



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, March 10, 2025

7:00 PM

Amherst Municipal Building

I. IN MEMORY

Thomas Schratz, Mary Ellen Marlette, Richard Rich and Helen Pendolino

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL:

7:00 PM Meeting called to order on March 10, 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, February 03, 2025

VI. PROCLAMATIONS AND ANNOUNCEMENTS

VII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

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 2025-177**

Amend Adopted 2025-2030 Capital Improvement Program

B. DEPUTY SUPERVISOR LAVIN:**C. COUNCILMEMBER BERGER:****D. COUNCILMEMBER SZUKALA:****1. Resolution 2025-178**

AGFAB Appointment

E. COUNCILMEMBER MARINUCCI:**XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS****A. TOWN ATTORNEY:****1. Resolution 2025-179**

Town Road Pavement Improvements (Bond Resolution - \$1,110,000)

2. Resolution 2025-180

Reconstruction of Burroughs Drive (Bond Resolution - \$500,000)

3. Resolution 2025-181

Paradise Park Restroom Improvements (Bond Resolution - \$305,000)

4. Resolution 2025-182

Senior Center Capital Improvements (Amended Bond Resolution - \$435,000)

5. Resolution 2025-183

Town Parking Lot Improvements (Bond Resolution - \$65,000)

6. Resolution 2025-184

N. French Soccer Complex Concession Restroom Improvement (Bond Resolution - \$53,000)

7. Resolution 2025-185

2025 Waterline Improvements & Replacements (OCPH - \$3,402,000)

8. Resolution 2025-186

Sanitary Sewer Projects - Assessment/Repair/Relining.Rehab (OCPH - \$2,250,000)

9. Resolution 2025-187

4300 Millersport Highway Site Plan - Lighting (OCPH)

10. Resolution 2025-188

WPCF Treatment Systems Component Replacement/Rehab (OCPH - \$1,450,000)

11. Resolution 2025-189

Oxygen Separation System Replacement Procurement (OCPH - \$10,000,000)

12. Resolution 2025-190

2025 Fire Protection District Contract - Swormville Fire Dept., Inc. (CRS #5292)

13. Resolution 2025-191

Permanent Easement and ROW Agreements for Drainage (CRS #5380 - Blvdcon, LLC)/CRS #5381 - Ridlea Associates, LLC)

14. Resolution 2025-192

Settlement of Article 7 Matter - 93 NYRPT, LLC V. Town of Amherst

15. Resolution 2025-193

Settlement of Article 7 Matter - Thomas Chiaramonte Revocable Living Trust V. Town of Amherst

16. Resolution 2025-194

Settlement of Article 7 Matter - Walgreen/Sheridan-Millersport Partnership V. Town of Amherst

17. Resolution 2025-195

Settlement of Article 7 Matter - ACG Willowridge Associates C/O Home Depot #1233 V. Town of Amherst

18. Resolution 2025-196

Settlement of Article 7 Matter - DEL Associates IV, LLC V. Town of Amherst

19. Resolution 2025-197

Settlement of Article 7 Matter - CJJ LLC V. Town of Amherst, Et Al.

20. Resolution 2025-198

Settlement of Article 7 Matter - Prashant Pendyala (50 Sanctuary Court) V. Town of Amherst, Et Al.

21. Resolution 2025-199

Settlement of Article 7 Matter - Uniland and ICC South, Inc. V. Town of Amherst

22. Resolution 2025-200

Extension of Mutual Confidentiality and Non-Disclosure Agreement (CRS #4611/Extension CRS #5357)

23. Resolution 2025-201

Settlement of Article 7 Matter - Joseph F. & Benedetta L. Frachetta Living Trust V. Town of Amherst

24. Resolution 2025-202

Settlement of Farrell, Et Al. V. Lowe

B. TOWN CLERK:**1. Resolution 2025-203**

New Firefighter for Swormville Fire Company

2. Resolution 2025-204

Local Government Records Management Funding CRS #5346

C. ASSESSOR:**1. Resolution 2025-205**

Annual Assessment Support Services Agreement GAR Associates, Inc. (CRS 5356 02/24/2025)

D. BUILDING/BUILDING MAINTENANCE:**1. Resolution 2025-206**

Senior Center HVAC Replacement

2. Resolution 2025-207

National Flood Insurance Program Training Course

3. Resolution 2025-208

Change Order 1; Highway Garage - Unit Heater Replacement, O'Connor Mechanical Corp. TOA Project No. 2025-F-0.02. CRS #5362

4. Resolution 2025-209

Change Order - Senior Center Cafe Renovation Hayes Construction Services, TOA Project # 2023-F-17.1, CRS # 5372

E. CENTRAL ALARM:**F. COMPTROLLER:****1. Resolution 2025-210**

Budget Transfers and Amendments

2. Resolution 2025-211

Budget Transfers and Amendments

G. CONTRACT COMPLIANCE:**1. Resolution 2025-212**

Award Informal Bid #20241031 Town Wide Parts Cleaner & Used Oil Filter Removal - CRS #5256

2. Resolution 2025-213

Amendment to Town Wide Fire Alarm Inspection, Service & Security Monitoring Contract - CRS #5333

3. Resolution 2025-214

Award Bid #2025003 Gorman Rupp Pump Parts - CRS #5334

4. Resolution 2025-215

Extension of Bid #2022028 Truck & Heavy Equipment Parts & Service - CRS #5338, 5339, 5341, 5350 & 5351

5. Resolution 2025-216

Award Bid #2025004 Town Wide Electrical - CRS #5342

6. Resolution 2025-217

Award Bid #2025005 Town Wide Towing & Road Service - CRS #5353 & 5354

7. Resolution 2025-218

Award Bid #2025006 Vacall Combination Sewer Cleaner - Highway Department - CRS #5360

H. COURT:

1. Resolution 2025-219

6Th Month Extension of Edward Byrne Memorial Justice Assistance Grant CRS #5344

2. Resolution 2025-220

Amherst Town Justice to Attend Taking the Bench Certification Course

I. ECONOMIC DEVELOPMENT:**J. EMERGENCY SERVICES:****K. ENGINEERING SERVICES:****1. Resolution 2025-221**

Change Order No. 02-EC & Final – Industrial Power and Lighting Corp. Royal Park Sports Complex Town of Amherst Job # 2019.055 CRS #5337

2. Resolution 2025-222

Authorization to Install One (1) Fire Hydrant Bauman Waterline Replacement Project TOA Project No. 2022.018

3. Resolution 2025-223

Resolution Authorizing Supervisor to Sign a Utility Work Agreement (HC-140) for Sanitary Sewer Manhole Adjustment on Campbell Blvd (Route 270) from N. French Road to the Erie County Line NYSDOT PIN 5181.10; D265453 CRS #5361

4. Resolution 2025-224

Resolution Authorizing Supervisor to Sign Utility Work Agreements for A Street Light Transfer on Campbell Blvd (Route 270) from N. French Road to the Erie County Line NYSDOT PIN 5181.10; D265453; TOA Job #2025.012 CRS #5378

5. Resolution 2025-225

Award of Bid – Installation of New Guide Rail at Frankhauser Road and Fairways Boulevard Intersection Pavilion Drainage Supply Co. Inc. Town of Amherst Job# 2004.078A

6. Resolution 2025-226

Award of Bid – North Forest Rd. / West Klein Rd. Intersection Pedestrian Improvements Concrete Applied Technologies Corp. DbA CATCO Town of Amherst Job# 930069A

7. Resolution 2025-227

Award of Bid – Bauman Waterline Replacement Project 2024 – 2029 CIP Project E-1 2022 – 2027 CIP Project E-30 T.O.A. Project No. 2022.018

L. FINANCE:

M. HIGHWAY**1. Resolution 2025-228**

Authorize Supervisor to Sign NOCO ENERGY CORP. Fuel Gas Contract - CRS #5340

2. Resolution 2025-229

Authorize Supervisor to Sign VALLEY FAB & EQUIPMENT INC Contract Extension - CRS #5311

3. Resolution 2025-230

Authorize Supervisor to Sign JOE JOHNSON EQUIPMENT CONTRACT EXTENSION - CRS #5312

4. Resolution 2025-231

NYS-OGS Contract Piggyback Public Safety Communications Equip/Svc-FM COMM EXTENSION-CRS #5335/4534

5. Resolution 2025-232

Niagara Frontier Equipment Sales Inc Extension for Tractor Parts CRS #5349/3903/2291

6. Resolution 2025-233

Travel Approval - Signal Shop - Highway Department

N. HUMAN RESOURCES:**1. Resolution 2025-234**

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

2. Resolution 2025-235

Recreation Supervisor - PT/Youth & Recreation

3. Resolution 2025-236

Interim Release-New York Liquidation Bureau

4. Resolution 2025-237

Supervising Paralegal/Town Attorney's Office

5. Resolution 2025-238

Extended Leave of Absence Without Pay/Engineering-Plant #16

6. Resolution 2025-239

School Crossing Guard- PT/Police Department

7. Resolution 2025-240

Public Relations Coordinator/Senior Services

8. Resolution 2025-241

Maintenance Worker/Engineering-Sewer Maintenance Department

9. Resolution 2025-242

Wastewater Treatment Plant Operator-Trainee/Engineering Department

10. Resolution 2025-243

Wastewater Treatment Plant Operator-Trainee/Engineering Department

11. Resolution 2025-244

Working Crew Chief/Engineering-Sewer Maintenance

12. Resolution 2025-245

Laborer Crew Chief/Engineering-Sewer Maintenance

13. Resolution 2025-246

Motor Equipment Operator/Engineering-Sewer Maintenance

14. Resolution 2025-247

Automotive Mechanic/Engineering-Sewer Maintenance

15. Resolution 2025-248

Working Automotive Crew Chief/Engineering-Sewer Maintenance

16. Resolution 2025-249

Laborer Crew Chief/Engineering-Sewer Maintenance

17. Resolution 2025-250

Automotive Mechanic/Engineering-Sewer Maintenance

18. Resolution 2025-251

Maintenance Worker (2 Positions) Engineering-Sewer Maintenance

19. Resolution 2025-252

Code Enforcement Officer (2 Positions)/Building Department

20. Resolution 2025-253

Senior Wastewater Facilities Mechanic/Engineering-Plant #16

21. Resolution 2025-254

Senior Wastewater Facilities Mechanic/Engineering-Plant #16

22. Resolution 2025-255

Wastewater Facilities Mechanic/Engineering-Plant #16

23. Resolution 2025-256

Police Officer/Police Department

24. Resolution 2025-257

Recreation Attendant - PT/Youth & Recreation

25. Resolution 2025-258

Extended Sick Leave of Absence Without Pay/Highway Department

26. Resolution 2025-259

Leave of Absence Without Pay/Police Department

27. Resolution 2025-260

Sr. Deputy Town Attorney/Town Attorney's Office

28. Resolution 2025-261

Town Attorney/Town Attorney's Office

O. INFORMATION TECHNOLOGY:**1. Resolution 2025-262**

Disposition of Equipment

P. PLANNING:**1. Resolution 2025-263**

To Adopt the 2025-2029 Amherst HOME Consortium Consolidated Plan and 2025 Amherst CDBG/HOME Action Plan and to Authorize the Supervisor to Submit the Plans to HUD

2. Resolution 2025-264

Cooperation Agreement with the Village of Williamsville CRS #5336

Q. POLICE:**1. Resolution 2025-265**

Training & Travel Request NCFI Introduction to Phone Repair

2. Resolution 2025-266

Training & Travel Request NYTOA TacOps North Tactical Training Conference & Expo

3. Resolution 2025-267

Training & Travel Request Advanced Homicide Symposium

R. SENIOR SERVICES:**S. SEWER/PLANT 16:****1. Resolution 2025-268**

Purchase of 1-Year Subscription Mitchell1 ProDemand Online Service Manual CRS No. 5327

2. Resolution 2025-269

Alfa Laval Inc. Payment Authorization WPCF Centrifuge 6 Repair

3. Resolution 2025-270

Hach WIMS - Water Information Management Solution Software and Server Migration
Aquatic Informatics Inc. CRS No. 5355

4. Resolution 2025-271

Change Order No. 2 Hohl Industrial Services Inc. WPCF: Disinfection and Metering System
Improvements – General Contract Town of Amherst Project No. 2016.002A CRS #5373

5. Resolution 2025-272

Contract Extension Bid 2023007 Laboratory Testing Services Pace Analytical Services, LLC
CRS No. 5375

6. Resolution 2025-273

Professional Services Contract Stormwater Inspection Services JM Davidson Engineering,
D.P.C. CRS #5376

7. Resolution 2025-274

Professional Services Contract - Nussbaumer & Clarke, Inc. Stormwater Inspection Services
CRS #5377

8. Resolution 2025-275

Professional Services Contract - GHD Consulting Services, Inc. Stormwater Inspection
Services CRS #5374

9. Resolution 2025-276

2025-2030 CIP Amendment Project S-3: WPCF Oxygen Separation System Replacement

T. YOUTH AND RECREATION:**1. Resolution 2025-277**

Authorization to Travel (NARCE)

2. Resolution 2025-278

Authorization to Pay Vendor (EnerSys)

3. Resolution 2025-279

Electric Service Proposal WR #30952679 - CRS #5343

4. Resolution 2025-280

Authorization to Pay Vendor (Graybar)

5. Resolution 2025-281

Travel Authorization (CADCA)

6. Resolution 2025-282

Legislative Grant - CRS #5358

XIV. UNFINISHED BUSINESS**XV. COMMUNICATIONS****1. Communication 2025-11**

Request for Public Hearing - 1692 Maple Road

2. Communication 2025-12

Notice of Claim: Mark C. Foster Vs. Town of Amherst

3. Communication 2025-13

Notice of Claim: State Farm Mutual Automobile Insurance Company A/S/O Todd a Elis Vs. Town of Amherst

4. Communication 2025-14

Notice of Claim: Aldo Giammusso Vs. Town of Amherst

5. Communication 2025-15

Notice of Claim: Todd Elis Vs. Town of Amherst

6. Communication 2025-16

Notice of Claim: Ashley Torgalski Vs. Town of Amherst

7. Communication 2025-17

Notice of Claim: Purificacion Turner Vs. Town of Amherst Et Al.

8. Communication 2025-18

Order to Show Cause: James Gawron Vs. Town of Amherst Et Al.

9. Communication 2025-19

Complaint: Renay Lynch Vs. Town of Amherst Et Al.

10. Communication 2025-20

Summons and Complaint: Servbank, SB Vs. Town of Amherst Et Al.

11. Communication 2025-21

Summons and Complaint: Wilmington Savings Fund Society, FSB Vs. Town of Amherst Et Al.

12. Communication 2025-22

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

XVI. PUBLIC IMPROVEMENT PERMITS

1. Resolution 2025-283

Private Improvement Permit No. 3135 Sanitary Sewer – 2635 North Forest Road
2022.032/SP-2022-14

2. Resolution 2025-284

Public Improvement Permit No. 3146 Sanitary Sewer – Miller's Crossing Subdivision Phase 3
2018.043/SUB-2018-02

3. Resolution 2025-285

Public Improvement Permit No. 3147 Waterline – Miller's Crossing Subdivision Phase 3
2018.043/SUB-2018-02

4. Resolution 2025-286

Public Improvement Permit No. 3148 Paving & Curbing – Miller's Crossing Subdivision Phase 3
2018.043/SUB-2018-02

5. Resolution 2025-287

Public Improvement Permit No. 3149 Storm System – Miller's Crossing Subdivision Phase 3
2018.043/SUB-2018-02

6. Resolution 2025-288

Public Improvement Permit No. 3154 Sanitary Sewer – 669 Youngs Road 2010.083/SP-2010-21

7. Resolution 2025-289

Private Improvement Permit No. 3155 Sanitary Sewer – 669 Youngs Road 2010.083/SP-2010-21

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