



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

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<https://www.youtube.com/@townofamherstnewyork>

Monday, December 2, 2024

7:00 PM

Amherst Municipal Building

I. IN MEMORY

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL:

7:00 PM Meeting called to order on December 2, 2024 at Amherst Municipal Building, 5583 Main Street, Williamsville, NY.

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

V. MINUTES APPROVAL

1. Tuesday, November 12, 2024

VI. PROCLAMATIONS AND ANNOUNCEMENTS

VII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

1. Resolution 2024-774

Local Law Amending Chapter 204 - Subdivision Regulations

2. Resolution 2024-900

Special Use Permit for Tier III Solar Energy System at 1050 New Road

VIII. DEVELOPMENT REVIEW ACTIONS**1. Resolution 2024-937**

SEQR Determination Chapter 204 of the Amherst Town Code Amendments to the Subdivision Regulations

2. Resolution 2024-938

Adoption of Local Law to Amend Chapter 204 of the Town Code (Subdivision Regulations, ZTA-2024-01)

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 (6)****5. Amherst Government Financial Advisory Board (2)****6. Amherst Industrial Development Agency**

Membership is full.

7. Amherst Veterans Committee (6)**8. Arts & Culture in Public Places Board (2)****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 (3)****17. Freedom of Information Law (FOIL) Board**

Membership is full.

18. Glen Park Joint Board**19. Historic Preservation Commission**

Membership is full.

20. Information Technology Advisory Committee (2)**21. Library Board of Trustees (2)****22. Minority / Woman Owned Business (4)****23. Open Government Advisory Board (8)****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**

Membership is full.

29. Youth Board

Adult vacancies (6), Youth vacancies (0)

30. Zoning Board of Appeals

Membership is full.

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 2024-939**

Authorize Amendment to 2024-2029 CIP

2. Resolution 2024-940

Extension - RFP #202207 - State & Federal Government Relations Services - CRS #3747/Ext. CRS #4372

B. DEPUTY SUPERVISOR LAVIN:**1. Resolution 2024-941**

Tree Board Appointment

C. COUNCILMEMBER BERGER:**1. Resolution 2024-942**

Art on Signal Cabinets – Yr. 2025

D. COUNCILMEMBER SZUKALA:**E. COUNCILMEMBER MARINUCCI:****XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS****A. TOWN ATTORNEY:****1. Resolution 2024-943**

Acquisition of Real Property @ 218 and 330 Maple Road (Purchase Agreement - CRS #5229)

2. Resolution 2024-944

Acquisition of Real Property @ 218 and 330 Maple Road (Bond Resolution - \$5,900,000)

3. Resolution 2024-945

669 Youngs Road - Formation of Sewage Works Corporation

4. Resolution 2024-946

License Agreement - 354 S. Cayuga Road (Anderson) (CRS #5196)

5. Resolution 2024-947

Henry Schein Settlement - Subdivision Participation and Release Form (Opioid Litigation) (CRS #5210)

6. Resolution 2024-948

Target Settlement - Subdivision Participation and Release Form (Opioid Litigation) (CRS #5211)

7. Resolution 2024-949

New York Regional Pharmacy Settlements (Opioid Litigation) (CRS #5213-5225)

8. Resolution 2024-950

Settlement Agreement - Golub Corporation (Opioid Litigation) (CRS #5212)

9. Resolution 2024-951

Settlement of Article 7 Matter - Amherst Senior Apartments, LP V. Town of Amherst

10. Resolution 2024-952

Settlement of Article 7 Matter - Amherst Industries, Inc. C/O Pep Boys #193 V. Town of Amherst

B. TOWN CLERK:

1. Resolution 2024-953

Authorization for Pre-Payment to RDT Mail Corp.

2. Resolution 2024-954

Permission for Insert in Tax Bill Mailing CRS #5178

3. Resolution 2024-955

Subject Matter List

4. Resolution 2024-956

New Firefighter for East Amherst Fire Department

C. ASSESSOR:

D. BUILDING/BUILDING MAINTENANCE:

1. Resolution 2024-957

Senior Center Waste Line Replacement Change Order 1

2. Resolution 2024-958

30 S Cayuga Roof Access Ladder

E. CENTRAL ALARM:

F. COMPTROLLER:

1. Resolution 2024-959

Budget Transfers and Amendments

2. Resolution 2024-960

Year End Budget Transfers

G. CONTRACT COMPLIANCE:

1. Resolution 2024-961

Award Bid #2024045 Ferric Chloride Solution - CRS #5177

H. COURT:

I. ECONOMIC DEVELOPMENT:

J. EMERGENCY SERVICES:

K. ENGINEERING SERVICES:

1. Resolution 2024-962

Change Order No. 1 & Final Quantity Adjustment Robin Hill Dr. & Swanson Terrace
Waterline Replacement Project 2021.042 CRS #5091

2. Resolution 2024-963

Change Order No. 2 & Final Highway Department Fuel System Repair Project Project
2022.007 CRS #5184

L. FINANCE:

M. HIGHWAY

1. Resolution 2024-964

Authorize Supervisor to Sign Contract to Piggyback-Northern Supply Co and Erie County -
CRS #5147

2. Resolution 2024-965

Authorize Supervisor to Sign NOCO ENERGY CORP - DIESEL FUEL CONTRACT - CRS #5203

3. Resolution 2024-966

Authorize Supervisor to Sign GOETZ ENERGY CORP FUEL CONTRACT EXTENSION -CRS #5226

N. HUMAN RESOURCES:**1. Resolution 2024-967**

Laborer/Youth & Recreation

2. Resolution 2024-968

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

3. Resolution 2024-969

Director of Volunteers/Senior Services

O. INFORMATION TECHNOLOGY:**1. Resolution 2024-970**

Update Computer and Mobile Device Usage Policy - 2024 V2

2. Resolution 2024-971

Purchase of Duo MFA Software - Pending Completion of CRS ID 5227

P. PLANNING:**1. Resolution 2024-972**

To Authorize the Adoption of Revisions to the Administrative Plan Governing the Housing Choice Voucher (HCV) Program of the Erie County PHA Consortium

Q. POLICE:**1. Resolution 2024-973**

Intermunicipal Agreement: Town of Clarence (CRS #5172) Crossing Guards at Transit Middle School

2. Resolution 2024-974

Master Services Agreement: Installation of LPR Flock Group, Inc. (CRS #5071)

3. Resolution 2024-975

Metals Recycling Contract: Bailey Ave. Training Facility Range Action Target, Inc. (CRS #5170)

4. Resolution 2024-976

Delta-Sonic Carwash Systems, Inc. (CRS #5171) Townwide Car Wash Contract

5. Resolution 2024-977

APD HQ Flooring Removal GP Flooring Solutions (CRS #5193)

R. SENIOR SERVICES:

1. Resolution 2024-978

Amherst Senior Center Age Requirement

2. Resolution 2024-979

Permanent Suspension of New Non-Amherst Resident Memberships

3. Resolution 2024-980

Software for Senior Services CRS #5144

4. Resolution 2024-981

Computer/Touchscreen for Senior Services CRS #5145

S. SEWER/PLANT 16:

1. Resolution 2024-982

Reject All Bids WPCF: HVAC Facility Improvements – Phase 4 (Mechanical Contract) Town Project No. 2017.002D

2. Resolution 2024-983

Reject All Bids WPCF: HVAC Facility Improvements – Phase 4 (Electrical Contract) Town Project No. 2017.002D

3. Resolution 2024-984

Rockwell Automation TechConnect Support Agreement Renewal Rexel, Inc. CRS #5190

4. Resolution 2024-985

Travel Request Required Operator Training Courses

5. Resolution 2024-986

Travel Request - Morrisville Required Operator Training Courses

6. Resolution 2024-987

Flow Metering Contract Extension TecSmith, Inc. CRS No. 5183

7. Resolution 2024-988

Payment Authorization Regional Truck & Trailer

T. YOUTH AND RECREATION:**1. Resolution 2024-989**

Travel Authorization

2. Resolution 2024-990

Rink Refrigeration Updates - CRS #5164

3. Resolution 2024-991

2025 Golf Fees

4. Resolution 2024-992

2024-2025 Youth Development Program Agreement - CRS #5149

5. Resolution 2024-993

Authorization to Pay Vendor

XIV. UNFINISHED BUSINESS**XV. COMMUNICATIONS****1. Communication 2024-94**

Request for Public Hearing - 1790, 1860 and 1920 North French Road & Portion of 999 Campbell Boulevard

2. Communication 2024-95

Notice of Claim: Tonja Milanez Vs. Town of Amherst

3. Communication 2024-96

Notice of Claim: New York Central Mutual Fire Insurance Company A/S/O Nicholas J. Pezzimenti & Kourtney A. Keller Vs. Town of Amherst

4. Communication 2024-97

Notice of Motion: Chad Sleiman Vs. Town of Amherst Et Al.

5. Communication 2024-98

Amended Notice of Motion: Chad Sleiman Vs. Town of Amherst Et Al.

6. Communication 2024-99

Summons and Complaint: Anthony Goldsmith Vs. Town of Amherst

7. Communication 2024-100

Summons and Complaint: Nationstar Mortgage LLC Vs. Town of Amherst

8. Communication 2024-101

Verified Petition & Notice of Petition: Marc Digiore Vs. Town of Amherst Zoning Board of Appeals

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