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, July 6, 2026 | **3:00 PM** | **Amherst Municipal Building**

I. IN MEMORY

II. INVOCATION

Deputy Supervisor Marinucci

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL:

3:00 PM Meeting called to order on July 6, 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	
Daniel J. Ulatowski	Town of Amherst	Assistant Planning Director/ZEO	Present	
Steven E. Floss	Town of Amherst	Highway Superintendent	Present	
Emily Murphy	Town of Amherst	Assessor	Present	
Jeffrey S. Burroughs	Town of Amherst	Town Engineer	Present	

V. MINUTES APPROVAL

1. Monday, June 22, 2026

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

VI. PROCLAMATIONS AND ANNOUNCEMENTS

Amherst Garden Walk

Amherst Youth & Rec Summer Concert Series & Free Outdoor Movies Friday Nights

Recognizing Employee Retirement

VII. COUNCILMEMBER RESOLUTIONS

A. SUPERVISOR LAVIN:

B. DEPUTY SUPERVISOR MARINUCCI:

C. COUNCILMEMBER SZUKALA:

D. COUNCILMEMBER DAVIS:

E. COUNCILMEMBER KAVANAUGH:

VIII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

1. Resolution 2026-504

Proposed Text Amendment - Local Law to Amend Chapter 203 - New Section to Regulate Battery Energy Storage Systems

A public hearing with regards to a proposed text amendment - new section to regulate Battery Energy Storage Systems (BESS).

7/6/2026
A motion to open the public hearing was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0. The public hearing was opened at 3:05 PM.

Dan Ulatowski, Assistant Planning Director and Greg Dionne, Assistant Planner, presented.

The following residents spoke:
Don Smith, 201 N Long St
Jane Cox, 4584 Harlem Rd
Tasha Holland, 19 Huxley Dr

There were no further speakers from the public, therefore Supervisor Lavin moved to adjourn the hearing and set a decision date for the July 27th meeting, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. The public hearing was adjourned at 3:40 PM.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 7/27/2026 7:00 PM**
MOVER:	Shawn Lavin, Supervisor	
SECONDER:	Angela Marinucci, Deputy Supervisor	
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh	

2. Resolution 2026-475

Boulevard Central District Supplemental Draft Generic Environmental Impact Statement

A public hearing on the Boulevard Central District (BCD) Supplemental Draft Generic Environmental Impact Statement (SDGEIS).

6/22/2026
A motion to open the public hearing was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. The public hearing was opened at 7:43 PM.

Kim Amplement, Senior Planner, presented.

There were no speakers from the public, therefore Supervisor Lavin moved to adjourn and keep the hearing open, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. The public hearing was adjourned at 7:53 PM.

7/6/2026
There were no speakers from the public, therefore Supervisor Lavin moved to close the hearing, seconded by Councilmember Davis and unanimously approved 5-0. The public hearing was closed at 3:42 PM.

RESULT:	**HEARING CLOSED**

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 <u>comment</u> on matters involving Amherst other than those pertinent to Public Hearings that day. <u>Speakers will be limited to 3 minutes.</u>

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 3:43 PM.

The following speakers addressed the Town Board:

Carmen Vella, 1380 Maple Rd – Gambling at the Senior Center
John Jacobs, 19 Huxley Dr - Sidewalks
Robert Sommer, 336 N Ellicott Creek Rd - Gambling at the Senior Center
Leonard Ciappa, 204 Lawnwood Dr - Gambling at the Senior Center
Jane Cox, 4584 Harlem Rd - Resolution 2026-527
Samuel Austin, 3902 Ridge Lea Rd - Gambling at the Senior Center
Gus Toplenszky, 70B Foxberry Dr - Gambling at the Senior Center
Terese Barry, 110 Thistle Lea - No Flag at Bassett Park
Don Smith, 201 N Long St - Agenda information & Senior Center
Ryan Lynch, 198 Walton Dr – Sidewalks

There were no further speakers from the public, therefore Supervisor Lavin moved to close Public Expression, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. Public Expression was closed at 4:12 PM.

XII. CONSENT AGENDA

XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS

A. TOWN ATTORNEY:

1. Resolution 2026-505

Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000)

AGENDA ITEM : JULY 6TH, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Land Acquisition – Parcels Located At 218 and 330 Maple Road Amended Bond Resolution - $1,650,000**

The above bond resolution was adopted in December 2024 in the amount of $5.9M with a Period of Probably Usefulness (PPU) of 5 years. Since that time, the Town has sold a portion of 300 Maple Road. The Town did not borrow based on the original authorization.

In this regard, kindly take the following action with respect to the above bond request:

(1) Adopt the attached bond resolution authorizing the issuance of $1,650,000.00 in serial bonds for the above-referenced Town improvement. The PPU will now be 20 years.

The adoption of the bond resolution does not require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Thank you.

SBB:nmb
Attachment
c: Tim Koller, Deputy Town Clerk (**Agenda Item : July 6, 2026**)
Lynda Juul, Director of Finance (*w/attachments*)
Michael R. Grela, Comptroller (*w/attachments*)

7/6/2026
Supervisor Lavin made a motion to adopt the Bond resolution, seconded by Deputy Supervisor Marinucci and unanimously approved via Roll Call vote 5-0.

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

2. Resolution 2026-506

Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution - $300,000)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Casey Road Pedestrian and Bicycle Safety Improvements – Ph. 2**
2026-2031 C.I.P. - Project No. E-5
Supplemental Bond Resolution - $300,000

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR Negative Declaration - Notice of Determination of Non-Significance for the above project as determined by the Town of Amherst Planning Department and authorize the Supervisor to execute the same; and

(2) Adopt the attached bond resolution authorizing the issuance of $300,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does not require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SBB:nmb
Attachments
c: Tim Koller, Deputy Town Clerk (*w/attachments*, **Agenda Item – July 6, 2026**)
Michael R. Grela, Comptroller (*w/attachments*)
Lynda Juul, Director of Finance (*w/attachments*)
Dan Ulatowski, AICP, Assistant Planning Director/ZEO (*w/attachments*)
Dan Howard, Director of Planning (*w/attachments*)
Brian J. Armstrong, Engineering Services Administrator (*w/attachments*)
Christopher P. Schregel, Project Manager (*w/attachments*)

7/6/2026
Supervisor Lavin made a motion to approve the SEQR determination, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. Supervisor Lavin made a motion to adopt the Bond resolution, seconded by Deputy Supervisor Marinucci and unanimously approved via Roll Call vote 5-0.

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

3. Resolution 2026-507

Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Klein Road Corridor Transportation Improvements – Phase 2**
Bond Resolution - $225,000

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $225,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does not require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SBB:nmb
Attachments
c: Tim Koller, Deputy Town Clerk (*w/attachments*, **Agenda Item – July 6, 2026**)
Michael R. Grela, Comptroller (*w/attachments*)
Lynda Juul, Director of Finance (*w/attachments*)
Dan Ulatowski, AICP, Assistant Planning Director/ZEO (*w/attachments*)
Dan Howard, Director of Planning (*w/attachments*)
Brian J. Armstrong, Engineering Services Administrator (*w/attachments*)
Christopher P. Schregel, Project Manager (*w/attachments*)

7/6/2026
Supervisor Lavin made a motion to approve the SEQR determination, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. Supervisor Lavin made a motion to adopt the Bond resolution, seconded by Deputy Supervisor Marinucci and unanimously approved via Roll Call vote 5-0.

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

4. Resolution 2026-508

Reschedule Public Hearing Repealing Chapter 22 of the Code of the TOA (Freedom of Information)

AGENDA ITEM : JULY 6TH, 2026

TO: **Town Board**

FROM: **Samuel A. Alba, Esq., Senior Deputy Town Attorney**

DATE: **July 1, 2026**

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

The request to set a Public Hearing for the above matter appeared on the June 8th agenda. The hearing was set to take place this afternoon at 3:00 p.m. The Notice of Public Hearing was inadvertently not published and thus the Town Board must adopt a resolution to set a new Public Hearing date in order to notice as required by law.

In this regard, please adopt a resolution to schedule a Public Hearing for the above matter on July 27, 2026 at 7:00 p.m.

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 : July 6, 2026**)

7/6/2026
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

5. Resolution 2026-509

License Agreement - 34 Bentley Court (Aldrich III and Martin) (CRS# 6336)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

FROM: **Nicole M. Burroughs, NYSCP, Supervising Paralegal**

DATE: **July 1, 2026**

RE: **Request for License Agreement (CRS #6366)**
Installation and Placement of Fence
Property Located At:
34 Bentley Court, Williamsville, New York 14221

Kindly adopt a resolution authorizing the Supervisor to execute the attached License Agreement pending successful completion of the Contract Routing System (CRS).

The owners of the above-referenced property are seeking permission to construct and install a fence that will encroach into a Town-owned Public Drainage easement, the details and stipulations of which are more fully described in the License Agreement.

This request was reviewed and approved by the Highway Department.

Thank you for your consideration.

NMB:hs
Attachment
c: Timothy Koller, Deputy Town Clerk (*w/attachment*)
(**Agenda Item: July 6, 2026**)
Craig Schreck, General Crew Chief (*w/attachment)*

7/6/2026
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

6. Resolution 2026-510

License Agreement - 132 Valley Brook Lane (McCrea)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

FROM: **Nicole M. Burroughs, NYSCP, Supervising Paralegal**

DATE: **July 1, 2026**

RE: **Request for License Agreement (CRS #6338)**
Installation and Placement of Fence and Inclusion of Gazebo
Property Located At:
132 Valley Brook Lane, East Amherst, New York 14051

Kindly adopt a resolution authorizing the Supervisor to execute the attached License Agreement *nunc pro tunc*.

The owners of the above-referenced property are seeking permission to construct and install a fence that will encroach into a Town-owned Public Drainage easement and the Town is incorporating the existing gazebo into the current agreement so as to permit the

encroachment, the details and stipulations of which are more fully described in the License Agreement.

This request was reviewed and approved by the Highway Department.

Thank you for your consideration.

NMB:hs
Attachment
c: Timothy Koller, Deputy Town Clerk (*w/attachment*)
(**Agenda Item: July 6, 2026**)
Craig Schreck, General Crew Chief (*w/attachment)*

7/6/2026
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

7. Resolution 2026-511

Temporary Access Agreements - Ivyhurst Road and Westfield Road (CRS#S 6371-6374) and (CRS#S 6367-6370)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Temporary Access Agreements**
Various Properties on Ivyhurst Road (CRS#s 6371-6374)
Various Properties on Westfield Road (CRS#s 6367-6370)

Kindly adopt a resolution authorizing the Supervisor to execute the above agreements pending successful completion of the CRS.

These agreements will allow the Town of Amherst Highway Department to access the backyards of the above addresses to continue their work on an existing drainage pipe.

Thank you.

SBB:NMB:hs
c: Tim Koller, Deputy Town Clerk (**Agenda Item – July 6, 2026**)
Craig Schreck, General Crew Chief, Drainage
Steve Floss, Highway Superintendent

7/6/2026
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

8. Resolution 2026-512

Confidentiality Agreement - Charter Communications Operating, LLC (CRS #6360)

AGENDA ITEM – JULY 6TH, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Confidentiality Agreement - Charter Communications Operating, LLC (Providing Confidential Service Area Information to Town of Amherst For Infrastructure Purposes) (CRS #6360)**

Kindly adopt a resolution authorizing the Supervisor to execute the above-referenced agreement pending successful completion of the CRS.

Thank you.

SBB:nmb
c: Tim Koller, Deputy Town Clerk (**Agenda Item – July 6, 2026**)

7/6/2026
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

B. TOWN CLERK:

1. Resolution 2026-513

New Firefighter for Getzville Fire Company

New firefighter for the Getzville Fire Company.

Pedro Silva
79 Brenridge Dr
East Amherst, NY 14051

7/6/2026
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

C. ASSESSOR:

D. BUILDING/BUILDING MAINTENANCE:

1. Resolution 2026-514

Harlem Road Community Center Aud - Change Order 1 CRS #6355

We are requesting the Town Board consider approval of this resolution authorizing the Supervisor to sign the above referenced Change Order, which decreases the overall contract by $1,000.00.

This Change Order provides a credit back to the Town to reflect actual quantities and their associated costs incurred during construction.

The overall project cost shall decreases funds used from account KP2505-4972.

Thank you for considering this request.

7/6/2026
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

E. CENTRAL ALARM:

F. COMPTROLLER:

1. Resolution 2026-515

Budget Transfers and Amendments

For July 6, 2026 Town Board Agenda

To: Town Board

From: Office of Town Comptroller

Date: 7/1/2026

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:	***INCREASE***
KP2302.4972 30 S Cayuga- Construction $2,700.00	KP2302.2100 Furniture $2,700.00

Requested per department.

7/6/2026
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

G. CONTRACT COMPLIANCE:

H. COURT:

I. ECONOMIC DEVELOPMENT:

J. EMERGENCY SERVICES:

K. ENGINEERING SERVICES:

1. Resolution 2026-516

Resolution Standardizing ChargePoint as the Town of Amherst's Standard for Electric Vehicle Charging Equipment and Services Town of Amherst Job No. 2017.015V

Attached for your consideration is a resolution establishing ChargePoint as the Town of Amherst's standardized platform for electric vehicle charging equipment and associated services pursuant to Section 103(5) of the General Municipal Law. Adoption of this resolution will promote operational efficiency, reduce long-term maintenance and administrative costs, and provide consistency across the Town's existing and future electric vehicle charging infrastructure.

Accordingly, the Engineering Department respectfully recommends adoption of the attached resolution.

7/6/2026
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 2026-517

2026-2031 Capital Improvement Program Amendment CIP Project E-5 (New): Casey Road Pedestrian and Bicycle Safety Improvements, Phase 2 –Supplemental Funding Town of Amherst Job No. 2014.048A

The Engineering Department recommends amendment of the 2026-2031 Capital Improvement Program for the above-referenced projects in the amounts shown below. This

amendment will allocate supplemental funding necessary to award the construction contract and complete the Project based upon the results of public bidding and updated project cost estimates.

CIP No.	Project Description	2026 CIP Allocation	Amended Allocation	Funding Source/Account
H-4	Town-wide Road Striping	$100,000	$0	LD
E-5 (New)	Casey Road Pedestrian and Bicycle Safety Improvements, Ph. 2 – Supplemental Funding	$ 0	$300,000	LA

LD = Highway Bond; LA = General Fund Bond

Please approve this amendment to the 2026-2031 Capital Improvement Program and authorize the funding identified above. Please note that, while this request is not entirely budget neutral, Engineering will continue to identify potential bond reductions throughout the remainder of 2026 in an effort to offset this request where practicable.

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

L. FINANCE:

M. HIGHWAY

1. Resolution 2026-518

Approve Corrected Price of Bid Awarded

Please approve an adjusted price of $15.15 per ton of Crusher Run Stone #2 from New Enterprise Stone and Lime as their award was originally approved by the board for $15.50 per ton due to a typo.

7/6/2026
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 2026-519

Approve Corrected Price of Bid Awarded

Please approve an adjusted price of $328.57 per roll for 15 x 300 non-woven geo-textile material from Airtite Window and Door as their award was originally approved by the board for $328.50 per roll due to a typo.

7/6/2026
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

3. Resolution 2026-520

Approve Corrected Price of Bid Awarded

Please approve an adjusted price of $1.23 per square foot of 3650-12 non-reflective film from Newman Signs as their award was originally approved by the board for $1.25 per square foot due to a typo.

7/6/2026
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

4. Resolution 2026-521

Approve Corrected Prices of Bids Awarded

Please approve adjusted prices of $445, $737.50, and $737.50 each for Style "C" Signal Brackets, Polara Audible Pedestrian Push Buttons, and Polara Accessible Pedestrian Push Buttons respectively from Traffic Systems Inc as their awards were originally approved by the board for $4.45, $773.50, and $773.50 each due to typos.

7/6/2026
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

5. Resolution 2026-522

Approve Payment for Items Purchased Out of Contract

Please Approve payment of $10,950 to IPL Schoeller for parts purchased under fund C8161-4531 that were not under contract. $8,850 of which is from invoice CD-32002600157 and the remaining $2,100 from invoice CD-32002600156, both dated 2/4/26. Thank you for your consideration.

7/6/2026
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

6. Resolution 2026-523

Approve Payment for Parts Purchased Without Approved Contract

Please Approve payment of $64,346.80 to Northeast Signal Inc for parts purchased on 4/6/26 under fund KP2011-4792 off of a contract that was never approved. Thank you for your consideration.

7/6/2026
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

7. Resolution 2026-524

Approve Payment for Parts Purchased

Please Approve payment of $50,658.96 to Vulcan Signs Inc for parts purchased on 2/13/26 and 4/23/26 under fund A3310-4430 off of a contract that was never approved. Thank you for your consideration.

7/6/2026
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

8. Resolution 2026-525

Approve Payment for Parts Purchased with Expired Contract

Please Approve payment of $4,993.49 to Valley Fab & Equipment for parts purchased on 2/4/26 and 5/5/26 off of a contract that was expired. $2,901.32 of which was under fund C8163-4240 and the remaining $2,092.17 under fund D5130-4240. Thank you for your consideration.

7/6/2026
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

9. Resolution 2026-526

Approve Payment for Part Purchased Not Under Contract

Please Approve payment of $34,730.04 to Clarke Mosquito Control Products for a part purchased on 11/14/25 under fund H4068-2250/4000 that was not under contract. Thank you for your consideration.

7/6/2026
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

N. HUMAN RESOURCES:

1. Resolution 2026-527

Updates to Town of Amherst Exempt Benefit Policy

WHEREAS, the Town of Amherst "Exempt Benefit Policy" was last revised in 2024; and

WHEREAS, the Human Resources Department has recently updated the current Town of Amherst Exempt Benefit Policy;

WHEREAS, it is respectfully requested that the Town of Amherst Town Board adopt the updated policy;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby formally adopts the updated Town of Amherst Exempt Benefits Policy to be effective September 1, 2026.

7/6/2026
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 2026-528

Motor Equipment Operator/Engineering-Sewer Maintenance Department

Please appoint a Motor Equipment Operator to the Engineering-Sewer Maintenance Department. Permanent, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective July 7, 2026 at an hourly rate of $22.28, Grade III, Step 1.

Contingent upon completing all pre-employment requirements.

Replacing an employee who retired.

7/6/2026
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

3. Resolution 2026-529

Public Safety Dispatcher/Police Department-(2 Positions)

Please appoint two (2) Public Safety Dispatchers to the Police Department. Provisional, pending satisfactory completion of a Civil Service Examination. Effective July 7, 2026 at an annual salary of $53,651, Grade 13, Step A.

Contingent upon completing all pre-employment requirements.

Replacing an employee who resigned and an employee who was hired as a Police Officer.

7/6/2026

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

4. Resolution 2026-530

Police Officer/Police Department (2 Positions)

Please appoint two (2) Police Officers to the Police Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII(c). Effective July 22, 2026 at an annual salary of $72,477.00. Contingent upon successful completion of all pre-employment requirements and Erie County Civil Service Rules and Regulations.

Replacing two employees that resigned.

7/6/2026
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

O. INFORMATION TECHNOLOGY:

P. PLANNING:

Q. POLICE:

1. Resolution 2026-531

Training & Travel Request NCFI Digital Evidence Investigation Course

TOWN BOARD AGENDA ITEM : JULY 6, 2026

TO: Town Board

FROM: Scott P. Chamberlin, Chief of Police

RE: Training & Travel Request
NCFI Digital Evidence Investigation Course

Kindly adopt a Resolution authorizing one (1) Officer to attend the above entitled training course. This course is being held in Hoover, Alabama from July 19, 2026 through July 25, 2026. This training was originally scheduled for March 2026 but was ultimately cancelled and rescheduled for July 2026. The cost for the training and travel for this course is paid for by the organization hosting the course.

Thank you.

SPC:msl
Attachment
C: Tim Koller, Deputy Town Clerk **(Agenda Item: July 6, 2026)**

7/6/2026
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

R. SENIOR SERVICES:

S. SEWER/PLANT 16:

1. Resolution 2026-532

Emergency Sewer Manhole Repair Authorizations Intersection of N. French and Hopkins Rd. CRS #6352

The Engineering Department Sewer Maintenance Division is requesting the Town Board to authorize the Comptroller's Office to pay Camden Group in the amount of $7,650 for Manhole emergency repair performed at the intersection of N. French and Hopkins Rd.

Funding for these purchases is available in account KP2516-4972 which was established by the Comptroller's Office.

Thank you for considering this request.

7/6/2026

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 2026-533

NYS Department of Environmental Conservation Application for the Non-Agricultural Nonpoint Source Planning/Municipal Separate Storm Sewer System (MS4) Mapping Grant for MS4 Mapping Phase IV

Attached for your consideration is a resolution authorizing submission of an application for the Non-Agricultural Nonpoint Source Planning/Municipal Separate Storm Sewer System (MS4) Mapping Grant to NYS Department of Environmental Conservation. This application is for MS4 Mapping Phase IV, which encompasses the northeast quadrant of the Town of Amherst. Adoption of this resolution will allow the Town to update the GIS mapping, which will allow the Town to schedule required maintenance, document system updates, and keep track of illicit discharges at the lowest possible cost to Town taxpayers.

Accordingly, the Engineering Department respectfully recommends adoption of the attached resolution.

7/6/2026
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

3. Resolution 2026-534

Contract Extension Sentrimax Centrifuges NE LTD TOA Bid 2024032 CRS 6365

The Engineering Department, WPCF division is requesting that the Town Board authorize the Supervisor to sign the attached contract extension agreement with Sentrimax

Centrifuges NE LTD. The terms and conditions within the Town of Amherst Bid 2024032 shall remain the same. The term of this contract extension will be effective the date of Town Board approval and run through September 2, 2028.

This request is pending successful completion of the contract review process.

Funds for this request are available in G9916-4960

Thank you for considering this request.

7/6/2026
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

T. YOUTH AND RECREATION:

1. Resolution 2026-535

Gopher Sport Agreement Extension #1 - CRS #6364/6141

Authorize the Supervisor to sign a contract extension #1 between the Town of Amherst (Youth & Recreation Department) and Gopher Sport for the purchase of Athletic and Physical Education Supplies, Equipment and Related Products, Extension #1 for 08/01/2026 through 07/31/2027.

7/6/2026
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

XIV. UNFINISHED BUSINESS

XV. COMMUNICATIONS

1. Communication 2026-61

St. John Maron Maronite Church Request for Fee Waiver

Letter from Father Dany Abi-Akar, St. John Maron Maronite Church, requesting fee waivers for the July 31 to August 2, 2026, Annual Lebanese Festival. The Building Commissioner response is attached.

7/6/2026
Supervisor Lavin made a motion to approve, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

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

2. Communication 2026-62

Amherst Symphony Orchestra Fee Waiver

Request from The Amherst Symphony Orchestra seeking permission to place signs and a waiver of sign permit fees.

Response from the Building Commissioner is attached.

7/6/2026
Supervisor Lavin made a motion to approve, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

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

3. Communication 2026-63

Notice of Claim: Shyiana Johnson/Khalil Holland Vs. Town of Amherst

7/6/2026
A motion to refer to the Town Attorney was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

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

4. Communication 2026-64

Summons and Complaint: Freedom Mortgage Corporation Vs. Town of Amherst Et Al.

7/6/2026
A motion to refer to the Town Attorney was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

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

XVI. PUBLIC IMPROVEMENT PERMITS

1. Resolution 2026-536

Public Improvement Permit No. 3169 Paving & Curbing – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Paving & Curbing Public Improvement Permit properly filled out. The permit fee and inspection cost amount to $22,354.20.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $22,204.20 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3169.

Thank you for considering this request.

7/6/2026
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 2026-537

Public Improvement Permit No. 3170 Waterline – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Waterline Public Improvement Permit properly filled out. The permit fee and inspection cost amount to $9,796.00.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $9,646.00 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3170.

Thank you for considering this request.

7/6/2026
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

3. Resolution 2026-538

Public Improvement Permit No. 3171 Sanitary Sewer – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Sanitary Sewer Public Improvement Permit properly filled out. Permit fee and inspection cost amount to $9,874.80.

We are sending three (3) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee, one in the amount of $8,889.30 which will be held in escrow to cover the inspection costs, and one in the amount of $835.50 to cover the televising cost and to be deposited in the SS District account G9000-02377.

At this time, we are asking for your approval of the application for PIP No. 3171.

Thank you for considering this request.

7/6/2026
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

4. Resolution 2026-539

Public Improvement Permit No. 3172 Storm System – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Storm System Public Improvement Permit properly filled out. The permit fee and inspection cost amount to $14,022.80.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $13,872.80 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3172.

Thank you for considering this request.

7/6/2026
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

5. Resolution 2026-540

Private Improvement Permit No. 3173 Storm System – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Storm System Private Improvement Permit properly filled out. The permit fee and inspection cost amount to $7,086.40.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $6,936.40 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3173.

Thank you for considering this request.

7/6/2026
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

6. Resolution 2026-541

Private Improvement Permit No. 3168 Street Lighting – Regency Commons (166 Klein Road) 2021.029/SUB-2021-01

Attached please find an application for a Street Lighting Private Improvement Permit properly filled out. The permit fee and inspection cost amount to $5,350.00.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $5,200.00 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3168.

Thank you for considering this request.

7/6/2026
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

XVII. SUSPENSION OF RULES

Supervisor Lavin moved to open Suspension of Rules to bring forth 1 unlisted item. The motion was seconded by Councilmember Davis and unanimously approved 5-0. Suspension of Rules was opened at 4:32 PM.

There being no further business requiring Suspension of Rules, Supervisor Lavin moved to close, seconded by Councilmember Davis and unanimously approved 5-0. Suspension of Rules was closed at 4:33 PM.

1. Communication 2026-65

Request to Amend the SEQR Certification of Findings for the Muir Woods Site for a Scheduled Public Hearing

SUSPENSION AGENDA ITEM: JULY 6, 2026

TO: **Town Board**

FROM: **Angela Marinucci, Deputy Supervisor**

DATE: **July 6, 2026**

RE: **Request to Amend the SEQR Certification of Findings for the Muir Woods Site for a scheduled Public Hearing**

Kindly schedule a public hearing on the Request to Amend the State Environmental Quality Review Act Certification of Findings for the Muir Woods Development Plan at its regularly scheduled meeting on July 27, 2026.

Thank you for your consideration of this request.

7/6/2026
Deputy Supervisor Marinucci made a motion to approve, seconded by Coucnilmember Davis and unanimously approved 5-0.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Angela Marinucci, Deputy Supervisor
SECONDER:	John B. Davis, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

XVIII. 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 4:34 PM, Supervisor Lavin moved to adjourn to Executive Session, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. At 5:13 PM, a motion to exit the Executive Session was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0.

XIX. ADJOURNMENT

The Town Board meeting of July 6, 2026 was adjourned at 5:13 PM.

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 31995 **RESOLUTION 2026-504** **ADJOURNED**

Proposed Text Amendment - Local Law to Amend Chapter 203 - New Section to Regulate Battery Energy Storage Systems

A public hearing with regards to a proposed text amendment - new section to regulate Battery Energy Storage Systems (BESS).

7/6/2026
A motion to open the public hearing was made by Supervisor Lavin, seconded by Councilmember Szukala and unanimously approved 5-0. The public hearing was opened at 3:05 PM.

Dan Ulatowski, Assistant Planning Director and Greg Dionne, Assistant Planner, presented.

The following residents spoke:
Don Smith, 201 N Long St
Jane Cox, 4584 Harlem Rd
Tasha Holland, 19 Huxley Dr

There were no further speakers from the public, therefore Supervisor Lavin moved to adjourn the hearing and set a decision date for the July 27th meeting, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. The public hearing was adjourned at 3:40 PM.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 7/27/2026 7:00 PM**
MOVER:	Shawn Lavin, Supervisor	
SECONDER:	Angela Marinucci, Deputy Supervisor	
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh	

Amherst
Town of Amherst Planning Department
Erie County, New York

Shawn A. La
Supervisc

Daniel C. Howar
Planning Dire

Daniel J. Ulatowsk
Assistant Planning

Town Board Agenda of July 6, 2026

June 30, 2026

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Proposed Text Amendment: Local Law to Amend Chapter 203 (Zoning Ordinance) of Town Code - New Section to Regulate Battery Energy Storage Systems (BESS), ZTA-2026-01.

Honorable Members:

The Planning Department, in conjunction with other departments have reviewed the Town's Zoning Ordinance in response to emerging demand for Battery Energy Storage Systems (BESS), an advancing technology that has historically supported the renewable energy industry. The recent demand for BESS nationwide and particularly in NYS results from the need to provide resiliency to the electrical infrastructure grid. These systems allow for the capture of existing electrical energy from the utility distribution grid during non-peak periods when energy is in low demand and stores the energy in batteries for sale back to the utilities when needed during peak energy demand periods. The New York State Energy Research and Development Authority (NYSERDA) is currently providing incentives to build BESS facilities in our region as a means of improving the resiliency of our electrical grid by providing additional electrical energy when necessary. The BESS provider is often required to upgrade the utility's distribution network with capital improvements as a condition of a connection agreement with the utility provider.

Larger (utility grade) BESS facilities may pose a public safety hazard if not properly sited. This proposed ordinance amendment permits BESS as a utility grade principal use, in two zoning districts, the General Industrial (GI) and Research and Development (RD) zoning districts, and requires major site plan approval. To further protect public safety and general welfare, an emergency management plan must be provided for review and approval by the Town's Fire Inspector as part of the site plan approval. Additionally, a hazard mitigation analysis may be required if a BESS system is proposed near sensitive uses such as nursing homes, schools and hospitals. Accessory BESS facilities for commercial and industrial applications that support the backup electrical needs of businesses will require site plan approval, and will be permitted as customary accessory uses within the other non-residential zoning districts. Residential accessory applications for emergency back up energy needs, such as TESLA wall packs will be regulated by issuance of a building/electrical permit.

The following draft Local Law identifies the proposed new Section 6-12.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

LOCAL LAW NO. ____-2026

TOWN OF AMHERST
COUNTY OF ERIE, STATE OF NEW YORK

A Local Law Making Amendments to Chapter 203 of the Code of the Town of Amherst, Also Known As Zoning Ordinance.

Be it enacted by the Town Board of the Town of Amherst to add a new section as follows:

§6-12 Battery Energy Storage Systems.

6-12-1 Purpose. To provide regulations for Battery Energy Storage Systems (hereafter referred to as "BESS") to protect the public health, safety, and general welfare, of the community with the following objectives:

A. To designate locations suitable for construction and operation of BESS;
B. To ensure that BESS are compatible with adjacent land uses;
C. To mitigate impacts on the public domain and surrounding areas from BESS;
D. To provide areas within the Town to support a more resilient electrical energy delivery system that serves the immediate community, while establishing minimum safeguards to protect nearby residential uses and community.

6-12-2 Definitions. (See Section 2-4 "Specific Terms" of Zoning Ordinance)
BATTERY ENERGY STORAGE SYSTEM
HAZARD MITIGATION ANALYSIS

6-12-3 Applicability.

A. These requirements shall apply to all BESS being established as a use permitted in the Town of Amherst, after the effective date of this Local Law, excluding general maintenance and repair.

B. BESS constructed or installed prior to the effective date of this Local Law shall not be required to meet the requirements of this Local Law, unless modified, replaced or expanded.

C. BESS that are accessory to an existing electrical substation facility operated and owned by National Grid or New York State Electric and Gas (NYSEG) will not be regulated by this section.

D. BESS that are accessory to solar energy systems shall be regulated as part of Section 6-10 (Solar Energy).

6-12-4 General Requirements

A. Site Plan Review pursuant to Section 8-7 of Town Code shall apply to all Tier II and Tier III BESS.
B. A building permit and an electrical permit shall be required for the installation of all BESS.
C. An operating permit shall be required for all Tier III BESS.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

D. Issuance of permits shall be from the Building Department and the Fire Safety Inspectors following their determination of compliance with the applicable building, electric, and fire codes.

6-12-5 BESS Tiers and Standards

A. BESS are divided into three tiers, as follows:

1) Tier I – BESS with an energy storage capacity less than 100 kWh. Permitted as an accessory use in all zoning districts subject to the dimensional standards of the underlying district.

2) Tier II – BESS with an energy storage capacity greater than or equal to 100 kWh, but less than 600 kWh. Permitted as an accessory use in all zoning districts, except any district that permits only one principal residential structure per lot, and subject to the principal use dimensional standards of the underlying district.

3) Tier III – BESS with an energy storage capacity greater than or equal to 600 kWh. Permitted as a principal or accessory use in the Research and Development (RD) and General Industrial (GI) districts only, and subject to the Tier III BESS standards in 6-12-6.

6-12-6 Tier III BESS Standards

A. Major Site Plan Review and application requirements, as set forth in Part 8 of this Chapter, shall be required.

B. Setbacks shall conform with the principal use dimensional standards of the underlying district as measured from the fence enclosure, as well as the following supplemental setback standards:

1) Setbacks from residential zoning districts shall be a minimum of 500 feet. The Planning Board may reduce this setback where the Applicant demonstrates, through a site-specific Hazard Mitigation Analysis or equivalent technical study, that a lesser setback will adequately protect public health, safety, and welfare.

a) Any reduced setback to a residential zoning district to be considered by the Planning Board as permitted by section 6-12-6B(1) must be evaluated against the following criteria;

i. Whether the applicant has demonstrated that alternative sites are not technically feasible and;
ii. Whether the reduction in the setback is substantial and;
iii. Whether the hazard mitigation analysis has shown that adjacent residential zoned lands will not be impacted; and
iv. Whether the applicant has shown that he/she would incur an extraordinary hardship without a reduction in the required setback to the residential zoned properties or residential district line.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

2) Setbacks from property lines adjacent to roadways shall be a minimum of 100 feet.

C. Height of structures shall comply with the principal use dimensional standards of the underlying zoning district.

D. All mechanical equipment shall be enclosed by an opaque fence.

E. High Impact Screening ~~per~~ pursuant to Section 7-2-4B(1) shall be provided to minimize views from adjacent properties to the extent practicable, while maintaining safe access for emergency response and operation of the BESS.

F. One new above grade utility pole shall be permitted per electrical connection to ~~near~~ the utility provider's existing distribution line. All other connection equipment shall be ground mounted and located within the required fence enclosure.

G. Signage shall be limited to that required for safety purposes.

H. Lighting shall be limited to that required for safety and operational purposes and shall conform to the requirements of Section 7-3 of this Chapter.

I. Applicants shall provide an acoustical analysis to demonstrate compliance with Chapter 138 of Town Code (Noise).

J. A site-specific air quality assessment report evaluating potential air pollutant impacts in the event of a fire or other incidents, including dispersion and risk assessment models if within 500 feet of sensitive uses, including but not limited to, including K-12 public and private schools, hospitals, nursing homes, childcare facilities and assisted living facilities, may be required by the Planning Director as part of site plan review.

K. Decommissioning. If a BESS ceases to perform its originally intended function for more than 12 consecutive months, the owner and/or operator shall implement the decommissioning plan, to include, but not be limited to:

i Removal of above-ground and below-ground equipment, structures and foundations.

ii Restoration of the surface grade and soil after removal of equipment to a similar or better condition, that existed prior to the installation. This includes adding an adequate layer of topsoil where existing topsoil has been removed or eroded.

iii Herbaceous revegetation of restored soil areas with native seed mixes, excluding any invasive species.

1) If the owner and/or operator fails to fully implement the decommissioning plan within 180 days, then in addition to other remedies provided by this section or chapter, by New York Town Law §268, or by law or equity, the Town may remove the BESS and restore the property according to the decommissioning plan and to cover these costs to the municipality.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

2) Estimate and financial surety. As part of the decommissioning plan, the applicant shall also provide an estimate, prepared by a qualified engineer, setting forth the costs associated with decommissioning the BESS at issue. The Board issuing the Special Use Permit shall establish the amount of such surety to be established by the applicant prior to the issuance of the building permit, at 125% of the estimate. The surety may be in the form of escrowed funds, bonds or otherwise, but it is the intention of the surety to ensure that the Town has sufficient funds available to remove the installations and restore landscaping consistent with the plan in the event that the applicant fails to comply with its decommissioning obligations. The decommissioning plan shall provide a mechanism for re-evaluating the amount of the required surety every five years.

L. If the owner or operator of the property or BESS changes the site plan approval shall remain in effect, provided that the successor assumes in writing all of the obligations of the site plan approval, decommissioning plan, and surety bond. A new owner or operator shall notify the Zoning Enforcement Officer in writing of such change within 30 days. All local permits and approvals will be void if a new owner or operator fails to provide such written notification. Reinstatement of voided local permits and approvals will be subject to the same review and approval processes for new applications under this Local Law.

M. Applicants shall provide an Emergency Management Plan as part of the application materials that must be approved by Fire Safety prior to final permitting by the Building Department and shall be a condition of site plan approval.

N. Site access shall be maintained, unobstructed at all times, including snow removal to provide for local emergency service response.

O. Community Benefit Agreement: The Planning Board may request that a community benefit agreement be provided to the Town if the applicant is seeking a payment in lieu of taxes (PILOT) agreement with the Town. As part of a site plan application the applicant shall identify if they will be seeking a PILOT.

Section 2-4 "Specific Terms" Definitions

BATTERY ENERGY STORAGE SYSTEM: One or more stationary, rechargeable devices, assembled together, along with associated equipment, systems, or enclosures designed to store electrical energy received from the electric grid or on-site generation sources and to deliver such energy for use at a later time.

HAZARD MITIGATION ANALYSIS: An engineering evaluation report used to identify potential failure modes, assess their consequences and detail preventative measures for high-risk installations.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

The Planning Board offers the following findings consistent with Section 8-5-5 of the Zoning Ordinance.

INTENT AND OBJECTIVES OF THE COMPREHENSIVE PLAN

The proposed changes are consistent with the goals established in chapter 3.2 of the Town of Amherst Bicentennial Comprehensive Plan which seeks to improve the predictability and consistency of the development review and decision-making process .

INTENT AND OBJECTIVES OF THE ZONING ORDINANCE

1. The proposed text amendment **is** consistent with the remainder of the Zoning Ordinance, including, specifically, the following purpose statement as found in Section 1-2-2: to guide the future development of the town so as to bring about the gradual conformity of land, structures and uses generally consistent with the policies of the Comprehensive Plan.
2. The proposed text amendment presents a new idea not considered in the existing Ordinance,
3. The proposed text amendment does not correct an error in the Ordinance.
4. The proposed text amendment does not revise the Ordinance to comply with state or federal statutes or case law.
5. The proposed text amendment advances the public health, safety or welfare and **is** consistent with the Zoning Ordinance.

RECOMMENDATION

The Planning Board recommends that your Honorable Body concur with their findings to approve the proposed amendments.

The Planning Department requests that if the Town Board desires to act on the proposed amendments to the zoning ordinance that a decision date be established after the public hearing so that the Planning Department can prepare a SEQR Determination of Environmental Significance and a resolution for the Town Board's consideration.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/SM/ac
Att.
/Common/Current_Planning/Files/Text Amendments/ZTA-2026/ZTA-2026-01 Battery Energy Storage Systems/ZTA-2026-01_Town_Board_Letter_06_25_2026.docx
cc: Steven Bengart, Esq. – Town Attorney
Sean Hopkins, Esq. Sr. Deputy Town Attorney

Planning Board Approval May 21, 2026
Ayes: 5, Noes: 2 (Kahn, Penberthy)

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

TOWN OF AMHERST
PLANNING BOARD
ZONING TEXT AMENDMENTS
ZTA-2026-01

MAY 27 2026 :1

WHEREAS the Town of Amherst Planning Board on Thursday, May 21, 2026, held a public hearing on the proposed local law Section 6-12 Battery Energy Storage Systems of the Town Zoning Ordinance, and

WHEREAS the Planning Board has reviewed materials regarding the text amendments proposal, and

WHEREAS the materials have been referred to the Town's various review agencies, and

WHEREAS per Section 203 - 8-5-5(A) & (B) of the Town Code, the Planning Board finds that:

1. The proposed text amendment is consistent with the remainder of the Zoning Ordinance, including, specifically, the following purpose statement as found in Section 1-2-2: to guide the future development of the town so as to bring about the gradual conformity of land, structures and uses generally consistent with the policies of the Comprehensive Plan.
2. The proposed text amendment presents a new idea not considered in the existing Ordinance,
3. The proposed text amendment does not correct an error in the Ordinance.
4. The proposed text amendment does not revise the Ordinance to comply with state or federal statutes or case law.
5. The proposed text amendment advances the public health, safety or welfare and is consistent with the Zoning Ordinance.
6. The proposed text amendment is generally consistent with the policies of the Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED that the Planning Board recommends to the Town Board in accordance with Section 8-5-3 of the Zoning Ordinance, that the request be approved.

The foregoing resolution was adopted by the Town of Amherst Planning Board, May 21, 2025; moved by O'Rourke; seconded by Raffaele; ayes 5; noes 2 (Kahn, Penberthy).

Michael J. Chmiel, Planning Board Chair

5/27/26
Date

SM/ac
https://amherstnyusgcc.sharepoint.com/sites/plndept/Shared Documents/Common/Current_Planning/Files/Text Amendments/ZTA-2026/ZTA-2026-01 Battery Energy Storage Systems/ZTA-2026-01_draft resolution_052126.doc

cc: Traffic/Safety Coordinator
Commissioner of Building
Highway Superintendent
Town Engineer

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

TOWN OF AMHERST PLANNING DEPARTMENT

Zoning & Subdivision Text Amendment Application

File # ZTA-2026-01

1. Zoning Ordinance Text Amendment ☒
2. Subdivision Regulations Text Amendment ☐

PETITIONER:

- ☐ Town Board
- ☐ Planning Board
- ☐ Zoning Board of Appeals
- ☐ Commissioner of Building
- ☐ Planning Director
- ☒ Zoning Enforcement Officer

Sections Proposed to be Amended: (Attach sheets as necessary.)

Add Chapter 203: Section 6-12

Description of Amendments: (Attached sheets as necessary.)

Local Law – Battery Energy Storage Systems
See attached

Materials Received by Planning Department

RECEIVED BY Daniel J. Ulatowski DATE 3/3/2026

Materials Filed with Town Clerk

ACCEPTED BY DATE

X:\Current_Planning\Application Forms 2019\Zoning or Subdivision Text Amend App 2022.doc

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

LOCAL LAW NO. ____-2026

TOWN OF AMHERST

COUNTY OF ERIE, STATE OF NEW YORK

A Local Law Making Amendments To Chapter 203 Of The Code Of The Town Of Amherst, Also Known As Zoning Ordinance.

Be it enacted by the Town Board of the Town of Amherst as follows:

§6-12 Battery Energy Storage System.

6-12-1. Purpose. To provide regulations for Battery Energy Storage Systems (BESS) as a principal use, to further protect the public health, safety, and general welfare, of the community with the following objectives:

A. To provide regulations for the designation of locations suitable for construction and operation of battery energy storage systems;

B. To ensure that Battery Energy Storage System are compatible with adjacent land uses;

C. To mitigate for the visual impacts from the public domain associated with Battery Energy Storage Systems;

D. To provide areas within the Town to support a more resilient electrical energy delivery system that serves the immediate community, while establishing minimum safeguards to protect nearby residential uses and community.

6-12-2. Definitions. (See Section 2-4 "Specific Terms" of Zoning Ordinance)

6-12-3. Applicability.

A. The requirements shall apply to all battery energy storage systems being established as principal uses permitted in the Town of Amherst, after the effective date of this Local Law, excluding general maintenance and repair.

B. Battery energy storage systems constructed or installed prior to the effective date of this Local Law shall not be required to meet the requirements of this Local Law, unless modified, replaced or expanded.

C. Battery Energy Storage Systems which are accessory to an existing electrical substation facility operated and owned by National Grid or NYSEG will not be regulated by this section.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

D. Battery Energy Storage Systems which are accessory to solar energy systems shall be regulated as part of Section 6-10 (Solar Energy).

6-12-4. General Requirements

A. Major Site Plan Review pursuant to Section 8-7 of Town Code shall apply to all BESS facilities.

B. A building permit, an electrical permit and an operating permit shall be required for the installation of all battery energy storage systems.

C. Issuance of permits shall be from the Building Department and the Fire Safety Inspectors.

6-12-5 Permitting Requirements for Battery Energy Storage Systems.

A. Battery Energy Storage systems are divided into two categories, as follows:

1) Tier I Battery Energy Storage Systems are defined as battery energy storage systems that produce <600 kWh for residential or non-residential use.

2) Tier II Battery Energy Storage Systems are battery energy storage systems that produce greater than >600 kWh.

B. Tier I Battery Energy Storage Systems shall be permitted in all zoning districts, subject to the NYS Building Code and the "Battery Energy Storage System Permit," and are exempt from site plan review.

C. Permitting Requirements for Tier II Battery Energy Storage Systems. Tier II Battery Energy Storage Systems are permitted through the issuance of a Major Site Plan review within the Research and Development (RD) and General Industrial (GI) zoning districts, and shall be subject to the NYS Uniform Fire Prevention and Building Code and the site plan application requirements set forth in Part 8 of this Chapter.

6-12-6 Major Site Plan Application Requirements.

A. Site Plan Criteria:

1) Setbacks. Tier II Battery Energy Storage Systems shall comply with the setback requirements of the underlying zoning district for principal structures on the parcel. Additional setback requirements include a 500-foot setback from the system compound fence to the nearest residential zoning district.

2) Height. Tier II Battery Energy Storage Systems shall comply with the building height limitations for principal structures of the underlying zoning district.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

3) Fencing Requirements. Tier II Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a 6-foot-high fence maximum. When fencing is installed, barbed wire or a similar style security-top fencing shall not be utilized. Fencing may be further screened by landscaping needed to avoid adverse aesthetic impacts. The fencing materials should be of a camouflage nature.

4) Screening and Visibility. Tier II Battery Energy Storage Systems shall require High Impact Screening per Section 7-2-4B. Tier II BESS projects shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area while maintaining safe access for emergency response and operation of the Battery Energy Storage system.

B. Utility Connections. Required connections to a utility providers' existing overhead infrastructure and all on site transmission lines and other electrical connections shall be made underground. One new above grade utility connection pole shall be permitted for metering and main connection purposes near the utility provider's existing distribution line. All new required connection equipment including but not limited to reclosers, GOABS, switch gear, fused cutouts and transformers shall be ground mounted and located within the BESS compound, maintaining the required setbacks of the battery energy storage system compound.

C. Signage.

1) The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and 24-hour emergency contact information, including reach-back phone number.

2) As required by the National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

D. Lighting. Lighting of the battery energy storage systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties as required in Section 7-3.

E. Noise. The [1-hour] average noise generated from the battery energy storage systems, components, and associated ancillary equipment shall not exceed a daytime noise level of 70 dBA as measured at the property line of a residential property; or 50 dBA between 11 pm – 7 am (See §138-5P). Applicants shall submit an acoustic analysis to demonstrate compliance. The applicant may be required to provide Operating Sound

Pressure Level measurements from a reasonable number of sampled locations after construction to demonstrate compliance with this standard.

F. Environmental and Safety Assessment. A site-specific air quality assessment report evaluating potential air pollutant impacts in the event of a fire or other incidents, including dispersion and risk assessment models is required for Tier II facilities at site plan review if near sensitive uses, including schools, hospitals, nursing homes, childcare facilities and assisted living facilities.

G. Decommissioning. A decommissioning plan and financial security shall be required prior to issuance of a building permit. See Section 6-13 for requirements.

H. Ownership Changes. If the owner of the battery energy storage system changes or the owner of the property changes, the site plan approval shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the site plan approval, and decommissioning plan. A new owner or operator of the battery energy storage system shall notify the Code Enforcement/Zoning Enforcement Officer in writing of such change in ownership or operator within [30] days of the ownership change. All permits, including all local approvals for the battery energy storage system will be void if a new owner or operator fails to provide written notification to the Code Enforcement/Zoning Enforcement Officer in the required timeframe. Reinstatement of a void site plan approval will be subject to the same review and approval processes for new applications under this Local Law.

6-12-7. Safety

A. System Certification. Battery energy storage systems and equipment shall be listed by a Nationally Recognized Testing Laboratory (NRTL) to UL 9540 (Standard for battery energy storage systems and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:

1) UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),

2) UL 1642 (Standard for Lithium Batteries),

3) UL 1741 or UL 62109 (Inverters and Power Converters),

4) Certified under the applicable electrical, building, and fire prevention codes as required.

5) Alternatively, field evaluation by a New York State approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

B. Site Access. Battery energy storage systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained,

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

unobstructed at all times, including snow removal to provide for local emergency service response.

C. Battery energy storage systems, components, and associated ancillary equipment shall have and maintain required working space clearances. All electrical service connections shall be located in accordance with the accessory structure dimensional standards for the applicable zoning district. Electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70 (or NEC code).

Section 2-4 "Specific Terms" Definitions

As used in §6-12, the following terms shall have the meanings indicated:

ANSI: an abbreviation for the American National Standards Institute; Z535 establishes the uniform system of safety signs, labels, and colors to prevent accidents.

BATTERY(IES): A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE SYSTEM: One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows:

A. Tier I Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.

B. Tier II Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.

BATTERY ENERGY STORAGE PERMIT: required to install, operate, and decommission electrochemical battery systems, ensuring they meet safety, zoning, and building codes.

ENERGY CODE: The New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law, as currently in effect and as hereafter amended from time to time.

FIRE CODE: The fire code section of the New York State Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law, as currently in effect and as hereafter amended from time to time.

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NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL): A U.S. Department of Labor designation recognizing a private sector organization to perform certification for certain products to ensure that they meet the requirements of both the construction and general industry OSHA electrical standards.

NEC: an abbreviation for the National Electric Code.

NFPA: an abbreviation for the National Fire Protection Association.

NYSEG: an abbreviation for New York State Electric and Gas

UNIFORM CODE: the New York State Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law, as currently in effect and as hereafter amended from time to time.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or fundi are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respon any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not ex or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If t answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the informatio contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Battery Energy Storage System Local Law		
Project Location (describe, and attach a general location map): Town-wide		
Brief Description of Proposed Action (include purpose or need): Amendment to Chapter 203: Zoning regulations of Town Code to accommodate the allowance of Battery Energy Storage systems (BESS) facilities.		
Name of Applicant/Sponsor: Town of Amherst, NY	Telephone: 716-631-7051 E-Mail: dulatowski@amherst.ny.us	
Address: 5583 Main Street		
City/PO: Williamsville	State: NY	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Roberta Rappoccio, Associate Planner	Telephone: 716-631-7051 E-Mail: rrappoccio@amherst.ny.us	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financia assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Town Board Approval	April 2026
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board Recommendation	March 2026
c. City, Town or Village Zoning Board of Appeals ☐Yes ☐No		
d. Other local agencies ☐Yes ☐No		
e. County agencies ☐Yes ☐No		
f. Regional agencies ☐Yes ☐No		
g. State agencies ☐Yes ☐No		
h. Federal agencies ☐Yes ☐No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes ☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☑No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

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C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
RD - Research and Development
GD - General Industrial

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Text amendment to permit use in the RD & GI Districts

C.4. Existing community services.

a. In what school district is the project site located? Sweet Home; Williamsville; Central; Amherst; Clarence

b. What police or other public protection forces serve the project site?
Amherst Police Department

c. Which fire protection and emergency medical services serve the project site?
Snyder, Main-Transit, East Amherst, Getzville, North Amherst, Swormville, Ellicott Creek, North Bailey, Eggertsville, Willliamsville

d. What parks serve the project site?
All parks town-wide

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase determine timing or duration of future phases: _____

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f. Does the project include new residential uses? ☐Yes ☐No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☐No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☐No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify
_____
iii. If other than water, identify the type of impounded/contained liquids and their source.
_____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☐No
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
_____
_____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe. _____
_____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes ☐No
ix. Summarize site reclamation goals and plan: _____
_____
_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☐No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____
_____

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ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

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- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

_____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☐No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

_____

_____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

_____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

_____

_____

- Will stormwater runoff flow to adjacent properties? ☐Yes ☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No

Describe:

n. Will the proposed action have outdoor lighting? ☐Yes ☐No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐Yes ☐No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

c. Is the project site presently used by members of the community for public recreation? ☐Yes☐No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes☐No
If Yes,
i. Identify Facilities:
_____
_____

e. Does the project site contain an existing dam? ☐Yes☐No
If Yes:
i. Dimensions of the dam and impoundment:
- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:
_____
_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☐No
If Yes:
i. Has the facility been formally closed? ☐Yes☐ No
- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:
_____
_____

iii. Describe any development constraints due to the prior solid waste activities: _____
_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☐No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
_____
_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes☐No
☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____
☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____
_____
_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes☐No
If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
_____
_____

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes ☐No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☐No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☐No

j. Is the project site in the 100-year Floodplain? ☐Yes ☐No

k. Is the project site in the 500-year Floodplain? ☐Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☐No
If Yes:

i. Name of aquifer: _____

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? ☐Yes ☐No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☐No

If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☐No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☐No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☐No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☐No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☐No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☐No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Daniel J. Ulatowski Date 02/3/2026

Signature _____ Title Assistant Planning Director/ZEO

PRINT FORM

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

TOWN OF AMHERST
State Environmental Quality Review
ENVIRONMENTAL ASSESSMENT FORM
-- ADDENDUM --

1. For each applicable category of proposed new structures, including additions to existing structures, provide the following information for all soil types on the project site (*according to Soil Survey of Erie County, NY; Table 11, Building Site Development, pp 294-305):*

Soil Name	Shallow excavations	Dwellings without basements	Dwellings with basements	Small commercial buildings	Local roads and streets
Town wide					

2. Is your property located: On Youngs Road between Dodge and Klein Roads? □ Yes X No
On Wehrle Dr. between Spindrift Dr. and Oakwood Rd? □ Yes X No

If so, the property may be within an area of the Town that is affected by a moratorium on connections to the sanitary sewer system.

3. Are there alternative locations on the site for this project? □ Yes X No

4. Location and size of real property owned by petitioner within one (1) mile of subject proposal:
Town-wide

5. Are you aware of current or future plans or intentions by others in the Town of Amherst to develop property within 1000± ft. of the present project request: □ Yes X No

Describe N/A

(Potential environmental impacts from adjacent or nearby projects undergoing the approval process will receive a coordinated environmental review to determine cumulative effects on common receivers (e.g. traffic and drainage corridors) and other relevant environmental concerns.)

6. Maximum number of vehicular trips to be generated per peak hour upon completion of project _____
Source:
N/A

7. Will blasting occur during construction? □ Yes X No

8. Does the project propose to connect and be tributary to the public sanitary sewer system? □ Yes X No

9. Proposed net additional gallons per day (gpd) of sanitary sewer discharge upon completion of project:
_____ average flow _____ peak flow.

(Average flows of 2,500 gpd or greater will require an Engineer's Report that includes a detailed downstream sewer capacity analysis and the identification of and commitment to required I/I offset work during peak wastewater flow conditions.)

10. Based on the Town's *2011 Reconnaissance Level Survey of Historic Resources,* is your property 'blue-rated' for historic significance? □ Yes X No

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard,
Planning Direct
Daniel J. Ulatowski,
Assistant Planning D

March 13, 2026

Daniel J. Ulatowski, Zoning Enforcement Officer
Town of Amherst Planning Department
5583 Main Street
Williamsville, New York 14221

SUBJECT:	Zoning Ordinance Text Amendment Request:	**ZTA-2026-01** Battery Energy Storage System (BESS) Regulations
	Property located at:	Townwide
	Application received:	March 3, 2026

Dear Mr. Ulatowski,

Please consider the following comments:

1. The Planning Department Staff concurs with the need to provide regulations for Battery Energy Storage Systems (BESS) as a principal use within the Town and to provide regulations for them to protect the public health, safety, and general welfare, of the community. We have no comments on the text of the proposed regulations.

2. Note that any other SEQR-related issues raised during the review process for this rezoning must be addressed prior to action by the Town Board.

3. Provide **an electronic version** of any revisions to the proposed local submitted for review.

This is a review only and does not constitute approval of the Rezoning Request. Should you have questions regarding this correspondence, please contact Scott A. Marshall, Principal Planner at smarshall@amherst.ny.us.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/SM/bf
X:\Current_Planning\Files\Text Amendments\ZTA-2026\ZTA-2026-01_Pln_Dpt_Rvw_03132026.doc
cc: Tim Kohler, Deputy Town Clerk
Steven B. Bengart, Town Attorney

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

Carrato, Amy

From: dot.sm.r05.SEQR <dot.sm.r05.SEQR@dot.ny.gov>
Sent: Thursday, May 21, 2026 11:35 AM
To: Carrato, Amy
Subject: RE: ZTA-2026-01, Revised BESS Local Law NYSDOT Comments 2026-39

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Amy,

The New York State Department of Transportation (NYSDOT) has reviewed the documentation provided for the revision to the local law relating to Battery Energy Storage Systems and has the following comments:

- NYSDOT concurs with the Town of Amherst for it to act as the Lead Agency
- NYSDOT has no opinion on the revision to the local law

Alyssa Schoenfeldt

From: Carrato, Amy <acarrato@amherst.ny.us>
Sent: Tuesday, May 5, 2026 11:07 AM
To: Hall, David (ERIE) <david.hall@erie.gov>; Hacker, Garrett (ERIE) <garrett.hacker@erie.gov>; dec.sm.DEP.R9 <DEP.R9@dec.ny.gov>; dot.sm.r05.SEQR <dot.sm.r05.SEQR@dot.ny.gov>; Przybylski, Nicholas (THRUWAY) <przybylski@thruway.state.ny.us>; 'Samantha.Brenzel@nfta.com' <Samantha.Brenzel@nfta.com>; 'Dan Young' <DYoung@tocny.org>; 'jhartz@tonawanda.ny.us' <jhartz@tonawanda.ny.us>
Subject: ZTA-2026-01, Revised BESS Local Law

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Attached please find a copy of the revised proposed local law, changes from the previous version are ~~stuck ou~~ for removal with changes notated by underlining. Please review the document(s) relative to your areas of concern and submit your comments and/or recommendations to the Planning Department.

Thank you!

Amy Carrato
Community Development Assistant
Town of Amherst Planning Department
5583 Main Street, Williamsville, NY 14221
716-631-7051

SCAM ALERT
The Town of Amherst will never request payments via email links or wire transfer. All fees for planning and zoning boar applications, and building permit applications must be paid by personal check or money order made out to the Town o Amherst and paid at the Town of Amherst Clerk's Office at the time of application submittal. Receipts for payment are then delivered to the Planning Department and Building Department for each respective application. Official town emails will only come from @amherst.ny.us addresses.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

May 14, 2026

TO: Planning Department

FROM: Krista Halt, Senior Fire Inspector

SUBJECT: LOCAL LAW TO AMEND THE ZONING ORDINANCE, BATTERY ENERGY STORAGE SYSTEMS (BESS), **ZTA-2026-01**.

I have reviewed the revised Draft Local Law for Battery Energy Storage systems and I support the language in the current draft amendment and have no substantial changes to the draft language.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

Carrato, Amy

From: dec.sm.DEP.R9 <DEP.R9@dec.ny.gov>
Sent: Wednesday, March 4, 2026 3:29 PM
To: Carrato, Amy
Subject: RE: ZTA-2026-01, Battery Energy Storage Systems (BESS)
Attachments: zta-2026-01_SEQR Lead Agency Request_030326.pdf

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.
Good afternoon,

The NYSDEC has reviewed your attached request for State Environmental Quality Review Act Lead Agency status for th Town of Amherst proposal to adopt a local law amending the zoning code relative to Battery Energy Storage Systems. NYSDEC is not an involved agency and does not have any specific comments regarding the local law.

The NYSDEC may, however, be an involved agency in future projects. We recommend that proposals be reviewed to avoid impacts to natural resources, such as: regulated freshwater wetlands, floodways and floodplains, protected stream and water bodies, agricultural land, etc. Please refer project sponsors to NYSDEC when appropriate.

New York State Department of Environmental Conservation
Division of Environmental Permits | Region 9
700 Delaware Avenue, Buffalo, NY 14209
w: (716) 851-7165 | f: (716) 851-7168 | DEP.R9@dec.ny.gov
dec.ny.gov | @NYSDEC on Social Media | Podcast

From: Carrato, Amy <acarrato@amherst.ny.us>
Sent: Tuesday, March 3, 2026 3:27 PM
To: Hall, David (ERIE) <david.hall@erie.gov>; Hacker, Garrett (ERIE) <garrett.hacker@erie.gov>; dec.sm.DEP.R9 <DEP.R9@dec.ny.gov>; dot.sm.r05.SEQR <dot.sm.r05.SEQR@dot.ny.gov>; Przybylski, Nicholas (THRUWAY) <przybylski@thruway.state.ny.us>; 'Samantha.Brenzel@nfta.com' <Samantha.Brenzel@nfta.com>; 'Dan Young' <DYoung@tocny.org>; 'jhartz@tonawanda.ny.us' <jhartz@tonawanda.ny.us>
Subject: ZTA-2026-01, Battery Energy Storage Systems (BESS)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Please review the subject attached project and advise the Planning Department of any recommendations and/or requirements. Digital versions of the site plan materials may be viewed and/or downloaded from:
https://www.amherst.ny.us/content/development_projects_pending.php.

Amy Carrato
Community Development Assistant
Town of Amherst Planning Department
5583 Main Street, Williamsville, NY 14221
716-631-7051

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

SCAM ALERT

*The Town of Amherst will never request payments via email links or wire transfer. All fees for planning and zoning board applications, and building permit applications must be paid by personal check or money order made out to the Town of Amherst and paid at the Town of Amherst Clerk's Office at the time of application submittal. Receipts for payment are then delivered to the Planning Department and Building Department for each respective application. Official town emails will on come from @**amherst.ny.us** addresses.*

If you receive an email requesting online payment for a planning or zoning board application, contact the Amherst Planning Department at 716-631-7051, before responding. If you receive an email requesting online payment for a building permit application, contact the Amherst Building Department at 716-631-7080, before responding.

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

Carson Power LLC
39 Broadway
32nd Floor
New York, NY 10006
www.carson-power.com

May 19, 2026

Via Electronic Submission

Town of Amherst Planning Board
Town Hall
5583 Main Street
Williamsville, New York 14221

Re: Comments to the Town of Amherst's Proposed Local Law to Amend the Zoning Ordinance (Chapter 203 of Town Code), Battery Energy Storage Systems (BESS)

Dear Members of the Planning Board:

Carson Power respectfully submits the following comment for the Planning Board's consideration on its draft law dated April 30, 2026 regarding Battery Energy Storage Systems (BESS) that is scheduled to be discussed at the upcoming Planning Board Meeting on Thursday, May 21, 2026. This comment reflects Carson Power's technical experience developing and permitting BESS projects across New York State. This comment is provided to assist the Planning Board in adopting a BESS law that effectively addresses community interests, supports responsible siting, and is consistent with established technical standards, regulatory frameworks, and real-world operating data.

On Setbacks, Section 6-12-6 Tier III BESS Standards, B., 2):

Recommended Revision: Comply to underlying zoning district setbacks for property lines adjacent to roadways.

Proposed Redline:

2) Setbacks from property lines adjacent to roadways shall ~~be a minimum of 100 feet~~ comply with the underlying zoning district setback requirements.

Justification: It is Carson Power's understanding that this enhanced setback along roadways is intended to address visual impacts associated with BESS facilities. However, we believe that landscaping and supplemental screening measures, such as solid fencing, are more effective tools for addressing visual concerns than imposing additional roadway setbacks beyond those otherwise required within the underlying zoning district. These measures allow BESS facilities to be regulated consistently with other land uses while still effectively mitigating visual impacts.

To aid in this discussion, Carson Power has submitted a visual rendering prepared by Saratoga

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

Associates illustrating the meaningful impact that vegetative screening and solid fencing has on visually blocking the facility from view. The setback applied along the property line adjacent to the roadway is 50 feet from the fence line. We have also submitted an overall site plan showing this layout from an aerial perspective.

As shown on page one (1) of the visual rendering, similar vegetation already exists on the parcel immediately east of the proposed site. As illustrated on page three (3), which depicts the landscaping at the five-year mark, the proposed screening becomes substantially integrated with the surrounding vegetation following establishment and growth. The landscaping shown is consistent with the high-impact screening requirements listed within the Town Code. This demonstrates that Tier 3 BESS facilities can achieve the intended visual screening objectives without requiring an additional setback from roadways.

This proposed revision is intended to improve both the workability of the law and the effectiveness of the protections provided to the Town of Amherst. Thank you for your consideration, and please do not hesitate to contact me with any questions.

Respectfully submitted,

Emily Thomas
Development Operations Manager
Carson Power LLC
Phone: (607) 237-5440
Email: ethomas@carson-power.com

Attachment: ZTA-2026-01 TBletter packet 070626 (RES-2026-504 : Text Amendment - New Section to Regulate Battery Energy Storage Systems)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 31971 **RESOLUTION 2026-475** **HEARING CLOSED**

Boulevard Central District Supplemental Draft Generic Environmental Impact Statement

A public hearing on the Boulevard Central District (BCD) Supplemental Draft Generic Environmental Impact Statement (SDGEIS).

6/22/2026
A motion to open the public hearing was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. The public hearing was opened at 7:43 PM.

Kim Amplement, Senior Planner, presented.

There were no speakers from the public, therefore Supervisor Lavin moved to adjourn and keep the hearing open, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. The public hearing was adjourned at 7:53 PM.

7/6/2026
There were no speakers from the public, therefore Supervisor Lavin moved to close the hearing, seconded by Councilmember Davis and unanimously approved 5-0. The public hearing was closed at 3:42 PM.

RESULT:	**HEARING CLOSED**

Amherst

Town of Amherst Planning Department *Erie County, New York*

Shawn A. Lavin
Supervisor

Daniel C. Howard, A
Planning Directo

Daniel J. Ulatowski, A
Assistant Planning Dir

Town Board Agenda of June 22, 2026

June 17, 2026

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Public Hearing for the Boulevard Central District (BCD) Supplemental Draft Generic Environmental Impact Statement (SDGEIS)

Honorable Members:

BACKGROUND

The Town's current Boulevard Central District (BCD) Generic Environmental Impact Statement (GEIS) was prepared under the State Environmental Quality Review (SEQR) process and identified broad environmental impacts and mitigation measures associated with plans and actions in the Boulevard Central District (BCD).

The purpose of the BCD GEIS is to support the redevelopment of one of the Town's larger commercial area in a comprehensive manner by encouraging mixed-use development and increased density, maximizing economic investment and tax revenue, improving vehicular and pedestrian mobility and safety, investing in aged infrastructure systems, and protecting and enhancing surrounding residential neighborhoods. The GEIS is an effective tool to plan for future growth as it addresses impacts on both the natural and built environment, providing the opportunity to mitigate these impacts through good planning, capital improvement planning, and more equitable distribution of costs. The BCD GEIS was prepared in 2019 and adopted in January 2020, over five years ago.

The BCD GEIS Study Area is bounded generally by Niagara Falls Boulevard on the west, the Interstate 290 (I-290) on the north and east, and Sheridan Drive properties immediately south of Sheridan Drive to the south. It includes a mix of commercial, retail, office and residential uses. There are few undeveloped properties and while the residential component consists of established and stable neighborhoods, many of the non-residential properties could benefit from reinvestment and redevelopment.

The GEIS may be supplemented or updated pursuant to 6 NYCRR Part 617.10(d) of SEQR. A variety of changes have occurred over the past several years that signal a need to reevaluate the GEIS and the initial assumptions made to better inform land use and zoning projections of future development, its associated impacts, and corresponding mitigation costs. The Town reviewed the original methodology, factors and assumptions and determined that these have changed to a degree that warrants a Supplemental GEIS (SGEIS).

Attachment: TB Letter - SDGEIS Public Hearing 6-22-26 (RES-2026-475 : Boulevard Central District Supplemental Draft Generic Environmental

Honorable Town Board

Boulevard Central District (BCD)
Supplemental Draft Generic Environmental Impact Statement (SDGEIS)
Agenda of June 22, 2026

RECENT ACTIONS

The Town Board re-established itself as Lead Agency under the New York State Environmental Quality Review Act (SEQRA) for the Boulevard Central District Supplemental Draft Generic Environmental Impact Statement (BCD SDGEIS) at its meeting on May 11, 2026 and directed the Planning Department to prepare the SDGEIS.

The SDGEIS was prepared and at its meeting on May 26, 2026, the Town Board deemed the document complete and adequate for public review and scheduled a public hearing for June 22, 2026. This action initiated the opening of a public review period from May 26 to July 8, 2026 when the public and outside agencies are able to review the document and submit comments to the Town Board. This public hearing also presents an opportunity for the public to provide comments.

NEXT STEPS

Comments from this public hearing, along with comments submitted to the Town via email, mail or in person, will be compiled and responses will be drafted to create a Supplemental Final Generic Environmental Impact Statement (SFGEIS). The SDGEIS will be amended, if necessary, based on these comments. The SFGEIS along with a Statement of Findings will be prepared and are anticipated to be before the Town Board at the meeting of August 10, 2026.

As the document is very large to print, you can access and review it at any time on the Town's website at https://www.amherst.ny.us/pdf/planning/geis/260520_sdgeis.pdf or by using the keyword search: BCD. A physical copy is also available in the Planning Department.

Please reach out if you have any questions or concerns.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/KA/ac

C:\Users\amplementk\Town of Amherst New York\PLN Dept - Common\Special_Projects\Boulevard Central District\GEIS\GEIS Supplemental 2026\Town Board Materials\TB Letter - SDGEIS Public Hearing 6-22-26.docx

Attachment: TB Letter - SDGEIS Public Hearing 6-22-26 (RES-2026-475 : Boulevard Central District Supplemental Draft Generic Environmental

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Attorney
Initiated by: **Steven B. Bengart**
Co-Sponsored by:

DOC ID: 32000 **RESOLUTION 2026-505** **ROLL CALL VOTE (ADOPTED)**

Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000)

AGENDA ITEM : JULY 6TH, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Land Acquisition – Parcels Located At 218 and 330 Maple Road Amended Bond Resolution - $1,650,000**

The above bond resolution was adopted in December 2024 in the amount of $5.9M with a Period of Probably Usefulness (PPU) of 5 years. Since that time, the Town has sold a portion of 300 Maple Road. The Town did not borrow based on the original authorization.

In this regard, kindly take the following action with respect to the above bond request:

(1) Adopt the attached bond resolution authorizing the issuance of $1,650,000.00 in serial bonds for the above-referenced Town improvement. The PPU will now be 20 years.

The adoption of the bond resolution does not require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Thank you.

SBB:nmb
Attachment
c: Tim Koller, Deputy Town Clerk (**Agenda Item : July 6, 2026**)
Lynda Juul, Director of Finance (*w/attachments*)
Michael R. Grela, Comptroller (*w/attachments*)

7/6/2026
Supervisor Lavin made a motion to adopt the Bond resolution, seconded by Deputy Supervisor Marinucci and unanimously approved via Roll Call vote 5-0.

FINANCIAL IMPACT:

Amended Bond Resolution - $1,650,000

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Amherst, in the

County of Erie, New York

July 6, 2026

* * *

A regular meeting of the Town Board of the Town of Amherst, in the County of Erie, New York, was held at the Town Hall, 5583 Main Street, Williamsville, New York, on July 6, 2026.

There were present: Hon. Shawn A. Lavin, Supervisor; and

There were absent:

Also present: Francina J. Spoth, Town Clerk

* * *

_____ offered the following resolution and moved its adoption:

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED JULY 6, 2026, AMENDING THE BOND RESOLUTION ADOPTED DECEMBER 2, 2024 IN CONNECTION WITH THE ACQUISITION OF PARCELS OF LAND LOCATED AT 330 MAPLE ROAD (SBL NO. 55.03-1-10) AND 218 MAPLE ROAD (SBL NO. 55.03-1-9)

Recitals

WHEREAS, the Town Board of the Town of Amherst, Erie County, New York, has heretofore duly authorized the acquisition of parcels of land located at 330 Maple Road (SBL No. 55.03-1-10) and 218 Maple Road (SBL No. 55.03-1-9), at the estimated maximum cost of $5,900,000, and said amount was appropriated for such purpose pursuant to the bond resolution adopted by the Town Board on December 2, 2024; and

WHEREAS, the Town has not issued any bonds or notes pursuant to said bond resolution, but the Town has purchased said parcels of land from funds other than the proceeds of bonds or notes and has subsequently sold a portion of the parcel located 330 Maple Road; and

WHEREAS, having received the proceeds from the sale of a portion of the parcel of land located at 330 Maple Road, the Town now proposes to authorize and issue bonds in a reduced amount of $1,650,000 and to use the proceeds of said bonds to reimburse the Town's general fund for a portion of the amount heretofore expended for the acquisition of the two parcels of land; and

WHEREAS, it is therefore appropriate to amend the bond resolution adopted on December 2, 2024 to reduce the principal amount of bonds authorized from $5,900,000 to $1,650,000, and the Town Board has further determined that it is in the best interests of the Town to increase the maximum authorized maturity of the bonds from five (5) years to thirty (30) years;

NOW, THEREFORE, be it

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

RESOLVED BY THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Town Board) AS FOLLOWS:

Section (A) The bond resolution of said Town duly adopted by the Town Board on December 2, 2024, entitled:

> "Bond Resolution of the Town of Amherst, New York, adopted December 2, 2024, authorizing the acquisition of parcels of land located at 330 Maple Road (SBL No. 55.03-1-10) and 218 Maple Road (SBL No. 55.03-1-9), stating the estimated total maximum cost thereof is $5,900,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of $5,900,000 to finance said appropriation,"

is hereby amended to read as follows:

> BOND RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED DECEMBER 2, 2024 AND AMENDED JULY 6, 2026, AUTHORIZING THE ACQUISITION OF PARCELS OF LAND LOCATED AT 330 MAPLE ROAD (SBL NO. 55.03-1-10) AND 218 MAPLE ROAD (SBL NO. 55.03-1-9), STATING THE ESTIMATED TOTAL MAXIMUM COST THEREOF IS $1,650,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $1,650,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Amherst, in the County of Erie, New York (herein called the "Town"), is hereby authorized to undertake the acquisition of parcels of land located at 330 Maple Road (SBL No. 55.03-1-10) and 218 Maple Road (SBL No. 55.03-1-9). The estimated total maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $1,650,000 and said amount is hereby appropriated for such purpose. The plan of

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

financing includes the issuance of bonds in the amount of $1,650,000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of $1,650,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said object or purpose as set forth in section 1 hereof.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the specific object or purpose for which said $1,650,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 21(a) of the Law, is thirty (30) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of the bond resolution adopted on December 2, 2024 for the purpose for which said bonds were originally authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds, and any notes in anticipation thereof to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the *"Amherst Bee,"* the official newspaper of the Town, having a general circulation within said Town, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the form appearing in Exhibit A hereto.

Section 8. The Town Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the "Amherst Bee," the official newspaper of the Town, having a general circulation within said Town, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

Section (B) The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution as originally adopted, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C) Said bond resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution,

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval, is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted December 2, 2024, shall not be in any way affected and shall remain in full force and effect.

Section (D) The Town Clerk is hereby authorized and directed, after said bond resolution, as herein amended, shall take effect, to be published, in summary, in the official newspaper of the Town, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

The adoption of the foregoing resolution was seconded by _____and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

EXHIBIT A

(Below is the Notice for Publication and Posting)

TOWN OF AMHERST, NEW YORK

PLEASE TAKE NOTICE that on July 6, 2026, the Town Board of the Town of Amherst, in the County of Erie, New York, adopted a resolution amending the bond resolution adopted by said Town Board on December 4, 2024, which bond resolution, as amended, is entitled:

> "Bond Resolution of the Town of Amherst, New York, adopted December 2, 2024 and amended July 6, 2026, authorizing the acquisition of parcels of land located at 330 Maple Road (SBL No. 55.03-1-10) and 218 Maple Road (SBL No. 55.03-1-9), stating the estimated total maximum cost thereof is $1,650,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of $1,650,000 to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Amherst, New York to issue bonds in a principal amount not to exceed $1,650,000 pursuant to the Local Finance Law of the State of New York, to finance the acquisition of parcels of land located at 330 Maple Road (SBL No. 55.03-1-10) and 218 Maple Road (SBL No. 55.03-1-9);

SECOND: STATING that the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $1,650,000; appropriating said amount therefor; and STATING that the plan of financing includes the issuance of bonds in a principal amount not to exceed $1,650,000 to finance said cost, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

THIRD: DETERMINING and STATING that the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued is thirty (30) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purposes for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: STATING the conditions under which the validity of the bonds and any notes issued in anticipation thereof may be contested; and

SEVENTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 6, 2026

Francina J, Spoth
Town Clerk

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

CERTIFICATE

I, FRANCINA J. SPOTH, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Amherst duly called and held on July 6, 2026, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst on July 6, 2026.

(SEAL)

_____
Town Clerk

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
:ss:
COUNTY OF ERIE)

FRANCINA J. SPOTH, being duly sworn, deposes and says:

That she is and at all times hereinafter mentioned she was the duly qualified and acting Town Clerk of the Town of Amherst, State of New York;

That on _____, 2026, she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on July 6, 2026, a copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to the Town Law.

_____
Town Clerk

Subscribed and sworn to before me

this _____ day of July, 2026.

_____
Notary Public, State of New York

Attachment: CertBondReso (RES-2026-505 : Land Acquisition - 218 and 330 Maple Road (Amended Bond Resolution - $1,650,000))

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Attorney
Initiated by: **Steven B. Bengart**
Co-Sponsored by:

DOC ID: 31998 **RESOLUTION 2026-506** **ADOPTED**

Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution - $300,000)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Casey Road Pedestrian and Bicycle Safety Improvements – Ph. 2**
2026-2031 C.I.P. - Project No. E-5
Supplemental Bond Resolution - $300,000

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR Negative Declaration - Notice of Determination of Non-Significance for the above project as determined by the Town of Amherst Planning Department and authorize the Supervisor to execute the same; and

(2) Adopt the attached bond resolution authorizing the issuance of $300,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does not require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SBB:nmb
Attachments
c: Tim Koller, Deputy Town Clerk (*w/attachments*, **Agenda Item – July 6, 2026**)
Michael R. Grela, Comptroller (*w/attachments*)
Lynda Juul, Director of Finance (*w/attachments*)
Dan Ulatowski, AICP, Assistant Planning Director/ZEO (*w/attachments*)
Dan Howard, Director of Planning (*w/attachments*)
Brian J. Armstrong, Engineering Services Administrator (*w/attachments*)
Christopher P. Schregel, Project Manager (*w/attachments*)

7/6/2026

Supervisor Lavin made a motion to approve the SEQR determination, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. Supervisor Lavin made a motion to adopt the Bond resolution, seconded by Deputy Supervisor Marinucci and unanimously approved via Roll Call vote 5-0.

FINANCIAL IMPACT:

Supplemental Bond Resolution - $300,000

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

Amherst
Town of Amherst Planning Department
Erie County, New York

Shawn A. Lavin
Supervisor

Daniel C. Howard, A
Planning Directo

Daniel J. Ulatowski, A
Assistant Planning Dir

DRAFT
SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency:	Town of Amherst Town Board	**Action**:	Casey Road Pedestrian & Bicycle Safety Improvements – Phase 2
Address:	5583 Main Street Williamsville, NY 14221 (716) 631-7051	**Date**:	July 6, 2026

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action:	Casey Road Pedestrian & Bicycle Safety Improvements – Phase 2
SEQR Status:	Unlisted action
Description of Action:	Extension of Pedestrian and Bicycle Improvements
Location:	Casey Road (Paradise Road to Transit Road), Amherst, Erie County
Petitioner:	Town of Amherst

Attachment: amended neg nec_06_30_26_casey rd_ped pahse 2 (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2

Reasons Supporting This Determination

Based on information submitted by the applicant, including a Short Environmental Assessment Form and supporting documentation, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that the proposed request will not have a significant impact on the environment, as follows:

1. The action is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems.

2. The action will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. Improvements will occur in the Road Right of way and a portion of a developed park.

3. The action is consistent with the Town's Comprehensive Plan by providing community facilities and pedestrian improvements desired by the Town residents.

4. The site is within an area identified by the State as potentially containing significant cultural or archeological resources. The improvement will occur within the disturbed road right and areas of the Town's park which have been previously disturbed.

5. The action will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. The immediate neighborhood is developed with residential structures and public park.

6. The action will not cause a significant change in the use or the quantity of energy.

7. The action will not create a hazard to human health.

8. The action will not significantly change the intensity of the existing developed land resource.

9. The action will not significantly increase the number of people using the facilities over its current level of use.

10. Significant negative traffic impacts are not expected to result from the proposed action.

Attachment: amended neg nec_06_30_26_casey rd_ped pahse 2 (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2

Daniel J. Ulatowski, AICP
Assistant Planning Director/ZEO

07/6/2026
date

Shaw A. Lavin, Town Supervisor

date

DU/du
X:\Special_Projects\SEQR_Engineering & Other TOA\Type_I_Unlisted__Other_Actions (PJ-2015-001A)\Casey Road Pedestrian and Bicycle Improvements\Casey Road pedestrian_bicycle Impprovements phase 2.docx

cc: Town Law Department

Attachment: amended neg nec_06_30_26_casey rd_ped pahse 2 (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Amherst, in the

County of Erie, New York

July 6, 2026

* * *

A meeting of the Town Board of the Town of Amherst, in the County of Erie, New York, was held at the Town Hall, 5583 Main Street, Williamsville, New York, on July 6, 2026.

There were present: Hon. Shawn A. Lavin, Supervisor; and

Councilpersons:

There were absent:

Also present: Francina J. Spoth, Town Clerk

* * *

_____ offered the following resolution and moved its adoption:

Attachment: CertBondReso (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution -

BOND RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED JULY 6, 2026, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED $300,000 TO FINANCE A PORTION OF THE COST OF CONSTRUCTION OF THE CASEY ROAD PEDESTRIAN AND BICYCLE SAFETY IMPROVEMENTS (PHASE 2), STATING THE ESTIMATED MAXIMUM COST THEREOF IS $2,501,605 AND APPROPRIATING $300,000,000 AS AN ADDITIONAL APPROPRIATION TO PAY A PORTION OF SAID COST

THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Amherst, in the County of Erie, New York (herein called the "Town"), is hereby authorized to issue bonds in a principal amount not to exceed $300,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a portion of the cost of construction of the Casey Road Pedestrian and Bicycle Safety Improvements (Phase 2), along Casey Road between Paradise Road and Transit Road (Rt. 78) and along Paradise Road between Casey Road and Peanut Line Trail, as described in the Map, Plan and Report dated July 2026, prepared by the Engineering Department (CIP Project E-5).

Section 2. The aggregate estimated maximum cost of the project, including preliminary costs and costs incidental thereto and the financing thereof, is $2,501,605 and

Attachment: CertBondReso (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution -

$300,000 is hereby appropriated as an additional appropriation to pay a part of said cost. The plan of financing includes the issuance of bonds in a principal amount not to exceed $300,000 to finance said additional appropriation, in addition to grant funds and other bonds of the Town, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said

Attachment: CertBondReso (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution -

bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Attachment: CertBondReso (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution -

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the official newspaper of the Town, having a general circulation within said Town, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the form appearing in Exhibit A hereto.

Section 8. The Town Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the official newspaper of the Town, having a general circulation within said Town, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

Attachment: CertBondReso (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution -

EXHIBIT A

(Below is the Notice for Publication and Posting)

TOWN OF AMHERST, NEW YORK

PLEASE TAKE NOTICE that on July 6, 2026, the Town Board of the Town of Amherst, in the County of Erie, New York, adopted a bond resolution entitled:

> "Bond Resolution of the Town of Amherst, New York, adopted July 6, 2026, authorizing the issuance of bonds in a principal amount not to exceed $300,000 to finance a portion of the cost of construction of the Casey Road Pedestrian and Bicycle Safety Improvements (Phase 2), stating the estimated maximum cost thereof is $2,501,605 and appropriating $300,000 as an additional appropriation to pay a portion of said cost,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Amherst, New York to issue bonds in a principal amount not to exceed $300,000 pursuant to the Local Finance Law of the State of New York, to finance a portion of the cost of construction of the Casey Road Pedestrian and Bicycle Safety Improvements (Phase 2), along Casey Road between Paradise Road and Transit Road (Rt. 78) and along Paradise Road between Casey Road and Peanut Line Trail, as described in the Map, Plan and Report dated July 2026, prepared by the Engineering Department (CIP Project E-5);

SECOND: STATING that the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $2,501,605; appropriating $300,000 as an additional appropriation to pay a part of said cost; and STATING that the plan of financing includes the issuance of bonds in a principal amount not to exceed $300,000 to finance said additional appropriation, in addition to grant funds and other bonds of the Town, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

THIRD: DETERMINING and STATING that the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purposes for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: STATING the conditions under which the validity of the bonds and any notes issued in anticipation thereof may be contested; and

SEVENTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 6, 2026

Francina J. Spoth
Town Clerk

Attachment: CertBondReso (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution -

CERTIFICATE

I, Francina J. Spoth, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Amherst duly called and held on July 6, 2026, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this 6th day of July, 2026.

(SEAL)

_____
Town Clerk

Attachment: CertBondReso (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution -

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
:ss:
COUNTY OF ERIE)

FRANCINA J. SPOTH, being duly sworn, deposes and says:

That she is and at all times hereinafter mentioned she was the duly qualified and acting Town Clerk of the Town of Amherst, State of New York;

That on _____, 2026, she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on July 6, 2026, a copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to the Town Law.

_____
Town Clerk

Subscribed and sworn to before me

this _____ day of July, 2026.

_____
Notary Public, State of New York

Attachment: CertBondReso (RES-2026-506 : Casey Road Pedestrian and Bicycle Safety Impvs. Phase 2 (Supplemental Bond Resolution -

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

Town of Amherst
Engineering Department
Casey Road Pedestrian and Bicycle Safety Improvements – Phase 2

2026 – 2031 Capital Improvement Project CIP Project E-5
TOA Project # 2014.048A

Map, Plan & Report for
Supplemental Funding

JULY 2026

Contents:

- Purpose
- Background
- Project Description
- Project Status
- Need for Supplemental Funding
- Anticipated Project Schedule
- Financial Summary
- Taxation Summary
- SEQR Negative Declaration
- Appendix A: Project Mapping

Prepared by:
Town of Amherst Engineering Department
1100 North Forest Rd., Williamsville, NY 14221
(716) 631 – 7154 / (716) 631 – 7222

Town of Amherst
Engineering Department
Casey Road Pedestrian and Bicycle Safety Improvements, Ph 2 – Supplemental Funding

PURPOSE:

The purpose of this Map, Plan & Report is to support supplemental funding for the Casey Road Pedestrian and Bicycle Safety Improvements, Phase 2 Project (PIN 5764.66) and authorization of additional project funding by the Town Board.

This report supplements the March 2023 Map, Plan & Report and summarizes the Project's current status, funding needs, and anticipated path to construction. Based upon the results of public bidding and updated project cost estimates, additional funding is necessary to complete the Project.

BACKGROUND:

Town residents in the vicinity of Casey Road have requested pedestrian and bicycle improvements along this corridor. In 2019, the Town of Amherst completed Phase 1 improvements on Casey Road between Casey Middle School and Paradise Road, including sidewalk and bicycle lane improvements.

The remaining eastern section of Casey Road between Paradise Road and Transit Road (Rt. 78) comprises the Phase 2 project area. This section of Casey Road is an Erie County roadway and currently lacks continuous pedestrian and bicycle accommodations.

In response, the Town of Amherst successfully obtained Transportation Alternatives Program (TAP) funding through the New York State Department of Transportation (NYSDOT) to advance the Casey Road Pedestrian and Bicycle Safety Improvements – Phase 2 project. The original Map, Plan & Report was prepared in March 2023 to support the Town's participation in the project and the required local funding authorization.

PROJECT DESCRIPTION:

The Casey Road Pedestrian and Bicycle Safety Improvements – Phase 2 project consists of transportation safety and mobility improvements along Casey Road between Paradise Road and Transit Road (Rt. 78) within the Town of Amherst.

Major project elements include construction of a sidewalk on the south side of Casey Road, roadway widening, drainage improvements, utility relocations, signing and pavement markings, and bicycle lanes on both sides of Casey Road to provide a continuous and accessible transportation corridor.

The project also includes improvements along Paradise Road between Casey Road and the Peanut Line Trail to provide a direct connection between the proposed bicycle lanes and sidewalk and the regional trail network. Together, these improvements will enhance pedestrian and bicycle connectivity, improve safety for all roadway users, and expand access to destinations throughout the community.

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

Town of Amherst
Engineering Department
Casey Road Pedestrian and Bicycle Safety Improvements, Ph 2 – Supplemental Funding

PROJECT STATUS:

Since the initial authorization for funding in March 2023, the project has advanced through final design in accordance with NYSDOT requirements. Project development included environmental review, utility coordination, right-of-way acquisition, preparation of contract documents, and completion of final plans and specifications.

All required approvals have been obtained from NYSDOT, including authorization to advertise the project for public bidding. The project was advertised in May 2026, with bids publicly opened on May 28, 2026. The bid results established the current cost to construct the project.

The project is positioned to proceed to contract award and construction, subject to authorization of supplemental funding by the Town Board and execution of any remaining funding agreements.

NEED FOR SUPPLEMENTAL FUNDING:

The original March 2023 Map, Plan & Report was prepared using the best available project cost information available at that time and supported the funding authorization necessary to advance the project through design and construction.

Following completion of final design, the updated project estimate was revised to reflect the low construction bid, construction administration, construction inspection, contingency, and other project delivery costs necessary to complete the project. Based upon the results of bidding, these costs exceeded the funding levels previously authorized for the project.

Pursuant to the applicable State-Local Agreement with the New York State Department of Transportation, the Town of Amherst is responsible for costs exceeding available federal and participating local funding sources. Supplemental funding is therefore required to provide sufficient funding to proceed with construction, construction inspection, construction administration, and contingency necessary to successfully deliver the project.

ANTICIPATED PROJECT SCHEDULE:

Supplemental Bond Authorization:	July 6, 2026
Construction Award:	August 10, 2026
Notice to Proceed:	August 2026
Construction Commencement:	September 2026
Substantial Completion:	Summer 2027

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

Town of Amherst
Engineering Department
Casey Road Pedestrian and Bicycle Safety Improvements, Ph 2 – Supplemental Funding

FINANCIAL SUMMARY:

Following the bid opening, project costs were updated to reflect the low bid, construction administration, construction inspection, contingency, and other project delivery costs necessary to complete the project.

The project continues to be funded through the Federal Transportation Alternatives Program (TAP), local Town of Amherst funding, and Erie County betterment participation. As mentioned, project funding commitments and estimated costs have been updated to reflect the current bid. The revised project funding sources and estimated project costs are summarized below.

	Federal Aid (TAP)	Erie County Betterment	Town Bond Authorization (2023)	**Proposed Bond Authorization (2026)**	Total Project Costs
Design	$ 240,000.00	$ -	$ 60,000.00		$ 300,000.00
Construction	$ 1,146,400.00	$ 311,205.00	$ 286,600.00	**$ 276,000.00**	$ 2,020,205.00
Construction Inspection	$ 104,000.00	$ -	$ 26,000.00	**$ 22,500.00**	$ 152,500.00
Contingency	$ -	$ -	$ 25,400.00		$ 25,400.00
Legal/Admin/Bonding	$ -	$ -	$ 2,000.00	**$ 1,500.00**	$ 3,500.00
Totals	$ 1,490,400.00	$ 311,205.00	$ 400,000.00	**$ 300,000.00**	$ 2,501,605.00

Bond Amount: **$ 300,000.00**

Based upon the revised project funding and estimated costs presented above, the Town of Amherst proposes an additional bond authorization in the amount of $300,000 with a minimum useful life of fifteen (15) years to supplement the funding previously authorized for the project.

TAXATION SUMMARY:

The funds have been identified as a General Fund Bond with a bond term of 15 years.

Total Amount to be Bonded:	$ 300,000
Bond Term:	15 Years
Annual Tax Impacts:	$0.0015 per $1,000 AV at 99% Equalization
Median Home Annual Tax Impact:	$0.5155 per $341,000 AV at 99% Equalization

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, AI
Planning Director

Daniel J. Ulatowski, AI
Assistant Planning Dire

Transmitted electronically

MEMORANDUM January 9, 2023

TO: Christopher Schregel, Project Manager
Engineering Department

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

RE: SEQR Determination
Casey Road Pedestrian and Bicycle Safety Improvements – Phase 2
2023-2028 C.I.P. Project E-25

The Planning Department has reviewed the Map, Plan & Report for the subject project and has determined it to be an Unlisted action under the provisions of SEQR according to Part 617.5. Attached for the Town Board's consideration is draft SEQR determination of environmental significance.

Please contact our office if you have any questions.

X:\Special_Projects\SEQR_Engineering & Other TOA\Type_I_Unlisted__Other_Actions (PJ-2015-001A)\Casey Road Pedestrian and Bicycle Improvements\memo casey road pedestrian and bicycle phase 2.docx

cc:
Stanley J. Sliwa, Esq., Town Attorney
Daryl Bramer, Comptroller
Daniel Howard, Planning Director

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, AI
Planning Director

Daniel J. Ulatowski, AI
Assistant Planning Dire

DRAFT
SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency:	Town of Amherst Town Board	**Action**:	Casey Road Pedestrian & Bicycle Safety Improvements – Phase 2
Address:	5583 Main Street Williamsville, NY 14221 (716) 631-7051	**Date**:	

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Casey Road Pedestrian & Bicycle Safety Improvements – Phase 2

SEQR Status: Unlisted action

Description of Action: Extension of Pedestrian and Bicycle Improvements

Location: Casey Road (Paradise Road to Transit Road), Amherst, Erie County

Petitioner: Town of Amherst

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

Reasons Supporting This Determination

Based on information submitted by the applicant, including a Short Environmental Assessment Form and supporting documentation, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that the proposed request will not have a significant impact on the environment, as follows:

1. The action is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems.

2. The action will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. Improvements will occur in the Road Right of way and a portion of a developed park.

3. The action is consistent with the Town's Comprehensive Plan by providing community facilities and pedestrian improvements desired by the Town residents.

4. The site is within an area identified by the State as potentially containing significant cultural or archeological resources. The improvement will occur within the disturbed road right and areas of the Town's park which have been previously disturbed.

5. The action will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. The immediate neighborhood is developed with residential structures and public park.

6. The action will not cause a significant change in the use or the quantity of energy.

7. The action will not create a hazard to human health.

8. The action will not significantly change the intensity of the existing developed land resource.

9. The action will not significantly increase the number of people using the facilities over its current level of use.

10. Significant negative traffic impacts are not expected to result from the proposed action.

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

_____ _____
Daniel J. Ulatowski, AICP date
Assistant Planning Director/ZEO

_____ _____
Brian J. Kulpa, Town Supervisor date

DU/du
X:\Special_Projects\SEQR_Engineering & Other TOA\Type_I_Unlisted__Other_Actions (PJ-2015-001A)\Casey Road Pedestrian and Bicycle Improvements\Casey Road pedestrian_bicycle Impprovements phase 2.docx

cc: Town Law Department

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

Town of Amherst
Engineering Department
Casey Road Pedestrian and Bicycle Safety Improvements, Ph 2 – Supplemental Funding

Appendix A

Project Mapping

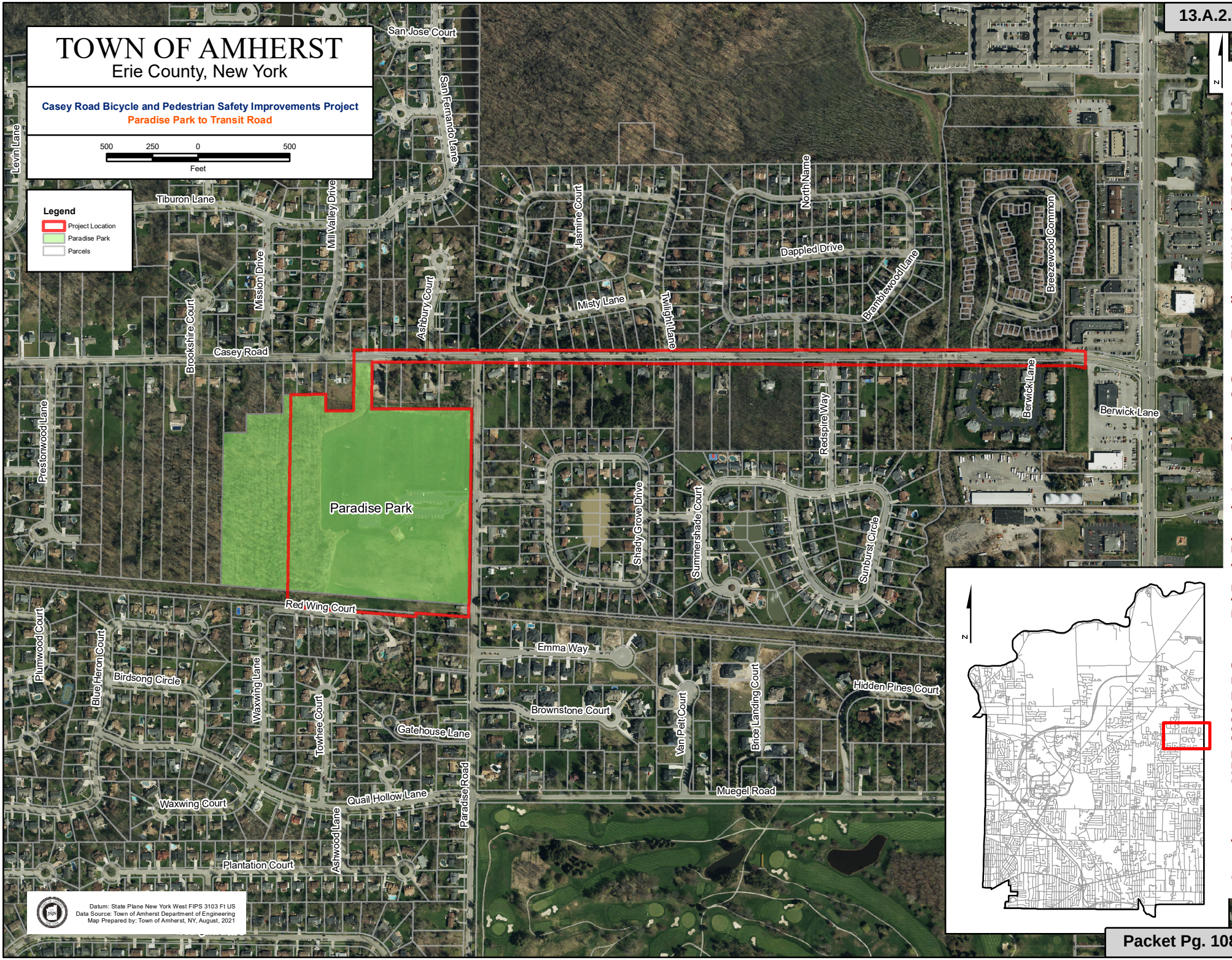
Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 : Casey Road Pedestrian and Bicycle

TOWN OF AMHERST
Erie County, New York

Casey Road Bicycle and Pedestrian Safety Improvements Project
Paradise Park to Transit Road

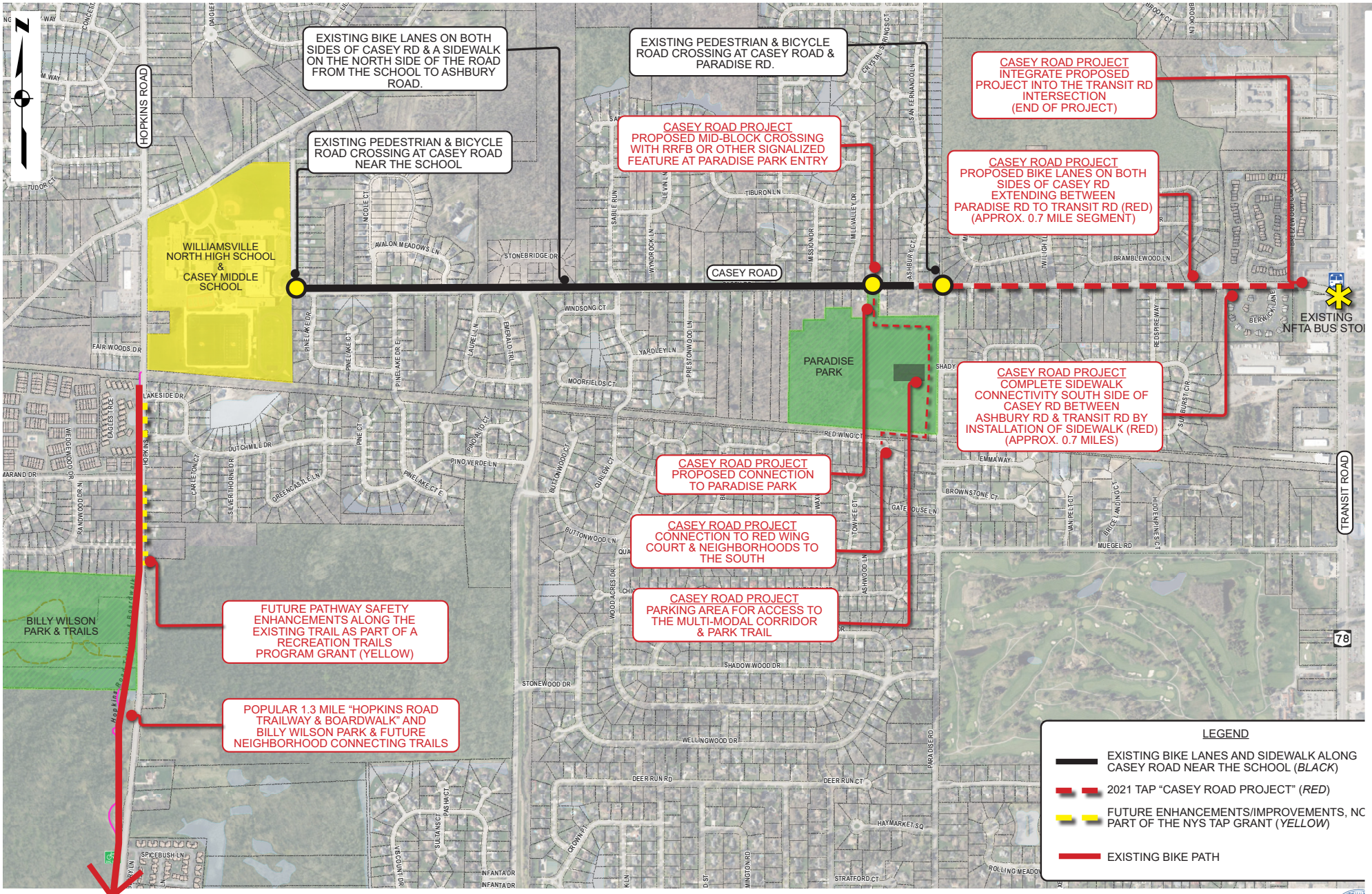
500 250 0 500
Feet

Legend
- Project Location
- Paradise Park
- Parcels



Datum: State Plane New York West FIPS 3103 Ft US
Data Source: Town of Amherst Department of Engineering
Map Prepared by: Town of Amherst, NY, August, 2021

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 :



CASEY ROAD PROJECT SCHEMATIC PLAN
EXISTING & FUTURE BICYCLE & PEDESTRIAN IMPROVEMENTS

September 2021

Attachment: MPR 2026 E-5 Casey Rd Ped Bicycle Impr Phase 2 Supp Funding FINAL (RES-2026-506 :

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Attorney
Initiated by: **Steven B. Bengart**
Co-Sponsored by:

DOC ID: 32027 **RESOLUTION 2026-507** **ROLL CALL VOTE (ADOPTED)**

Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Klein Road Corridor Transportation Improvements – Phase 2**
Bond Resolution - $225,000

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $225,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does not require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SBB:nmb
Attachments
c: Tim Koller, Deputy Town Clerk (*w/attachments*, **Agenda Item – July 6, 2026**)
Michael R. Grela, Comptroller (*w/attachments*)
Lynda Juul, Director of Finance (*w/attachments*)
Dan Ulatowski, AICP, Assistant Planning Director/ZEO (*w/attachments*)
Dan Howard, Director of Planning (*w/attachments*)
Brian J. Armstrong, Engineering Services Administrator (*w/attachments*)
Christopher P. Schregel, Project Manager (*w/attachments*)

7/6/2026
Supervisor Lavin made a motion to approve the SEQR determination, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0. Supervisor Lavin made a motion to adopt the Bond resolution, seconded by Deputy Supervisor Marinucci and unanimously

approved via Roll Call vote 5-0.

FINANCIAL IMPACT:

Bond Resolution - $225,000

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy Supervisor
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

Amherst

Town of Amherst Planning Department *Erie County, New York*

Shawn A. Lavin
Supervisor

Daniel C. Howard, AI
Planning Director

Daniel J. Ulatowski, AI
Assistant Planning Dire

Attachment: SEQR (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

MEMORANDUM June 11, 2026

TO: Christopher Schregel, Project Manager
Engineering Department

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

RE: SEQR Classification – Klein Road Transportation Improvements, Phase 2
2026-2031 C.I.P. Project E-4

The Planning Department has reviewed the Map, Plan & Report for the subject project and has determined it to be a Type II Action under the provisions of SEQR according to Part 617.5(c)(1),(5) &(22). Therefore, no further environmental review is required.

Please contact our office if you have any questions.

cc: Steven Bengart, Esq., Town Attorney
Daniel Howard, Planning Director

X:\Special_Projects\SEQR_Engineering & Other TOA\Type_II_Actions_(PJ-2015-001)\03_25_2025_E-5 _Klein Road Transporation Improvements.docx

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Amherst, in the

County of Erie, New York

July 6, 2026

* * *

A meeting of the Town Board of the Town of Amherst, in the County of Erie, New York, was held at the Town Hall, 5583 Main Street, Williamsville, New York, on July 6, 2026.

There were present: Hon. Shawn A. Lavin, Supervisor; and

Councilpersons:

There were absent:

Also present: Francina J. Spoth, Town Clerk

* * *

_____ offered the following resolution and moved its adoption:

Attachment: CertBondReso (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

BOND RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED JULY 6, 2026, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED $225,000 TO FINANCE KLEIN ROAD CORRIDOR TRANSPORTATION IMPROVEMENTS (PHASE 2), STATING THE ESTIMATED MAXIMUM COST THEREOF IS $225,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Amherst, in the County of Erie, New York (herein called the "Town"), is hereby authorized to issue bonds in a principal amount not to exceed $225,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance Klein Road Corridor Transportation Improvements (Phase 2), as described in the Map, Plan and Report dated June 2026, prepared by the Engineering Department (CIP Project E-4).

Section 2. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $225,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal amount not to exceed $225,000 to finance said appropriation, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Attachment: CertBondReso (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the objects or purposes for which said bonds are authorized to be issued, within the limitations of Sections 11.00 a. 20 (c), 72 (a) and 91of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Attachment: CertBondReso (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the official newspaper of the Town, having a general circulation within said Town, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the form appearing in Exhibit A hereto.

Attachment: CertBondReso (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

Section 8. The Town Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the official newspaper of the Town, having a general circulation within said Town, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

Attachment: CertBondReso (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

EXHIBIT A

(Below is the Notice for Publication and Posting)

TOWN OF AMHERST, NEW YORK

PLEASE TAKE NOTICE that on July 6, 2026, the Town Board of the Town of Amherst, in the County of Erie, New York, adopted a bond resolution entitled:

> "Bond Resolution of the Town of Amherst, New York, adopted July 6, 2026, authorizing the issuance of bonds in a principal amount not to exceed $225,000 to finance Klein Road Corridor Transportation Improvements (Phase 2), stating the estimated maximum cost thereof is $225,000 and appropriating said amount for such purpose,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Amherst, New York to issue bonds in a principal amount not to exceed $225,000 pursuant to the Local Finance Law of the State of New York, to finance Klein Road Corridor Transportation Improvements (Phase 2), as described in the Map, Plan and Report dated June 2026, prepared by the Engineering Department (CIP Project E-4);

SECOND: STATING that the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $225,000; appropriating said amount for such purpose; and STATING that the plan of financing includes the issuance of bonds in a principal amount not to exceed $225,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

THIRD: DETERMINING and STATING that the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purposes for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: STATING the conditions under which the validity of the bonds and any notes issued in anticipation thereof may be contested; and

SEVENTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 6, 2026

Francina J. Spoth
Town Clerk

Attachment: CertBondReso (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

CERTIFICATE

I, Francina J. Spoth, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Amherst duly called and held on July 6, 2026, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this 6th day of July, 2026.

(SEAL)

_____
Town Clerk

Attachment: CertBondReso (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
:ss:
COUNTY OF ERIE)

FRANCINA J. SPOTH, being duly sworn, deposes and says:

That she is and at all times hereinafter mentioned she was the duly qualified and acting Town Clerk of the Town of Amherst, State of New York;

That on _____, 2026, she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on July 6, 2026, a copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to the Town Law.

_____
Town Clerk

Subscribed and sworn to before me

this _____ day of July, 2026.

_____
Notary Public, State of New York

Attachment: CertBondReso (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2 (Bond Resolution - $225,000))

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2

Town of Amherst
Engineering Department

Klein Road Corridor Transportation Improvements – Phase 2

2026 – 2031 Capital Improvement Program E-4
TOA Project #2025.009
MAP, PLAN, & REPORT

JUNE 2026

Contents:

- Executive Summary
- Location and Background
- Scope of Improvements
- Maintenance Responsibility
- Project Schedule
- Financial Summary
- Project Cost Estimate
- Taxation Summary
- Town of Amherst Planning Department SEQR Determination – Type II Action
- Maps

Prepared by:
Town of Amherst Engineering Department
Engineering Support Division
1100 North Forest Road
Williamsville, NY 14221
(716) 631 - 7154 / Fax: (716) 631 - 7222

Town of Amherst
Klein Road Transportation Improvements, Phase 2

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2

EXECUTIVE SUMMARY:

The Town of Amherst previously authorized funding for the Klein Road Transportation Improvements project to study, design, and construct transportation safety and operational improvements along the West Klein Road and Klein Road corridor between North Forest Road and Transit Road. The project was initiated in response to concerns regarding crash history, traffic operations, excessive vehicle speeds, pedestrian accommodations, and aging transportation infrastructure at multiple locations throughout the corridor.

Following completion of the traffic study and preliminary engineering phases, recommended transportation improvements were identified to improve roadway safety, modernize existing infrastructure, improve traffic operations, and enhance pedestrian accommodations along the corridor. The study evaluated traffic conditions, past Town reviews, crash history, roadway geometry, traffic control devices, and future transportation needs at several intersections and roadway segments throughout the project area.

The primary improvements currently anticipated include replacement of the traffic signal system at the Klein Road and Youngs Road intersection, associated roadway and pedestrian improvements, and installation of a Rapid Rectangular Flashing Beacon (RRFB) crossing enhancement within the Klein Road corridor. Additional transportation improvements identified through the study and design process may also be advanced should funding remain available following completion of the primary project elements.

This Map, Plan and Report supports an additional bond authorization to supplement previously approved project funding and allow the Town to complete final design, utility coordination, construction, construction inspection, construction administration, and implementation of the recommended transportation improvements identified through the study process. The project is intended to improve safety, enhance mobility, modernize aging infrastructure, and provide long-term transportation benefits for residents, businesses, and users of all modes of travel throughout the Klein Road corridor.

LOCATION AND BACKGROUND:

West Klein Road and Klein Road are local collector roadways that carry traffic east-west between North Forest Road and Transit Road within the Town of Amherst, NY. The corridor serves residential neighborhoods, commercial properties, schools, recreation facilities, and community destinations, while functioning as an important east-west transportation connection within the Town.

The Town of Amherst previously appropriated funding under the approved 2025–2030 Capital Improvement Program for the Klein Road Transportation Improvements project to study, design, and construct transportation safety and operational improvements along the corridor. The project was initiated in response to concerns regarding crash history, traffic operations, excessive vehicle speeds, pedestrian accommodations, roadway geometry, and aging transportation infrastructure.

As part of the previously authorized project, the Town retained a professional engineering consultant to complete a corridor traffic study and preliminary engineering evaluation. The study reviewed traffic

conditions, crash history, roadway geometry, traffic control devices, intersection operations, pedestrian accommodations, and future transportation needs throughout the corridor.

Based on the findings of the study and ongoing engineering design efforts, additional funding is necessary to supplement previously approved project funding and advance final design and construction of the transportation improvements identified through the study process.

PROPOSED IMPROVEMENTS:

This project includes final design, utility coordination, construction, construction inspection, construction administration, and implementation of transportation improvements identified through the Klein Road Transportation Study and subsequent engineering evaluation for the West Klein Road and Klein Road corridor.

Improvements may include, but are not limited to, the following:

1. Klein Road and Youngs Road Intersection - Improvements may include replacement and modernization of the existing traffic signal system and associated transportation infrastructure, including:
    - Traffic signal replacement and upgrades including far-side mast arms
    - Protected left-turn phasing modifications
    - Roadway widening and geometric improvements
    - Turn lane modifications and extensions
    - ADA-compliant pedestrian signal and accessibility improvements, including curb ramp upgrades
    - Signal video detection, wiring, controller, and electrical upgrades
    - Pavement marking and signage modifications
    - Drainage, utility coordination, and related incidental work

2. Klein Road Corridor Pedestrian and Traffic Safety Improvements - Work may include pedestrian crossing enhancements and related transportation safety measures throughout the corridor, including but not limited to the following:
    - Installation of Rapid Rectangular Flashing Beacons (RRFBs)
    - High-visibility crosswalks and pedestrian accessibility improvements
    - Traffic control device modifications
    - Signage and pavement marking improvements
    - Roadway geometry modifications
    - Traffic calming and operational improvements
    - Utility coordination and related incidental work

Additional transportation improvements identified through the study, design, and engineering process may also be advanced should funding remain available following completion of the primary project elements. Such work may include modifications to roadway geometry, traffic control devices, pedestrian facilities, drainage systems, utility infrastructure, signage, pavement markings, and related incidental work necessary to improve safety and operations along the Klein Road corridor.

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2

Town of Amherst
Klein Road Transportation Improvements, Phase 2

MAINTENANCE RESPONSIBILITY:

West Klein Road and Klein Road are owned and maintained by the Town of Amherst. Transportation improvements completed as part of this project will remain owned, operated, and maintained by the Town of Amherst following project completion, including traffic signal infrastructure, pedestrian improvements, pavement markings, signage, and associated transportation facilities.

The Town of Amherst currently owns, operates, and maintains the existing traffic signal system at the Klein Road and Youngs Road intersection. Replacement infrastructure constructed as part of this project will likewise remain under Town ownership and maintenance responsibility.

PROJECT SCHEDULE:

Design:	Summer-Fall 2026
Bid:	Winter 2026
Construction:	Spring 2027

FINANCIAL SUMMARY:

The Town of Amherst appropriated funds in the approved 2026–2031 Capital Improvement Program under Project E-4, Klein Road Corridor Transportation Improvements – Phase 2. The funds have been identified as a General Fund bond and are intended to supplement funding previously authorized for the Klein Road Transportation Improvements project.

Town of Amherst
2026 - 2031 Capital Improvement Program
Summary of Approved Projects by Department

Engineering Services

Project ID	*Project Title/Description*	*2026*
E-4	**Klein Road Corridor Transportion Improvements - Phase 2:** Construction of improvements along Klein Road. Includes construction of West Klein Road/Cobblestone Lane/Dash's Plaza traffic signal installation and improvements at the Youngs/Klein, Klein/Ayer intersections, and West Klein/ Birchwood intersection.	225 LA

PROJECT COST ESTIMATE:

	Phase 1	**Phase 2**	Project Total
○ Design	$ 80,000	**$ 35,000**	$ 115,000
○ Construction Inspection/Administration	$ 0	**$ 70,000**	$ 70,000
○ Construction	$ 407,550	**$ 118,875**	$ 526,425
○ Legal/Admin/Bonding	$ 2,450	**$ 1,125**	$ 3,575
○ Totals	$ 490,000	**$ 225,000**	715,000

Total Amount to Be Bonded: $ 225,000

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2

Town of Amherst
Klein Road Transportation Improvements, Phase 2

TAXATION SUMMARY:

Total Amount to be bonded:	**$ 225,000.00**
Bond Term:	**15 Years**
Annual Tax Impact:	$0.0011 per $1,000 AV at 99% Equalization
Median Home Annual Tax Impact:	$0.3866 per $341,000 AV at 99% Equalization

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2

Town of Amherst Planning Department
SEQR Determination – Type II Action

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2

Amherst

Town of Amherst Planning Department *Erie County, New York*

Shawn A. Lavin
Supervisor

Daniel C. Howard, AI
Planning Director

Daniel J. Ulatowski, AI
Assistant Planning Dire

MEMORANDUM June 11, 2026

TO: Christopher Schregel, Project Manager
Engineering Department

FROM: Daniel J. Ulatowski, AICP, Assistant Planning Director

RE: SEQR Classification – Klein Road Transportation Improvements, Phase 2
2026-2031 C.I.P. Project E-4

The Planning Department has reviewed the Map, Plan & Report for the subject project and has determined it to be a Type II Action under the provisions of SEQR according to Part 617.5(c)(1),(5) &(22). Therefore, no further environmental review is required.

Please contact our office if you have any questions.

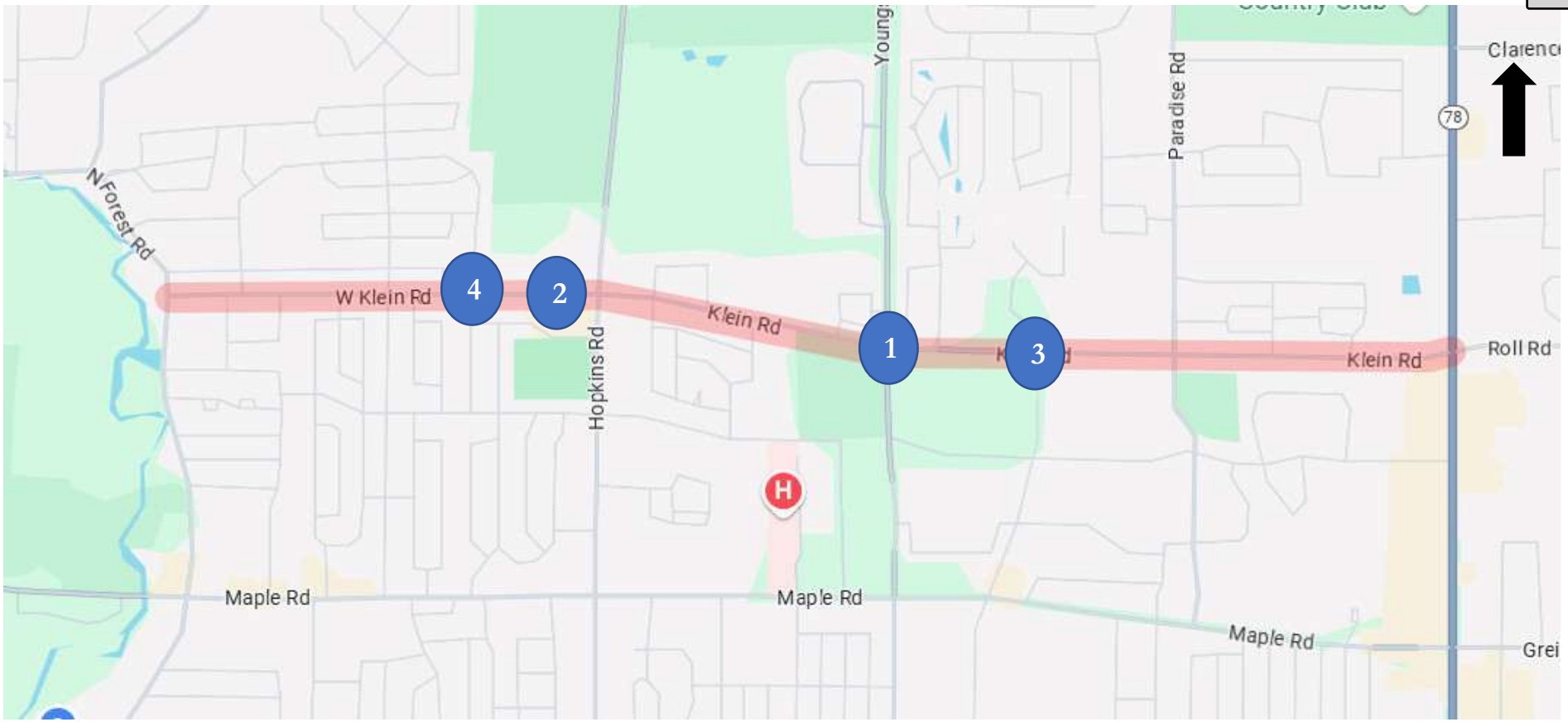
cc: Steven Bengart, Esq., Town Attorney
Daniel Howard, Planning Director

X:\Special_Projects\SEQR_Engineering & Other TOA\Type_II_Actions_(PJ-2015-001)\03_25_2025_E-5 _Klein Road Transporation Improvements.docx

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2

MAPS

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor Transportation Improvements Phase 2



W. Klein Road / Klein Road Corridor between N. Forest Road and Transit Road

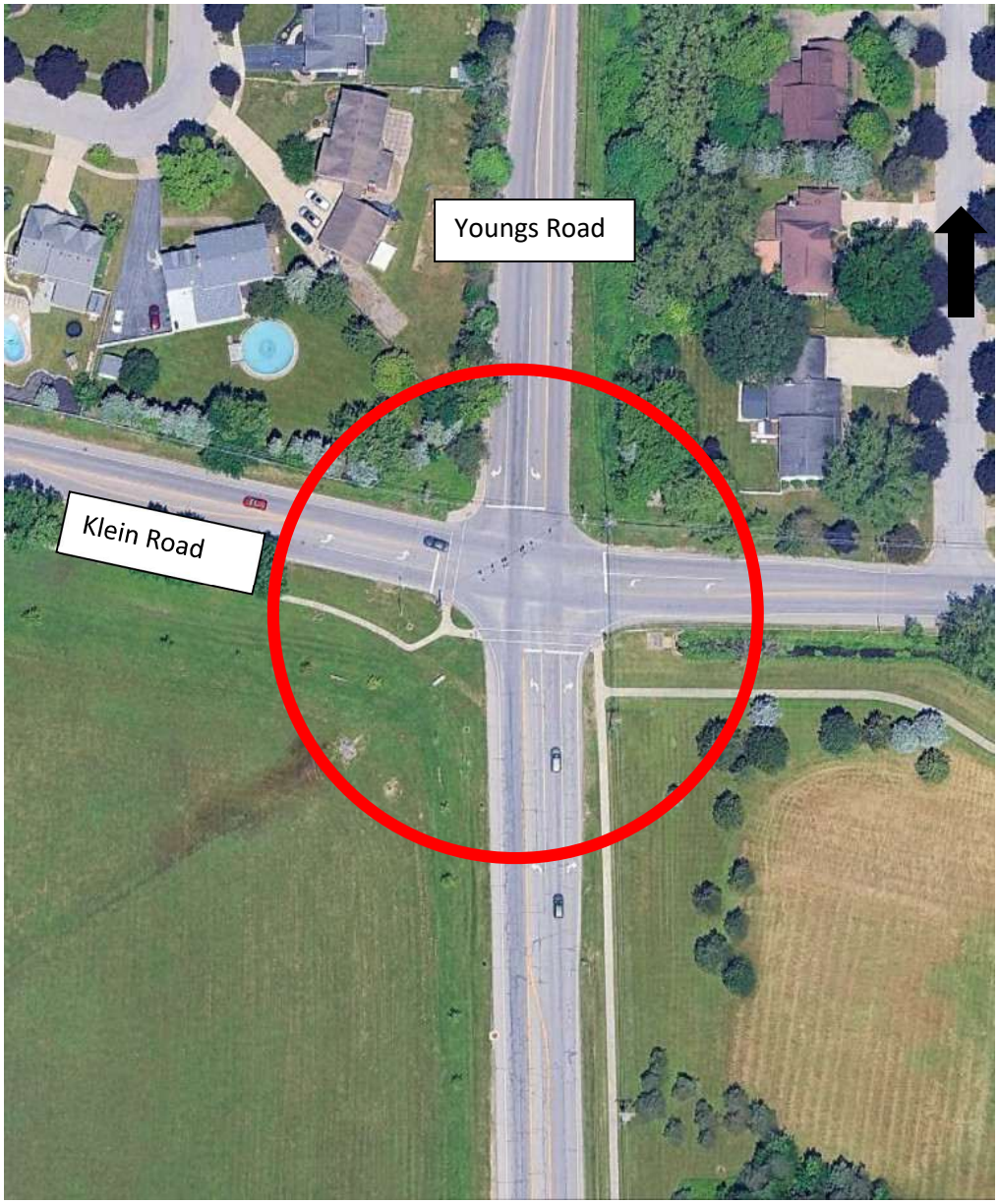
(shown in red)

Project Locations of Interest

1. Youngs/Klein Road Intersection
2. W. Klein Road / Dash's Market / Cobblestone Lane Intersection
3. Klein Rd. / Ayer Rd. / Knollwood Ln. Road Intersection
4. W. Klein Rd. / Cottonwood Dr. Intersection

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor

1



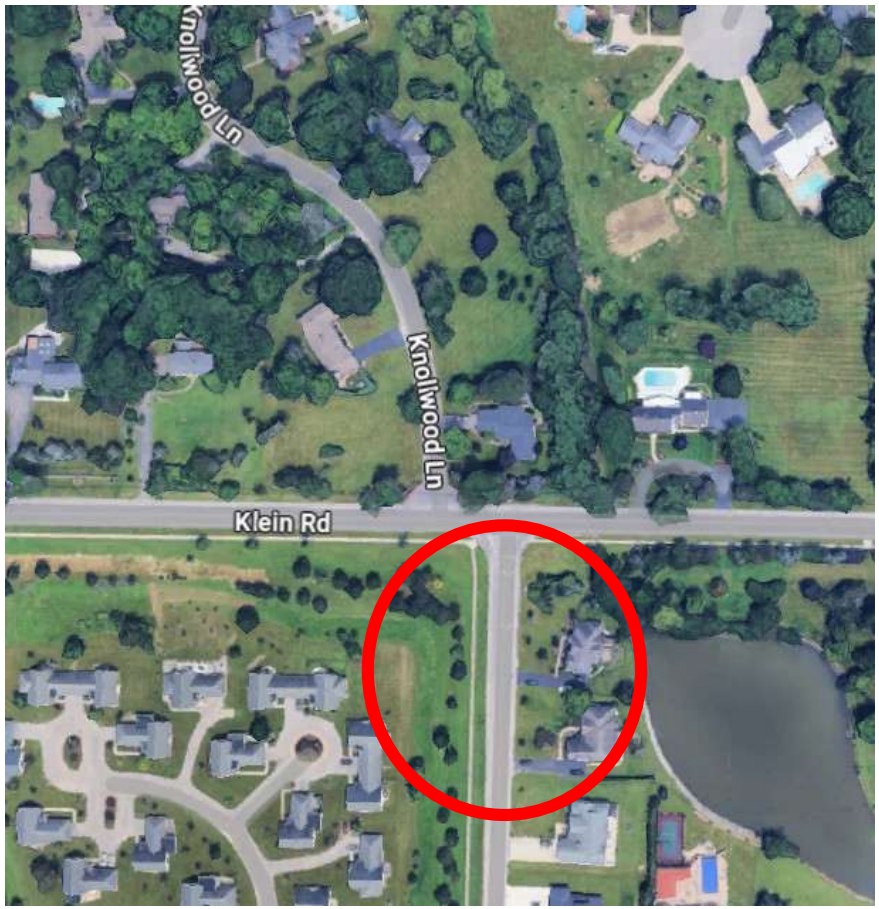
Youngs/Klein Road Intersection

2

W. Klein Road / Dash's Market / Cobblestone Lane Intersection

Attachment: MPR 2026 E-4 Klein Rd Corridor Transportation Impr (RES-2026-507 : Klein Road Corridor

3



Klein Rd. / Ayer Rd. / Knollwood Ln. Road Intersection

4

W. Klein Rd. / Cottonwood Drive Intersection

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Attorney
Initiated by: **Steven B. Bengart**
Co-Sponsored by:

DOC ID: 31993 **RESOLUTION 2026-508** **ADOPTED**

Reschedule Public Hearing Repealing Chapter 22 of the Code of the TOA (Freedom of Information)

AGENDA ITEM : JULY 6TH, 2026

TO: **Town Board**

FROM: **Samuel A. Alba, Esq., Senior Deputy Town Attorney**

DATE: **July 1, 2026**

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

The request to set a Public Hearing for the above matter appeared on the June 8th agenda. The hearing was set to take place this afternoon at 3:00 p.m. The Notice of Public Hearing was inadvertently not published and thus the Town Board must adopt a resolution to set a new Public Hearing date in order to notice as required by law.

In this regard, please adopt a resolution to schedule a Public Hearing for the above matter on July 27, 2026 at 7:00 p.m.

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 : July 6, 2026**)

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

None for the purposes of this resolution.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Town Attorney
Initiated by: **Nicole M. Burroughs**
Co-Sponsored by:

DOC ID: 32002 **RESOLUTION 2026-509** **ADOPTED**

License Agreement - 34 Bentley Court (Aldrich III and Martin) (CRS# 6336)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

FROM: **Nicole M. Burroughs, NYSCP, Supervising Paralegal**

DATE: **July 1, 2026**

RE: **Request for License Agreement (CRS #6366)**
Installation and Placement of Fence
Property Located At:
34 Bentley Court, Williamsville, New York 14221

Kindly adopt a resolution authorizing the Supervisor to execute the attached License Agreement pending successful completion of the Contract Routing System (CRS).

The owners of the above-referenced property are seeking permission to construct and install a fence that will encroach into a Town-owned Public Drainage easement, the details and stipulations of which are more fully described in the License Agreement.

This request was reviewed and approved by the Highway Department.

Thank you for your consideration.

NMB:hs
Attachment
c: Timothy Koller, Deputy Town Clerk (*w/attachment*)
(**Agenda Item: July 6, 2026**)
Craig Schreck, General Crew Chief (*w/attachment)*

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

$230.00 Revenue paid by property owners ($150.00 License Agreement; $80.00 ECCO filing fee) - A5010.02724

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

Attachment: License Agreement-Draft-V2-Clean-SWH-06-08-26 (RES-2026-509 : License Agreement - 34 Bentley Court (Aldrich III and Martin)

Record and Return to:
Town of Amherst Attorney's Office
5583 Main Street
Williamsville, New York 14221

TOWN OF AMHERST LICENSE AGREEMENT

THIS LICENSE AGREEMENT ("***Agreement***") made as of this ___ day of _____, 2026, between the **TOWN OF AMHERST**, a municipal corporation existing under and by virtue of the laws of the State of New York, having its principal office at 5583 Main Street, Williamsville, New York 14221 (hereinafter the "***Town***") and **THOMAS J. ALDRICH III** and **ALANA S. MARTIN,** as joint tenants with rights of survivorship, with an address of 34 Bentley Court, Williamsville, NY 14221-8315 (collectively hereinafter the "***Owner***")

WITNESSETH:

WHEREAS, the Owner is the owner property located at 34 Bentley Court [SBL No. 56.10-12-5] in the Town of Amherst (the "***Property***") pursuant to a deed recorded at the Erie County Clerk's Office on February 1, 2023 at Liber 11413 of Deeds at Page 6771. A legal description of the Property is attached hereto as **Schedule "1"**; and

WHEREAS, the westernmost twenty feet (20') of the Property is subject to a Permanent Easement dated June 13, 1987 as recorded at the Erie County Clerk's Office on July 29, 1987 at Liber 9744 of Deeds at Page 213 ("***Easement Agreement***"), by which the previous owner of the Property granted the Town the permanent right and easement to operate, maintain, repair, reconstruct and extend Storm Drainage and appurtenances (collectively "***Storm Drainage Improvements***"), upon, under and across the area shown on the map prepared by Pratt & Huth Associates dated May 16, 1987 attached as Exhibit A of the Easement Agreement (the "***Easement Area***"); and

WHEREAS, the Owner has requested that the Town grant a license for the purpose of utilizing a portion of the Easement Area for the installation of a fence which will be located within the Easement Area. The approximate location of the proposed fence is depicted on the survey of the Property attached hereto as **Schedule "2"**.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar ($1.00) paid to the Town, the receipt whereof is hereby acknowledged, and the terms and conditions hereinafter set forth, the parties agree as follows:

1. The Town hereby grants to the Owner, its successors and assigns, a license to allow the installation of a fence within the Easement Area consistent with the survey of the Property attached hereto as **Schedule "2"**. The license is subject to the following terms and conditions:

2. The license being granted by the Town to the Owner is expressly limited to the installation of a fence within the Easement Area consistent the location depicted on

survey attached hereto as **Schedule "2"**. No other improvements shall be made by the Owner within the Easement Area without the express written consent of the Town.

3. The Owner shall be responsible for ensuring that the use of the Easement Area as authorized herein shall not interfere with or restrict the operation, maintenance, repair and/or reconstruction of the Storm Drainage Improvements located in the Easement Area or the Storm Drainage Improvements located on nearby properties. If the Town determines that the fence to be located in the Easement Area is interfering with the proper functioning of the Storm Drainage Improvements located either on the Property or nearby properties, then the Town shall have the right to require the Owner to remove the fence from the Easement Area upon providing written notice to the Owner and such written notice shall include the time period for the required removal of the fence located in the Easement Area by the Owner.

4. Within thirty (30) days of installing the fence in the Easement Area in manner consistent with the survey attached hereto as **Schedule "2"**, the Owner shall be required to submit an updated survey depicting the Easement Area and depicting the location of the fence including the setbacks of the fence from the western, northern and southerly boundary of the Property. The updated survey shall be provided to the Town at the following address:

   Town of Amherst Town Hall
   Attn: Town Attorney's Office
   5583 Main Street
   Williamsville, NY 14221

5. If the Town determines in its sole discretion that it is necessary to remove the fence located in the Easement Area or any portion thereof, then the Town shall have the right to notify the Owner of the need to remove the fence or any portion of thereof within the timeframe to be specified in such notice to the Owner; or the Town may remove the fence at the sole expense of the Owner. If the Town undertakes the removal of the fence, the Owner shall be required to reimburse the Town for all expenses incurred by the Town within ten (10) days of receiving written notice from the Town.

6. The Owner shall defend, indemnify and hold harmless the Town against any claims, actions, losses, expenses and damages, including but not limited to court costs and attorney fees for bodily injury and/or property damage ("***Damages***") resulting from or arising from the use of the Easement Area by the Owner, agents, its employees, contractors and/or subcontractors.

7. This Agreement shall commence on the date this License Agreement has been executed by both of the parties and recorded at the Erie County Clerk's Office.

Attachment: License Agreement-Draft-V2-Clean-SWH-06-08-26 (RES-2026-509 : License Agreement - 34 Bentley Court (Aldrich III and Martin)

8. The individuals executing this Agreement represent and warrant that they are of legal age, possess full capacity, and have the legal right and authority to enter into this Agreement.

9. All notices, requests, demands or other communications hereunder shall be in writing and shall be delivered by personal delivery, overnight mail or delivery service, or United States registered or certified mail, return receipt requested, postage prepaid, addressed to:

   A. To the Town as follows: 1.) Town of Amherst Town Attorney, 5583 Main Street, Williamsville, NY 14221; and 2.) Town of Amherst Town Engineer, 1100 North Forest Road, Williamsville, NY 14221

   B. To Owner at the mailing address reflected on the tax records of the Town of Amherst or to such other address that the Owner may designate by notice to the Town in accordance with Section 9A above.

10. All rights, powers and remedies provided herein may be exercised only to the extent that the exercise thereof does not violate applicable law and shall be limited to the extent necessary to render this Agreement valid and enforceable. If any term, provision, covenant or agreement contained herein or the application thereof to any person or circumstance shall be held to be invalid, illegal or unenforceable, the validity of the remainder of this Agreement or the application of such term, provision, covenant or agreement to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby.

11. This Agreement and the Schedules attached hereto contain the entire agreement between the parties hereto with respect to the subject matter hereof. Any prior correspondence, memoranda or agreements are superseded in total by this Agreement and the attached Schedules. This Agreement may not be amended or modified except by a written document approved and executed by the parties hereto.

12. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. The Supreme Court of the State of New York County of Erie shall have exclusive jurisdiction to hear any dispute in connection with this Agreement resulting in litigation. The parties hereby waive any right to a trial by jury in any court in connection with any contractual, tortuous or statutory claim, counterclaim or cross claim against the other arising out of or connected in any way to this Agreement.

13. This Agreement shall be binding upon and shall ensure to the benefit of the parties, hereto, and their successors, distributees, and assigns.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK
SIGNATURES ON FOLLOWING PAGE]

Attachment: License Agreement-Draft-V2-Clean-SWH-06-08-26 (RES-2026-509 : License Agreement - 34 Bentley Court (Aldrich III and Martin)

IN WITNESS WHEREOF, the parties to this Agreement have executed the same, the day and year first above written.

TOWN OF AMHERST

Signature: _____
By: Shawn A. Lavin
Title: Supervisor

PROPERTY OWNER

Signature: _____
By: Thomas J. Aldrich III

Signature: _____
By: Alana S. Martin

Attachment: License Agreement-Draft-V2-Clean-SWH-06-08-26 (RES-2026-509 : License Agreement - 34 Bentley Court (Aldrich III and Martin)

STATE OF NEW YORK }
ERIE COUNTY }SS:

On the _____day of _____ in the year 2026 before me, the undersigned, personally appeared **Shawn A. Lavin,** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
ss:
ERIE COUNTY)

On the _____day of _____ in the year 2026 before me, the undersigned, personally appeared, **Thomas J. Aldrich III**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
ss:
ERIE COUNTY)

On the _____day of _____ in the year 2026 before me, the undersigned, personally appeared, **Alana S. Martin**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

Attachment: License Agreement-Draft-V2-Clean-SWH-06-08-26 (RES-2026-509 : License Agreement - 34 Bentley Court (Aldrich III and Martin)

EXHIBIT 1 – LEGAL DESCRIPTION

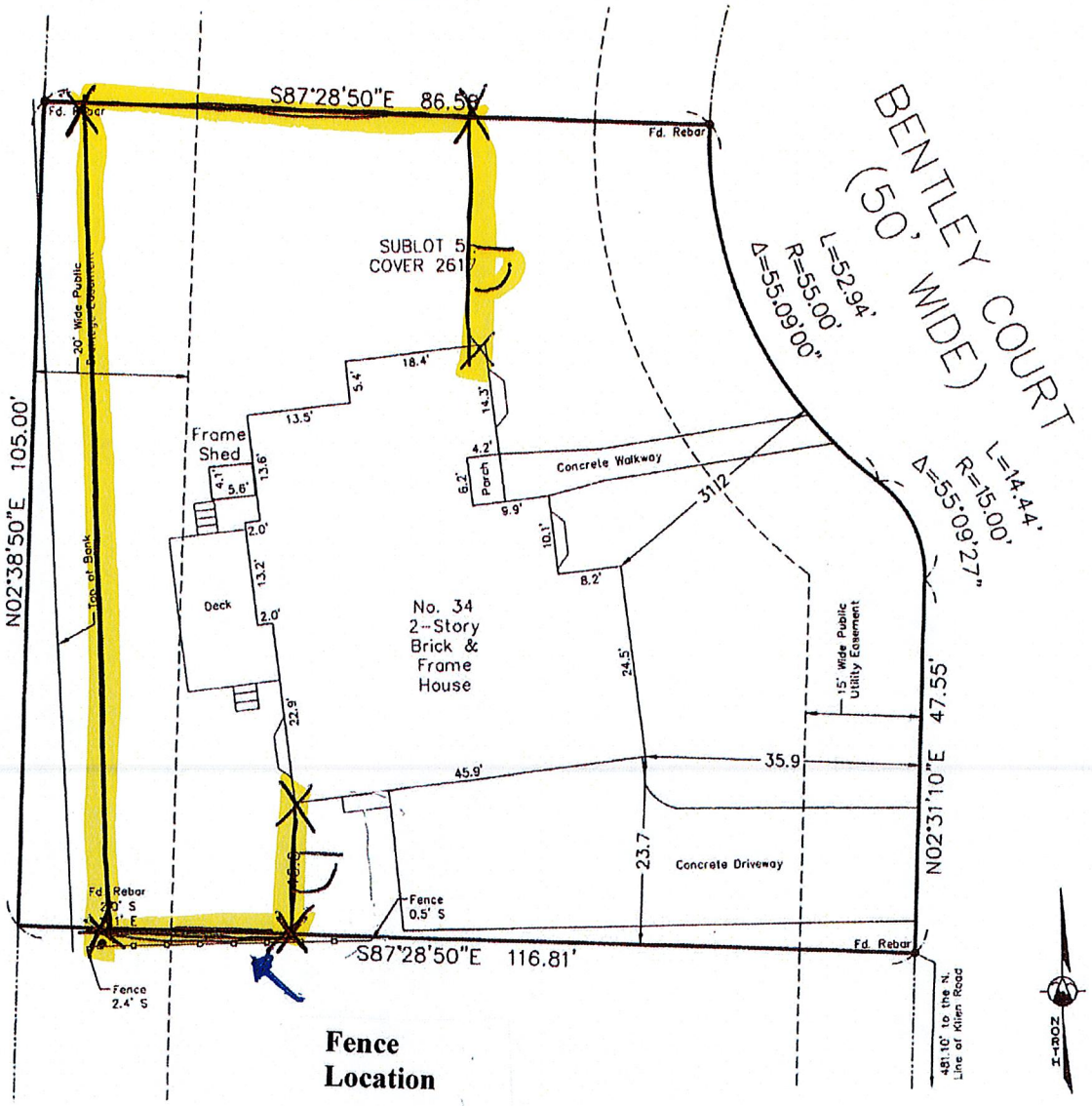
ALL THAT TRACT OF PARCEL OF LAND, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot No. 50, Township 12, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot Number 5 as shown on a map filed in the Erie County Clerk's Office under Cover No. 2617 entitled Bentley Court Subdivision.

Attachment: Schedule1.34BentleyCourt-07012026110424 (RES-2026-509 : License Agreement - 34 Bentley Court (Aldrich III and Martin) (CRS#

SURVEY

Schedule "2"

34 BENTLEY COUR
AMHERST, NEW YORK



1" = 20'

ADDRESS: 34 BENTLEY COURT, AMHERST NEW YORK

DATE OF SURVEY: 01/12/23 DATE OF MAP: 01/13/23

SURVEY REFERENCE: COVER 2617

LEGAL: PART OF LOT-50, T-12, R-7 OF THE HOLLAND LAND COMPANY'S SURVEY DISTINGUISHED AS SUBLOT 5 UNDER MAP COVER 2617, TOWN OF AMHERST, ERIE COUNTY, NEW YORK STATE.

NO PROPERTY CORNER WERE SET AS PART OF THIS SURVEY

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF NEW YORK STATE EDUCATION LAW

GENZEL LAND SURVEYING, P.C. ©2023
7033 COLE ROAD COLDEN, NEW YORK 14033
PH: (716) 667-9733 EMAIL: JEFF@GENZELSURVEY.COM

JOB NO. 8996 DATE: 01/13/23 DWN. BY: DJK

THIS MAP VOID UNLESS STAMPED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL NO 050503

Attachment: Schedule2.34BentleyCt-07012026105803 (RES-2026-509 : License Agreement - 34 Bentley Court (Aldrich III and Martin) (CRS#

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Attorney
Initiated by: **Nicole M. Burroughs**
Co-Sponsored by:

DOC ID: 32011 **RESOLUTION 2026-510** **ADOPTED**

License Agreement - 132 Valley Brook Lane (McCrea)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

FROM: **Nicole M. Burroughs, NYSCP, Supervising Paralegal**

DATE: **July 1, 2026**

RE: **Request for License Agreement (CRS #6338)**
Installation and Placement of Fence and Inclusion of Gazebo
Property Located At:
132 Valley Brook Lane, East Amherst, New York 14051

Kindly adopt a resolution authorizing the Supervisor to execute the attached License Agreement *nunc pro tunc*.

The owners of the above-referenced property are seeking permission to construct and install a fence that will encroach into a Town-owned Public Drainage easement and the Town is incorporating the existing gazebo into the current agreement so as to permit the encroachment, the details and stipulations of which are more fully described in the License Agreement.

This request was reviewed and approved by the Highway Department.

Thank you for your consideration.

NMB:hs
Attachment
c: Timothy Koller, Deputy Town Clerk (*w/attachment*)
(**Agenda Item: July 6, 2026**)
Craig Schreck, General Crew Chief (*w/attachment)*

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

$230.00 Revenue paid by property owners ($150.00 License Agreement; $80.00 ECCO filing fee) - A5010.02724

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

FILED
JUN 30 2026
ERIE COUNTY
CLERK'S OFFICE

Record and Return to:
Town of Amherst
Attorney's Office
5583 Main Street
Williamsville, New York 14221

TOWN OF AMHERST LICENSE AGREEMENT

THIS LICENSE AGREEMENT ("***Agreement***") made as of this 9th day of June, 2026, between the **TOWN OF AMHERST**, a municipal corporation existing under and by virtue of the laws of the State of New York, having its principal office at 5583 Main Street, Williamsville, New York 14221 (hereinafter the "***Town***") and **JESSICA M. MCCREA** and **SHAWN A. MCCREA**, with an address of 132 Valley Brook Lane, East Amherst, New York 14051 (hereinafter collectively the "***Owner***").

WITNESSETH:

WHEREAS, the Owner is the owner property located at 132 Valley Brook Lane [SBL No. 43.17-3-2] located in the Town of Amherst (the "***Property***") pursuant to a deed recorded at the Erie County Clerk's Office on December 7, 2021 at Liber 11392 of Deeds at Page 2960 as more fully described in the legal description of the Property attached hereto as **Schedule "1"**; and

WHEREAS, the northernmost seventy feet (70') of the Property is subject to an Agreement dated April 3, 1989 ("***Easement Agreement***"), by which the previous owner of the Property granted the permanent right and easement for the Town to operate, maintain, reconstruct, extend and expand private storm drainage facilities for the Fox Hunt Farms Subdivision located on the Property (the "***Easement Area***"); and

WHEREAS, the location of the Easement Area is depicted on the survey of the Property prepared by Kenneth D. Witschi, Professional Land Surveyor [Date: 10/19/21 – Job No. 221-223] attached hereto as **Schedule "2"**; and

WHEREAS, there is an existing gazebo within the Easement Area that is not permitted; and

WHEREAS, the Owner has requested that the TOWN grant a license for the purpose of utilizing a portion of the Easement Area for a chain link fence with a total length of approximately 340 ft. that will not be located a minimum of ten feet (10 ft.) from the portion of the private stormwater pond that is located within the Easement Area. The approximate location of the proposed chain link fence is depicted on the plan depicting the Property attached hereto as **Schedule "3"**.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar ($1.00) paid to the Town, the receipt whereof is hereby acknowledged, and the terms and conditions hereinafter set forth, the parties agree as follows:

Attachment: McCreaLicAgr.132ValleyBrook-07012026111544 (RES-2026-510 : License Agreement - 132 Valley Brook Lane (McCrea)

1. The Town does hereby grant to the Owner, its successors and assigns, a non-exclusive license to allow the existing gazebo to remain within the Easement Area and to allow the Owner to install a chain link fence within the Easement Area consistent with the plan attached hereto as **Schedule "3"**. The non-exclusive license is subject to the following terms and conditions:

2. The license being granted by the Town to the Owner is expressly limited to the installation of the existing gazebo and the chain link fence within the Easement Area consistent with the plan attached hereto as **Schedule "3"**. No other improvements shall be made within the Easement Area without the express written consent of the Town.

3. The use of said Easement Area shall not interfere with or restrict the operation, maintenance, repair and/or reconstruction of the private storm drainage facilities located in the Easement Area.

4. Within thirty (30) days of installing the chain link fence in the Easement Area in manner consistent with the plan attached hereto as **Schedule "3"**, the Owner shall be required to submit an updated survey showing the location of the chain link fence including the setback of the chain link fence from both the northern and western boundary of the Property and from the existing stormwater pond located on the northeastern portion of the Property to the Town of Amherst at the following address:

   Town of Amherst Town Hall
   Attn: Town Attorney's Office
   5583 Main Street
   Williamsville, NY 14221

5. If the Town determines in its sole discretion that it is necessary to remove the gazebo and/or the chain link fence located in the Easement Area, the cost of such removal shall be at the sole expense of the Owner, its successors, distributes, and assigns.

6. The Owner shall defend, indemnify and hold harmless the Town from and all claims or causes of action arising out exercising its license rights as set forth in this Agreement.

7. This Agreement shall commence on the date this License Agreement has been executed by both of the parties. The term of this Agreement shall automatically extend for one (1) year periods, unless this Agreement is terminated as provided below:

8. This Agreement shall ensure to the benefit of the parties, hereto, and their successors, distributees, and assigns.

Attachment: McCreaLicAgr.132ValleyBrook-07012026111544 (RES-2026-510 : License Agreement - 132 Valley Brook Lane (McCrea)

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK
SIGNATURES ON FOLLOWING PAGE]

Attachment: McCreaLicAgr.132ValleyBrook-07012026111544 (RES-2026-510 : License Agreement - 132 Valley Brook Lane (McCrea)

IN WITNESS WHEREOF, the parties to this Agreement have executed the same, the day and year first above written.

TOWN OF AMHERST

Signature: _____
By: Shawn A. Lavin
Title: Supervisor

PROPERTY OWNER

Signature: _____
By: Jessica M. McCrea

Signature: _____
By: Shawn A. McCrea

Attachment: McCreaLicAgr.132ValleyBrook-07012026111544 (RES-2026-510 : License Agreement - 132 Valley Brook Lane (McCrea)

STATE OF NEW YORK }
ERIE COUNTY }SS:

On the 9 day of June in the year 2026 before me, the undersigned, personally appeared **Shawn A. Lavin,** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

JESSICA L ONEIL
Notary Public, State of New York
Reg. No. 01ON6222982
Qualified in Erie County
Commission Expires June 1, 2030

STATE OF NEW YORK)
ss:
ERIE COUNTY)

On the 19th day of May in the year 2026 before me, the undersigned, personally appeared, **Shawn A. McCrea**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

HYACINTH SAMARASENA
Notary Public, State of New York
Qualified in Erie County
Reg. No. 01SA0027256
My Commission Expires July 29, 2028

STATE OF NEW YORK)
ss:
ERIE COUNTY)

On the 19th day of May in the year 2026 before me, the undersigned, personally appeared, **Jessica M. McCrea**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to within the instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

HYACINTH SAMARASENA
Notary Public, State of New York
Qualified in Erie County
Reg. No. 01SA0027256
My Commission Expires July 29, 2028

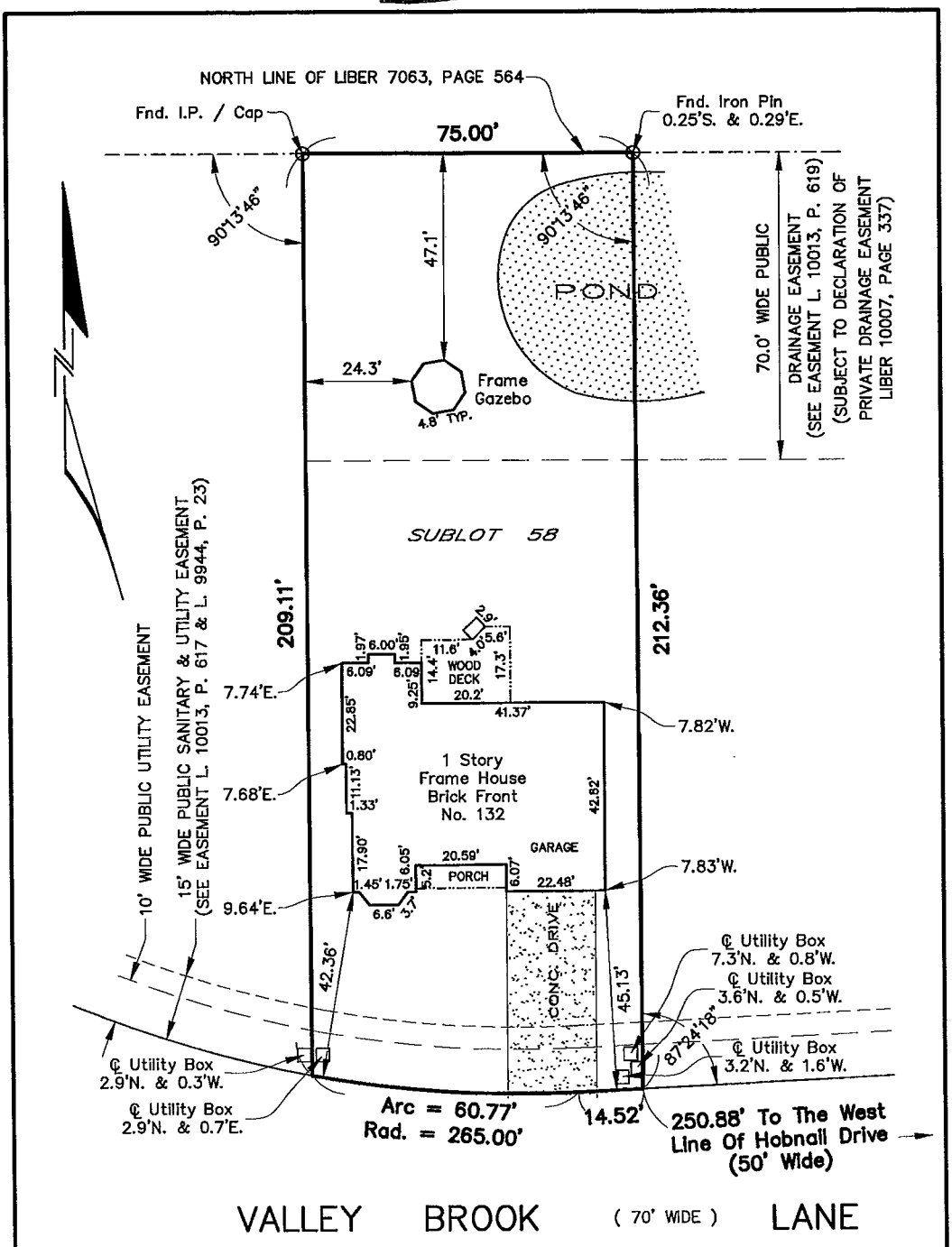
Attachment: McCreaLicAgr.132ValleyBrook-07012026111544 (RES-2026-510 : License Agreement - 132 Valley Brook Lane (McCrea)

SCHEDULE 1

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Amherst, County of Erie and State of New York, being part of Lot No. 99, Township 12, Range 7 of the Holland Land Company's Survey and further distinguished as Subdivision Lot No. 58 as shown on a map filed in the Erie County Clerk's Office under Cover No. 2657.

Attachment: McCreaLicAgr.132ValleyBrook.Schedule1-07012026111601 (RES-2026-510 : License Agreement - 132 Valley Brook Lane (McCrea)

SCHEDULE 2



NOTE : PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY

NOTE : THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

RESURVEYED	JOB No.
PART OF LOT 99; HOLLAND LAND COMPANY'S SURVEY	
SECTION TOWNSHIP 12 RANGE 7	
SUBLOT 58	
BLOCK	
MAP COVER 2657; FOX HUNT FARMS – EAST SECTION 2	
LIBER PAGE	
BK. OF MAPS PAGE	
BK. OF MICROFILMED MAPS PAGE	

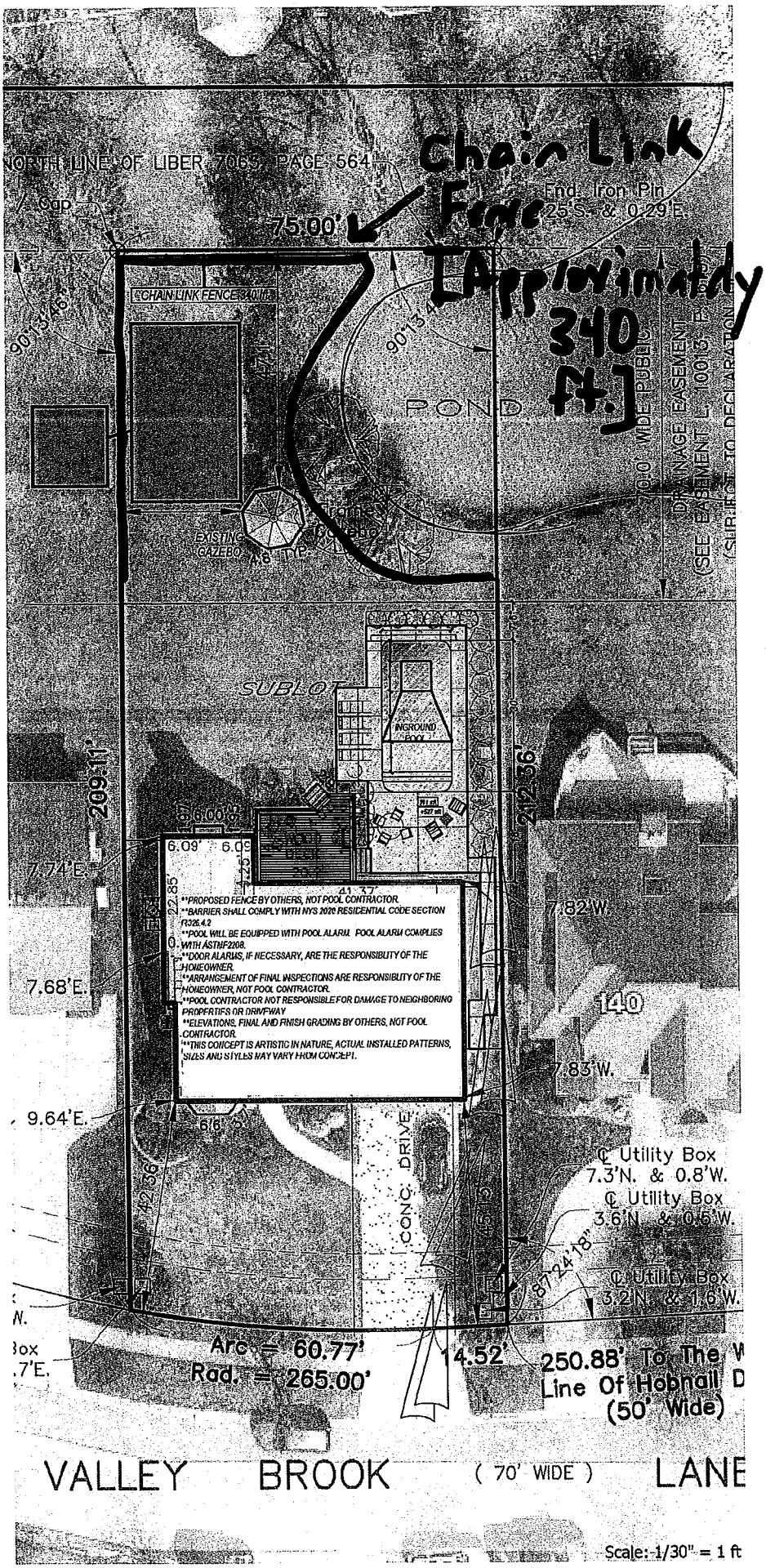
KENNETH D. WITSCHI
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 49944
97 JEFFREY DRIVE AMHERST NEW YORK 14228
PHONE (716) 691-2868

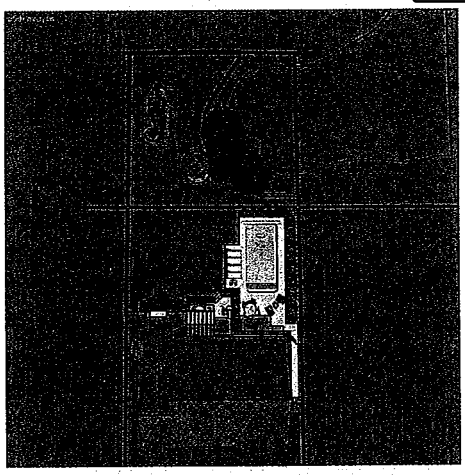
SURVEY MAP OF 132 VALLEY BROOK LANE	
CITY OF	VILLAGE OF
TOWN OF AMHERST	
COUNTY OF ERIE	STATE OF NEW YORK
DATE OCT. 19, 2021	SCALE :1"= 30 FEET JOB No. 221-233

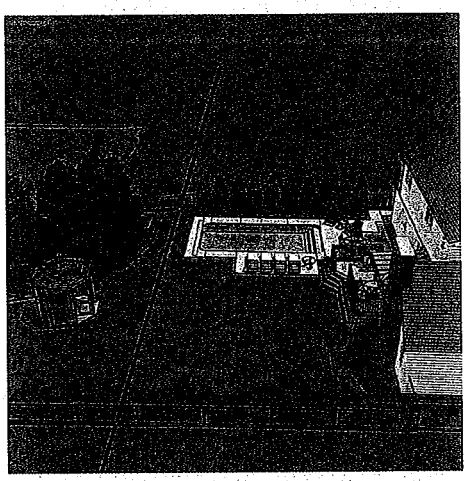
UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS IN VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.
THIS DOCUMENT VOID UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL No. 49944.

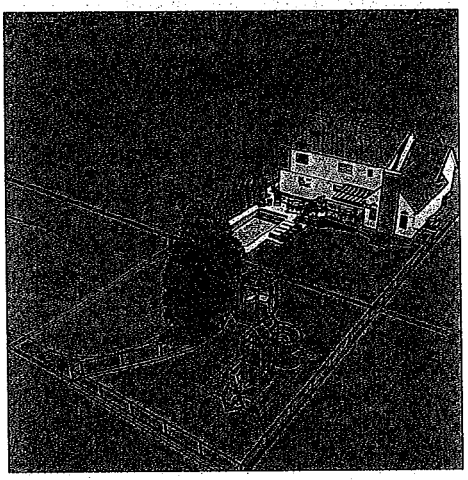
Attachment: McCreaLicAgr.132ValleyBrook.Schedule2-07012026111614 (RES-2026-510 : License Agreement - 132 Valley Brook Lane (McCrea)

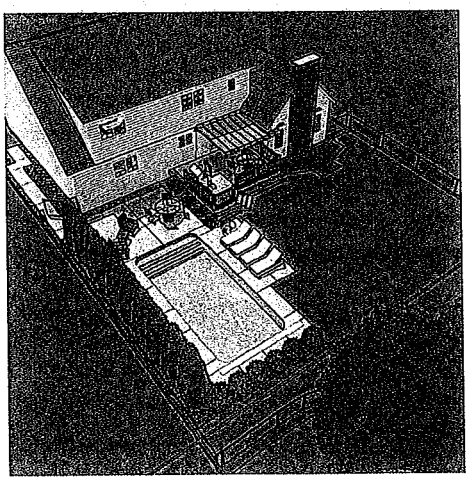
SCHEDULE 3











Attachment: McCreaLicAgr.132ValleyBrook.Schedule3-07012026111628 (RES-2026-510 : License Agreement - 132 Valley Brook Lane (McCrea)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Attorney
Initiated by: **Steven B. Bengart**
Co-Sponsored by:

DOC ID: 32015 **RESOLUTION 2026-511** **ADOPTED**

Temporary Access Agreements - Ivyhurst Road and Westfield Road (CRS#S 6371-6374) and (CRS#S 6367-6370)

AGENDA ITEM : JULY 6th, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Temporary Access Agreements**
Various Properties on Ivyhurst Road (CRS#s 6371-6374)
Various Properties on Westfield Road (CRS#s 6367-6370)

Kindly adopt a resolution authorizing the Supervisor to execute the above agreements pending successful completion of the CRS.

These agreements will allow the Town of Amherst Highway Department to access the backyards of the above addresses to continue their work on an existing drainage pipe.

Thank you.

SBB:NMB:hs
c: Tim Koller, Deputy Town Clerk (**Agenda Item – July 6, 2026**)
Craig Schreck, General Crew Chief, Drainage
Steve Floss, Highway Superintendent

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

None for the purposes of this resolution.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Town Attorney
Initiated by: **Steven B. Bengart**
Co-Sponsored by:

DOC ID: 32022 **RESOLUTION 2026-512** **ADOPTED**

Confidentiality Agreement - Charter Communications Operating, LLC (CRS #6360)

AGENDA ITEM – JULY 6TH, 2026

TO: **Town Board**

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

DATE: **July 1, 2026**

RE: **Confidentiality Agreement - Charter Communications Operating, LLC (Providing Confidential Service Area Information to Town of Amherst For Infrastructure Purposes) (CRS #6360)**

Kindly adopt a resolution authorizing the Supervisor to execute the above-referenced agreement pending successful completion of the CRS.

Thank you.

SBB:nmb
c: Tim Koller, Deputy Town Clerk (**Agenda Item – July 6, 2026**)

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

None for the purposes of this resolution.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Town Clerk
Initiated by: **Timothy Koller**
Co-Sponsored by:

DOC ID: 31994 **RESOLUTION 2026-513** **ADOPTED**

New Firefighter for Getzville Fire Company

New firefighter for the Getzville Fire Company.

Pedro Silva
79 Brenridge Dr
East Amherst, NY 14051

7/6/2026
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

TOWN OF AMHERST
VOLUNTEER FIRE DEPARTMENT MEMBERSHIP
RESIDENCY VERIFICATION FORM

Applicant Name: PEDRO SILVA

Applicant Home Address: 79 BRENRIDGE DR

Under penalty of perjury I, PEDRO SILVA affirm I am an applicant to be a member of the, GETZVILLE (fire dept.) and my address of residence is listed above.

☑ My address is in the fire distract I've applied to or territory which is afforded protection by the fire department of the fire district or fire company pursuant to contract.

☐ My address is outside the district or territory that provides protection by the fire district or company, but is in the vicinity of my occupation, in which I will be able to render active service as a volunteer. My occupation address is:

_____

Signature of Applicant: Pedro Silva

I have verified the applicant's address or employment, where applicable, by examining their driver's license or other suitable document such as a utility bill, lease or pay stub.

Signature: B W. Pull

Title: Company Sec.

Date: 6-30-2026

Submit this completed form to:
Amherst Town Clerk
5583 Main Street
Williamsville, NY 14221

Attachment: DOC070126-07012026091534 (RES-2026-513 : New Firefighter for Getzville Fire Company)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Building/Building Maintenance
Initiated by: **Daniel Rizzo**
Co-Sponsored by:

DOC ID: 31987 **RESOLUTION 2026-514** **ADOPTED**

Harlem Road Community Center Aud - Change Order 1 CRS #6355

We are requesting the Town Board consider approval of this resolution authorizing the Supervisor to sign the above referenced Change Order, which decreases the overall contract by $1,000.00.

This Change Order provides a credit back to the Town to reflect actual quantities and their associated costs incurred during construction.

The overall project cost shall decreases funds used from account KP2505-4972.

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

KP2505.4972 | ($1,000.00) CREDIT

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

Town of Amherst

Change Order

PROJECT:	CONTRACT INFORMATION:	CHANGE ORDER INFORMATION:
Harlem Road Community Center Auditorium Renovation 2025-F-5.1	Contract For: Electrical Contract Date: 1/15/26, *NTP: 1/26/26* Original Resolution #: RES-2025-1047 CRS/CMS: 6013-5165	Change Order Number: **001** **KP 2505.4972**

CONTRACTOR:	ARCHITECT / ENGINEER:	OWNER:
Weydman Electric, Inc. 747 Young Street Tonawanda, NY 14150	Kideney Architects, PC 143 Genesee Street Buffalo, NY 14203	Town of Amherst 5583 Main St. Williamsville, NY 14221

The Contract is changed as follows:

Construction is complete and Original Contract Sum is being reduced to reflect actual quantities and their associated costs used during construction.

The original Contract Sum was	**$ 53,800.00**
The net change by previously authorized Change Orders	**$ 0.00**
The Contract Sum prior to this Change Order was	**$ 53,800.00**
The Contract Sum will be **decreased** by this Change Order in the amount of	**-$ 1,000.00**
The new Contract Sum, including this Change Order, will be	**$ 52,800.00**

The Contract Time will be changed by	**(0) days**
The new date of Substantial Completion shall now be:	**N/A**

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Weydman Electric, Inc.	Kideney Architects, PC	Town of Amherst
CONTRACTOR:	ARCHITECT / ENGINEER:	OWNER:
Mark J Conollo	Anthony E. Gorski	
SIGNATURE	SIGNATURE	SIGNATURE
Martin J. Conollo	Anthony E. Gorski, AIA Principal	
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
Sr. Project Manager		
6-24-26	06/24/2026	
DATE	DATE	DATE

Attachment: CO 001 - Weydman - KA signed (RES-2026-514 : Harlem Road Community Center Aud - Change Order 1)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Comptroller
Initiated by: **Jennifer M. Adams**
Co-Sponsored by:

DOC ID: 31996 **RESOLUTION 2026-515** **ADOPTED**

Budget Transfers and Amendments

For July 6, 2026 Town Board Agenda

To: Town Board

From: Office of Town Comptroller

Date: 7/1/2026

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:	***INCREASE***
KP2302.4972 30 S Cayuga- Construction $2,700.00	KP2302.2100 Furniture $2,700.00

Requested per department.

7/6/2026

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

FINANCIAL IMPACT:

See above.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 32004 **RESOLUTION 2026-516** **ADOPTED**

Resolution Standardizing ChargePoint as the Town of Amherst's Standard for Electric Vehicle Charging Equipment and Services Town of Amherst Job No. 2017.015V

Attached for your consideration is a resolution establishing ChargePoint as the Town of Amherst's standardized platform for electric vehicle charging equipment and associated services pursuant to Section 103(5) of the General Municipal Law. Adoption of this resolution will promote operational efficiency, reduce long-term maintenance and administrative costs, and provide consistency across the Town's existing and future electric vehicle charging infrastructure.

Accordingly, the Engineering Department respectfully recommends adoption of the attached resolution.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

NA

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

RESOLUTION ESTABLISHING CHARGEPOINT AS THE TOWN OF AMHERST'S STANDARD FOR ELECTRIC VEHICLE CHARGING EQUIPMENT AND SERVICES

RESOLUTION 2026-XXX

WHEREAS, subdivision 5 of §103 of the General Municipal Law of the State of New York provides that, upon adoption of a standardization resolution by vote of at least three-fifths of all members of the governing board of a political subdivision, purchase contracts for a particular type or kind of equipment, materials or supplies may be awarded after competitive bidding, and

WHEREAS, in addition, the resolution must provide that for reasons of efficiency or economy, there is a need for standardization and a full explanation for such standardization follows, and

WHEREAS, the Town of Amherst has installed and currently operates ChargePoint electric vehicle charging stations at multiple municipal facilities, including the Clearfield Community Center, Northtown Center, and Royal Park; and

WHEREAS, the use of a common electric vehicle charging platform across Town-owned facilities provides operational efficiencies through standardized equipment, software management, user access, maintenance procedures, reporting capabilities, and staff training, while promoting a consistent user experience and simplifying administration and support of the Town's electric vehicle charging infrastructure; and

WHEREAS, the introduction of alternative charging platforms would require the Town to manage multiple software systems, maintenance protocols, vendor relationships, and user interfaces, resulting in increased operational complexity and potential additional costs; and

WHEREAS, the Town has determined that ChargePoint electric vehicle charging infrastructure currently represents the most efficient and economical option for the Town's existing electric vehicle charging network;

WHEREAS, the Town Board recognizes that future technological developments, market conditions, operational requirements, or changes in industry standards may warrant reevaluation of this standardization determination;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 103(5) of the General Municipal Law, the Town Board hereby establishes ChargePoint as the Town of Amherst's standardized electric vehicle charging platform for Town-owned electric vehicle charging infrastructure, including charging equipment, associated network services, software, and related components, based upon the Town Board's determination that such standardization is necessary in the interest of efficiency and economy, and

BE IT FURTHER RESOLVED, that this standardization shall remain in effect until amended or rescinded by subsequent resolution of the Town Board.

Attachment: Resolution Chargepoint (RES-2026-516 : Resolution Standardizing ChargePoint as the Town of Amherst's Standard for Electric

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 32005 **RESOLUTION 2026-517** **ADOPTED**

2026-2031 Capital Improvement Program Amendment CIP Project E-5 (New): Casey Road Pedestrian and Bicycle Safety Improvements, Phase 2 –Supplemental Funding Town of Amherst Job No. 2014.048A

The Engineering Department recommends amendment of the 2026-2031 Capital Improvement Program for the above-referenced projects in the amounts shown below. This amendment will allocate supplemental funding necessary to award the construction contract and complete the Project based upon the results of public bidding and updated project cost estimates.

CIP No.	Project Description	2026 CIP Allocation	Amended Allocation	Funding Source/Account
H-4	Town-wide Road Striping	$100,000	$0	LD
E-5 (New)	Casey Road Pedestrian and Bicycle Safety Improvements, Ph. 2 – Supplemental Funding	$ 0	$300,000	LA

LD = Highway Bond; LA = General Fund Bond

Please approve this amendment to the 2026-2031 Capital Improvement Program and authorize the funding identified above. Please note that, while this request is not entirely budget neutral, Engineering will continue to identify potential bond reductions throughout the remainder of 2026 in an effort to offset this request where practicable.

FINANCIAL IMPACT:

CIP

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32013 A **RESOLUTION 2026-518** **ADOPTED**

Approve Corrected Price of Bid Awarded

Please approve an adjusted price of $15.15 per ton of Crusher Run Stone #2 from New Enterprise Stone and Lime as their award was originally approved by the board for $15.50 per ton due to a typo.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

35 cents per ton

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

TOWN OF AMHERST HIGHWAY DEPARTMENT

SECTION 1: AGGREGATE MATERIAL/PER TON

NAME OF BIDDER	STONE SCREENINGS	BROKEN 1 CLEAN	BROKEN 2 CLEAN	BROKEN 1 AND 2 MIXED CLEAN	BROKEN 3 CLEAN	BROKEN 4 CLEAN	BROKEN 3 AND 4 MIXED CLEAN	STONE BANK RUN SCREENINGS	CRUSHER RUN 1	CRUSHER RUN 2	CRUSHER RUN 3
COUNTY LINE AKRON *$9.07 p/t	20.00 29.07	23.50 32.57	21.00 30.07	22.50 31.57	22.00 31.07	22.00 31.07	22.00 31.07	18.00 27.07	17.00 26.07	15.00 24.07	15.00 24.07
AMRIZE LOCKPORT *$6.94 p/t	18.00 24.04	23.00 29.94	21.00 27.94	22.00 28.94	- 	- 	21.00 27.94	- 	16.00 22.94	14.00 20.94	-
NESL WEHRLE *$3.52 p/t	21.90 25.42	24.40 27.92	21.10 24.62	24.40 27.92	23.35 26.87	23.35 26.87	21.20 24.72	21.65 25.17	18.40 21.92	15.50 19.02	-
CAMBRIA ASPHALT LOCKPORT *$6.47 p/t	29.00 35.47	34.00 40.47	32.00 38.47	30.00 36.47	28.00 34.47	27.00 33.47	28.00 34.47	29.00 35.47	19.00 25.47	18.50 24.97	18.50 24.97

*TRANSPORTATION MILES AND RATES ADDED P/T (PER TON) TO BID PRICE THIS DETERMINES FINAL AWARD OF MATERIAL ONLY.

AWARD

Attachment: NESL reso info (RES-2026-518 : Approve Corrected Price of Bid Awarded)

SECTION 1

AGGREGATE MATERIAL

DESCRIPTION:

PROVIDE STONE AGGREGATE MATERIAL AT THE VENDOR'S PLANT F.O.B. UTILIZING TOWN TRUCKS.

MATERIAL REQUIREMENT:

MATERIAL SHALL MEET THE REQUIREMENTS OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS LATEST REVISION.

METHOD OF MEASUREMENT:

THE QUANTITY OF MATERIAL TO BE PAID FOR SHALL BE MEASURED BY THE ENGLISH TON

BASIS OF BID:

UNIT PRICE BID SHALL BE PER TON AND INCLUDE ALL COSTS OF FURNISHING AND LOADING THE MATERIAL F.O.B. AMHERST TRUCKS AT BIDDER'S PIT OR QUARRY, USING AN APPROVED SCALE.

IT WILL BE REQUIRED THAT REASONABLE QUANTITIES OF STONE SIZE BID UPON SHALL BE AVAILABLE AT ALL TIMES DURING THE TERM OF THE CONTRACT.

NOTE: *TRANSPORTATION RATES APPLY (See page 4)

STONE SCREENINGS #10	$ 21.90	PER TON
BROKEN STONE CLEAN #1	$ 24.40	PER TON
BROKEN STONE CLEAN #2	$ 21.10	PER TON
BROKEN STONE CLEAN #1 AND #2 MIXED	$ 24.40	PER TON
BROKEN STONE CLEAN #3	$ 23.35	PER TON
BROKEN STONE CLEAN #4	$ 23.35	PER TON
BROKEN STONE CLEAN #3 AND #4	$ 21.20	PER TON
STONE BANK RUN SCREENING	$ 21.65	PER TON
CRUSHER RUN STONE #1	$ 18.40	PER TON
CRUSHER RUN STONE #2	$ 15.15	PER TON
CRUSHER RUN STONE #3	$ No Bid	PER TON
SURGE PILE 6" CRUSHER RUN	$ 18.95	PER TON

COMPANY NAME: New Enterprise Stone & Lime Co., Inc.

Attachment: NESL reso info (RES-2026-518 : Approve Corrected Price of Bid Awarded)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32014 A **RESOLUTION 2026-519** **ADOPTED**

Approve Corrected Price of Bid Awarded

Please approve an adjusted price of $328.57 per roll for 15 x 300 non-woven geo-textile material from Airtite Window and Door as their award was originally approved by the board for $328.50 per roll due to a typo.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

7 cents per roll

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

TOWN OF AMHERST HIGHWAY DEPARTMENT

SECTION 10:

	GEO-TEXTILE MATERIAL ROLL			DETECTABLE WARNING SURFACE EACH					BARRIER BLOCKS (JERSEY BARRICADES)		
NAME OF BIDDER	12.5' X 360'	15' X 300'		24" X 36" SURFACE APPLIED	24" X 48" SURFACE APPLIED	24" X 36" CAST IN PLACE	24" X 48" CAST IN PLACE		2'X2'X6	2'X2'X3'	
Airtite Wholesale Building Materials	328.57	328.50		-	-	93.86	125.14		-	-	
SCRANTONS THRUWAY SUPPLY UPSTATE	510.00	510.00		96.60	129.00	96.60	129.00		-	-	
CORE & MAIN	725.00	725.00		-	-	-	-		-	-	
BUFFALO CONCRETE ACCESSORIES	525.00	525.00		102.61	142.93	102.61	142.93		-	-	
NIAGARA PRECAST	450.00	450.00		-	-	-	-		-	-	
CHEMUNG	390.00	390.00		-	-	-	-		-	-	

AWARD

Attachment: Airtite reso info (RES-2026-519 : Approve Corrected Price of Bid Awarded)

SECTION 10

GEO-TEXTILE MATERIAL / ADA DETECTABLE WARNING SURFACE TILE / BARRIER BLOCKS

DESCRIPTION:

PROVIDE GEO-TEXTILE MATERIAL AND DETECTABLE WARNING SURFACE TILE FOR THE TOWN OF AMHERST.

MATERIAL REQUIREMENT:

MATERIAL SHALL MEET THE REQUIREMENTS OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS AND ASTM STANDARDS

NONWOVEN GEO-TEXTILE IS A US NW NEEDLE PUNCHED MATERIAL MADE OF 100% POLYPROPYLENE STAPLE FILAMENTS. THIS PRODUCT CAN BE USED UNDER RIPRAP, DRAINAGE APPLICATIONS OR USED FOR SEPARATION UNDER ROADS, DRIVEWAYS AND PARKING LOTS.

DETECTABLE WARNING SURFACE TILE (VITRIFIED POLYMER COMPOSITE) SHALL BE SURFACE APPLIED OR CAST IN PLACE WITH TACTILE DOMES. COLOR AS ORDERED.

DELIVERY:

MUST BE MADE AND DELIVERED NOT MORE THAN 10 (TEN) WORKING DAYS AFTER DAY OF PURCHASE.

METHOD OF MEASUREMENT: PER ROLL OR PER TILE

BASIS OF BID:

THE VENDOR WILL BE SELECTED BASED UPON THE LOWEST BIDDER

NONWOVEN GEO-TEXTILE 500x

12.5' x 360' $ 328.57 per roll

15' x 300' $ 328.57 per roll

DETECTABLE WARNING SURFACE for ADA RAMPS

SURFACE APPLIED W/ FASTENERS AND SEALANT

24" x 36" $ — EACH

24" x 48" $ — EACH

CAST IN PLACE WET SET

24" x 36" $ 93.86 EACH

24" x 48" $ 125.14 EACH

BARRIER BLOCKS (JERSEY BARRICADES) 2'X2'X6' $ —

2'X2'X3' $ —

COMPANY NAME: AIRTITE WINDOW & DOOR

Attachment: Airtite reso info (RES-2026-519 : Approve Corrected Price of Bid Awarded)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32016 A **RESOLUTION 2026-520** **ADOPTED**

Approve Corrected Price of Bid Awarded

Please approve an adjusted price of $1.23 per square foot of 3650-12 non-reflective film from Newman Signs as their award was originally approved by the board for $1.25 per square foot due to a typo.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

2 cents per square foot

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

TOWN OF AMHERST HIGHWAY DEPARTMENT

SECTION 12: 3M PRODUCTS

SQUARE FOOT / UNLESS INDICATED

NAME OF BIDDER	NON REFLECTIVE 3650-12	NON REFLECTIVE 7720 PUNCHED	NON REFLECTIVE 7725 SERIES	OTHER TPM-5	OTHER SCPS-2	PM A270ES	PM A380IES	PM SYMBOLS AND LEGENDS (BOTH)	FLEXIBLE LOOP SEALER (BONDO) 1 GAL.
VULCAN SIGNS	1.60	-	1.75	0.38	0.31	6.73	11.98	-	-
NEWMAN	1.25	-	1.40	0.40	0.35	5.90	10.41	-	-

AWARD

Attachment: Newman Signs reso info (RES-2026-520 : Approve Corrected Price of Bid Awarded)

SECTION 12

3M PRODUCTS

DESCRIPTION:

PROVIDE TOWN OF AMHERST WITH 3M PRODUCTS DELIVERED TO THE TOWN OF AMHERST HIGHWAY DEPARTMENT WITHIN 15 DAYS OF PURCHASE.

MATERIAL REQUIREMENT:

MATERIAL SHALL MEET THE REQUIREMENTS OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS AND ASTM STANDARDS.

METHOD OF MEASUREMENT:

PER SQUARE FOOT / UNLESS INDICATED

PRODUCT LINE	PRODUCTS	
DG3	4090 SERIES	$ 2.45
	080 SERIES (4081, 83, 84)	$ 2.60
EC FILM	1170CS 15"X50 YARDS (PUNCHED)	$ No Bid
HIP	3930 SERIES	$ 1.25
	3334/3336 BARRICADE	$ 1.75
COMMERCIAL	983 SERIES	$ 3.52
	680 & 680CR WHITE	$ 5.29 680/$5.56 680CR
	680 AND 680CR COLORS	$ 5.13 680/$5.37 680CR
EG	3290 SERIES NLA Subs to 7310 White Advanced Engineer Grade Prismatic	$ 0.98 (7310 AEGP)
	CW84	$ No Bid
NON REFLECTIVE	3650-12 (48" Rolls Only)	1.23
	7720 (PUNCHED)	$ No Bid
	7725 (SERIES)	$ 1.40
OTHER	TPM-5	$ 0.40
	SCPS-2	$ 0.35
PM	A270ES	$ 5.90
	A380IES	$ 10.41
	SYMBOLS AND LEGENDS (BOTH)	$ No Bid
TRAFFIC, FLEXIBLE LOOP SEALER (1 GAL) W / HARDENER		$ No Bid

COMPANY NAME: Newman Signs

Attachment: Newman Signs reso info (RES-2026-520 : Approve Corrected Price of Bid Awarded)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32017 **RESOLUTION 2026-521** **ADOPTED**

Approve Corrected Prices of Bids Awarded

Please approve adjusted prices of $445, $737.50, and $737.50 each for Style "C" Signal Brackets, Polara Audible Pedestrian Push Buttons, and Polara Accessible Pedestrian Push Buttons respectively from Traffic Systems Inc as their awards were originally approved by the board for $4.45, $773.50, and $773.50 each due to typos.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

$440.55, $36, and $36 per unit

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

SECTION 12

TRAFFIC CONTROL EQUIPMENT (ELECTRICAL SYSTEMS) (CONTINUED)

PRO STAR SOLAR CHARGE CONTROLLER	$ 315.00
TRAFFIC SIGNAL DISCONNECT HANGER	$ 480.75
PEDESTRIAN BRACKET MOUNT ASSEMBLY	$ 241.75
PEDESTRIAN SIGNAL POST TOP MOUNT ASSEMBLY	$ 202.75
SIGNAL CABLE 3 CONDUCTORS, 14 AWG	$ NO BID PER FT
SIGNAL CABLE 5 CONDUCTORS, 14 AWG	$ NO BID PER FT
SIGNAL CABLE 16 CONDUCTORS, 14 AWG	$ NO BID PER FT
24 VDC POWER SUPPLY 330 CABINET	$ 588.25
1.5 THREADED HUBS FOR DISCONNECT BOXES	$ 30.00
CABINET GROUNDING BARS	$ NO BID
12" ALUMINUM PEDESTRIAN HEAD ASSEMBLY	$ 174.50
12" ALUMINUM SIGNAL HEAD SECTION	$ 109.42
8" ALUMINUM SIGNAL HEAD SECTION	$ 93.62
14" X 11" X 11" FLASHER CABINETS	$ 995.00
4" CABINET BOX FANS	$ NO BID
56" SWIVEL CLAMP KITS FOR MAST ARMS	$ NO BID
MODEL 303-8 TRAFFIC SIGNAL CABINETS	$ 7750.00
7/16" SPAN WIRE PER FOOT	$ NO BID
3/8" SPAN WIRE PER FOOT	$ NO BID
½" SPAN WIRE PER FOOT	$ NO BID
ELECTRICAL DISCONNECT/GENERATOR TRANSFER SWITCH	$ NO BID
2070-3B LCD/FRONT PANEL MODULE	$ 525.00
10 FT. ALUMINUM PEDESTRIAN POLE WITH WELDED 4 BOLT BASE FLANGE AND ANCHOR SET	$ NO BID
MODEL 330 STRETCH CABINET (330 SR)	$ 10150.00
COUPLING 1.5" GALVANIZED	$ 36.00
LOCK NIPPLE 1.5" GALVANIZED	$ 12.25
SIGNAL BRACKET TOP ASSEMBLY-DOGHOUSE STYLE OR STYLE "C"	$ 445.00
POLARA AUDIBLE PEDESTRIAN PUSH BUTTON	$ 737.50
POLARA ACCESSIBLE PEDESTRIAN SIGNAL	$ 737.50

COMPANY NAME: Traffic Systems, Inc.

Attachment: Traffic Systems reso info (RES-2026-521 : Approve Corrected Prices of Bids Awarded)

TOWN OF AMHERST HIGHWAY DEPARTMENT

SECTION 12: TRAFFIC CONTROL EQUIPMENT (PRODUCTS)

PER EACH

NAME OF BIDDER	7/16" SPAN WIRE PER FT	3/8" SPAN WIRE PER FT	½" SPAN WIRE PER FT	ELECTRICAL DISCONNECT/ GENERATOR TRANSFER SWITH		2070-3B LCD/FRONT PANEL MODULE	10' ALUM.PED. POLE / 4 BOLT BASE FLANGE AND ANCHOR SET	MODEL 330 STRETCH CABINET (330SR)	COUPLING 1.5" GALVANIZED	LOCK NIPPLE 1.5" GALVANIZED	SIGNAL BRACKET TOP ASSEMBLY- DOGHOUSE STYLE OR STYLE "C"	POLARA AUDIBLE PEDESTRIAN PUSH BUTTON	POLARA ACCESSIBI PEDESTRIA SIGNAL
TRAFFIC SYSTEMS	-	-	-	-		525.00	-	10,150.00	36.00	12.25	4.45	773.50	773.50

AWARD

Attachment: Traffic Systems reso info (RES-2026-521 : Approve Corrected Prices of Bids Awarded)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32018 **RESOLUTION 2026-522** **ADOPTED**

Approve Payment for Items Purchased Out of Contract

Please Approve payment of $10,950 to IPL Schoeller for parts purchased under fund C8161-4531 that were not under contract. $8,850 of which is from invoice CD-32002600157 and the remaining $2,100 from invoice CD-32002600156, both dated 2/4/26. Thank you for your consideration.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

$10,950

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32020 **RESOLUTION 2026-523** **ADOPTED**

Approve Payment for Parts Purchased Without Approved Contract

Please Approve payment of $64,346.80 to Northeast Signal Inc for parts purchased on 4/6/26 under fund KP2011-4792 off of a contract that was never approved. Thank you for your consideration.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

$64,346.80

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32021 **RESOLUTION 2026-524** **ADOPTED**

Approve Payment for Parts Purchased

Please Approve payment of $50,658.96 to Vulcan Signs Inc for parts purchased on 2/13/26 and 4/23/26 under fund A3310-4430 off of a contract that was never approved. Thank you for your consideration.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

$50,658.96

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32023 **RESOLUTION 2026-525** **ADOPTED**

Approve Payment for Parts Purchased with Expired Contract

Please Approve payment of $4,993.49 to Valley Fab & Equipment for parts purchased on 2/4/26 and 5/5/26 off of a contract that was expired. $2,901.32 of which was under fund C8163-4240 and the remaining $2,092.17 under fund D5130-4240. Thank you for your consideration.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

$4,993.49

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Highway
Initiated by: **Ross Schultz**
Co-Sponsored by:

DOC ID: 32024 **RESOLUTION 2026-526** **ADOPTED**

Approve Payment for Part Purchased Not Under Contract

Please Approve payment of $34,730.04 to Clarke Mosquito Control Products for a part purchased on 11/14/25 under fund H4068-2250/4000 that was not under contract. Thank you for your consideration.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

$34,730.04

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 31999 **RESOLUTION 2026-527** **ADOPTED**

Updates to Town of Amherst Exempt Benefit Policy

WHEREAS, the Town of Amherst "Exempt Benefit Policy" was last revised in 2024; and

WHEREAS, the Human Resources Department has recently updated the current Town of Amherst Exempt Benefit Policy;

WHEREAS, it is respectfully requested that the Town of Amherst Town Board adopt the updated policy;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby formally adopts the updated Town of Amherst Exempt Benefits Policy to be effective September 1, 2026.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

TBD

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

Exempt Employee Benefit Policy
2026

This document outlines the benefits generally provided by the Town of Amherst to its exempt and non-competitive offices and positions (hereinafter collectively referred to as "exempt employees"), as defined in the New York State Civil Service Law. The positions covered by this document include department heads, deputy department heads, confidential staff, and other managerial positions that are not part of any Town labor union. The positions impacted by this document are listed in **Attachments A and B** to this document and can change from time to time as positions are added or eliminated as part of the standard budget process. These positions are also exempt from certain provisions of the Fair Labor Standards Act (hereinafter "FLSA"), including provisions requiring overtime or compensatory time, and the interpreting regulations located in 29 CFR Part 541.

This policy was created pursuant to principles of public accountability, and in conjunction with Article II, Section 8 of the Constitution of the State of New York, New York State Town Law § 120, and New York State Civil Service Law, to ensure exempt employees are working effectively and efficiently, while also ensuring that they are accountable for the public funds they are paid. Public employee job performance impacts the public's trust in the government, and exempt employees are held to the highest possible legal and ethical standards.

This document may be amended by the Town Board via resolution from time to time due to the changing nature of employee relations in New York State, and the needs of the Town. Unless otherwise specified throughout this document, all changes to the Exempt Policy will be effective on September 1, 2026.

Section I - Salaries and Rates of Pay

1. **Salaried Employees.** Exempt and non-competitive employees subject to this policy are salaried and are therefore paid a pre-determined amount of compensation on a bi-weekly basis regardless of the amount of work required in any given week, as outlined in 29 CFR § 541.602(a), with appropriate deductions permitted by law and outlined in this policy. Exempt employees are not eligible for any overtime or compensatory time (a form of overtime granted in time off in lieu of cash payment) for hours worked over 35 hours.

2. **Pay Deductions.** In compliance with 29 CFR § 541.603, deductions from salary may be made for any reason outlined in 29 CFR § 541.602(b), or any other relevant federal, state, or local regulation, including, full day absences due to an unpaid leave of absence taken in accordance with the Family and Medical Leave Act of 1993 and the Town FMLA policies and procedures, when an employee is absent without using any accrued leave for a full due to injury, illness, sickness, disability or personal matters, when an employee has been denied the ability to use accrued leave, has failed to request leave time, or has exhausted such leave, when an employee chooses to use leave without pay to preserve accrued time, or if an employee has been subjected to a disciplinary penalty of an unpaid suspension for a serious workplace violation.

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

3. **Improper Deduction Procedure.** This procedure is offered for compliance with 29 CFR §541.603(d). The Town intends to always comply with the FLSA, and therefore improper pay deductions are prohibited. Any employee who believes that they have had pay improperly deducted from their bi-weekly pay shall, within thirty (30) business days of the alleged improper deduction or of when the employee should have reasonably been aware of the alleged improper deduction, whichever comes later, file a complaint with the Director of Human Resources ("Director") via electronic mail. This complaint should outline the reason for the deduction, and the legal basis as to why the employee believes that the deduction was improper.

   The Town will promptly investigate any alleged improper deduction. The Director, in consultation with the Town Attorney, will determine if the deduction was valid. The Director will have ten (10) business days to respond to the complaint in writing. If the deduction was valid, the Director will document in writing any and all reasons why the deduction will stand. If the deduction is deemed invalid, the Director will document in writing any and all reasons why the deduction will be overturned. The employee will be reimbursed the amount of the deduction within two pay checks immediately following the Director's determination that a deduction was invalid. At any time, the employee may seek review of this determination in any manner permitted by law. No employee shall be retaliated against or face any potential discipline or discharge for filing a complaint related to a potential improper deduction.

4. **Salary Increases.** Salary increases (if applicable) shall be effective January 1st of every calendar year, upon adoption of the appropriate Town Board resolution for such increases.

5. **Salary Schedules.**

   a. Salary Schedules for Department Heads can be found attached hereto as **Attachment A**. **Attachment A** may be updated from time to time by the Town Board via resolution or as part of the budget process without amending the full Policy.

   b. Salary schedules for Non-Department Heads can be found attached hereto as **Attachment B**. **Attachment B** may be updated from time to time by the Town Board via resolution or as part of the budget process without amending the full Policy.

   c. Exempt employees will, generally, be hired at the lowest step in the relevant salary grade for their position. Employees will be placed on the next higher step at the beginning of the next calendar year, and every calendar year thereafter until such time as they reach the top step of the schedule. For example, if there is an employee hired at Grade III Step A of the Non-Department Head Salary Schedule on October 1st, 2025, they will go to Step B on January 1st, 2026, Step C on January 1st, 2027, and so on until they reach the top step.

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

d. An exempt employee is not able to skip steps once they have been put on the relevant step schedule without approval from the Town Board via resolution or as part of the budget process.

e. Exempt employees may be offered the ability to be placed at a higher salary step when an offer of employment is made in the event the Town Supervisor, Director of Human Resources, and Department Head determine it is necessary for recruiting the employee into Town service or to retain their services upon promotion/appointment to a new exempt position, as long as the position is budgeted for appropriately. Employees will continue to the next higher step at the beginning of the next calendar year, and every calendar year thereafter, until such time as they reach the top step of the schedule. The Town Board will be notified of such placement at the time of appointment, or prior to appointment at executive session, when possible, to do so.

Section II – Hours of Work

1. Exempt employees are required to work thirty-five (35) hours per week and will be compensated as such pursuant to Section I (1) of this Policy, along with specific dedications as authorized by law as appropriate.

2. Exempt employees are generally expected to work five (5), seven (7) hour days per week from Monday to Friday but could be required to work a different variation of days per week or hours per day as required by the Department Head or Town Supervisor based on the needs of the Department. They are also provided with a one (1) hour unpaid lunch break daily. This break is generally expected to be taken towards the middle of the day but may be used at the beginning or end of the day on an infrequent basis under extenuating circumstances at the discretion of the Department Head based on the needs of the Department. The break may also be taken in different variations at the discretion of the Department Head.

3. Time keeping records are kept for benefits, scheduling, retirement, and compliance purposes, and will not be used to compute pay for exempt employees, except as allowed by law for full-day unpaid deductions, and/or leave provided pursuant to the FMLA.

4. An exempt employee that works less than a seven-hour day, or who fails to work when scheduled without notifying the Town, will first have their leave time accruals automatically deducted in order for an employee to be paid for a full day prior to any payroll deductions, in the following order: (1) remaining personal leave time, (2) remaining vacation time, and (3) remaining sick time.

5. Exempt employees may work different regular hours or days of work, based on the needs of their department. Please check with your Department Head to clarify any questions you have about your regular work schedule. Permanent changes to the number of workdays must be approved by the Town Supervisor, and referred to the Comptroller, Finance Department, and Human Resources Department.

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

6. Exempt employees are not eligible for any overtime or compensatory time (a form of overtime granted in time off in lieu of cash payment) for hours worked over 35 hours. There is some flexibility to offset excessive hours worked outside of the normal schedule as outlined in the Flex Time Policy, which is Section III of this document.

7. Exempt employees are required to sign in and out of work in order to meet New York State Retirement System requirements to receive pension credit for time worked. Please review NYSLRS rules and regulations to ensure you are receiving pension credit for time worked.

8. A leave of absence without pay without resignation followed by reinstatement within one year shall not constitute an interruption of service.

Section III – Flex Time Policy

1. In recognition that it may be necessary on occasion for an exempt employee to work in excess of normally scheduled hours to complete work or fulfill unexpected obligations, the Town grants exempt employees the ability to reasonably adjust, or "flex" their hours to make up for some excess time which may necessarily be worked. Any "flex" time gained and utilized should be documented by the employee and approved by their Department Head or Supervisor ahead of time. "Flex" time is a scheduling adjustment, is not compensated, and is recorded at straight time for hours actually worked in one-half (1/2) hour increments. The adjustment and use of flex time shall have no impact on the employee's weekly salary and is permissible pursuant to 29 CFR § 541.604(a). Flex time used should be reported as time worked for New York State Retirement purposes.

2. "Flex" time is expected to be taken within the pay period in which the extra time was worked and must be approved by the Department Head before it is accrued, if possible, or used. If it is not possible to take the time off within the pay period, then it should be taken within a reasonable period of time, but never longer than an additional pay period. In no circumstance can it be "carried over" from year to year and is deemed expired at the end of the calendar year regardless of the time period in which it was earned.

3. Employees may not have more than seven (7) hours of "Flex" time banked at any given pay period and must use the flex time within two pay periods. Flex time is not compensable, and may not be "paid out," and can only be used in lieu of working time.

4. Working through lunch generally will not be considered "Flex" time earned, unless there is a specific circumstance that is approved by the Department Head.

5. Employees who receive a cash stipend related to certain additional duties assigned to them may not earn "flex" time for completing those duties for which they receive additional compensation, regardless of what day or time those duties are completed.

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

Section IV – Longevity

1. Longevity Pay Rates for Exempt Employees Hired After 1/1/14 will receive an annual payment on the first check following their anniversary date as follows:

10 years	$500.00
15 Years	$750.00
20 Years	$1,000.00

2. Longevity Pay Rates for Exempt Employees Hired Prior to 1/1/14 will receive an annual payment on the first check following their anniversary date as follows:

5 Years	$800.00
7 Years	$900.00
10 years	$1,050.00
15 Years	$1,150.00
20 Years	$1,250.00
25 Years	$1,350.00

   Every year at 25 and beyond – receive an extra $100.00 per year of service.

3. Effective 1/1/2027, all exempt employees will be paid in accordance with paragraph 2 of this section.

4. Effective 1/1/2027, any exempt employee that is hired from a labor union that represents Town of Amherst employees, and who has been a member of that union for more than 4 years, shall be paid in accordance with the benefit paid to a similarly situated member of the union.

Section V– Holidays

1. Holidays: Paid holidays shall be New Year's Day, Martin Luther King Jr. Day, President's Day, Good Friday, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Day, and any other day as may be approved by the Town Board.

2. Exempt employees shall have an additional "floating holiday" in lieu of Election Day to be used at the employee's option at any time during the calendar year, with the approval of the Department Head. The floating holiday shall expire at the end of the calendar year and cannot be carried over.

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

Section VI - Vacations

1. Vacation: Except as otherwise agreed upon by the Town Board via resolution, exempt employees shall be entitled to the following vacation time after completion of the following years of service:

Years of Completed Service	Weeks of Vacation
At hire	2
5 Years	3
10 years	4
15 years	5
20 years	6

2. Vacation time can be used in ½ hour increments. Use of vacation time will be subject to the needs of the Department, as determined by the Department Head.

3. Exempt employees may be offered more than the minimum vacation time when an offer of employment is made in the event the Department Head, in consultation with the Director of Human Resources and Town Supervisor, determines it is necessary for recruiting the employee into Town or exempt service. This must be done in writing at the time the employment offer is accepted. The Town Board must be notified of the offer and the reasons for providing vacation time above the minimum at the next meeting in Executive Session.

   An employee who accepts an offer for vacation time above the minimum shall remain at that vacation step until such time as they actually reach the next step based on their years of service. For clarity, if an employee is hired with three weeks of vacation, they will not be provided with a fourth week of vacation until they actually complete ten (10) years of service with the Town.

4. Vacation not Cumulative: Vacation time shall not be cumulative, and if not taken, expires at the end of the calendar year; except in the rare instances where a requested vacation is deferred in writing at the Town's request by the Town Supervisor or Department Head. No employee can grant their own carryover request.

   If requested vacation is deferred in writing at the Town's request, an employee shall be permitted to carry unused vacation time into the next calendar year. An employee seeking to carry over unused vacation time must submit a request for carryover to their Department Head on a form created by the Comptroller's Officer with appropriate supporting documentation of the deferral no later than December 1st of the calendar year for which they seek carryover.

   If the request is approved by the Department Head, documentation of departmental approval for carryover must be submitted to the Comptroller's Office no later than December 31st of the calendar year for which carryover is sought. Carryover will only be permitted upon approval by the Comptroller or their designee after review of

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

appropriate documentation to show, to the satisfaction of the Comptroller or their designee, the vacation was deferred at the Town's request.

Approval or denial of vacation carryover requests shall be provided in writing to the requesting employee no later than January 15th. Appeals of such denials may be requested in writing to the Director of Human Resources. The determination of the Director of Human Resources shall be final.

If the employee is a Department Head, vacation carryover requests shall be made to the Town Supervisor or their designee and then submitted to the Comptroller's Office by the time frames listed above.

In the event the vacation time is carried into the next calendar year, the employee must use any vacation time carried over by April 30th of that calendar year. Any remaining time will expire if the employee fails to use the time by April 30th. Carried over vacation cannot be used for vacation sell-back or the additional vacation fund, as outlined in Section VI (5) and (6).

5. Vacation Sell-Back: Employees with earned vacation may elect to receive the cash equivalent of up to fifteen (15) vacation days (7 hours per day) in lieu of taking such time off. In order to exercise this option, employees must provide written notice to the Department Head and Town Comptroller of their intention to receive such payment no later than August 1st of the year in which the vacation would normally be taken. Payment will be made by February 15th of the following year.

6. Medical Insurance Fund: All exempt employees may transfer and accumulate up to 30 weeks (1050 hours) of unused vacation time into a special account to be used to pay medical insurance premiums upon retirement. The amount added to the account will be taxed at the time it is placed into the account. If the employee does not use or discontinues use of the accumulated vacation time for medical insurance benefits, the accumulated amount shall be paid to the employee in equal amounts over a five-year period, or less, at the Town's discretion. In the event of the retired employee's death, payment shall be made to the employee's estate or a beneficiary designated by the employee, in a lump sum. Vacation time placed into this fund may not be used as vacation time off. Employees hired after 1/1/2027 will not be eligible for this Medical Insurance Fund.

7. In order to transfer vacation time into the Medical Insurance Fund, an employee must execute a document provided by the Comptroller's Office by August 1st of any calendar year, stating the following:

   A. The employee's name, title, length of service, and work location.
   B. The number of vacation hours the employee received at the beginning of the calendar year, and any documented carryover from the previous year that was used.
   C. The number of vacation hours the employee used in the calendar year to date.
   D. The number of vacation hours the employee submitted for vacation sell-back under Section VI (5) of this Policy for the relevant calendar year.

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

E. The number of hours the employee wants to transfer to their Vacation Fund.
F. The number of hours the employee has remaining for the calendar year.
G. An attestation that the employee will not use hours in excess of their remaining Vacation Accruals.
H. A signature from the employee attesting that the information contained in the document is correct.
I. A signature from the employee's supervisor that the information outlined is correct.

The Comptroller's Office will document how many hours are being placed into the fund and then will send copies to the department head and the Human Resources Department for the employee's file.

If the employee utilizes time in excess of what is outlined in Section VI(6)(F), it will be deducted from the time transferred to the Fund. Additionally, the employee will be barred from adding time to the Fund for a period of two years.

8. Vacation Pay at Retirement or Separation from Service: An employee who retires from the service of the Town or otherwise separates from service for any reason will receive unused vacation pay remaining in the calendar year in which they retire. The employee will also be entitled to payment on a pro rata basis for the calendar year in which they separate, for the year after they separate. For example, an employee retiring or otherwise separating from employment on June 30, 2026, will receive any unused vacation for the year 2026, and will be paid out for ½ of what they would have been entitled to for the year 2027. Vacation carried over from a previous year is ineligible for payout at time of retirement or separation

9. Death: In the case of death of an employee, payment for such vacation period shall be made to their estate.

10. Employees may not incur negative vacation leave balances that would require salary deductions upon separation.

Section VII – Sick Leave

1. Sick Leave: Employees hired after December 31, 2002, shall be allowed to accrue sick leave credit at the rate of one (1) working day per month of service.

   Employees hired before December 31, 2002, earn sick leave at a rate of one and one quarter days per month, 15 days a year, not to exceed 300 days accumulated.

2. Extended Sick Leave: An employee who has been engaged in full-time and continuous employment with the Town for at least five (5) years may receive additional sick leave with pay as may be approved by the Town Board, up to a maximum of seven (7) months, in addition to the sick leave accumulated by such employee. Applications for extended sick leave will not be entertained unless the employee has exhausted all of their accrued sick leave and other paid leave benefits such as personal leave, vacation, overtime, compensatory credits and all other accrued

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

credits, and nothing contained elsewhere in this Policy shall be construed to foreclose the Town from requiring the use of any such accrued leave or leave benefits prior to the consideration or grant of extended sick leave. Employees on extended sick leave with pay pursuant to Town Board resolution shall not be entitled to accrue sick leave.

3. Sick Leave Buyback: The Town agrees that upon retirement, any accumulated unused sick leave up to a limit of 100 days can be bought back at a ratio of 1:3 (e.g., an employee with 300 days of unused sick leave may use only 100 days at a ratio of 1:3, for a maximum of 33 days). The remainder, to a maximum of 165 days, can be applied to the employee's additional service credit for retirement as per Section 41-j of the New York State Retirement and Social Security Law.

4. In the alternative to Section VII (3), if the employee does not elect the option offered under Section VII (3) of this Policy, employees wishing to apply accumulated unused sick leave toward either 100% or 50% (at the employees' option) of the cost for continued health coverage upon retirement in lieu of a lump sum buy back may do so up to a limit of 100 days at a ratio of eighty (80) percent (maximum 80 days). Accumulated unused sick leave to be applied toward the payment for continued health coverage upon retirement is subject to all Federal and State withholding and tax requirements at the time of separation for retirement.

5. Sick leave will not be paid out for any separation from service other than for retirement with the New York State & Local Retirement System.

6. Employees may not incur negative sick leave balances that would require salary deductions upon separation from service.

7. Sick time can be used in quarter, half, three quarter, or full day increments.

Section VIII - Leaves of Absence with Pay

1. Bereavement Leave A leave of absence with pay not to exceed five (5) days shall be granted to an employee in the event of death occurring in the employees' immediate family, specifically: spouse, parent, child, brother, or sister. A leave of absence of not to exceed three (3) days shall be granted upon the death of an employee's grandparent, grandchild, stepchild, stepparent who served in loco parentis, father-in-law, mother-in-law, brother-in-law, sister-in-law, or any other blood relative residing in the employee's household.

2. Leave for Jury Duty: On proof of required jury duty, a leave of absence shall be granted with pay to all employees, provided, however, that such employees shall reimburse the Town for jury fees received by them.

3. Personal Leave: Exempt employees shall be allowed five (5) personal leave days each calendar year, non-cumulative. Any unused personal leave days shall be added at the end of each calendar year to the employee's total number of sick leave credits, not to exceed the maximum accumulation permitted. Personal Leave may be used in quarter, half, three quarter, or full day increments.

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

4. Military Leave: The Town provides military leave in line with New York State Military Law § 242.

Section IX – Leaves of Absence without Pay

1. Leaves of Absence without Pay: Unpaid leaves of absence may be granted for the following reasons: maternity, extended illness, military leave/USERRA, education leave for veterans, educational leave, and employment opportunities so long as said employment is with an agency or department of the employer. No accruals may be used while an employee is on leave of absence without pay.

2. Approval: Employees must request a leave of absence without pay to the Department Head. If the Department Head wishes to grant the leave, they shall then take the request for approval to the Town Board via resolution. The Department Head shall also take all legally required leaves of absence to the Town Board for their notification via resolution and in consultation with the Director of Human Resources.

Section X – Medical Insurance

1. Medical Insurance Provider: Independent Heath is currently the sole provider of medical, hospital and prescription drug coverage. The Town's dental coverage is currently with The Guardian, and vision coverage is currently with VSP. The Town reserves the right to change any providers at its discretion, provided that the benefits provided remain at least equivalent to the minimum benefits provided to employees represented by unions.

2. Medical Insurance Contributions:

   Exempt employees hired after January 1, 2014, shall contribute 20% of the annual premium for medical insurance, including prescription drug, dental, and vision coverage.

   Exempt employees hired prior to January 1, 2014, and continuously employed with the Town, shall contribute a minimum of 10% toward medical insurance. Any employees hired prior to January 1, 2014, contributing a greater amount than 10% as of January 1, 2016, shall continue at their contribution rate effective on that date.

3. All medical insurance contributions referenced above, including prescription drug, dental, and vision coverage, shall be made through payroll deduction on a bimonthly (twice per month) basis, regardless of date of hire.

4. Double Coverage: Effective January 1, 2018, the Town agrees to pay all exempt employees the sum of One Thousand, Five Hundred dollars ($1,500.00) per year for waiving individual coverage, or the sum of Three Thousand dollars ($3,000.00) per year for waiving family coverage. Such option must be exercised during the month of October, to be effective the following January 1. Payment will be made by the first pay period in April. Employees appointed to an exempt position after January 1, 2027,

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will not be eligible for a "double coverage waiver" if they are entitled to Town insurance through other means (i.e. they are eligible for family coverage from another Town employee).

NOTE: Effective January 1, 2018, the "Double Coverage" provision shall also apply to all Town elected officials eligible for medical insurance. However, Town elected officials who are covered or who become covered by Medicare and/or a Medicare supplement plan through means other than Town insurance plans shall not be eligible for any "Double Coverage" waiver.

5. Medical Insurance at Retirement: An employee appointed into an exempt position after December 31, 2026, shall not be entitled to retiree health insurance.

   For exempt employees appointed to an exempt position on or after September 1, 2010, but prior to January 1, 2027, the plan shall provide paid medical coverage for the retired employee only (no spouse or dependents) until the employee reaches age 65, provided such retired employee has worked for the Town on a full-time and continuous basis for at least ten (10) years as an exempt employee immediately prior to their retirement. For purposes of this provision, "full-time" shall mean a minimum of 35 scheduled hours per week. Any exempt employee appointed after September 1st, 2010, but prior to January 1, 2027, eligible for the aforementioned coverage, will be responsible for continuing the contribution rate at which they contributed when they were an active employee.

   For exempt employees appointed to an exempt position prior to September 1, 2010, the plan shall provide paid medical coverage for retired employees who have worked for the Town on a full-time and continuous basis for at least five (5) years prior to their retirement, and shall extend to the retired employee's spouse, spouses of deceased in-service employees and their insured children, as defined in said policy for the life of the spouse or until remarriage. Responsibility for any percentage contributions shall cease at retirement for any exempt employee appointed prior to September 1, 2010 who is eligible for continued medical insurance coverage at that time

6. Voluntary Separation Incentive (VSI): The Town Board may, via resolution in any given calendar year, offer a Voluntary Separation Incentive to all exempt employees based on flexible parameters as set by the Town Board. The VSI may change from year to year, and there is no requirement that any VSI be offered in any given year.

Section XI – Other Benefits

1. Retirement Benefits: The Town offers retirement plans through the New York State and Local Retirement System. Town employees are responsible for reviewing the New York State Retirement Law to ensure that any time worked by them is credited with the Retirement System.

2. Mileage Allowance: Employees who are required to travel for Town of Amherst business will be reimbursed, in line with the Town of Amherst Travel Policy.

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

3. Miscellaneous Benefits: The Town also offers employees voluntary participation in a 457 Deferred Compensation Plan, Roth Plan, Cafeteria 125 Plan (currently Wageworks/AFLAC/Colonial Life), a NY 529 Direct Savings Plan for education expenses and direct deposit to most area banks and a number of local Credit Unions. An Employee Assistance Program is also available.

Section XII – Residency Required

1. Exempt employees are subject to the Town of Amherst Residency Law – Chapter 45 of the Code of the Town of Amherst. Employees are responsible for reviewing and complying with the Town's Residency Law. Failure to comply with this provision shall constitute a forfeiture of employment for failure to maintain a condition of employment.

2. Waivers are permitted by the Code for reasonable periods of time to allow employees to establish a residence in the Town, or upon application to the Town Board for a permanent waiver.

Section XIII – Discipline and Discharge

1. Exempt employees who violate any Town Policy or workplace conduct rules, or who engage in violations of workplace safety rules, or who engage in inappropriate, unprofessional, or criminal behavior, may be subject to discipline or discharge at the discretion of the Town Board.

2. Employees who have attained or are covered by Civil Service Law § 75 protections will be disciplined or discharged in line with that provision of law.

3. In the event an exempt employee is not covered by Civil Service Law § 75 and the Town wishes to discipline them, the appointing authority or designee will hold an informal meeting to discuss the allegations of impropriety against the exempt employee. The appointing authority will then determine the appropriate penalty, if any is necessary, in their sole authority, up to and including termination. The decision will be documented in writing.

(Revised 7/2026) RPM/ZTG

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst Exempt Benefit Policy)

ATTACHMENT A

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst

2026 Exempt Department Head Salary Schedule

Grade	Class Titles	Budgeted 2026 Salary	Step A (Start)	Step B (1 Year+)	Step C (2 Years+)	Step D (3 Years+)	Step E (4 Years+)	Step F (5 Years+)	Step G (6 Years+)	Step H (7 Years+)	Step I (8 Years+)	Step J (9 Years+)	Step K (10 Years+)	Step L (11 Years+)	Step M (12 Years+)
	Total	**2,956,715.69**													
1	Town Attorney[1]	168,054.88	112,332.02	117,625.16	121,891.36	124,329.18	126,815.77	129,986.16	133,235.81	136,899.80	140,664.54	144,532.82	148,868.80	153,334.86	155,634.88
	Town Comptroller	136,899.80													
	Director of Human Resources[2]	170,634.88													
	Director of Finance	155,634.88													
2	Town Assessor[3]	137,486.16	109,592.22	114,756.25	118,918.39	121,296.76	123,722.70	126,815.77	129,986.16	133,560.78	138,005.68	141,007.62	145,237.85	149,594.99	151,838.91
	Town Engineer[4]	158,838.91													
	Commisioner of Buildings[5]	153,560.78													
	Planning Director	145,237.85													
	Deputy HR Director	141,007.62													
	Director of Economic Development	Vacant													
	Deputy Town Comptroller	133,560.78													
3															
	Director of Youth & Recreation	133,618.24	96,441.15	100,985.50	104,648.19	106,741.15	108,875.97	111,597.87	114,387.82	117,533.49	120,765.66	124,086.71	127,809.31	131,643.60	133,618.24
	Director of IT	133,618.24													
	Engineering Services Administrator[6]	153,618.24													
	Municipal Director of Facilities	120,765.66													
4	Chief of Staff	116,190.28	87,673.78	91,805.00	95,134.71	97,037.41	98,978.16	101,452.62	103,988.93	106,848.62	109,786.96	112,806.10	116,190.28	119,675.99	121,471.14
	Director of Senior Services	119,675.99													
	Rec Specialist/Ice Facility Mgr[7]	136,175.99													
	Assistant Town Engineer	116,190.28													
	Deputy Youth & Rec Director	Vacant													
5	Assistant Planning Director[8]	119,879.19	82,194.17	86,067.18	89,188.80	90,972.57	92,792.02	95,111.82	97,489.62	100,170.58	102,925.27	105,755.72	108,928.39	112,196.24	113,879.19
6	Director of Emergency														
	Services & Safety	106,287.24	76,714.56	80,329.38	83,242.88	84,907.73	86,605.89	88,771.03	90,990.31	93,492.55	96,063.59	98,705.34	101,666.50	104,716.49	106,287.24
	Supervising Fire Dispatcher	106,287.24													
	Deputy Hwy Superintendent	93,492.55													

[1] Budgeted Salary includes $12,420 Stipend
[2] Budgeted Salary includes $15,000 Stipend
[3] Budgeted Salary includes $7500 Stipend
[4] Budgeted Salary includes $7000 Stipend
[5] Budgeted Salary includes $20,000 Stipend
[6] Budgeted Salary includes $20,000 Stipend
[7] Budgeted Salary includes $16,500 Stipend
[8] Budgeted Salary includes $6,000 ZEO Stipend

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst

ATTACHMENT B

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst

2026 Exempt Non-Department Head Salary Schedule

Grade	Class Titles	*Budgeted* 2025 Salary	Step A (Start)	Step B (1 Year+)	Step C (2 Years+)	Step D (3 Years+)	Step E (4 Years+)	Step F (5 Years+)	Step G (6 Years+)	Step H (7 Years+)	Step I (8 Years+)	Step J (9 Years+)	Step K (10 Years+)	Step L (11 Years+)	Step M (12 Years+)
	Total	**3,078,269.84**													
1	Deputy Town Clerk - Legal	138,704.01	100,834.00	103,858.57	105,936.08	109,114.76	112,387.40	115,759.92	119,232.72	122,809.70	126,494.00	128,391.40	132,666.84	135,651.84	138,704.01
	Community Liaison - Legal	138,704.01													
	Sr. Deputy Town Attorney	138,704.01													
	Sr. Deputy Town Attorney	122,809.70													
	Sr. Deputy Town Attorney	105,936.08													
	Sr. Deputy Town Attorney[1]	155,634.88													
	Architect	135,651.84													
	Architect	109,114.76													
	WWTP Superintendent	Vacant													
2	Asst. WWTP Superintendent (Maintenance)[2]	122,603.74	82,624.51	85,621.25	87,333.66	89,080.34	91,307.35	93,590.04	96,163.76	98,808.27	101,525.50	104,571.26	107,708.39	110,939.65	112,603.74
	Project Manager - Construction	112,603.74													
	Project Manager - Construction	96,163.76													
	Project Manager - Construction	93,590.04													
	Purchasing Agent	104,571.26													
	Clerk to Town Justice	107,708.39													
	Clerk to Town Justice	98,808.27													
	Exec. Asst. to the Supervisor	101,525.50													
	Program Supervisor (Y&R)	87,333.66													
3	Supervising Paralegal	90,047.47	71,148.88	73,729.40	75,203.99	76,708.07	78,625.78	80,591.42	82,807.68	85,084.89	87,737.09	90,047.47	92,748.89	95,531.36	96,964.33
	Executive Secretary, HR	87,737.09													
4	Deputy Town Attorney	Vacant	63,115.94	65,405.12	66,713.22	68,047.48	69,748.67	71,492.39	73,458.43	75,478.53	77,554.19	79,880.82	82,277.25	84,745.57	86,016.75
	Sr. Paralegal	Vacant													
	Deputy Town Attorney - PT	40,800.00													
	Sr. Secretary, HR	79,880.82													
	Purchasing Clerk - HWY[3]	69,748.67													
5	Deputy Town Clerk[4]	88,697.05	X	X	X	62,353.20	63,648.00	64,993.07	66,780.39	68,616.86	70,503.82	72,618.93	74,797.50	77,041.42	78,197.04
	Deputy Town Clerk	70,503.82													
	Asst. to the Chief of Police	78,197.04													
	Contracts Technician - Y & R	77,041.42													
	Executive Secretary, Council	78,197.04													
	Paralegal	78,197.04													
	Legal Secretary	63,648.00													
6	Court Analyst[5]	76,813.39	X	X	X	X	X	X	X	X	62,353.20	64,993.07	65,821.80	67,796.45	68,813.39
	Assistant to Town Clerk	64,993.07													
7	Secretary, Prosecutor	Vacant	X	X	X	X	X	X	X	X	X	X	X	62,353.20	63,600.26
	Secretary, HR	63,600.26													
			2026 NYS Exempt Minimum 62,353.20												

[1] Includes $16,930.87 Stipend
[2] Includes $10,000 Stipend
[3] Includes $13,500 Stipend
[4] Includes $10,500 Stipend
[5] Includes $8,000 Stipend

Attachment: Exempt Benefits - 2026 - (UPDATED FINAL) (RES-2026-527 : Updates to Town of Amherst

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 31997 **RESOLUTION 2026-528** **ADOPTED**

Motor Equipment Operator/Engineering-Sewer Maintenance Department

Please appoint a Motor Equipment Operator to the Engineering-Sewer Maintenance Department. Permanent, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective July 7, 2026 at an hourly rate of $22.28, Grade III, Step 1.

Contingent upon completing all pre-employment requirements.

Replacing an employee who retired.

7/6/2026
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

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 32001 **RESOLUTION 2026-529** **ADOPTED**

Public Safety Dispatcher/Police Department-(2 Positions)

Please appoint two (2) Public Safety Dispatchers to the Police Department. Provisional, pending satisfactory completion of a Civil Service Examination. Effective July 7, 2026 at an annual salary of $53,651, Grade 13, Step A.

Contingent upon completing all pre-employment requirements.

Replacing an employee who resigned and an employee who was hired as a Police Officer.

7/6/2026
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

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 32003 **RESOLUTION 2026-530** **ADOPTED**

Police Officer/Police Department (2 Positions)

Please appoint two (2) Police Officers to the Police Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII(c). Effective July 22, 2026 at an annual salary of $72,477.00. Contingent upon successful completion of all pre-employment requirements and Erie County Civil Service Rules and Regulations.

Replacing two employees that resigned.

7/6/2026
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

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Police
Initiated by: **Scott Chamberlin**
Co-Sponsored by:

DOC ID: 32025 **RESOLUTION 2026-531** **ADOPTED**

Training & Travel Request NCFI Digital Evidence Investigation Course

TOWN BOARD AGENDA ITEM : JULY 6, 2026

TO: **Town Board**

FROM: **Scott P. Chamberlin, Chief of Police**

RE: **Training & Travel Request**
NCFI Digital Evidence Investigation Course

Kindly adopt a Resolution authorizing one (1) Officer to attend the above entitled training course. This course is being held in Hoover, Alabama from July 19, 2026 through July 25, 2026. This training was originally scheduled for March 2026 but was ultimately cancelled and rescheduled for July 2026. The cost for the training and travel for this course is paid for by the organization hosting the course.

Thank you.

SPC:msl
Attachment
C: Tim Koller, Deputy Town Clerk **(Agenda Item: July 6, 2026)**

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

No cost to the Town. The cost for the training and travel for this course is paid for by the organization hosting the course.

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

TRAVEL EXPENSE APPROVAL / REIMBURSEMENT FORM

☐ Travel in New York State and under $750 - Department Head Approval

☐ Travel in New York State $750 and over - Department Head Approval and Town Board Approval

☑ Travel out of New York State - Department Head Approval and Town Board Approval

NAME	Employee #	Department	Phone Number
[redacted]		Police	716-689-1311

Desti

Date of Departure	Date of Return	Destination	Purpose/Justification
March 29, 2026 7/19/2026	April 4, 2026 7/25/2026	Hoover, AL	NCFI Digitial Evidence Inv. Course

Expenses	Estimated	Budget A/C #	Actual
Transportation:			
Mileage @ $0.67			
Tolls			
Parking			
Local Transportation (bus/taxi)			
Plane/Rail/Bus			
Lodging:			
# nights @ $			
Meals:			
IRS Per Diem Per Day:			
1st & Last Day of Travel @ 75%			
# Breakfasts @ $			
# Lunches @ $			
# Dinners @ $			
# Incidentals @ $			
Registration/Conference Fee			
Other			
Subtotal			N/A
Contingency - 10% of subtotal or $200			N/A
TOTAL	0		

Request Approved By:

Department Head Signature

2/16/2026

Date

I hereby certify that I have expended the above itemized amounts for business purposes for the Town of Amherst. Required receipts are attached.

Employee Signature Date

Print Employee Name

Reimbursement Approved By:

Department Head Signature Date

Town Board :

Town Board Resolution & Date

Complete Shaded Area
For Expense Reimbursement

X:\Policies and Procedures\Travel\Travel Expense Reimbursement 2024

Attachment: RedactedTravelFormRescheduledNCFI Digital Evidence Investigation Course 7.6.2026 (RES-2026-531 : Training & Travel Request: NCFI

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Sewer/Plant 16
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 31990 **RESOLUTION 2026-532** **ADOPTED**

Emergency Sewer Manhole Repair Authorizations Intersection of N. French and Hopkins Rd. CRS #6352

The Engineering Department Sewer Maintenance Division is requesting the Town Board to authorize the Comptroller's Office to pay Camden Group in the amount of $7,650 for Manhole emergency repair performed at the intersection of N. French and Hopkins Rd.

Funding for these purchases is available in account KP2516-4972 which was established by the Comptroller's Office.

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

KP2516-4972

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

Town of Amherst
Emergency Purchase Documentation Form

This form is to be completed for all emergency purchases made that contravene the Town's Purchasing Policy. You must contact the Supervisor (or Deputy Supervisor in the Supervisors absence) to obtain his/her approval prior to making the purchase. This form must be completed and submitted to the Town Board at the first work session following the Emergency purchase. A copy should also be submitted to the Town Attorney and Contract Compliance & Administration Department.

An exception to the competitive bidding requirements exists for emergency situations (GML §103[4]). There are three basic statutory criteria to be met in order to fall within this exception. These are that (1) the situation arises out of an accident or other unforeseen occurrence or condition; (2) the circumstances affect public buildings, public property, or life, health, safety or property of the political subdivision's residents; and (3) the situation requires immediate action which cannot await competitive bidding.

Generally, there must be a present, immediate and existing condition which is creating an imminent threat or danger and which requires such immediate action that a further delay to comply with competitive bidding requirements is so detrimental to the public interest that it overcomes the strong public policy in favor of bidding. Further, because the emergency must arrive out of an accident or unforeseen occurrence, it is doubtful a local government may invoke the emergency exception in a situation which the result of inaction or dilatory behavior on the part of local officials and which, therefore, could have been foreseen in time to advertise for bids.

Even when a governing board passes a resolution that a public emergency exists, the public interest dictates that purchases are made at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practical under the circumstances.

1. Date of Emergency Purchase: 6/17/26

2. Date you received approval from the Supervisor: 6/18/26

3. Date of Town Board work session where Board is notified: 6/22/26

4. Amount of Emergency Purchase. Please provide a detailed listing of items purchased and the cost of each (attach additional detail if necessary): $ 7,650
   Quote attached

5. Is there adequate funding in your current operating budget to cover this purchase? _____
   Identify budget Org/Object: TBD

6. Please describe the circumstances that resulted in the need to make an emergency purchase without following the Town's Purchasing Policy: Manhole Deteriorating which could lead to sinking conditions at the intersection of Hopkins and N. French

7. Please describe what steps were taken to ensure the lowest cost for the Emergency Purchase. If none, please explain why your department was prevented from doing so:
   Camden group currently has the contract for manhole rehab and so gave us the best pricing

8. Department Head Signature: _____ Date: 6/19/26

CC: Town Board, Town Attorney, Contract Compliance & Administration

For Contract Compliance & Administration Use Only	
Date of Town Board Resolution:	Emergency Purchase Tracking/Res #:

Attachment: Camden Group Emergency Manhole Repair (RES-2026-532 : Emergency Sewer Manhole Repair Authorizations)

CAMDEN Group

Proposal 1828-32
Issue Date June 17, 2026
Expires June 19, 2026

PREPARED BY
Alex Fabi
Camden Group Infrastructure Rehabilitation Services, LLC
(716) 725-7908
afabi@camdengroupusa.com
9008 NY-13, Camden, NY 13316, USA

PREPARED FOR
Sarah Burow
Town of Amherst*
(716) 631-7154 ext. 7413
sburow@amherst.ny.us
Amherst, NY, USA

PROPOSAL DETAILS
Amherst, NY, USA

We are pleased to offer the following proposal below.

INCLUSIONS:
-Camden Group shall provide labor, equipment and material to complete the scope of work. (Chemical Grout Injection of Manhole)
- Camden Group will chemical grout inject hole inside of Manhole to stop water infiltration coming in.
- Camden Group will use AV 330 or AV 278 Polyurethane chemical grout with Oakum to stop leak.

-If pressure from hole is extreme, Camden Group will have to install grouting rods outside of manhole near active leak and pump chemical grout in the area.
-When Camden Group packs the hole and injects the chemical grout, the grout will expand to stop water infiltration.
-Camden Group is aware that a dye test has been performed and water infiltration coming in the manhole is from the direction of the sink hole.

EXCLUSIONS:
-Sampling/Engineering
-Taxes/ Fees/Permits
-Bypass Pumping
-Overtime and Weekends not included in this proposal
-Camden Group shall use flow through plugs up to 8" diameter. Bypass pumping will be need if larger pipe or flow through plugs cannot handle the flow G.C. will be responsible to bypass pump.

CLARIFICATIONS:
-The price quoted in this proposal is a Daily Rate and Material Cost Per Gallon
-The price giving is based on New York prevailing wage rate.
-Camden Group price is based on straight time only. Saturday work is time and half and Sunday work will be double time
-Contractor will provide Camden Group with a secure place for storing equipment, a clean out area. and clean water at no charge.
-Camden Group will chemical grout inject the hole inside of Manhole that has water infiltration coming through. As explained in the inclusions, Camden Group has Two methods to stop water infiltration in the Manhole.
-Please be advised, Camden Group will only charge for days and actual gallons injected on this project. Example, If we can seal the manhole in One work day and estimated gallons injected that is all your invoiced.

All contractual requirements e.g., insurance requirements, contracts, signature documents, are to be emailed to:
jnilsson@camdengroupusa.com

DESCRIPTION	QTY	UNIT PRICE	TOTAL
Daily Rate	2 Days	$3,150.00	$6,300.00
Chemical Grouting (gal)	10 Gallons	$135.00	$1,350.00
		TOTAL	**$7,650.00**

Estimated quantities are not guaranteed, and are solely for the purpose pricing bids. Final payment for all Unit Price Work will be based on actual quantities used

SALES TAX: If Project is Sales Tax Exempt, provide Sales Tax Exempt Certificate for appropriate State with signed Proposal. If Project is a Capital Improvement, complete Form ST 124 for NY or ST8 for NJ and return with signed Proposal. If Tax Exempt Form is not returned, Sales Tax will be added to invoice for Project.

Attachment: Camden Group Emergency Manhole Repair (RES-2026-532 : Emergency Sewer Manhole Repair Authorizations)

*Standard Terms and Conditions, on the attached page, are incorporated in this quotation, Prices quoted shall remain firm 30 days from date of issuance. Payment is due NET 30 days.

TERMS and CONDITIONS

An order will constitute a contract between the Company and the Buyer when accepted writing by the Company at its home office in Camden, NY. A contract resulting from the acceptance of an order may be canceled or altered by the Buyer only if agreed to in writing by the Company at its home office, subject to payment of reasonable charges necessary to protect the Company from loss. Until accepted, as provided herein, an order shall constitute an offer to purchase. Neither the acceptance of any deposit made with an order nor the cashing of any check or other instrument therefore, nor the holding of such deposit by the Company shall be deemed an acceptance of an order, but if the order is not accepted, the Company will promptly refund such deposit.

The Company shall not be liable for any failure to make delivery, for late delivery, or other default by reason of any occurrence or contingency beyond the reasonable control of the Company or of any of its sources of supply or for failure to give notice of any delay. I the event of any such occurrence or contingency, the Company may extend delivery schedules or may, at its option, cancel the order in whole or in part without the liability other than to return any deposit or prepayment should the whole order be canceled.

The Buyer will reimburse the Company for all taxes, excises and similar charges based upon or measured by the production, storage, sale, transportation or use of the products described herein.

The Company shall not be bound by any terms, conditions, or representations, which are not stated herein.

The Company shall not be obligated to perform hereunder if, at any time, Buyers credit rating becomes impaired.

The Company shall retain a security interest in the products supplied hereunder to secure performance of the Buyer's obligations and Buyers shall execute all financing statements and other instruments that the Company deems necessary to protect its security interest. If the Buyer defaults in any of its obligations hereunder or is unable to pay its debts as they mature, the Company shall have the right to lien the project, require payment from the Bond Company or cancel unshipped balances with or without resort to legal process.

The Company's acceptance of order cancellation or order reduction requests is conditioned upon receiving Buyer's written agreement to assume termination charges.

The Company reserves the right to refuse to accept any order which does not meet quantity requirements which the Company may establish for any given product or groups of products.

Prices are based on quality levels commensurate with normal processing. If a different quality level is required, Buyer must specify the requirements and pay any additional costs that may be applicable.

The Company reserves the right to correct clerical or stenographic errors or omissions.

The product warranty is as submitted herewith. A 1-year warranty on workmanship and material on all products installed by CAMDEN GROUP is provided. No other warranties express or implied, including implied warranties or merchantability and fitness for a particular purpose, will apply. Warranty starts upon job completion.

Contractor will provide Camden Group with a secure place for storing equipment and clean water at no charge.

Consents, Permits and Taxes:

CAMDEN GROUP will not be responsible for any permits. Permits are solely the responsibility of the General Contractor.

Cancellation:

CAMDEN GROUP may issue a STOP WORK if the General Contractor/Owner

1. Has not made payments according to this proposal.
2. Is involved in a Bankruptcy.
3. There is unsafe work conditions.

Attachment: Camden Group Emergency Manhole Repair (RES-2026-532 : Emergency Sewer Manhole Repair Authorizations)

Buried Utilities:
CAMDEN GROUP will not be responsible for any buried utilities including but not limited too electrical lines, water pipes or gas pipes or drains that may get clogged with chemical grout, due to unforeseen broken pipes under the concrete surface.

Moving/Preparation of Work Area:
All areas to be treated by CAMDEN GROUP must be cleared and accessible. CAMDEN GROUP is not responsible for any areas that we cannot gain access to.

Changes or Extras:
Any changes to this proposal by anyone other than CAMDEN GROUP will make this proposal void. Any extra work added to the project must be accompanied by a change order signed prior to the additional work being started.

Payment Obligations:
Customer shall be obligated to make any and all payments due as per the contract and agree that payments shall not be withheld pending any claimed warranty or repair work that may be necessary as a result of work that CAMDEN GROUP has already completed or performed. CAMDEN GROUP shall have the right to terminate the contract upon Customer's failure to promptly make payments (within five days of progress milestones as set forth herein). In such case where the CAMDEN GROUP terminates the contract, CAMDEN GROUP shall be entitled to all amounts due for work completed and shall be entitled to profit it would have recovered on the uncompleted work.

Invoicing:
Payment of invoices is due within thirty (30) days from the date of invoice unless otherwise agreed on by CAMDEN GROUP and said contractor. Amounts not paid within 30 days of invoice date are subject to service charges of 1.25% per month (15%APR), plus any reasonable cost of collection services, inclusive of attorneys' fees. Billing rates are in accordance with CAMDEN GROUP current SCHEDULE OF FEES and are subject to change periodically thereafter. The Customer expressly acknowledges that payment of CAMDEN GROUP invoices is not contingent upon receipt by Customer of funds from outside sources (lenders, owners, etc.).

Note:
CAMDEN GROUP expressly reserves the right to cease providing services (other than that which we, in our sole discretion, deem necessary for the protection of the public) due to any delinquency of payment of any invoice for services performed on the project or project site, whether for the Customer and/or any entity with any relationship to the Customer. "Services", as used herein, shall mean not only performance of field-work but also preparation and/or revision of "instruments of service" (as defined hereinafter). In addition to cessation of services, any uncured failure or delinquency of payment, will entitle CAMDEN GROUP to withhold delivery or refuse turnover of all Instruments of Service to the Customer, or any third-party, or any successor in interest. CAMDEN GROUP shall have no obligation to provide advance notice that it has ceased providing services under the terms of this paragraph.

Right Too Repair/Limitations Period:
Any claim by Customer for faulty performance, non-performance, or breach under this contract shall be made in writing to Service Provider within Sixty (60) days after the earlier of completion of the work or date any such performance, non-performance, or breach would have been discovered exercising reasonable diligence. Failure to make such a written claim for any matter which could have been corrected by Service Provider shall be deemed waived by Customer. No action, regardless of form, relating to the subject matter of this contract may be brought more than six months after such date

Scheduling and Progress of the Work:
CAMDEN GROUP will be given reasonable notice before work is to begin. CAMDEN GROUP. A Daily Ticket will be filled out after each day's work and signed by the Contractor acknowledging the work performed for that day. If there is no Supervisor available to sign said Daily Ticket the Foreman will mark that down.

Disputes:
Any dispute between CAMDEN GROUP and Customer arising from or relating to this Agreement shall be determined by arbitration pursuant to the American Arbitration Association's Construction Industry Dispute Resolution Procedures. Any claim brought by either party shall be submitted to the American Arbitration Association for Arbitration under said rules. This includes any claim brought under a federal to state statute. The governing law shall be the laws of the State of New York

Right to Recoup Legal Fees:

Attachment: Camden Group Emergency Manhole Repair (RES-2026-532 : Emergency Sewer Manhole Repair Authorizations)

In the event it becomes necessary for CAMDEN GROUP to bring an action to enforce compliance with the terms and conditions of this agreement, customer agrees to pay all expenses of any such successful action including attorney's fees, court costs and expert fees etc.

The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work specified.

The below signed represents that he (she) has read, understands, and accepts this proposal entirely. PLEASE NOTE that any permit fees and or fines imposed by regulatory bodies for clients' and or for third parties' actions or whether they are a direct result of CAMDEN GROUP, INC. errors or omissions shall be paid by Client. Further, the above signed attests and represents that he (she) has the authority to enter into this agreement on behalf of the client named above.

The above specifications, costs, and terms are hereby accepted.

SARAH BUROW DATE

Attachment: Camden Group Emergency Manhole Repair (RES-2026-532 : Emergency Sewer Manhole Repair Authorizations)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Sewer/Plant 16
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 31991 **RESOLUTION 2026-533** **ADOPTED**

NYS Department of Environmental Conservation Application for the Non-Agricultural Nonpoint Source Planning/Municipal Separate Storm Sewer System (MS4) Mapping Grant for MS4 Mapping Phase IV

Attached for your consideration is a resolution authorizing submission of an application for the Non-Agricultural Nonpoint Source Planning/Municipal Separate Storm Sewer System (MS4) Mapping Grant to NYS Department of Environmental Conservation. This application is for MS4 Mapping Phase IV, which encompasses the northeast quadrant of the Town of Amherst. Adoption of this resolution will allow the Town to update the GIS mapping, which will allow the Town to schedule required maintenance, document system updates, and keep track of illicit discharges at the lowest possible cost to Town taxpayers.

Accordingly, the Engineering Department respectfully recommends adoption of the attached resolution.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

n/a

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

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR THE NON-AGRICULTURAL NONPOINT SOURCE PLANNING/MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) MAPPING GRANT TO NYSDEC FOR MS4 MAPPING PHASE IV

RESOLUTION 2026-XXX

WHEREAS, The Town of Amherst adopted a revised Stormwater Management Plan in 2026 per GP-0-24-001; and

WHEREAS, The Town needs updated field data to develop accurate GIS mapping to improve conveyance system components in identified problem areas and better manage the stormwater system; and

WHEREAS, MS4 Mapping Phase IV will continue the creation of accurate GIS mapping of the existing stormwater management system which will allow the Town to schedule required maintenance and more easily keep track of system updates and illicit discharges; and

WHEREAS, the Town Board desires to provide the MS4 Mapping Phase IV for its residents at the lowest possible cost to Town taxpayers; and

WHEREAS, the Town Board commits to providing the required local matching funds of $7,500 to ensure the timely implementation of the proposed project;

NOW THEREFORE BE IT RESOLVED, Shawn A. Lavin, Supervisor of the Town of Amherst, is hereby authorized and directed to file an application for funds from the New York State Department of Environmental Conservation in accordance with the provisions of the Environmental Protection Fund program, in an amount not to exceed $67,500 and, upon approval of said application for funds to enter into and execute a project to execute the Master Contract with the State for such financial assistance to the Town of Amherst for the MS4 Mapping Phase IV; and

NOW BE IT FURTHER RESOLVED that Shawn A. Lavin, Supervisor of the Town of Amherst, be authorized and directed to complete the necessary application, forms, and attachments to be submitted through the New York State Consolidated Funding Application for the purpose of securing this grant.

Attachment: RESOLUTION_SUBMISSION_MS4 PHASEIV_July 6 2026 (RES-2026-533 : NYS Department of Environmental Conservation)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Sewer/Plant 16
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 31992 **RESOLUTION 2026-534** **ADOPTED**

Contract Extension Sentrimax Centrifuges NE LTD TOA Bid 2024032 CRS 6365

The Engineering Department, WPCF division is requesting that the Town Board authorize the Supervisor to sign the attached contract extension agreement with Sentrimax Centrifuges NE LTD. The terms and conditions within the Town of Amherst Bid 2024032 shall remain the same. The term of this contract extension will be effective the date of Town Board approval and run through September 2, 2028.

This request is pending successful completion of the contract review process.

Funds for this request are available in G9916-4960

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

G9916-4960

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

AGREEMENT

Let this document stand as an agreement between Sentrimax Centrifuges NE LTD, and the Town of Amherst to extend their existing contract with Sentrimax Centrifuges NE LTD, bid 2024032 Sharples Ds 706 Centrifuge Rebuild. Both parties agree that the terms and conditions specified in the executed contract for Thomas Conveyor replacement parts would remain the same. The term of this contract extension would be from September 3, 2026 through September 2, 2028 and be effective the date of Town Board approval by the Town of Amherst.

Agreed to and Accepted by:

Sentrimax Centrifuges NE LTD.

By: _____
Signature

Tessy Beaudoin
Printed name

COO
Title

Date: June 26, 2026

Agreed to and Accepted by:

TOWN OF AMHERST

By: _____
Shawn A. Lavin
Supervisor

Date: _____

Attachment: Sentrimax Agreement (RES-2026-534 : Contract Extension)

Addendum to Contract Award Major Exposure

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Contractors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Contractor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Contractor its officers, agents, subcontractors, and/or employees as well as the negligence, active or passive, of the Contractor, its officers, agents, subcontractors, and/or employees.

4. Contractor shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Contractor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Contractor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate. Umbrella coverage shall be in an amount of at least $5,000,000.00.

(c) Contractor shall furnish the above insurances, including subcontractors' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Contractor shall ensure all its subcontractors, if any, have obtained all the above insurances and shall also assure that any policy procured by any subcontractor or sub-subcontractor shall name the Town as an additional insured on a primary and non-contributory basis.

Attachment: Sentrimax Agreement (RES-2026-534 : Contract Extension)

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of section 109 of the General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Contractor shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Contractor, in accordance with its status as an independent Contractor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

Revised 12.30..19

Attachment: Sentrimax Agreement (RES-2026-534 : Contract Extension)

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules, regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on July 6th, 2026. Shawn A. Lavin, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

SenTrimax Centrifuges INC
Print Name of Company

By: [signature]
Signature

Jessy Beaudoin
Printed name

Date: June 26, 2026

Agreed to and Accepted by:

Town of Amherst

By: Shawn A. Lavin, Supervisor

Date:

Attachment: Sentrimax Agreement (RES-2026-534 : Contract Extension)

EXHIBIT "1"

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: Sentrimax Centrifuges inc.

Signature: Jessy Beaudoin

Print Name: Jessy Beaudoin

Title: COO

Date: June 26, 2026

Attachment: Sentrimax Agreement (RES-2026-534 : Contract Extension)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Youth & Recreation
Initiated by: **Stephen Bryan**
Co-Sponsored by:

DOC ID: 31989 **RESOLUTION 2026-535** **ADOPTED**

Gopher Sport Agreement Extension #1 - CRS #6364/6141

Authorize the Supervisor to sign a contract extension #1 between the Town of Amherst (Youth & Recreation Department) and Gopher Sport for the purchase of Athletic and Physical Education Supplies, Equipment and Related Products, Extension #1 for 08/01/2026 through 07/31/2027.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

Town Wide: Various Accounts: Amount TBD

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

AGREEMENT EXTENSION # 1

Let this document stand as an Agreement Extension # 1 between The Prophet Corp d/b/a Gopher Sport and the Town of Amherst, permitting the Town of Amherst to participate in the purchase of athletic and physical education equipment and supplies with related accessories under OMNIA PARTNERS cooperative purchasing contract #23 - SR - 020 . The term of this contract will be from the date of execution by the Town of Amherst through July 31, 2026 and extended through July 31, 2027.

During the term of this agreement, Prophet Corp. d/b/a Gopher Sport agrees to invoice the Town of Amherst for all equipment, supplies and related accessories at the rates specified in the OMNIA PARTNERS contract or at further discounted rates when such rates are part of a special being offered on certain items offered to Prophet Corp. d/b/a Gopher Sport customers. It further being agreed that the prices set forth on Prophet Corp. d/b/a Gopher Sport invoices shall be the price charged and that no further attempts will be made to change or seek payment at a different price.

Agreed to and Accepted by:

PROPHET CORP d/b/a Gopher Sport

By: Ryan Reimers (Jun 30, 2026 09:12:41 CDT)

Signature

Ryan Reimers

Print Name

COO

TITLE

Date: 6/30/2026

Agreed to and Accepted by:

TOWN OF AMHERST

By: _____

Shawn A. Lavin
Supervisor

Date: _____

Attachment: DOC063026-06302026111804 (RES-2026-535 : Gopher Sport Agreement Extension #1 - CRS #6364/6141)

DOC062226-06222026144851

Final Audit Report 2026-06-30

Created:	2026-06-30
By:	Jesse Stapp (jessestapp@gophersport.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHm0pQv7_DqNNYb4RvBfsiRNh-rwVvV-o

"DOC062226-06222026144851" History

Document created by Jesse Stapp (jessestapp@gophersport.com)
2026-06-30 - 1:37:10 PM GMT

Document emailed to Ryan Reimers (ryanreimers@gophersport.com) for signature
2026-06-30 - 1:37:45 PM GMT

Email viewed by Ryan Reimers (ryanreimers@gophersport.com)
2026-06-30 - 1:38:37 PM GMT

Document e-signed by Ryan Reimers (ryanreimers@gophersport.com)
Signature Date: 2026-06-30 - 2:12:41 PM GMT - Time Source: server - Signature Appearance Selected: DRAW

Agreement completed.
2026-06-30 - 2:12:41 PM GMT

Attachment: DOC063026-06302026111804 (RES-2026-535 : Gopher Sport Agreement Extension #1 - CRS #6364/6141)

AGREEMENT

Let this document stand as an agreement between the Town of Amherst ("Town") and Gopher Sport ("Gopher"), authorizing the Town to utilize the Master Purchase Agreement by and between Harford County Public Schools, MD and Gopher Sport based on OMNIA Partners Competitive Solicitation # 23 - SR - 020 for purchase of Athletic and Physical Education Supplies, Equipment and Related Products. This agreement between the Town and Gopher is based on the existing OMNIA Partners contract # 23-SR - 020 valid through July 31, 2026.

Agreed to and Accepted by:

PROPHET CORP d/b/a Gopher Sport

By: _____
Signature

Ryan Reimers
Print Name

CFO & COO
TITLE

Date: 2/18/2026

Agreed to and Accepted by:

TOWN OF AMHERST

By: _____
Shawn A. Lavin
Supervisor

Date: 11 March 26

Attachment: DOC063026-06302026111804 (RES-2026-535 : Gopher Sport Agreement Extension #1 - CRS #6364/6141)

HARFORD COUNTY
PUBLIC SCHOOLS

Dyann R. Mack, Ed.D., Interim Superintendent of Schools
102 S. Hickory Avenue, Bel Air, Maryland 21014
Office: 410-838-7300 • www.hcps.org

Procurement Department
Sara Rowe, NIGP-CPP, Procurement Agent
410-638-4082 • Sara.Rowe@hcps.org

March 18, 2026

Jesse Stapp
The Prophet Corporation DBA Gopher Sport
2525 Lemond Street SW
Owatonna, MN 55020
jessestapp@gophersport.com

RE: 23-SR-020 Athletic and Physical Education Supplies, Equipment and Related Products – Request for Contract Extension

Dear Mr. Stapp,

The contract with your firm under the above-mentioned bid will expire on July 31, 2026. This letter is a request for a contract term extension to the existing contract. The Board of Education of Harford County is requesting contract extension at the same terms and conditions and current pricing, extending the term from August 1, 2026 through July 31, 2027.

Please acknowledge acceptance of the extension by signing at the bottom of this page, signing the attached Employment of Sex Offenders and Other Criminal Offenders Affidavit, and return it to this office by April 15, 2026.

Sincerely,

Sara Rowe, NIGP-CPP
Procurement Agent

Gopher Sport

Ryan Reimers (Mar 24, 2026 16:57:40 CDT)
Authorized Contractor Signature

Mar 24, 2026
Date

Board of Education of Harford County

Signature

3/25/27
Date

Attachment: DOC063026-06302026111804 (RES-2026-535 : Gopher Sport Agreement Extension #1 - CRS #6364/6141)

HARFORD COUNTY PUBLIC SCHOOLS

EMPLOYMENT OF SEX OFFENDERS AND OTHER CRIMINAL OFFENDERS AFFIDAVIT

I AFFIRM THAT:

I am aware of, and the business listed below will comply with, the following requirements of Section §11-722 of the Criminal Procedure Article, and Section §6-113 of the Education Article, Annotated Code of Maryland:

A. Maryland Law requires sex offenders to register with the State and with the local law enforcement agency in the county in which they will reside, work, or attend school. An HCPS contractor agrees and acknowledges that it/he/she is prohibited from knowingly employing an individual to work at a school if the individual is registered as a sex offender pursuant to Section §11-704 of the Criminal Procedures Article of Maryland Code.

B. An HCPS contractor or subcontractor may not knowingly assign an employee to work on school premises with direct, unsupervised, and uncontrolled access to children, if the employee has been convicted of:

1) Section §3-307 of the Criminal Law Article, Maryland Annotated Code, *Sexual Offense in the Third Degree*;
2) Section §3-308 of the Criminal Law Article, Maryland Annotated Code, *Sexual Offense in the Fourth Degree*;
3) An offense under the laws of another state that would constitute a violation of Sections §3-307 or §3-308 of the Criminal Law Article if committed in Maryland;
4) Child sexual abuse under Section §3-602 of the Criminal Law Article, Annotated Code of Maryland;
5) An offense under the laws of another state that would constitute child sexual abuse under Section §3-602 of the Criminal Law Article if committed in Maryland;
6) A crime of violence as defined in Section §14-101 of the Criminal Law Article, Annotated Code of Maryland; or
7) An offense under the laws of another state that would constitute a crime of violence under Section §14-101 of the Criminal Law Article if committed in Maryland.
8) Contractors shall comply with the requirements of House Bill 486 passed by the General Assembly in 2019, regarding screening of applicants for employment.

    a. Effective July 1, 2019
    b. MSDE Guidance for House Bill 486 – Child Sexual and Sexual Misconduct Prevention) can be found online at www.marylandpublicschools.org.
    c. Submission of Section 000325 Contract Affidavit (HB 486/SB 541Compliance) is required to be submitted prior to award of contract.

See Section §6-113 of the Education Article, Annotated Code of Maryland

Violations of any of these provisions may result in Termination for Cause.

I AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Date: Mar 24, 2026

By: Ryan Reimers (printed name of Authorized Representative and affiant)

Ryan Reimers (Mar 24, 2026 16:57:40 CDT) (signature of Authorized Representative and affiant)

The Prophet Corporation DBA Gopher Sport (Company Name)

Attachment: DOC063026-06302026111804 (RES-2026-535 : Gopher Sport Agreement Extension #1 - CRS #6364/6141)

OMNIA Contract Renewal Request - 23-SR-020 Gopher Sport

Final Audit Report 2026-03-24

Created:	2026-03-24
By:	Brianna Spinler (briannaspinler@gophersport.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA2O93brUnmkwexRn-EMw58iYUVELJ2AFn

"OMNIA Contract Renewal Request - 23-SR-020 Gopher Sport" History

Document created by Brianna Spinler (briannaspinler@gophersport.com)
2026-03-24 - 4:48:37 PM GMT

Document emailed to Ryan Reimers (ryanreimers@gophersport.com) for signature
2026-03-24 - 4:49:25 PM GMT

Email viewed by Ryan Reimers (ryanreimers@gophersport.com)
2026-03-24 - 9:55:23 PM GMT

Document e-signed by Ryan Reimers (ryanreimers@gophersport.com)
Signature Date: 2026-03-24 - 9:57:40 PM GMT - Time Source: server

Agreement completed.
2026-03-24 - 9:57:40 PM GMT

Attachment: DOC063026-06302026111804 (RES-2026-535 : Gopher Sport Agreement Extension #1 - CRS #6364/6141)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Clerk
DOC ID: 31985

COMMUNICATION 2026-61 **APPROVED**

St. John Maron Maronite Church Request for Fee Waiver

Letter from Father Dany Abi-Akar, St. John Maron Maronite Church, requesting fee waivers for the July 31 to August 2, 2026, Annual Lebanese Festival. The Building Commissioner response is attached.

7/6/2026
Supervisor Lavin made a motion to approve, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

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

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E.
Commissioner of Building

Agenda Item

DATE: June 22, 2026

TO: Town Board

FROM: Mark S. Berke, P.E., Commissioner of Building

RE: Request for Waiver of Fire Prevention Permit and Electrical Permit Fees
2040 Wehrle Drive - St. John Maron Catholic Church
Twenty Third Annual Lebanese Festival – July 31 and August 1-2, 2026

I have reviewed the letter dated May 28, 2026, from Father Dany Abi-Akar, Pastor, regarding the referenced matter. I hereby recommend the approval of this request to waive the fire prevention permit fee and to waive the electrical permit fee.

Please contact me if you have any questions regarding this matter.

Mark S. Berke, P.E.
Commissioner of Building

CC: Bryan Parnell, Sr. Fire Inspector
Francina J. Spoth, Town Clerk
Joe Hoehman, Sr. Electrical Inspector

Attachment: 2040 Wehrle Fire Prevention Permit Fee Waiver_6-22-26 (COM-2026-61 : St. John Maron Maronite Church Request for Fee Waiver)

St. John Maron Maronite Church

May 28, 2026

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

To Whom It May Concern:

St. John Maron Church is planning their annual festival to be held on the Church grounds at 2040 Wehrle Drive. The festival is scheduled for July 31, August 1 and 2, 2026. In order for us to proceed with plans for the 23rd Annual Lebanese Festival of Western New York, we must possess appropriate licenses and permits.

In previous years, we requested waivers for the Electrical, Music, Fire and other fees, and through the Town's kindness and generosity the waiver was granted. We kindly request waivers for these permits through the Amherst Town Board.

If the waivers are granted, please mail to the parish address listed below. Your kindness and prompt response regarding these waivers is deeply appreciated.

Sincerely yours in Christ,

ST. JOHN MARON CHURCH
BUFFALO, NY

Father Dany Abi-Akar
Pastor

JUN 15 2026 AM10:0

2040 Wehrle Drive, Williamsville, NY 14221 Ph: (716) 634-0669
Website: https: www.stjmaron.org E-mail: stjmaron@gmail.com

Attachment: 2040 Wehrle Fire Prevention Permit Fee Waiver_6-22-26 (COM-2026-61 : St. John Maron Maronite Church Request for Fee Waiver)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Clerk
DOC ID: 31988

COMMUNICATION 2026-62 **APPROVED**

Amherst Symphony Orchestra Fee Waiver

Request from The Amherst Symphony Orchestra seeking permission to place signs and a waiver of sign permit fees.

Response from the Building Commissioner is attached.

7/6/2026
Supervisor Lavin made a motion to approve, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

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

AT WILLIAMSVILLE SOUTH HIGH SCHOOL
Amherst Symphony Orchestra

Established 1946

June 24, 2026

My name is Alexa Mathes, VP Promotions with the Amherst Symphony Orchestra, and I am requesting the board's permission to place roadside signage at the following locations to promote our free community concerts for our 2026-2027 season, and to have Fees Waived.

Concert dates:

August 4, 2026
October 25, 2026
December 6, 2026

February 28, 2027
April 25, 2027

Locations:

Parks and Recreation
Clearfield Library
Harlem Road Community Center

When signs are up:

For one week prior to each concert.

Thank you for your time and consideration in this matter.

Alexa Mathes, VP Promotions Amherst Symphony Orchestra

Attachment: ASO request (COM-2026-62 : Amherst Symphony Orchestra Fee Waiver)

TOWN OF AMHERST
BUILDING DEPARTMENT

INTER-DEPARTMENTAL CORRESPONDENCE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E.
Commissioner of Building

Memorandum

DATE: June 29, 2026

TO: Tim Koller, Deputy Town Clerk

FROM: Mark Berke, P.E., Commissioner of Building, Amherst Building Department

RE: Waiver of Fees for Temporary Sign Permit of Amherst Symphony Orchestra

The Amherst Building Department recommends approval of the waiver of fees for the Amherst Symphony Orchestra's for temporary signs to be placed on town properties.

The properties and dates are as follows:

CONCERT DATES:
August 4, 2026; October 25, 2026; December 6, 2026; February 28, 2027; April 25, 2027

SIGNAGE DATES:
For one week prior to each concert

SIGNAGE LOCATIONS:
Clearfield Library, 770 Hopkins Rd; Parks Department
Amherst Parks Department, 450 Maple Road,
Harlem Road Community Center; 4255 Harlem Rd, Buffalo, NY 14226

Permits will be required.

Commissioner of Building
Town of Amherst Building Department

Attachment: ASO request (COM-2026-62 : Amherst Symphony Orchestra Fee Waiver)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Clerk
DOC ID: 31974

COMMUNICATION 2026-63 **REFERRED**

Notice of Claim: Shyiana Johnson/Khalil Holland Vs. Town of Amherst

7/6/2026
A motion to refer to the Town Attorney was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Town Clerk
DOC ID: 31975

COMMUNICATION 2026-64 **REFERRED**

Summons and Complaint: Freedom Mortgage Corporation Vs. Town of Amherst Et Al.

7/6/2026
A motion to refer to the Town Attorney was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Shawn Lavin, Supervisor
SECONDER:	Angela Marinucci, Deputy 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: 07/06/26 03:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 32006 **RESOLUTION 2026-536** **ADOPTED**

Public Improvement Permit No. 3169 Paving & Curbing – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Paving & Curbing Public Improvement Permit properly filled out. The permit fee and inspection cost amount to $22,354.20.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $22,204.20 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3169.

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

The permit fee and inspection cost amount to $22,354.20.

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

APPLICATION FOR PERMIT TO CONSTRUCT A PUBLIC/PRIVATE IMPROVEMENT

TO THE HONORABLE TOWN BOARD:
Town of Amherst, Erie County, N.Y.

Date: June 25, 20 26

Application is Hereby Made for Permission to Construct:

	Public	Private
Pavement & Curbing	☒	☐
Waterline	☐	☐
Sanitary Sewer	☐	☐
Storm System	☐	☐
Street Lighting	☐	☐

Estimated Cost of Construction $ 222,042.00

Address and/or Subdivision Name: HOLLAND HEIGHTS - 1789 Dodge Road **Town of Amherst Job:** SUB-2024-02/2024.021

Description and location of improvements including quantities:

Approximately 24,822 sf of asphalt paving (1.5" top, 2.5" binder, 4" base, 11" ROC) and 1,450 lf of concrete curbing as shown on plans

	Name	Address	Phone
Owner:	Dodge Road Development LLC	8940 Main Street, Clarence, NY 14031	716-200-2000
Engineer/Designer:	Carmina Wood Design	80 Silo City Row Ste 100, Buffalo, NY 14203	716-842-3165
Contractor:	D'Amorie Construction	3801 Jeffrey Boulevard, Blasdell, NY 14219	716-440-6068

This application must be submitted in quadruplicate along with four (4) full size copies of construction drawings showing the extent of the improvements which will be incorporated into and made part of this application. In the event the drawings submitted contains other facilities not covered by this permit, then those covered by this permit must be designated by coloring so that a clear-cut picture of the work under this permit is easily determined. **A PDF copy of the colored construction plans must also be provided.** The lighting PIP requires submission of design plans prepared by a **licensed engineer** and in accordance with Town and National Grid requirements for **review and approval.**

Work under this permit shall be started within **60 days** from the date of approval thereof. Work under this permit shall be completed within **1 year** of the approval thereof. Any request for extension shall be addressed in writing to the Town Board of the Town of Amherst.

Fees from this permit shall be covered by **separate** checks made payable to the Town of Amherst in the amounts shown below and as set forth by the Eng. Department. The inspection fee is non-refundable and shall cover all work under this permit at no additional cost to the Town of Amherst. The inspection fee may be increased by a commercially reasonable amount during or after implementation of the improvements at the discretion of the Town Engineer due to unforeseen field conditions, complexity of design, or lack of adequate funding to cover inspection and coordination time. All construction work is to be done during normal and usual working hours. Any deviation from this must be compensated by the payment of additional fees. 24 hour notice shall be provided if PIP inspection is not required. Inspectors shall be paid for a min. of 8 hours each day they are on site. Digital and full size hard copies of the surveyed as-built drawings shall be provided upon completion of the work. The digital copies shall be provided in PDF and AutoCAD or GIS within the NAD83/NY83-WF coordinate system.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such a permit is granted, they will comply with the terms thereof, the Laws of the state of NY, the Ordinances of the Town of Amherst and Regulations/requirements of the various departments to the Town and State of NY and that they shall notify the Eng. Department forty-eight (48) business hours in advance of commencing any work under this permit. All Engineering Department and Town Code requirements must be satisfied prior to acceptance and close-out of PIPs.

The undersigned hereby certifies that all of the information contained in this petition is correct and true.

Owner sign Here

Phil Nanula, President 716-635-0550
Please Print Name

8940 Main Street
Address

Clarence NY 14031 716-200-2000
City State zip Phone

Subscribed and sworn to before me this 26th
Day of June 20 26

Michelle Lynn Ward
Notary Public, Erie County, New York

Michelle Lynn Ward
Notary Public, State of New York
No. 01WA6275111

ITEM	FEE
PERMIT	$150
INSPECTION 10% of Estimate of Cost of Construction	$22,204.20
VIDEO INSPECTION - Sanitary Only $1.50 per linear foot	NA
STREET LIGHT ASSET MANAGEMENT NODES - Lighting Only $500 per fixture	NA
TOTAL FEE	$22,354.20

I do certify that I have examined the foregoing petition and sketch and certify that they conform to Ordinances of the Town of Amherst.
Director of Engineering Services: _____

Receipt is hereby acknowledged of the sum of $ _____, being the required fees established by the Town Board of the Town of Amherst, NY

Public/Private Improvement Permit No. 3169

_____
Town Clerk

Rev. 1/09/2026

Attachment: PIP 3169 - Paving Public_1789 Dodge Road_Application (RES-2026-536 : Public Improvement Permit No. 3169)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 32007 **RESOLUTION 2026-537** **ADOPTED**

Public Improvement Permit No. 3170 Waterline – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Waterline Public Improvement Permit properly filled out. The permit fee and inspection cost amount to $9,796.00.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $9,646.00 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3170.

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

The permit fee and inspection cost amount to $9,796.00.

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

APPLICATION FOR PERMIT TO CONSTRUCT A PUBLIC/PRIVATE IMPROVEMENT

TO THE HONORABLE TOWN BOARD:
Town of Amherst, Erie County, N.Y.

Date: June 25, 20 26

Application is Hereby Made for Permission to Construct:

	Public	Private
Pavement & Curbing	☐	☐
Waterline	☒	☐
Sanitary Sewer	☐	☐
Storm System	☐	☐
Street Lighting	☐	☐

Estimated Cost of Construction $ 96,460.00

Address and/or Subdivision Name: HOLLAND HEIGHTS - 1789 Dodge Road **Town of Amherst Job:** SUB-2024-02/2024.021

Description and location of improvements including quantities:

Waterline improvements as per submitted project plans.

590 LF of 8" waterline and 2 Fire Hydrants.

	Name	Address	Phone
Owner:	Dodge Road Development LLC	8940 Main Street, Clarence, NY 14031	716-200-2000
Engineer/Designer:	Carmina Wood Design	80 Silo City Row Ste 100, Buffalo, NY 14203	716-842-3165
Contractor:	D'Amorie Construction	3801 Jeffrey Boulevard, Blasdell, NY 14219	716-440-6068

This application must be submitted in quadruplicate along with four (4) full size copies of construction drawings showing the extent of the improvements which will be incorporated into and made part of this application. In the event the drawings submitted contains other facilities not covered by this permit, then those covered by this permit must be designated by coloring so that a clear-cut picture of the work under this permit is easily determined. **A PDF copy of the colored construction plans must also be provided.** The lighting PIP requires submission of design plans prepared by a **licensed engineer** and in accordance with Town and National Grid requirements for **review and approval.**

Work under this permit shall be started within **60 days** from the date of approval thereof. Work under this permit shall be completed within **1 year** of the approval thereof. Any request for extension shall be addressed in writing to the Town Board of the Town of Amherst.

Fees from this permit shall be covered by **separate** checks made payable to the Town of Amherst in the amounts shown below and as set forth by the Eng. Department. The inspection fee is non-refundable and shall cover all work under this permit at no additional cost to the Town of Amherst. The inspection fee may be increased by a commercially reasonable amount during or after implementation of the improvements at the discretion of the Town Engineer due to unforeseen field conditions, complexity of design, or lack of adequate funding to cover inspection and coordination time. All construction work is to be done during normal and usual working hours. Any deviation from this must be compensated by the payment of additional fees. 24 hour notice shall be provided if PIP inspection is not required. Inspectors shall be paid for a min. of 8 hours each day they are on site. Digital and full size hard copies of the surveyed as-built drawings shall be provided upon completion of the work. The digital copies shall be provided in PDF and AutoCAD or GIS within the NAD83/NY83-WF coordinate system.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such a permit is granted, they will comply with the terms thereof, the Laws of the state of NY, the Ordinances of the Town of Amherst and Regulations/requirements of the various departments to the Town and State of NY and that they shall notify the Eng. Department forty-eight (48) business hours in advance of commencing any work under this permit. All Engineering Department and Town Code requirements must be satisfied prior to acceptance and close-out of PIPs.

The undersigned hereby certifies that all of the information contained in this petition is correct and true.

ITEM	FEE
PERMIT	$150
INSPECTION 10% of Estimate of Cost of Construction	$9,646.00
VIDEO INSPECTION - Sanitary Only $1.50 per linear foot	NA
STREET LIGHT ASSET MANAGEMENT NODES - Lighting Only $500 per fixture	NA
TOTAL FEE	$9,796.00

Owner sign Here

Phil Nanula, President 716-635-0550
Please Print Name

8940 Main Street
Address

Clarence NY 14031 716-200-2000
City State zip Phone

Subscribed and sworn to before me this 26th
Day of June 20 26

Michelle Lynn Ward
Notary Public, Erie County, New York

Michelle Lynn Ward
Notary Public, State of New York
No. 01WA6372144

I do certify that I have examined the foregoing petition and sketch and certify that they conform to Ordinances of the Town of Amherst.
Director of Engineering Services: _____

Receipt is hereby acknowledged of the sum of $ _____, being the required fees established by the Town Board of the Town of Amherst, NY

Public/Private Improvement Permit No. 3170

_____
Town Clerk

Rev. 1/09/2026

Attachment: PIP 3170 - Waterline Public_1789 Dodge Road_Application (RES-2026-537 : Public Improvement Permit No. 3170)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 32008 **RESOLUTION 2026-538** **ADOPTED**

Public Improvement Permit No. 3171 Sanitary Sewer – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Sanitary Sewer Public Improvement Permit properly filled out. Permit fee and inspection cost amount to $9,874.80.

We are sending three (3) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee, one in the amount of $8,889.30 which will be held in escrow to cover the inspection costs, and one in the amount of $835.50 to cover the televising cost and to be deposited in the SS District account G9000-02377.

At this time, we are asking for your approval of the application for PIP No. 3171.

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

Permit fee and inspection cost amount to $9,874.80.

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

APPLICATION FOR PERMIT TO CONSTRUCT A PUBLIC/PRIVATE IMPROVEMENT

TO THE HONORABLE TOWN BOARD:
Town of Amherst, Erie County, N.Y.

Date: June 25, 20 26

Application is Hereby Made for Permission to Construct:

	Public	Private
Pavement & Curbing	☐	☐
Waterline	☐	☐
Sanitary Sewer	☒	☐
Storm System	☐	☐
Street Lighting	☐	☐

Estimated Cost of Construction $ 88,893.00

Address and/or Subdivision Name: HOLLAND HEIGHTS - 1789 Dodge Road **Town of Amherst Job:** SUB-2024-02/2024.021

Description and location of improvements including quantities:

Sanitary Sewer improvements as per submitted project plans. 557 lf of 8" pvc sanitary sewer and 5 manholes

	Name	Address	Phone
Owner:	Dodge Road Development LLC	8940 Main Street, Clarence, NY 14031	716-200-2000
Engineer/Designer:	Carmina Wood Design	80 Silo City Row Ste 100, Buffalo, NY 14203	716-842-3165
Contractor:	D'Amorie Construction	3801 Jeffrey Boulevard, Blasdell, NY 14219	716-440-6068

This application must be submitted in quadruplicate along with four (4) full size copies of construction drawings showing the extent of the improvements which will be incorporated into and made part of this application. In the event the drawings submitted contains other facilities not covered by this permit, then those covered by this permit must be designated by coloring so that a clear-cut picture of the work under this permit is easily determined. **A PDF copy of the colored construction plans must also be provided.** The lighting PIP requires submission of design plans prepared by a **licensed engineer** and in accordance with Town and National Grid requirements for **review and approval.**

Work under this permit shall be started within **60 days** from the date of approval thereof. Work under this permit shall be completed within **1 year** of the approval thereof. Any request for extension shall be addressed in writing to the Town Board of the Town of Amherst.

Fees from this permit shall be covered by **separate** checks made payable to the Town of Amherst in the amounts shown below and as set forth by the Eng. Department. The inspection fee is non-refundable and shall cover all work under this permit at no additional cost to the Town of Amherst. The inspection fee may be increased by a commercially reasonable amount during or after implementation of the improvements at the discretion of the Town Engineer due to unforeseen field conditions, complexity of design, or lack of adequate funding to cover inspection and coordination time. All construction work is to be done during normal and usual working hours. Any deviation from this must be compensated by the payment of additional fees. 24 hour notice shall be provided if PIP inspection is not required. Inspectors shall be paid for a min. of 8 hours each day they are on site. Digital and full size hard copies of the surveyed as-built drawings shall be provided upon completion of the work. The digital copies shall be provided in PDF and AutoCAD or GIS within the NAD83/NY83-WF coordinate system.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such a permit is granted, they will comply with the terms thereof, the Laws of the state of NY, the Ordinances of the Town of Amherst and Regulations/requirements of the various departments to the Town and State of NY and that they shall notify the Eng. Department forty-eight (48) business hours in advance of commencing any work under this permit. All Engineering Department and Town Code requirements must be satisfied prior to acceptance and close-out of PIPs.

The undersigned hereby certifies that all of the information contained in this petition is correct and true.

ITEM	FEE
PERMIT	$150
INSPECTION 10% of Estimate of Cost of Construction	$8,889.30
VIDEO INSPECTION - Sanitary Only $1.50 per linear foot	$835.50
STREET LIGHT ASSET MANAGEMENT NODES - Lighting Only $500 per fixture	NA
TOTAL FEE	$9,874.80

Owner sign Here

Phil Nanula, President 716-635-0550
Please Print Name

8940 Main Street
Address

Clarence | NY | 14031 | 716-200-2000
City | State | zip | Phone

Subscribed and sworn to before me this 26th
Day of June 20 26

Michelle Lynn Ward
Notary Public, Erie County, New York

Michelle Lynn Ward
Notary Public, State of New York
No. 01WA6275111

I do certify that I have examined the foregoing petition and sketch and certify that they conform to Ordinances of the Town of Amherst.
Director of Engineering Services: _____

Receipt is hereby acknowledged of the sum of $ _____, being the required fees established by the Town Board of the Town of Amherst, NY

Public/Private Improvement Permit No. 3171

_____
Town Clerk

Rev. 1/09/2026

Attachment: PIP 3171 - Sanitary Public_1789 Dodge Road_Application (RES-2026-538 : Public Improvement Permit No. 3171)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 32009 **RESOLUTION 2026-539** **ADOPTED**

Public Improvement Permit No. 3172 Storm System – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Storm System Public Improvement Permit properly filled out. The permit fee and inspection cost amount to $14,022.80.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $13,872.80 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3172.

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

The permit fee and inspection cost amount to $14,022.80.

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

APPLICATION FOR PERMIT TO CONSTRUCT A PUBLIC/PRIVATE IMPROVEMENT

TO THE HONORABLE TOWN BOARD:
Town of Amherst, Erie County, N.Y.

Date: June 25, 20 26

Application is Hereby Made for Permission to Construct:

	Public	Private
Pavement & Curbing	☐	☐
Waterline	☐	☐
Sanitary Sewer	☐	☐
Storm System	☒	☐
Street Lighting	☐	☐

Estimated Cost of Construction $ 138,728.00

Address and/or Subdivision Name: HOLLAND HEIGHTS - 1789 Dodge Road **Town of Amherst Job:** SUB-2024-02/2024.021

Description and location of improvements including quantities:

Public Storm System improvements as per submitted project plans. Includes 428 lf of 12" HDPE, 423 lf of 18" HDPE, 11 catch basins 7 manholes, and a pond outlet structure.

	Name	Address	Phone
Owner:	Dodge Road Development LLC	8940 Main Street, Clarence, NY 14031	716-200-2000
Engineer/Designer:	Carmina Wood Design	80 Silo City Row Ste 100, Buffalo, NY 14203	716-842-3165
Contractor:	D'Amorie Construction	3801 Jeffrey Boulevard, Blasdell, NY 14219	716-440-6068

This application must be submitted in quadruplicate along with four (4) full size copies of construction drawings showing the extent of the improvements which will be incorporated into and made part of this application. In the event the drawings submitted contains other facilities not covered by this permit, then those covered by this permit must be designated by coloring so that a clear-cut picture of the work under this permit is easily determined. **A PDF copy of the colored construction plans must also be provided.** The lighting PIP requires submission of design plans prepared by a **licensed engineer** and in accordance with Town and National Grid requirements for **review and approval.**

Work under this permit shall be started within **60 days** from the date of approval thereof. Work under this permit shall be completed within **1 year** of the approval thereof. Any request for extension shall be addressed in writing to the Town Board of the Town of Amherst.

Fees from this permit shall be covered by **separate** checks made payable to the Town of Amherst in the amounts shown below and as set forth by the Eng. Department. The inspection fee is non-refundable and shall cover all work under this permit at no additional cost to the Town of Amherst. The inspection fee may be increased by a commercially reasonable amount during or after implementation of the improvements at the discretion of the Town Engineer due to unforeseen field conditions, complexity of design, or lack of adequate funding to cover inspection and coordination time. All construction work is to be done during normal and usual working hours. Any deviation from this must be compensated by the payment of additional fees. 24 hour notice shall be provided if PIP inspection is not required. Inspectors shall be paid for a min. of 8 hours each day they are on site. Digital and full size hard copies of the surveyed as-built drawings shall be provided upon completion of the work. The digital copies shall be provided in PDF and AutoCAD or GIS within the NAD83/NY83-WF coordinate system.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such a permit is granted, they will comply with the terms thereof, the Laws of the state of NY, the Ordinances of the Town of Amherst and Regulations/requirements of the various departments to the Town and State of NY and that they shall notify the Eng. Department forty-eight (48) business hours in advance of commencing any work under this permit. All Engineering Department and Town Code requirements must be satisfied prior to acceptance and close-out of PIPs.

The undersigned hereby certifies that all of the information contained in this petition is correct and true.

Phil J. Nanula
Owner sign Here

Phil Nanula, President 716-635-0550
Please Print Name

8940 Main Street
Address

Clarence NY 14031 716-200-2000
City State zip Phone

Subscribed and sworn to before me this 26th
Day of June 20 26

Michelle Lynn Ward
Notary Public, Erie County, New York

Michelle Lynn Ward
Notary Public, State of New York
No. 01WA6275111

ITEM	FEE
PERMIT	$150
INSPECTION 10% of Estimate of Cost of Construction	$13,872.80
VIDEO INSPECTION - Sanitary Only $1.50 per linear foot	NA
STREET LIGHT ASSET MANAGEMENT NODES - Lighting Only $500 per fixture	NA
TOTAL FEE	$14,022.80

I do certify that I have examined the foregoing petition and sketch and certify that they conform to Ordinances of the Town of Amherst.
Director of Engineering Services:

Receipt is hereby acknowledged of the sum of $ _____, being the required fees established by the Town Board of the Town of Amherst, NY

Public/Private Improvement Permit No. 3172

Town Clerk

Rev. 1/09/2026

Attachment: PIP 3172 - Storm System Public_1789 Dodge Road_Application (RES-2026-539 : Public Improvement Permit No. 3172)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 32010 **RESOLUTION 2026-540** **ADOPTED**

Private Improvement Permit No. 3173 Storm System – Holland Heights (1789 Dodge Road) 2024.021/SUB-2024-02

Attached please find an application for a Storm System Private Improvement Permit properly filled out. The permit fee and inspection cost amount to $7,086.40.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $6,936.40 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3173.

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

The permit fee and inspection cost amount to $7,086.40.

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

APPLICATION FOR PERMIT TO CONSTRUCT A PUBLIC/PRIVATE IMPROVEMENT

TO THE HONORABLE TOWN BOARD:
Town of Amherst, Erie County, N.Y.

Date: June 26, 20 26

Application is Hereby Made for Permission to Construct:

	Public	Private
Pavement & Curbing	☐	☐
Waterline	☐	☐
Sanitary Sewer	☐	☐
Storm System	☐	☒
Street Lighting	☐	☐

Estimated Cost of Construction $ 69,364.00

Address and/or Subdivision Name: HOLLAND HEIGHTS - 1789 Dodge Road **Town of Amherst Job:** SUB-2024-02/2024.021

Description and location of improvements including quantities:

Private Storm System improvements as per submitted PIP plans. Includes 12 yard drains, 616 lf of 8" HDPE, 615' lf of 12" HDPE, and bio-retention area.

	Name	Address	Phone
Owner:	Dodge Road Development LLC	8940 Main Street, Clarence, NY 14031	716-200-2000
Engineer/Designer:	Carmina Wood Design	80 Silo City Row Ste 100, Buffalo, NY 14203	716-842-3165
Contractor:	D'Amorie Construction	3801 Jeffrey Boulevard, Blasdell, NY 14219	716-440-6068

This application must be submitted in quadruplicate along with four (4) full size copies of construction drawings showing the extent of the improvements which will be incorporated into and made part of this application. In the event the drawings submitted contains other facilities not covered by this permit, then those covered by this permit must be designated by coloring so that a clear-cut picture of the work under this permit is easily determined. **A PDF copy of the colored construction plans must also be provided.** The lighting PIP requires submission of design plans prepared by a **licensed engineer** and in accordance with Town and National Grid requirements for **review and approval.**

Work under this permit shall be started within **60 days** from the date of approval thereof. Work under this permit shall be completed within **1 year** of the approval thereof. Any request for extension shall be addressed in writing to the Town Board of the Town of Amherst.

Fees from this permit shall be covered by **separate** checks made payable to the Town of Amherst in the amounts shown below and as set forth by the Eng. Department. The inspection fee is non-refundable and shall cover all work under this permit at no additional cost to the Town of Amherst. The inspection fee may be increased by a commercially reasonable amount during or after implementation of the improvements at the discretion of the Town Engineer due to unforeseen field conditions, complexity of design, or lack of adequate funding to cover inspection and coordination time. All construction work is to be done during normal and usual working hours. Any deviation from this must be compensated by the payment of additional fees. 24 hour notice shall be provided if PIP inspection is not required. Inspectors shall be paid for a min. of 8 hours each day they are on site. Digital and full size hard copies of the surveyed as-built drawings shall be provided upon completion of the work. The digital copies shall be provided in PDF and AutoCAD or GIS within the NAD83/NY83-WF coordinate system.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such a permit is granted, they will comply with the terms thereof, the Laws of the state of NY, the Ordinances of the Town of Amherst and Regulations/requirements of the various departments to the Town and State of NY and that they shall notify the Eng. Department forty-eight (48) business hours in advance of commencing any work under this permit. All Engineering Department and Town Code requirements must be satisfied prior to acceptance and close-out of PIPs.

The undersigned hereby certifies that all of the information contained in this petition is correct and true.

ITEM	FEE
PERMIT	$150
INSPECTION 10% of Estimate of Cost of Construction	$6,936.40
VIDEO INSPECTION - Sanitary Only $1.50 per linear foot	NA
STREET LIGHT ASSET MANAGEMENT NODES - Lighting Only $500 per fixture	NA
TOTAL FEE	$7.086.40

Owner sign Here

Phil Nanula, President 716-635-0550
Please Print Name

8940 Main Street
Address

Clarence NY 14031 716-200-2000
City State zip Phone

Subscribed and sworn to before me this 26th
Day of June 20 26

Michelle Lynn Ward
Notary Public, Erie County, New York

Michelle Lynn Ward
Notary Public, State of New York
No. 01MA6372414

I do certify that I have examined the foregoing petition and sketch and certify that they conform to Ordinances of the Town of Amherst.
Director of Engineering Services:

Receipt is hereby acknowledged of the sum of $ _____, being the required fees established by the Town Board of the Town of Amherst, NY

Public/Private Improvement Permit No. 3173

Town Clerk

Rev. 1/09/2026

Attachment: PIP 3173 - Storm System Private_1789 Dodge Road_Application (RES-2026-540 : Private Improvement Permit No. 3173)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Engineering Services
Initiated by: **Brian J. Armstrong**
Co-Sponsored by:

DOC ID: 32012 **RESOLUTION 2026-541** **ADOPTED**

Private Improvement Permit No. 3168 Street Lighting – Regency Commons (166 Klein Road) 2021.029/SUB-2021-01

Attached please find an application for a Street Lighting Private Improvement Permit properly filled out. The permit fee and inspection cost amount to $5,350.00.

We are sending two (2) checks to the Comptroller's Office, one for $150.00 to be retained as a Permit Fee and one in the amount of one in the amount of $5,200.00 which will be held in escrow to cover the inspection costs.

At this time, we are asking for your approval of the application for PIP No. 3168.

Thank you for considering this request.

7/6/2026
A motion to approve was made by Supervisor Lavin, seconded by Deputy Supervisor Marinucci and unanimously approved 5-0.

FINANCIAL IMPACT:

The permit fee and inspection cost amount to $5,350.00.

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

APPLICATION FOR PERMIT TO CONSTRUCT A PUBLIC/PRIVATE IMPROVEMENT

TO THE HONORABLE TOWN BOARD:
Town of Amherst, Erie County, N.Y.

Date: June 16, 20 26

Application is Hereby Made for Permission to Construct:

	Public	Private
Pavement & Curbing	☐	☐
Waterline	☐	☐
Sanitary Sewer	☐	☐
Storm System	☐	☐
Street Lighting	☐	☒

Estimated Cost of Construction $ 52,000

Address and/or Subdivision Name: Regency Commons **Town of Amherst Job:** 2021.029/SUB-2021-01

Description and location of improvements including quantities: Installation of six (6) total Town Standard street lights along Birch Lane (private) Traditional Post Top Signify LED TownView TVPR-S4-S-16-G1-7-3W-730A-N-PH8-N-SP1-N-N-N-BKS, poles and all associated equipment

	Name	Address	Phone
Owner:	Regency Builders, LLC	4899 Meyer Road, Pendleton, NY 14120	716-525-3201
Engineer/Designer:	EBS Engineering, PC	2568 Walden Ave, Suite 107, Cheektowaga, NY 14225	716-836-9600
Contractor:	Ledge Creek Development, Inc.	10100 County Rd, Clarence Center, NY 14032	716-741-317

This application must be submitted in quadruplicate along with four (4) full size copies of construction drawings showing the extent of the improvements which will be incorporated into and made part of this application. In the event the drawings submitted contains other facilities not covered by this permit, then those covered by this permit must be designated by coloring so that a clear-cut picture of the work under this permit is easily determined. **A PDF copy of the colored construction plans must also be provided.** The lighting PIP requires submission of design plans prepared by a **licensed engineer** and in accordance with Town and National Grid requirements for **review and approval.**

Work under this permit shall be started within **60 days** from the date of approval thereof. Work under this permit shall be completed within **1 year** of the approval thereof. Any request for extension shall be addressed in writing to the Town Board of the Town of Amherst.

Fees from this permit shall be covered by **separate** checks made payable to the Town of Amherst in the amounts shown below and as set forth by the Eng. Department. The inspection fee is non-refundable and shall cover all work under this permit at no additional cost to the Town of Amherst. The inspection fee may be increased by a commercially reasonable amount during or after implementation of the improvements at the discretion of the Town Engineer due to unforeseen field conditions, complexity of design, or lack of adequate funding to cover inspection and coordination time. All construction work is to be done during normal and usual working hours. Any deviation from this must be compensated by the payment of additional fees. 24 hour notice shall be provided if PIP inspection is not required. Inspectors shall be paid for a min. of 8 hours each day they are on site. Digital and full size hard copies of the surveyed as-built drawings shall be provided upon completion of the work. The digital copies shall be provided in PDF and AutoCAD or GIS within the NAD83/NY83-WF coordinate system.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such a permit is granted, they will comply with the terms thereof, the Laws of the state of NY, the Ordinances of the Town of Amherst and Regulations/requirements of the various departments to the Town and State of NY and that they shall notify the Eng. Department forty-eight (48) business hours in advance of commencing any work under this permit. All Engineering Department and Town Code requirements must be satisfied prior to acceptance and close-out of PIPs.

The undersigned hereby certifies that all of the information contained in this petition is correct and true.

ITEM	FEE
PERMIT	$150
INSPECTION 10% of Estimate of Cost of Construction	$ 5,200
VIDEO INSPECTION - Sanitary Only $1.50 per linear foot	
STREET LIGHT ASSET MANAGEMENT NODES - Lighting Only $500 per fixture	
TOTAL FEE	$5,350.00

Owner sign Here

Bob Mayo, Regency Builders, LLC
Please Print Name

4899 Meyer Road
Address

Pendleton NY 14120
City State zip Phone

Subscribed and sworn to before me this 25TH
Day of JUNE 20 26

KRISTIN H. ROSHONG
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01RO6320404
Qualified in Erie County
Commission Expires March 2, 2028

Notary Public, Erie County, New York

I do certify that I have examined the foregoing petition and sketch and certify that they conform to Ordinances of the Town of Amherst.
Director of Engineering Services: _____

Receipt is hereby acknowledged of the sum of $ _____, being the required fees established by the Town Board of the Town of Amherst, NY

Public/Private Improvement Permit No. 3168

_____
Town Clerk

Rev. 1/09/2026

Attachment: PIP 3168 - Street Lights Private_Regency Commons_Application (RES-2026-541 : Private Improvement Permit No. 3168)

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

Francina J. Spoth
Town Clerk

Meeting: 07/06/26 03:00 PM
Department: Town Clerk
DOC ID: 32029

COMMUNICATION 2026-65

APPROVED

Request to Amend the SEQR Certification of Findings for the Muir Woods Site for a Scheduled Public Hearing

SUSPENSION AGENDA ITEM: JULY 6, 2026

TO: **Town Board**

FROM: **Angela Marinucci, Deputy Supervisor**

DATE: **July 6, 2026**

RE: **Request to Amend the SEQR Certification of Findings for the Muir Woods Site for a scheduled Public Hearing**

Kindly schedule a public hearing on the Request to Amend the State Environmental Quality Review Act Certification of Findings for the Muir Woods Development Plan at its regularly scheduled meeting on July 27, 2026.

Thank you for your consideration of this request.

7/6/2026
Deputy Supervisor Marinucci made a motion to approve, seconded by Coucnilmember Davis and unanimously approved 5-0.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Angela Marinucci, Deputy Supervisor
SECONDER:	John B. Davis, Councilmember
AYES:	Lavin, Marinucci, Szukala, Davis, Kavanaugh

Rupp Pfalzgraf LLC
People at law

5500 Main Street, Suite 215, Williamsville, New York 14221
P 716.631.3400 ▸ www.RuppPfalzgraf.com

Marc A. Romanowski
Partner
Romanowski@RuppPfalzgraf.com

July 6, 2026

Via Electronic Mail Only
Town of Amherst Town Board
Town Clerk
Amherst Town Hall
5583 Main Street
Williamsville, NY 14221

Attn: Francia J. Spoth, Timothy Koller, Scott Marshall, and Dan Ulatowski

Re: REQUEST TO AMEND THE SEQR CERTIFICATION OF FINDINGS FOR 17.13± ACRES OF LAND AT "MUIR WOODS SITE B", Z-2002-09_F
Request to Be Placed on Town Board Agenda

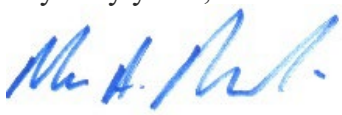
Applicant: 770 JJAP LLC

Dear Members of the Town Board:

This firm represents 770 JJAP LLC in connection with the above-referenced matter. On behalf of our client, we respectfully request that the Town Board schedule a public hearing on the Request to Amend the State Environmental Quality Review Act Certification of Findings for the Muir Woods Development Plan at its regularly scheduled meeting on July 27, 2026.

Thank you for your time and consideration. Should the Town Board require any additional information in connection with this request, please do not hesitate to contact this office.

Very truly yours,



Marc A. Romanowski, Esq.

/npt
CC: 770 JJAP LLC

Attachment: Town of Amherst Public Hearing Request - 770 JJAP LLC (003) (COM-2026-65 : Request to Amend the SEQR Certification of