5K8AB4RGA50897	114,084	\$8,000.00	\$7,300.00	\$14,200.00	\$3,500.00	\$13,500.00	\$4,000.00
109	2025	FORD	EXPLORER	1FM5K8AB7SGA57624	74,210	\$12,500.00	\$14,000.00	\$20,200.00	\$4,500.00	\$22,500.00	\$6,500.00
110	2025	FORD	EXPLORER	1FM5K8AB7SGA57641	107,710	\$10,000.00	\$11,000.00	\$19,200.00	\$4,000.00	\$21,000.00	\$5,000.00
111	2025	FORD	EXPLORER	1FM5K8AB5SGA57444	80,325	\$8,500.00	\$12,000.00	\$20,200.00	\$4,500.00	\$22,500.00	\$6,500.00
117	2023	FORD	EXPLORER	1FM5K8AB8PGA06849	90,557	\$7,500.00	\$11,500.00	\$14,200.00	\$4,000.00	\$11,000.00	\$4,500.00
125	2017	FORD	TAURUS	1FAHP2MK9HG126355	105,271	\$3,000.00	\$3,400.00	\$3,200.00	\$500.00	\$2,000.00	\$2,000.00
135A	2017	FORD	TAURUS	1FAHP2MK0HG126356	88,700	\$3,000.00	\$3,900.00	\$4,500.00	\$500.00	\$2,000.00	\$2,000.00
138	2017	FORD	TAURUS	1FAHP2MK4HG126358	85,575	\$3,000.00	\$3,900.00	\$4,500.00	\$500.00	\$2,000.00	\$2,000.00
163	2019	FORD	EXPLORER	1FM5K8AR2GGA04379	105,198	\$2,000.00	\$2,600.00	\$3,200.00	\$500.00	\$2,600.00	\$2,000.00
167	2017	FORD	EXPLORER	1FM5K8AR5HGC90360	48,761	\$5,000.00	\$5,500.00	\$5,500.00	\$1,500.00	\$5,500.00	\$5,000.00
					TOTAL	\$76,000.00	\$90,800.00	\$136,300.00	\$31,000.00	\$127,600.00	\$47,500.00



Amherst Town Board

5583 Main Street
 Williamsville, NY 14221
www.amherst.ny.us

Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Highway
 Initiated by: **Ross Schultz**
 Co-Sponsored by:

DOC ID: 31919

RESOLUTION 2026-463

ADOPTED

Authorize Payment to D&W Diesel and Electric

WHEREAS, due to a miscommunication between the Highway Department and D&W Diesel and Electric, Highway ordered an item not under contract, and

WHEREAS, a rebuilt Duetz stump grinder engine for the machinery section was ordered and received, and

WHEREAS, Funding is available under D5130-2600 (\$8,954.65) and A7110-4240 (\$115.27), and

NOW, THEREFORE BE IT RESOLVED, that the Amherst Town Board authorizes the payment of \$9,069.92, via Purchase Order Number 25-20747 to D&W Diesel and Electric.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

FINANCIAL IMPACT:

Funds taken from D5130-2600 and A7110-4240

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh



Amherst Town Board

5583 Main Street
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Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Human Resources
 Initiated by: **Robert McCarthy**
 Co-Sponsored by:

DOC ID: 31909

RESOLUTION 2026-464

ADOPTED

Assistant Planner/Planning Department

Please appoint an Assistant Planner to the Planning Department. Provisional, pending satisfactory completion of a Civil Service Examination. Effective June 9, 2026 at an annual salary of \$68,778, Grade 13, Step F.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh


Amherst Town Board

5583 Main Street
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Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Human Resources
 Initiated by: **Robert McCarthy**
 Co-Sponsored by:

DOC ID: 31910

RESOLUTION 2026-465
ADOPTED

Maternity Leave Without Pay

Please authorize a Maternity Leave Without Pay to an employee in the Supervisor's Office.
 Effective July 13, 2026 through September 1, 2026.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh



Amherst Town Board

5583 Main Street
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Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Planning
 Initiated by: **Dan Howard**
 Co-Sponsored by:

DOC ID: 31908

RESOLUTION 2026-466

ADOPTED

Engraving the Names of Veterans on the Veterans Memorial

WHEREAS, the Town of Amherst Town Board established the Town of Amherst Veterans Memorial in 2011, and

WHEREAS, the names of Veterans are engraved on the Memorial at the request of veterans or their families, and a fee of \$200 is charged per name that includes \$150 for engraving with the remaining amount deposited into a Trust Account for repairs and maintenance, and

WHEREAS, currently the Town of Amherst has received 35 applications for names to be added to the Memorial this year, and

WHEREAS, the Town of Amherst has Leon Komm and Sons under contract to engrave the names of the Veterans at \$150 per name in 2026, now

THEREFORE BE IT RESOLVED, that the Amherst Town Board hereby authorizes the Planning Department to use funds from the Veterans Memorial Trust Account T-4017-4002 for the purpose of engraving veterans names on the Amherst Veterans Memorial in an amount not to exceed \$10,000.

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

The proposed expenditures will have no fiscal impact to the Town as the funds have or will have been deposited into Trust Account T-4017-4002 prior to the engraving. Each name will cost no more than \$150.00 to engrave in 2026 as per the contract with Leon Komm and Sons (CRS #5812 / RES 2025-837). The expenditures should not exceed \$10,000 for the current fiscal year.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh


Amherst Town Board

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Francina J. Spoth
 Town Clerk

Meeting: 06/08/26 03:00 PM
 Department: Planning
 Initiated by: **Daniel J. Ulatowski**
 Co-Sponsored by:

DOC ID: 31915 A

RESOLUTION 2026-467
ADOPTED

Set Public Hearing Date - Text Amendment to Chapter 203 (Zoning) Battery Energy Storage System Storage (BESS)

Please schedule a public hearing for your regular meeting of July 6, 2026 to amend Chapter 203 (Zoning) of the Code of the Town of Amherst creating a new section establishing regulations for the establishment of Battery Energy Storage Systems (BESS).

6/8/2026

A motion to approve was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

FINANCIAL IMPACT:

no financial impact

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh



Amherst Town Board

5583 Main Street
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Francina J. Spoth
Town Clerk

Meeting: 06/08/26 03:00 PM
Department: Town Clerk
DOC ID: 31904

15.1

COMMUNICATION 2026-55

REFERRED

Notice of Claim: Justin Clareus Vs. Town of Amherst

6/8/2026

A motion to refer to the Town Attorney was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	REFERRED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh



Amherst Town Board

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15.2

Francina J. Spoth
Town Clerk

Meeting: 06/08/26 03:00 PM
Department: Town Clerk
DOC ID: 31906

COMMUNICATION 2026-56

REFERRED

Notice of Claim: Michael Ide Vs. Town of Amherst

6/8/2026

A motion to refer to the Town Attorney was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	REFERRED [UNANIMOUS]
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh