



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, February 3, 2025

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 February 3, 2025 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. Monday, January 06, 2025

VI. PROCLAMATIONS AND ANNOUNCEMENTS

VII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

1. Resolution 2025-73

1790, 1860 & 1920 North French Road & Portion of 999 Campbell Boulevard - Bicentennial Comprehensive Plan Amendment

2. Resolution 2025-74

2025 Fire Protection District Contracts (VOW/TOA - CRS#S 5280-5285/5286-5292)

VIII. DEVELOPMENT REVIEW ACTIONS**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**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

Membership is full.

18. Glen Park Joint Board

19. Historic Preservation Commission

Membership is full.

20. Information Technology Advisory Committee

21. Library Board of Trustees

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.

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 2025-75**

Amherst Industrial Development Agency Reappointment 2025

2. Resolution 2025-76

Designating Point of Contact for Opioid Settlement Funds

3. Resolution 2025-77

Approve Travel for 2025 Association of Towns Meeting

B. DEPUTY SUPERVISOR LAVIN:**1. Resolution 2025-78**

Fee Waiver - Skate with a Cop

C. COUNCILMEMBER BERGER:**1. Resolution 2025-79**

Fee Waiver - Special Olympics

D. COUNCILMEMBER SZUKALA:**1. Resolution 2025-80**

Amherst Traffic Safety Board Appointment

2. Resolution 2025-81

Amherst Government Financial Advisory Board Reappointment

E. COUNCILMEMBER MARINUCCI:**1. Resolution 2025-82**

Amherst Committee on Disabilities (CoD) Appointment

XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS**A. TOWN ATTORNEY:**

1. Resolution 2025-83

Highway Vehicles and Equipment – 15YPPU (Bond Resolution - \$1.1M)

2. Resolution 2025-84

Harlem Road Community Center Aud Restoration (Bond Resolution - \$611,000)

3. Resolution 2025-85

Highway Building Capital Improvements (Bond Resolution - \$600,000)

4. Resolution 2025-86

Various Signal Upgrades - Bond Resolution (\$150,000)

5. Resolution 2025-87

Eggerstville Snyder Library Partial Roof Replacement - Bond Resolution

6. Resolution 2025-88

2025 Fire Protection District Contract - Swormville Fire Department - Request Public Hearing

7. Resolution 2025-89

Adopt Order Calling Public Hearing - 2025 Waterlines Project

8. Resolution 2025-90

Adopt Order Calling Public Hearing - Sanitary Sewer Projects (S-5 - S-7)

9. Resolution 2025-91

Approval of Counsel for Child Victim Act (CVA) Litigation Retainer Agreement - Bond Schoeneck & King PLLC (CRS# 5317)

10. Resolution 2025-92

Retainer Agreement - FLSA (Fair Labor Standards Act) Litigation (CRS #5319)

11. Resolution 2025-93

Engagement Letter with GAR Appraisal LLC - Court-Ready Appraisal (CRS #5310)

12. Resolution 2025-94

Settlement of Article 7 Matter - Plaza Group 183, LLC and Plaza Group 185, LLC V. Town of Amherst

13. Resolution 2025-95

Settlement of Article 7 Matter - William S. Hein V. Town of Amherst

14. Resolution 2025-96

Settlement of Article 7 Matter - Transit Lanes, Inc. V. Town of Amherst

15. Resolution 2025-97

Settlement of Article 7 Matter - Joseph V Saffire & Nicole Michael V. Town of Amherst

16. Resolution 2025-98

Settlement of Article 7 Matter - Premier Place Improvements, LLC V. Town of Amherst

17. Resolution 2025-99

Settlement of Article 7 Matter - Sher Bail Associates LLC C/O Wal-Mart #US02110 V. Town of Amherst

18. Resolution 2025-100

Settlement of Article 7 Matter - 821 Maple LLC; 596 N French LLC V. Town of Amherst

B. TOWN CLERK:

1. Resolution 2025-101

Amusement License - Hammerl Amusements

2. Resolution 2025-102

New Firefighter for Swormville Fire Company

3. Resolution 2025-103

Edmunds GovTech Software CRS #5321

C. ASSESSOR:

D. BUILDING/BUILDING MAINTENANCE:

1. Resolution 2025-104

Emergency Repair Freezer #3 Senior Center CRS #5295

2. Resolution 2025-105

Adopt CIP Amendment

E. CENTRAL ALARM:

F. COMPTROLLER:

1. Resolution 2025-106

Budget Transfers and Amendments

2. Resolution 2025-107

Budget Transfers and Amendments

3. Resolution 2025-108

Capital Markets Advisors, LLC CRS #5305

G. CONTRACT COMPLIANCE:**1. Resolution 2025-109**

Extension of Bid #2023004 Town Wide Asbestos & Lead Surveys - CRS #5308

2. Resolution 2025-110

Approve 2025 Firefighter Cancer Benefit Program - CRS #5309

3. Resolution 2025-111

Award Bid #2025001 Sodium Hypochlorite - CRS #5314

4. Resolution 2025-112

Award Bid #2025002 Sodium Hydroxide 50% Solution - CRS #5315

H. COURT:**1. Resolution 2025-113**

Amherst Town Justice & Drug Court Analyst to Attend NYATCP Conference

I. ECONOMIC DEVELOPMENT:**J. EMERGENCY SERVICES:****K. ENGINEERING SERVICES:****1. Resolution 2025-114**

Addendum to Contract for Special Inspections & Testing – Whitestone Associates Engineering & Geology NY, PLLC Royal Park Sports Complex T.O.A. Project No. 2019.055 CRS #5276

2. Resolution 2025-115

Change Order No. 02- SU – Louis Del Prince & Sons, Inc. Royal Park Sports Complex Town of Amherst Job # 2019.055 CRS #5299

3. Resolution 2025-116

Change Order No. 03- SU – Louis Del Prince & Sons, Inc. Royal Park Sports Complex Town of Amherst Job # 2019.055 CRS #5300

4. Resolution 2025-117

Proposal for Installation of Three (3) Fire Hydrants Miller's Crossing Subdivision – Phase 3
TOA Job No: 2018.043

5. Resolution 2025-118

Frankhauser Culvert Replacement Over Ditch 5 Bridge NY Local Project Agreement
Resolution Authorizing Supervisor to Sign State Local Agreement PIN 5765.56; Town of
Amherst Job No. 2022.033B CRS No. 5316

L. FINANCE:**1. Resolution 2025-119**

Approve Travel to 2025 NY Government Finance Officers' Association Annual Conference

2. Resolution 2025-120

Adopt Revised 2026 Budget Calendar

M. HIGHWAY**1. Resolution 2025-121**

Authorize Supervisor to Sign GOETZ ENERGY CORP FUEL CONTRACT EXTENSION - CRS
#5279

2. Resolution 2025-122

Standardization of Flusher Truck Equipment - Highway Department

3. Resolution 2025-123

TREE PLANTING - Escrow Funds from Agency Account - 2025

4. Resolution 2025-124

FUNDING - Sidewalk Snow Plowing Program - 2025

5. Resolution 2025-125

Approval to Spend Funds - Veterans Memorial - 2025

N. HUMAN RESOURCES:**1. Resolution 2025-126**

Youth Service Program Coordinator/Youth & Recreation

2. Resolution 2025-127

Recreation Attendant - PT/Youth & Recreation

3. Resolution 2025-128

Program Coordinator-Senior Services/Senior Services

4. Resolution 2025-129

Coordinator of Employee Relations/Human Resources Department

5. Resolution 2025-130

Contracts Technician/Engineering/Plant #16

6. Resolution 2025-131

Recreation Attendant - PT/Youth & Recreation (3 Positions)

7. Resolution 2025-132

Computer Support Technician-Information Technology

8. Resolution 2025-133

Computer Support Technician/Police Department

9. Resolution 2025-134

Network Coordinator-Information Technology

10. Resolution 2025-135

Technical Support Services Specialist-Information Technology

11. Resolution 2025-136

Assistant Accountant/Amherst Town Court

12. Resolution 2025-137

Accountant/Youth & Recreation Department

13. Resolution 2025-138

Process Supervisor-WWTP/Engineering-Plant #16

14. Resolution 2025-139

Wastewater Treatment Plant Maintenance Supervisor/Eng.-Plant #16

15. Resolution 2025-140

Wastewater Facilities Mechanic/Engineering-Plant #16

O. INFORMATION TECHNOLOGY:

P. PLANNING:**Q. POLICE:****1. Resolution 2025-141**

Purchase of Snow Blade for Department Pickup Truck Piggybacking Contract Approval
Casullo's Automotive Service, Inc. (CRS #5313)

2. Resolution 2025-142

Training & Travel Request NCFI Digital Investigations Supervisors Course

R. SENIOR SERVICES:**1. Resolution 2025-143**

Request to Use Trust and Agency Funds

2. Resolution 2025-144

Congregate Dining 2Nd Amendment CRS #5325

3. Resolution 2025-145

Class Instructor Deborah Barbour CRS #5302

4. Resolution 2025-146

Class Instructor Ruth Nawotniak CRS #5303

5. Resolution 2025-147

Class Instructor Bonnie Crosby CRS #5304

S. SEWER/PLANT 16:**1. Resolution 2025-148**

Contract Extension Legionella Testing & Certification of Cooling Towers M.I.S, of America,
Inc. CRS No. 5293

2. Resolution 2025-149

Graybar/Omnia Contract Extension Graybar Electric Company, Inc. CRS No. 5307

3. Resolution 2025-150

Contract Extension - Penn Power Systems Bid 2023005 Lift Station Generator Service CRS
No. 5322

4. Resolution 2025-151

Award of Bid - MLP Plumbing & Mechanical, Inc. WPCF: HVAC Facility Improvements, Phase 4 – Mechanical Contract Town Project No. 2017.002D

5. Resolution 2025-152

Award of Bid - CIR Electrical Construction Corporation, Inc. WPCF: HVAC Facility Improvements, Phase 4 – Electrical Contract Town Project No. 2017.002D

6. Resolution 2025-153

De-Ionized Water Treatment Evoqua Water Technologies CRS No. 5323

T. YOUTH AND RECREATION:

1. Resolution 2025-154

Grant Disbursement Agreement (DASNY) - CRS #5306

2. Resolution 2025-155

Vendor Fees

XIV. UNFINISHED BUSINESS

XV. COMMUNICATIONS

1. Communication 2025-1

2024 Amherst Disability Committee Annual Report

2. Communication 2025-2

Fee Request Waiver - Windermere Boulevard Elementary School

3. Communication 2025-3

North Amherst Volunteer Fire Co. - Fee Waiver Request

4. Communication 2025-4

Correspondence from Sean Hopkins, Esq. - Sawyer's Landing Mixed-Use Project

5. Communication 2025-5

Correspondence from Sean Hopkins, Esq. - Address Change

6. Communication 2025-6

Correspondence from Elliot Lasky of SBLC Development Corp.

7. Communication 2025-7

Notice of Claim: Randy Thompson Vs. Town of Amherst

8. Communication 2025-8

Notice of Claim: Sherry S. Frost Vs. Town of Amherst

9. Communication 2025-9

Summons and Complaint: Lynne M. Logan Vs. Town of Amherst

10. Communication 2025-10

Summons and Verified Complaint: State Farm Mutual Automobile Insurance Company
A/S/O Mario Avarello Vs. Town of Amherst Et Al.

XVI. PUBLIC IMPROVEMENT PERMITS**1. Resolution 2025-156**

Public Improvement Permit No. 3122 Sanitary Sewer Acceptance Harding Road Subdivision
2005.101/SUB-2022.01

2. Resolution 2025-157

Public Improvement Permit No. 3123 Waterline Acceptance Harding Road Subdivision
2005.101/SUB-2022.01

3. Resolution 2025-158

Private Improvement Permit No. 3124 Storm Sewer Harding Road Subdivision
2005.101/SUB-2022.01

4. Resolution 2025-159

Private Improvement Permit No. 3140 Sanitary Sewer – 4300 Millersport Highway
2005.114A/SP-2022-03A

5. Resolution 2025-160

Public Improvement Permit No. 3141 Waterline – 4300 Millersport Highway 2005.114A/SP-
2022-03A

6. Resolution 2025-161

Public Improvement Permit No. 3142 Paving & Curbing – 4300 Millersport Highway
2005.114A/SP-2022-03A

7. Resolution 2025-162

Public Improvement Permit No. 3143 Storm System – 4300 Millersport Highway
2005.114A/SP-2022-03A

8. Resolution 2025-163

Private Improvement Permit No. 3144 Storm System – 4300 Millersport Highway
2005.114A/SP-2022-03A

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