



Amherst Town Board

Regular Meeting of the Town Board

Agenda

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

Francina J. Spoth
Town Clerk

In the event of a fire or other emergency, please follow the exit signs that are provided in this room and throughout Town Hall. Upon exiting this room, the main exits are located to the front and the rear of this building. ***Do not use the elevator during an emergency event.***

This meeting is being recorded and will stream live online
Amherstny.igm2.com

Monday, February 5, 2024

7:00 PM

Amherst Municipal Building

I. IN MEMORY

James Martin Nesper, Esq., served as Amherst Town Attorney for many years

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL:

7:00 PM Meeting called to order on February 5, 2024 at Amherst Municipal Building, 5583 Main Street, Williamsville, NY.

Attendee Name	Present	Absent	Late	Arrived
Supervisor Brian J. Kulpa	☐	☐	☐	
Councilmember Jacqueline Berger	☐	☐	☐	
Councilmember Shawn Lavin	☐	☐	☐	
Councilmember Michael Szukala	☐	☐	☐	
Councilmember Angela Marinucci	☐	☐	☐	

V. MINUTES APPROVAL

1. Monday, January 22, 2024

VI. PROCLAMATIONS AND ANNOUNCEMENTS

VII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

1. Resolution 2023-775

Special Use Permit for Tier III Solar Energy System at 800 & 850 New Road

2. Resolution 2024-116

Local Law - to Enhance Transparency and Participation in the Town of Amherst Budget Process

3. Resolution 2024-117

Designation of the Property at 22 Chateau Terrace as a Local Historic Landmark

4. Resolution 2023-623

1350 Eggert Road Rezoning

VIII. DEVELOPMENT REVIEW ACTIONS**1. Resolution 2024-59**

SEQR Determination (800 & 850 New Road, SP-2023-01)

2. Resolution 2024-60

Adoption of a Special Use Permit for Solar Energy Project (800 & 850 New Road; SP-2023-01)

3. Resolution 2024-118

SEQR Determination (2280 Wehrle Drive, BCPA-2023-03)

4. Resolution 2024-58

Adoption of Resolution to Amend the Bicentennial Comprehensive Plan 2280 Wehrle Drive (BCPA-2023-03)

5. Resolution 2024-119

SEQR Determination 4774 & 4780 Sheridan Drive, Z-2023-07

6. Resolution 2023-957

Adoption of Local Law to Amend the Zoning Map (4774 & 4780 Sheridan Drive, Z-2023-07)

IX. 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 (6)**
- 3. Amherst Community Diversity Commission (4)**
- 4. Amherst Conservation Advisory Council (5)**
- 5. Amherst Government Financial Advisory Board**
Membership is full.
- 6. Amherst Industrial Development Agency**
Membership is full.
- 7. Amherst Veterans Committee (6)**
- 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 (2)**
- 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 (3)**
- 17. Freedom of Information Law (FOIL) Board**
- 18. Glen Park Joint Board**
- 19. Historic Preservation Commission**
Membership is full.

20. Information Technology Advisory Committee (1)**21. Library Board of Trustees**

Membership is full.

22. Minority / Woman Owned Business (4)**23. Open Government Advisory Board (7)****24. Planning Board**

Membership is full.

25. Recreation Commission (1)**26. Recycling and Waste Committee (3)****27. Senior Services Advisory Board (6)****28. Traffic Safety Board (2)****29. Youth Board**

Adult vacancies (6), Youth vacancies (0)

30. Zoning Board of Appeals**X. PUBLIC EXPRESSION**

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

XI. CONSENT AGENDA**XII. COUNCILMEMBER RESOLUTIONS****A. SUPERVISOR KULPA:****1. Resolution 2024-120**

Re-Appointment of Town Comptroller 2024

2. Resolution 2024-121

Approve Travel for 2024 Association of Towns Meeting

B. COUNCILMEMBER BERGER:**1. Resolution 2024-122**

Appointment of Vice Chair to Zoning Board of Appeals

C. COUNCILMEMBER LAVIN:**1. Resolution 2024-123**

Amherst Senior Center Advisory Board Appointments

D. COUNCILMEMBER SZUKALA:**1. Resolution 2024-124**

Amherst Board of Ethics Appointments

2. Resolution 2024-125

Amherst Recycling & Waste Committee Appointments

3. Resolution 2024-126

Amherst Government Financial Advisory Board

4. Resolution 2024-127

Open Government Advisory Board Appointments

5. Resolution 2024-128

Appointments to FOIL Board

E. COUNCILMEMBER MARINUCCI:

1. Resolution 2024-129

Youth Board Re-Appointment

2. Resolution 2024-130

Fee Waiver - Skate with a Cop

XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS**A. TOWN ATTORNEY:****1. Resolution 2024-131**

Miscellaneous Sanitary Sewer Relining and Manhole Rehabilitation (Order Calling Public Hearing - \$500,000)

2. Resolution 2024-132

Parallel Peanut Line Sanitary Sewer Interceptor Design and Mini-System Study (OCPH - \$275,000)

3. Resolution 2024-133

"P" Order for NYSDEC Oversight - Amherst Central Park

4. Resolution 2024-134

License Agreement - 400 Wehrle Drive (CRS #4578)

5. Resolution 2024-135

Site Access Agreement (400 Wehrle Drive) (CRS #4566)

6. Resolution 2024-136

Site Access Agreement (1265 Smith Road) (CRS #4567)

7. Resolution 2024-137

Settlement of Article 7 Matter - Dent Tower A/K/A Sheridan Equity Partners I, LLC V. Town of Amherst

8. Resolution 2024-138

Settlement of Article 7 Matter - R&F Amherst, LLC V. Town of Amherst

9. Resolution 2024-139

Settlement of Article 7 Matter - Amherst II VF, LLC V. Town of Amherst

10. Resolution 2024-140

Settlement of Article 7 Matter - Delta Sonic Car Wash Systems, Inc. V. Town of Amherst

B. TOWN CLERK:**C. ASSESSOR:****D. BUILDING/BUILDING MAINTENANCE:****1. Resolution 2024-141**

U&S Services Inc (Stark Tech) HVAC Preventative Maintenance Agreement CRS #4529, 4530 & 4531

E. CENTRAL ALARM:**F. COMPTROLLER:****1. Resolution 2024-142**

Budget Transfers and Amendments

2. Resolution 2024-143

Interfund Loan

G. CONTRACT COMPLIANCE:**1. Resolution 2024-144**

Award RFP #202307 for Sale of Athletic Venue Advertising - CRS #4484

2. Resolution 2024-145

Award Bid #2023056 Thomas Conveyor Replacement Parts - CRS #4525

3. Resolution 2024-146

Award Bid #2024002 Demolition of BNHV Storage Barn - CRS 4568

4. Resolution 2024-147

Award of Bid #2024006 NYS OGS Mini-Bid for (2) Ford F350 Trucks with Dump Body and Plow - CRS #4572

5. Resolution 2024-148

Award of Bid #2024007 NYS OGS Mini-Bid for (1) Ford F350 Truck with Dump Body - CRS #4573

6. Resolution 2024-149

Award of Bid #2024009 NYS OGS Mini-Bid for (2) Ford F550 Trucks with Dump Body - CRS #4574

H. COURT:**I. ECONOMIC DEVELOPMENT:****J. EMERGENCY SERVICES:****K. ENGINEERING SERVICES:****1. Resolution 2024-150**

Resolution Amendment – Robinhill Rd. & Swanson Terr. Waterline Replacement TOA Project
No. 2021.042

2. Resolution 2024-151

Evergreen Landing Street Lighting Engineering Services TOA Job# 2016.054A

L. FINANCE:**M. HIGHWAY****1. Resolution 2024-152**

Authorize Quotation with FM Communications (CRS# 4575) and Northeast Site and Tower,
Inc. (CRS #4576) – Radio Antenna Upgrade

N. HUMAN RESOURCES:**1. Resolution 2024-153**

Recreation Attendant - PT/Youth & Recreation (2 Positions)

2. Resolution 2024-154

Recreation Attendant - PT/Youth & Recreation (8 Positions)

3. Resolution 2024-155

Recreation Attendant - PT/Youth & Recreation

4. Resolution 2024-156

Recreation Attendant - PT/Youth & Recreation

5. Resolution 2024-157

Recreation Attendant - PT/Youth & Recreation (2 Positions)

6. Resolution 2024-158

Wastewater Treatment Plant Operator -Trainee/Eng./Plant #16

7. Resolution 2024-159

Wastewater Treatment Plant Operator-Trainee/Eng./Plant #16

8. Resolution 2024-160

Project Manager-Construction/Engineering Department

9. Resolution 2024-161

Project Manager-Construction/Engineering Department

O. INFORMATION TECHNOLOGY:**1. Resolution 2024-162**

Request to Use Trust and Agency Funds - Account No. T4011

P. PLANNING:**1. Resolution 2024-163**

SEQR Notice of Intent to be Lead Agency (West Side Interceptor Force Main and Pump Station)

2. Resolution 2024-164

To Adopt the 2024 CDBG/HOME Annual Action Plan and to Authorize the Supervisor to Submit the Plan to the Department of Housing and Urban Development

Q. POLICE:**1. Resolution 2024-165**

Request for Additional Funds 2023 Asset Forfeiture Trust Account

2. Resolution 2024-166

Training & Travel Request Network Intrusion Response Program

3. Resolution 2024-167

Training & Travel Request Advanced Forensics Training

4. Resolution 2024-168

Travel & Training Request Call Detail Record Analysis

5. Resolution 2024-169

Gun Involved Violence Elimination (GIVE) Grant Agreement (CRS #4432) New York State Division of Criminal Justice Services (NYSDCJS)

R. SENIOR SERVICES:**S. SEWER/PLANT 16:****1. Resolution 2024-170**

Xylem Level Probe Procurement Fleet Pump & Service Group, Inc. CRS – 4559

2. Resolution 2024-171

Change Order #1 – Sewer Jet Water Tank Coatings Eastern Tank Services CRS No. 4579

3. Resolution 2024-172

TOA Bid 2020035 Allen Bradley Product – Bid Extension Rexel Inc. CRS No. 4569

T. YOUTH AND RECREATION:**XIV. UNFINISHED BUSINESS****XV. COMMUNICATIONS****1. Communication 2024-7**

Request for Public Hearing - 1635 North French Road Rezoning

2. Communication 2024-8

Request for Public Hearing - 46-84 South Linden Street

3. Communication 2024-9

Joe Rubino Correspondence

4. Communication 2024-10

Notice of Verified Petition and Verified Petition: Concerned Residents for Amherst Central Park, by Its Chairperson William F. Wopperer Vs. Town of Amherst, Amherst Town Board, Town of Amherst Planning Board, and Brian J. Kulpa, in His Official Capacity as the Town Supervisor of the Town of Amherst

XVI. PUBLIC IMPROVEMENT PERMITS**XVII. PUBLIC EXPRESSION #2**

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

XVIII. ADJOURNMENT