



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, April 7, 2025

7:00 PM

Amherst Municipal Building

I. IN MEMORY

II. INVOCATION

Rabbi Mendy Labkowski

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL:

7:00 PM Meeting called to order on April 7, 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, March 24, 2025

VI. PROCLAMATIONS AND ANNOUNCEMENTS

Councilmember Berger will present proclamation to recognize Education & Sharing Day.

Councilmember Marinucci will present a proclamation to recognize Arbor Day.

VII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

1. Resolution 2025-340

WPCF Oxygen Separation System Replacement Procurement (Bond Resolution - \$10M)

2. Resolution 2025-341

WPCF Treatment Systems Component Replacement/Rehabilitation (Bond Resolution - \$1.45M)

3. Resolution 2025-342

Lighting District Extension - 4300 Millersport Highway (Site Plan)

4. Resolution 2025-343

1692 Maple Road Rezoning

VIII. DEVELOPMENT REVIEW ACTIONS**1. Resolution 2025-344**

Resolution of Commitment - Proposed Public Improvements (1789 Dodge Road - Proposed Realty Subdivision)

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:****B. DEPUTY SUPERVISOR LAVIN:****1. Resolution 2025-345**

Senior Services Advisory Board Appointment

C. COUNCILMEMBER BERGER:**D. COUNCILMEMBER SZUKALA:****1. Resolution 2025-346**

Approval of Disability Benefit

2. Resolution 2025-347

AGFAB Appointment

E. COUNCILMEMBER MARINUCCI:**1. Resolution 2025-348**

Community Forestry Management Plan

XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS**A. TOWN ATTORNEY:****1. Resolution 2025-349**

Paradise Park Restroom Improvements (Amended Bond Resolution - \$645,000)

2. Resolution 2025-350

Klein Road Transportation Improvements (Bond Resolution - \$490,000)

3. Resolution 2025-351

Assembly (A04030) and Senate (S03282) Bills to Alienate a Portion of 1265 Smith Road as Parkland

4. Resolution 2025-352

Request for Public Hearing - a Local Law Amending Chapter 175, Taxation

5. Resolution 2025-353

Deed for Sale of 160 Campus Drive (From TOA to 177 Darwin LLC)

6. Resolution 2025-354

Amendment to Westlaw Proflex Contract (Original CRS #3795/Amendment CRS #5421)

7. Resolution 2025-355

Daemen College Banners

8. Resolution 2025-356

Settlement of Article 7 Matter - Brandi Freiman V. Town of Amherst

9. Resolution 2025-357

Settlement of Article 7 Matter - Cayuga Bend V. Town of Amherst

10. Resolution 2025-358

Settlement of Article 7 Matter - Laverne Mosey-Murphy & Michael Murphy V. Town of Amherst

11. Resolution 2025-359

Settlement of Article 7 Matter - 5525-5529 Main Street, LLC, Et. Al. V. Town of Amherst

12. Resolution 2025-360

Settlement of Article 7 Matter - 1760 Wehrle Drive, LLC V. Town of Amherst

13. Resolution 2025-361

Settlement of Article 7 Matter - David I. Shapiro and Mary Pfeifer-Shapiro V. Town of Amherst

14. Resolution 2025-362

Settlement of Article 7 Matter - James A. Zaepfel; James A. Zaepfel Revocable Living Trust V. TOA

15. Resolution 2025-363

Settlement of Article 7 Matter - AAP College Park Associates, LLC V. Town of Amherst

16. Resolution 2025-364

Settlement of Article 7 Matter - Airport Landing Center, LLC V. Town of Amherst

17. Resolution 2025-365

Settlement of Article 7 Matter - 205 Young Road, LLC, Et. Al. V. Town of Amherst

18. Resolution 2025-366

Settlement of Article 7 Matter - Remmington Heights, LLC V. Town of Amherst

19. Resolution 2025-367

Settlement of Article 7 Matter - Frederick G. Attea and Elizabeth A. Attea V. Town of Amherst

20. Resolution 2025-368

Settlement of Article 7 Matter - Sturbridge Apartments, LLC V. Town of Amherst

21. Resolution 2025-369

Settlement of Article 7 Matter - George Hofheins V. Town of Amherst

22. Resolution 2025-370

Settlement of Article 7 Matter - North Forest Apartment Associates, LLC V. Town of Amherst

23. Resolution 2025-371

Settlement of Article 7 Matter - Donald B. Steel and Kathleen M. Steel V. Town of Amherst

24. Resolution 2025-372

Settlement of Article 7 Matter - Nora Devoe V. Town of Amherst

25. Resolution 2025-373

Settlement of Article 7 Matter - John S. Trifilo, Jr. V. Town of Amherst

26. Resolution 2025-374

Settlement of Article 7 Matter - 80 Lawrence Bell Drive, LLC V. Town of Amherst

27. Resolution 2025-375

Settlement of Article 7 Matter - Bowdoin Square Apartments, LLC V. Town of Amherst

28. Resolution 2025-376

Settlement of Article 7 Matter - Virginia L. Henderson V. Town of Amherst

B. TOWN CLERK:

1. Resolution 2025-377

Amusement License for 1565-1703 Niagara Falls Boulevard

C. ASSESSOR:

1. Resolution 2025-378

Contract for Schneider Geospatial LLC CRS #5393

D. BUILDING/BUILDING MAINTENANCE:**E. CENTRAL ALARM:****F. COMPTROLLER:****1. Resolution 2025-379**

Check Signing

2. Resolution 2025-380

Budget Transfers and Amendments

G. CONTRACT COMPLIANCE:**1. Resolution 2025-381**

Extension - Bid #2021001 Aftermarket Components - Light & Heavy Duty Equipment - CRS #5412/5413/5414

2. Resolution 2025-382

Award NYS OGS Mini Bid #2025015 (2) Chassis & Dump Bodies - CRS #5423

3. Resolution 2025-383

Bid #2025005 Town Wide Towing - Partial Re-Assignment of Award - CRS #5424

H. COURT:**I. ECONOMIC DEVELOPMENT:****J. EMERGENCY SERVICES:****K. ENGINEERING SERVICES:****1. Resolution 2025-384**

2025 - 2030 Capital Improvement Program Amendment CIP Project Nos. ACP-1, YR-1A, 9A & 10A

2. Resolution 2025-385

Change Order No. 01-PC & Final – MKS Plumbing Corp. Royal Park Sports Complex Town of Amherst Job # 2019.055 CRS #5411

3. Resolution 2025-386

Change Order No. 04- SU – Louis Del Prince & Sons, Inc. Royal Park Sports Complex Town of Amherst Job # 2019.055 CRS #5410

L. FINANCE:**M. HIGHWAY:****1. Resolution 2025-387**

Highway Work Permit – ECWA – 23 Glen Meadow Drive S, 86 Glen Meadow, 63, 71, 79 Streamsong Court

2. Resolution 2025-388

Highway Work Permit – ECWA – 36 Streamsong Court

N. HUMAN RESOURCES:**1. Resolution 2025-389**

Laborer/Building Maintenance/Facilities Department

2. Resolution 2025-390

Clerk- PT/Town Clerk

3. Resolution 2025-391

Clerk Typist/Highway Department

4. Resolution 2025-392

Clerk Typist/Engineering Department

O. INFORMATION TECHNOLOGY:**P. PLANNING:****1. Resolution 2025-393**

To Authorize the Supervisor to Enter into a New Cooperation Agreement to Continue the HOME Consortium for Federal Fiscal Years 2026, 2027 and 2028

Q. POLICE:**1. Resolution 2025-394**

Police Dog Boarding Agreement Amherst Boarding Kennel, LLC (CRS #5385)

2. Resolution 2025-395

Memorandum of Understanding Use of Amherst Police Department Community Policing and Training Facility Main-Transit Fire Department (CRS #5425)

3. Resolution 2025-396

Intermunicipal Agreement: Police Tactical Team Cooperation Town of Tonawanda (CRS #5405)

4. Resolution 2025-397

Town of Amherst Emergency Services Sole Source and Standardization of Communication Equipment- CRS #5427

R. SENIOR SERVICES:

1. Resolution 2025-398

Class Instructor, Harriet Grayson CRS #5397

2. Resolution 2025-399

Class Instructor, Colleen Besseghini CRS #5398

S. SEWER/PLANT 16:

1. Resolution 2025-400

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

T. YOUTH AND RECREATION:

XIV. UNFINISHED BUSINESS

XV. COMMUNICATIONS

1. Communication 2025-24

Fee Waiver Request- Main-Transit Fire Department

2. Communication 2025-25

Letter of Intent for the Shared Use of the Niagara County Public Safety Radio Communications System

3. Communication 2025-26

Correspondence from Interim Town Attorney Re: RES #2025-192

4. Communication 2025-27

Correspondence from Benderson Development Company

5. Communication 2025-28

Correspondence from Joseph Rubino - 1789 Dodge Road

6. Communication 2025-29

Correspondence from Sean Hopkins, Esq. - 1789 Dodge Road

7. Communication 2025-30

Correspondence from Robert Savarino - 4780 Sheridan Drive

8. Communication 2025-31

Correspondence from Sean Hopkins, Esq. - Address Change

9. Communication 2025-32

Correspondence from Sean Hopkins, Esq. - 42-50 Dodge Road

10. Communication 2025-33

Correspondence from Sean Hopkins, Esq. - 4300 Millersport Highway

11. Communication 2025-34

Notice of Claim: Ali Lazik Vs. Town of Amherst Et Al.

12. Communication 2025-35

Summons and Complaint: U.S. Bank National Association Et Al Vs. Town of Amherst Et Al.

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