Amherst Town Board

Regular Meeting of the Town Board

Minutes

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

Francina J. Spoth
Town Clerk

Monday, February 22, 2021 | **7:00 PM** | **Amherst Municipal Building**

I. IN MEMORY

Jane Hughes, Hon. Hugh B. Scott

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL:

7:00 PM Meeting called to order on February 22, 2021 at Amherst Municipal Building, 5583 Main Street, Williamsville, NY.

Attendee Name	Organization	Title	Status	Arrived
Brian J. Kulpa	Town of Amherst	Supervisor	Remote	
Jacqualine Berger	Town of Amherst	Deputy Supervisor	Remote	
Deborah Bruch Bucki	Town of Amherst	Councilmember	Remote	
Shawn Lavin	Town of Amherst	Councilmember	Remote	
Michael Szukala	Town of Amherst	Councilmember	Remote	
Francina J. Spoth	Town of Amherst	Town Clerk	Remote	
Kathleen Cooper	Town of Amherst	Deputy Town Clerk	Remote	
Timothy Koller	Town of Amherst	Deputy Town Clerk	Remote	
Stanley J. Sliwa	Town of Amherst	Town Attorney	Remote	
Jeffrey S. Burroughs	Town of Amherst	Town Engineer	Remote	
Dan Howard	Town of Amherst	Planning Director	Remote	
Lynda Juul	Town of Amherst	Director of Finance	Remote	
Daryl Bramer	Town of Amherst	Comptroller	Remote	
Daniel J. Ulatowski	Town of Amherst	Principal Planner	Remote	
Patrick G. Lucey	Town of Amherst	Highway Superintendent	Remote	
Joe McMahon	Tonw of Amherst	Chief of Staff	Remote	
Nicole M. Burroughs	Town of Amherst	Senior Paralegal	Remote	

V. MINUTES APPROVAL

1. Monday, February 01, 2021

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

VI. PROCLAMATIONS AND ANNOUNCEMENTS

Town Attorney Stan Sliwa presented a commendation to Sarah Internicola for her assistance in the Attorney's office.

Supervisor Kulpa read a proclamation declaring March 2021 as Youth Art Month and Music in Our Schools Month to acknowledge the importance of music and visual art in the curriculum of the public and private schools in the Town of Amherst.

Join Zoom Meeting
https://us02web.zoom.us/j/81318257343?pwd=T0ZvOFZBbFBMQnl2ODZSbzdFQXd6dz09
Phone: 1 929 205 6099
Meeting ID: 813 1825 7343
Passcode: 832232

VII. PUBLIC HEARINGS

Speakers will be limited to 3 minutes.

1. Resolution 2021-114

6565 Main Street Rezoning

Adoption of Local Law to amend the Zoning Map
[6565 Main Street; Z-2020-07]

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR have been completed and the Town Board issues the attached Negative Declaration, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of November 19, 2020 that the proposed Office Building (OB) zoning at 6565 Main Street is consistent with the adopted Bicentennial Comprehensive Plan, and be it further

RESOLVED, that to the extent the proposed zoning is not consistent with the adopted Comprehensive Plan, the plan is hereby amended to be consistent with the proposed zoning at this location, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts Local Law (#) to amend the Town Zoning map.

2/01/2021

A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was opened at 7:03 PM.

Erik O'Neill, Petitioner, presented to the Town Board. Architect Tim Kupinski also addressed the Board.

There were no speakers from the public, therefore Supervisor Kulpa moved to adjourn the public hearing and set a decision date for February 22nd. The motion was seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was adjourned at 7:19 PM.

2/22/2021

A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was opened at 7:08 PM.

There were no speakers from the public, therefore Supervisor Kulpa moved to close the public hearing, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was closed at 7:11 PM.

A motion to approve was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-152

Special Use Permit for Solar Energy Development at 595 Schoelles Road

Adoption of a Special Use Permit for Solar Energy Project
(595 Schoelles Road; SP-2020-14)

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of January 21, 2021 that the proposed solar energy development to be located at 595 Schoelles Road is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that in accordance with Section 6-10-7B(3)(d) of the Zoning Ordinance, the Planning Board recommended to the Town Board approval of the Special Use Permit for the proposed solar development as stated in their resolution of January 21, 2021; and be it further

RESOLVED, that pursuant with Section 8-6-6 of the Zoning Ordinance, the Town Board **approves** said Special Use Permit subject to the following conditions:

1) Copies of all reporting documentation to be prepared by the designated environmental monitor (EM) as required by the NYS Dept. of Agriculture & Markets in their Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands during construction shall also be provided to the Town Planning Department.

2) The applicant shall install segments of wooden split rail fencing along the east and west property lines near Schoelles Road to prevent all-terrain vehicles from accessing lands outside of the solar compound. Such installation shall occur during final landscaping installations and in coordination with the Town Landscape Architect.

2/22/2021

A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was opened at 7:12 PM.

Jeffery Palumbo, Esq. addressed the Board. Dan Leary, Amherst Community Solar, LLC and Jason Burford, GPI, co-presented.

The following speaker addressed the Town Board:
Joe Voytovich, 35 Bucyrus Dr. - Asked about the infrastructure

There were no further speakers from the public, therefore Supervisor Kulpa moved to close the public hearing, seconded by Councilmember Lavin and unanimously approved 5-0. The public hearing was closed at 7:30 PM.

A motion to approve the Negative Declaration was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0.

A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Resolution 2021-153

Amend the Audubon Development Plan and the Zoning Map to Reclassify 2160 & 2170 North Forest Road from NCD-SA to NCD-ND

DRAFT RESOLUTION

(2/22/21)

Amend the Audubon Development Plan and the Zoning Map
[2160 & 2170 North Forest Road (NCD); Z-2020-06]

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR have been completed and the Town Board issues the attached Negative Declaration, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of January 21, 2021 that the proposed New Community District - Neighborhood District (NCD-ND) classification at 2160 & 2170 North Forest Road is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that to the extent the proposed classification is not consistent with the adopted Comprehensive Plan, the plan is hereby amended to be consistent with the proposed classification at this location, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts Local Law (#) to amend the Town Zoning map subject to the following condition as recommended by the Planning Board:

1. That the petitioner include additional parking spaces beyond the 17 spaces shown on the concept plan at the site plan stage.

2/22/2021

A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Lavin and unanimously approved 5-0. The public hearing was opened at 7:32 PM.

Sean Hopkins, Esq. presented.

The following speakers addressed the Town Board:
Joseph Hausbeck, 2180 N. Forest Rd. - Spoke in opposition; does not fit the concept of the neighborhood; submitted a letter listing various concerns
Fran Cummings, 2200 N. Forest Rd. - Voiced her concerns; property floods; traffic
Karen Macris, 2230 N. Forest Rd. - Asked questions; concern of dorm-like apartments; dumpster location and noise

There were no further speakers from the public, therefore Supervisor Kulpa moved to adjourn the public hearing to March 8th. The motion was seconded by Councilmember Szukala and unanimously approved 5-0. The public hearing was adjourned at 8:17 PM.

3/8/2021

A motion to adjourn to April 5th was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0.

4/5/2021

A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was opened at 7:05 PM.

Sean Hopkins, Esq. presented updated plans.

The following speakers addressed the Town Board:
Fran Cummings, 2200 N. Forest Rd. - Concerned about it being student housing, lighting spillover, flooding and traffic
Joseph Hausbeck, 2180 N. Forest Rd. - Concerned about excavation of the site and the project being too large

There were no further speakers from the public, therefore Supervisor Kulpa moved to adjourn the public hearing to April 19th. The motion was seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was adjourned at 7:34 PM.

4/19/2021
Per Supervisor Kulpa, the Petitioner has requested an adjournment. Supervisor Kulpa then moved to Adjourn to May 3rd, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The hearing was adjourned at 7:09 PM.

5/03/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was opened at 7:09 PM.

Sean Hopkins, Esq. presented updated plans.

The following speaker addressed the Town Board:
Fran Cummings, 2200 N. Forest Rd. - Voiced her continued concerns regarding flooding, student housing in their senior citizen community

There were no further speakers from the public, therefore Supervisor Kulpa moved to close the public hearing, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was closed at 7:29 PM.

1/18/2022
A motion was made by Supervisor Kulpa to remove from Unfinished Business, seconded by Councilmember Bucki and unanimously approved 5-0.

A motion was made by Supervisor Kulpa to schedule a public hearing for the February 28th Town Board meeting, seconded by Deputy Supervisor Berger and unanimously approved 5-0.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 3/8/2021 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Michael Szukala, Councilmember	
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala	

4. Resolution 2021-154

Amendments to Chapter 44, Rental Unit Registration

The purpose of this Local Law shall be to amend Chapter 44-3(B) of the Code of the Town of Amherst with respect to exemptions for rental unit registrations in the Town of Amherst.

2/22/2021
A motion to adjourn to March 22nd was made by Supervisor Kulpa, Seconded by Deputy Supervisor Berger and unanimously approved 5-0.

3/22/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was opened at 7:02 PM.

Stan Sliwa, Town Attorney, presented.

Don Smith, N Long St. - question about the exact law the Board would approve

A motion to adjourn the public hearing until April 5th was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0.

4/5/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was opened at 7:36 PM.

Stan Sliwa, Town Attorney, presented.

There were no further speakers from the public, therefore Supervisor Kulpa moved to close the public hearing, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was closed at 7:38 PM.

A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Lavin and unanimously approved 5-0.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 3/22/2021 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Deputy Supervisor	
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala	

VIII. 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 (1)

3. Amherst Community Diversity Commission (5)

4. Amherst Conservation Advisory Council (4)

5. Amherst Industrial Development Agency

Membership is full.

6. Amherst Veterans Committee (3)

Supervisor Kulpa appoints Frank Barone to the Amherst Veterans Committee for his second term to end December 31, 2022.

Councilmember Szukala appoints Andrew Peirce to the Amherst Veterans Committee for his second term to end December 31, 2022.

7. Arts & Culture in Public Places Board (5)

8. Board of Assessment Review

Membership is full.

9. Board of Electrician Examiners

Membership is full.

10. Board of Ethics

Membership is full.

11. Board of Plumbing and Drainage Examiners

Membership is full.

12. Citizens Financial Advisory Committee (2)

13. Design Advisory Board

14. Employee Suggestion Program Merit Award Board

Membership is full.

15. Employee Suggestion Review Committee

Membership is full.

16. Energy Conservation Citizens Advisory Committee (4)

17. Freedom of Information Law (FOIL) Board (3)

18. Glen Park Joint Board

Membership is full.

19. Government Study Committee (2)

20. Historic Preservation Commission (1)

21. Information Technology Advisory Committee (2)

22. Library Board of Trustees

Membership is full.

23. Minority / Woman Owned Business (4)

24. Open Government Advisory Board (4)

25. Planning Board

Membership is full.

26. Recreation Commission (2)

27. Recycling and Waste Committee (3)

28. Senior Services Advisory Board (2)

29. Traffic Safety Board

Membership is full.

30. Youth Board (7)

Adult vacancies (7), Youth vacancies (0)

31. Zoning Board of Appeals

Membership is full.

IX. PUBLIC EXPRESSION

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

A motion to open Public Expression was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. Public Expression was opened at 8:19 PM.

There were no speakers from the public, therefore Supervisor Kulpa moved to close Public Expression, seconded by Deputy Supervisor Berger and unanimously approved 5-0. Public Expression was closed at 8:23 PM.

X. CONSENT AGENDA

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

XI. COUNCILMEMBER RESOLUTIONS

A. SUPERVISOR KULPA:

B. DEPUTY SUPERVISOR BERGER:

1. Resolution 2021-155

Amherst Youth Board Appointment

WHEREAS, the Amherst Youth Board (Youth Board) is an organization offering varied services in support of children, youth and families living in the Town of Amherst. Chartered by the Amherst Town Board and New York State Executive Law, the agency is governed by a policy-making board of 23 citizen volunteers, comprising both adults and youth; and

WHEREAS, members are appointed by the Amherst Town Board for three-year terms and participate in decisions affecting programming, policies, funding and public relations for youth programs and services.

WHEREAS, the Youth Board also relies on the efforts and contributions of citizen volunteers in its programs. Many different volunteer opportunities are available, and may be tailored to individual needs; and

WHEREAS, Joshua Daniels has attended meetings and has expressed interest in serving on the Amherst Youth Board.

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Board appoints youth member Joshua Daniels to his first term to end December 31, 2022.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Deputy Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

C. COUNCILMEMBER BUCKI:

1. Resolution 2021-156

Appointment of 2021 Board of Assessment Review Temporary Members

WHEREAS, under New York State Statute the Town maintains a Board of Assessment Review (BAR) that consists of 5 permanent members who are each appointed for a five year term; and

WHEREAS, the Town also maintains temporary board members to assist in the BAR process. These members go through the same training as the permanent members but are appointed for one year term that run from March 1, 2021 thru September 30, 2021

WHEREAS, depending on needs, the Town usually requires 2-4 temporary members to assist in the BAR process; and

WHEREAS, the Assessor working with Howard Zubin, BAR Chairman, identified a total of 4 temporary members they would like the Town Board to consider for reappointment. All members were selected based on their experience in Real Estate Valuation, Real Estate Sales and are Amherst residents; and

WHEREAS, the names of the four (4) reappointment temporary members are Bret Llewellyn, William Heussler, Tom Halter and Dale Kadish; and

WHEREAS, all Temporary Member appointments will be required to attend the training session for new BAR members that is conducted by Erie County Real Property Tax Services; and

NOW THEREFORE BE IT RESOLVED that upon the recommendation of the Town Assessor, the Town Board kindly adopts this resolution approving appointment of the four (4) temporary members to the Board of Assessment Review for 2021.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Deborah Bruch Bucki, Councilmember
SECONDER:	Brian J. Kulpa, Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

D. COUNCILMEMBER LAVIN:

E. COUNCILMEMBER SZUKALA:

1. Resolution 2021-157

Amherst Recycling and Waste Appointment

WHEREAS, the mission of the Solid Waste Committee, whose name changed in 2011 to the Recycling & Waste Committee, is to advise the Town Board on all aspects of municipal solid waste affecting the Town of Amherst and to monitor and/or make recommendations regarding the Town's activities relating to environmental issues which affect or impact the residents of the Town of Amherst; and

WHEREAS, the Committee shall also investigate methods of recycling, waste stream reduction, household hazardous waste collection and consider new technologies for handling municipal solid waste; and

WHEREAS, the Committee shall be comprised of representatives from Engineering, Refuse Control, Highway, Compost, and the Wastewater Treatment Plant, as well as appointed residents from the Town of Amherst who have an interest in preserving the environmental quality of life in the Town; and

WHEREAS, the Committee shall strive to take an integrated approach to addressing waste management issues through educational opportunities while balancing the concerns of all of the stakeholders; and

WHEREAS, Town residents Eustace Mendez and Sashti Balasundaram have expressed interest in serving on the Recycling & Waste Committee.

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Board appoints Eustace Mendez and Sashti Balasundaram to the Recycling & Waste Committee for their first term to conclude December 31, 2023.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Szukala, Councilmember
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-158

Glen Park Joint Board Reappointments

WHEREAS, the Glen Park Joint Board (GPJB) oversees the maintenance and improvement of Glen Park, dedicated to fostering a clean, safe, and enjoyable environment through water quality, landscaping and nature education initiatives that enhance and improve the quality of life in both the Village of Williamsville, and the Town of Amherst, while protecting the historic character of the park, its natural beauty and its sense of community; and

WHEREAS, the GPJB shall consist of nine (9) members, five (5) appointed by the Williamsville Village Board and four (4) by the Amherst Town Board, which would be three (3) year terms to conclude on June 30 of the designated year; and

WHEREAS, members may be re-appointed, but in the event of a vacancy, the appointing board shall fill the remaining duration of the term; and

WHEREAS, two members' terms have concluded and would like to continue to serve on the GPJB, member Robert Kreiter and member Dave McIntyre.

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Board re-appoints Robert Kreiter and Dave McIntyre for a terms to conclude June 30, 2024.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Szukala, Councilmember
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

XII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS

A. TOWN ATTORNEY:

1. Resolution 2021-159

Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Police Department Radio System Upgrade and Portable-Mobile Radio Replacement - Phase 3**
2021-2026 C.I.P. - Project PO-04

Bond Resolution - $300,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR determination for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $300,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
Jeffrey S. Burroughs, PE, Town Engineer (*w/attachment*)
Brian J. Armstrong, Assistant Municipal Engineer (*w/attachment*)
John C. Askey, Chief of Police, Town of Amherst Police Department *(w/attachment)*
Thomas C. Barillari, Technical Services Officer, Town of Amherst Police Department *(w/attachment)*

2/22/2021
A motion to adopt the SEQR determination was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved via Roll Call vote 5-0.

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-160

Town-Wide Centralized Security Improvements (Bond Resolution - $100,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: Town Board

FROM: Stanley J. Sliwa, Esq., Town Attorney

DATE: February 9, 2021

RE: Town-wide Centralized Security Improvements
2021-2026 C.I.P. - Project PO-05
Bond Resolution - $100,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR determination for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $100,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
Jeffrey S. Burroughs, PE, Town Engineer (*w/attachment*)
Brian J. Armstrong, Assistant Municipal Engineer (*w/attachment*)
John C. Askey, Chief of Police, Town of Amherst Police Department *(w/attachment)*
Thomas C. Barillari, Technical Services Officer, Town of Amherst Police Department *(w/attachment)*

2/22/2021
A motion to adopt the SEQR determination was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Councilmember Lavin and unanimously approved via Roll Call vote 5-0.

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Shawn Lavin, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Resolution 2021-161

Town of Amherst Police Department Vehicles (Bond Resolution - $155,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **2021 Police Department Vehicles**
2021-2026 C.I.P. - Project PO-1
Bond Resolution - $155,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached bond resolution authorizing the issuance of $155,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
John C. Askey, Chief of Police, Town of Amherst Police Department *(w/attachment)*
Thomas C. Barillari, Technical Services Officer, Town of Amherst Police Department *(w/attachment)*

2/22/2021
A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved via Roll Call vote 5-0.

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

4. Resolution 2021-162

Townwide Tree Planting and Restoration (Bond Resolution - $75,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Town-wide Tree Planting and Restoration Project**
2021-2026 C.I.P. - Project H-11
Bond Resolution - $75,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR determination for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $75,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
Jeffrey Szatkowski, Landscape Architect (*w/attachment*)

2/22/2021

A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved via Roll Call vote 5-0.

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

5. Resolution 2021-163

Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Town Road Pavement and Curbing Improvements**
2021-2026 C.I.P. - Project H-1
Bond Resolution - $1,750,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR determination for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $1,750,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*

Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
Jeffrey S. Burroughs, PE, Town Engineer (*w/attachment*)
Brian J. Armstrong, Assistant Municipal Engineer (*w/attachment*)
Patrick G. Lucey, Highway Superintendent (*w/attachment*)

2/22/2021
A motion to adopt the SEQR determination was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved via Roll Call vote 5-0.

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

6. Resolution 2021-164

Lease of 1040 Tonawanda Creek Road (DeVantier)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Lease of 1040 Tonawanda Creek Road**
Melvin De Vantier and Gail R. De Vantier
Adopt Resolution Approving Lease Subject
To Permissive Referendum (CRS#2392)

Mr. and Mrs. DeVantier are requesting renewal of the attached lease for the 2021 calendar year for the above property. They have sent a check in the amount of $800.00 in consideration of this request. Once the lease is approved, the check will be forwarded to Daryl C. Bramer, Town Comptroller.

Therefore, kindly adopt a resolution authorizing the Supervisor to execute the attached lease subject to permissive referendum.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(*w/attachment,* **Agenda Item : February 22nd, 2021**)
Daryl C. Bramer, Town Comptroller (*w/attachment)*

Lynda Juul, Director of Finance (*w/attachment)*

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

7. Resolution 2021-165

Authorization for Payment to Jeffrey E. Marion, Esq., Special Counsel to Town Attorney's Office

AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq. Town Attorney**

DATE: **February 11, 2021**

RE: **Authorization For Payment To Jeffrey E. Marion, Esq., Special Counsel To Town Attorney's Office, For Services Rendered In 2020**

Kindly adopt a resolution authorizing payment in the amount of $507.50 to Jeffrey E. Marion, Esq., Special Counsel to the Town Attorney's Office, for services rendered from October 2nd, 2020 through and including December 18th, 2020. The amount has already been encumbered and will be paid for out of A1420.4090.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(*w/attachment,* **Agenda Item - February 22, 2021**)
Daryl C. Bramer, Comptroller (*w/attachment)*
Lynda Juul, Director of Finance (*w/attachment)*

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

8. Resolution 2021-166

Agreement with Jeffrey E. Marion, Esq., Special Counsel to Town Attorney's Office (CRS #2405)

AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq. Town Attorney**

DATE: **February 11, 2021**

RE: **Special Counsel To Town Attorney's Office (CRS #2405)**
Term of Agreement - 1.1.2021-12.31.2022

Kindly adopt the following resolution with respect to the above matter:

RESOLVED, the Supervisor is hereby authorized to sign an Agreement between the Town of Amherst and Jeffrey E. Marion, Esq. to act as Special Counsel to the Town Attorney's Office for opioid related matters and opioid litigation, subject to successful completion of the Contract Routing System. The consulting fees under this agreement are $175.00 per hour not to exceed $3,500.00 per calendar year.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(*w/attachment,* **Agenda Item - February 22, 2021**)
Daryl C. Bramer, Comptroller (*w/attachment)*
Lynda Juul, Director of Finance (*w/attachment)*

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

9. Resolution 2021-167

Commendation and Payment Authorization to Sarah Internicola

AGENDA ITEM : FEBRUARY 22, 2021

TO: Town Board

FROM: Stanley J. Sliwa, Esq., Town Attorney

DATE: February 11, 2021

RE: Commendation and Payment Authorization To Sarah Internicola

Kindly adopt the following resolution with respect to the above matter:

WHEREAS, the Town of Amherst is in the process of determining whether to sell a portion of the Audubon Golf Course located at 450-500 Maple Road to Mensch Capitol Partners, LLC (Mensch); and

WHEREAS, as part of its due diligence, in relation thereto, Mensch conducted a limited Phase II environmental site assessment, which was prepared by C&S Engineers, Inc. on November 20, 2020; and

WHEREAS, the Phase II environmental site assessment reflected that the Audubon Golf Course (Audubon) contained certain contaminates as a result of the use of pesticides, fungicides and herbicides at that facility; and

WHEREAS, since the Town of Amherst has been self-insured since 1986, it was imperative for the Town to identify its prior insurance carriers as well as those entities that the Town purchased pesticides, fungicides and herbicides from during this time period; and

WHEREAS, the Town utilized the services of Sarah Internicola as an intern to review Town Board minutes for the year 1962 through and including 1986 in order to acquire the necessary information;

NOW THEREFORE BE IT RESOLVED that the Town Board present the attached Commendation to Sarah Internicola for the services she performed;

BE IT FURTHER RESOLVED that the Town Board award her a stipend of Two Hundred Fifty Dollars ($250.00) to be paid for from account A1420.4090.

Thank you.
SJS:nmb

Attachment
c: Kathy Cooper, Deputy Town Clerk
(*w/attachment,* **Agenda Item - February 22, 2021**)
Daryl C. Bramer, Comptroller (*w/attachment*)
Lynda Juul, Director of Finance (*w/attachment*)

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

10. Resolution 2021-168

Settlement of Article 7 Tax Certiorari - KeyBank 3920 Main Street

Kindly adopt a resolution approving the settlement below for the following Article 7 Tax Certiorari case filed in Erie County entitled:

KeyBank 3920 Main Street v. Town of Amherst et al.

Index #808969/2015,
Index #807808/2016,
Index #808750/2017.

3920 Main Street SBL#79.26-2-15.

This settlement is retrospective. The petitioner vacated the building in 2017.

The real property tax assessment for 2015/2016 is set at (8,764,000 FMV) AV 8,501,000;
The real property tax assessment for 2016/2017 is set at (8,764,000 FMV) AV 7,975,000; and,
The real property tax assessment for 2017/2018 is set at (8,764,000 FMV) AV 8,764,000.

The Senior Deputy Attorney, Assessors Office and Town Clerk are authorized and directed to take all necessary steps to implement this resolution.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

11. Resolution 2021-169

Settlement of Article 7 Tax Certiorari - Tonawanda Properties, LLC

Kindly adopt a resolution approving the settlement below for the following Article 7 Tax Certiorari case filed in Erie County entitled:

Tonawanda Properties, LLC. v. Town of Amherst et al.

767 Wehrle Drive - SBL #80.16-6-11

Index # 809712/2017
811319/2018
808934/2019
806900/2020

Current AV/FMV - $ 860,000 AV**.**

18/19, 19/20, 20/21 is set at 840,000 AV.

RPTL 727 applies.

The Senior Deputy Attorney, Assessors Office and Town Clerk are authorized and directed to take all necessary steps to implement this resolution.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

B. TOWN CLERK:

1. Resolution 2021-170

Snow Plow Permits

Terra-Care Landscaping #0315
Richard Kelver
853 Robin Road
Amherst, NY 14228-1038

Jay's Landscaping Inc. #0316-#0319
Jason Kochan
297 MacArthur Drive
Williamsville, NY 14221

Marino Const. Inc #0320-#0321
9190 Hillview Drive
Clarence, NY 14031

Dore Landscape Associates, Inc. #0322-#0325
Edward Dore
5911 Fisk Avenue
Lockport, NY 14094

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

C. ASSESSOR:

D. BUILDING/BUILDING MAINTENANCE:

1. Resolution 2021-171

Fire Inspection - 2 Week Education Program

Request Town Board approval to send 1 Fire Inspector to attend a 10 day training in Montour Falls, NY for a Fire inspector 1 and Fire Inspector 2 program. The use of 1 town vehicle will be used for travel.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

E. CENTRAL ALARM:

1. Resolution 2021-172

Contract for Fire Dispatch Service with Tn. of Clarence CRS #2413

Request the Supervisor sign an agreement with the Town of Clarence for the Town of Amherst to provide Fire Dispatch Services.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-173

Contract for Fire Dispatch Service with Tn. of Newstead CRS #2414

Request the Supervisor sign an agreement with the Town of Newstead for the Town of Amherst to provide Fire Dispatch Services.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

F. COMPTROLLER:

1. Resolution 2021-174

Budget Transfers and Amendments

For February 22, 2021 Town Board Agenda

To: Town Board
From: Office of Town Comptroller
Date: 2/17/2021
Re: Various Department Budget Transfers / Amendments

I have received the following request(s) requiring budget transfers and / or amendments. Based on my review, I ask that the Town Board approve the following list;

BUDGET TRANSFERS - 2021

From:	***To:***
A7140.1000 Recreation - Personal Services $33,261.80	A7140.4110 Contractual $33,261.80
N2037.4000 CDBG ADA Sidewalk Ramps $800.00	N2021.4000 CDBG Housing Rehab $800.00

BUDGET AMENDMENTS - 2021

INCREASE:	***INCREASE:***
N2048.02785 Cheektowaga Home Rental - PI $17,668.80	N2048.4000 Contractual $17,668.80
N2049.02785 Cheektowaga Home Admin - PI $1,963.20	N2049.4003 Admin Fee $1,963.20
To recognize Community Development program income from 91 Susan Drive, Cheektowaga.	
N2023.02785 CDBG & VG - PI $14,837.14	N2023.4000 Contractual $14,837.14
N2025.02785 CDBG Admin - PI $3,709.28	N2025.1000 Personal Services $3,445.68
	N2025.8030 FICA $263.60
To recognize Community Development program income from 154 Countryside Lane, Williamsville.	
N2048.02785 Cheektowaga Home Rental Sub.-PI $84,024	N2048.4000 Contractual $84,024
N2049.02785 Cheektowaga Home Admin. - PI $9,336	N2049.4003 Admin. Fee $9,336
To recognize Community Development program income from 288 Boll Street, Cheektowaga.	
N2023.02785 CDBG & VG - PI $4,653.20	N2023.4000 Contractual $4,653.20
N2025.02785 CDBG Admin - PI $1,163.30	N2025.1000 Personal Services $1,080.63
	N2025.8030 FICA $82.67
To recognize Community Development program income from 1240 Youngs Road. Unit E, Williamsville.	
N2044.02785 Cheektowaga Home- PI $6,169.50	N2044.4000 Contractual $6,169.50
N2049.02785 Cheektowaga Home Admin - PI $685.50	N2049.4003 Admin Fee $685.50
To recognize Community Development program income from 48 Trudy Lane, Cheektowaga.	
N2045.02785 Cheektowaga Rehab- PI $399.92	N2045.4000 Contractual $399.92
To recognize Community Development program income from 125 Leonard Post, Cheektowaga.	
N2044.02785 Cheektowaga Home- PI $4,500.00	N2044.4000 Contractual $4,500.00
N2049.02785 Cheektowaga Home Admin - PI $500.00	N2049.4003 Admin Fee $500.00
To recognize Community Development program income from 185 Beale Drive, Cheektowaga	
N2023.02785 CDBG & VG - PI $170.00	N2023.4000 Contractual $170.00
To recognize Community Development program income from 169 Hillcrest Drive, Amherst	
N2023.02785 CDBG & VG - PI $16,780.20	N2023.4000 Contractual $16,780.20
N2025.02785 CDBG Admin - PI $4,195.05	N2025.1000 Personal Services $3,896.94

N2025.8030 FICA $298.11
To recognize Community Development program income from 149 Brookdale Drive, Williamsville.

N2023.02785 CDBG & VG - PI $11,618.60
N2025.02785 CDBG Admin - PI $2,904.65

N2023.4000 Contractual $11,618.60
N2025.1000 Personal Services $2,698.24
N2025.8030 FICA $206.41
To recognize Community Development program income from 110 Mona Drive, Amherst.

DECREASE:

N0001.20080 CDBG Income 20/21 $95.00
N0001.20081 Amherst Home 20/21 $210.00

DECREASE:

N2021.4000 CDBG Rehab $95.00
N2040.4000 Amherst Home Rehab $158.00
N2054.4000 Amherst Program Delivery $52.00

To decrease budgets for contracts #2387 & #2388.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-175

2020 Budget Transfers and Amendments

BUDGET TRANSFERS - 2020

From:

A1620.4300 Building Maint. - R&M Other $1,262.04
To transfers funds into KP1911 Town Hall Generator.

To:

A1620.9000 Interfund Transfers $1,262.04

BUDGET AMENDMENTS - 2020

INCREASE:

KP1911.05031 Interfund Transfer $1,262.04

INCREASE:

KP1911.4972 Construction $1,262.04
To record budget amendment for Interfund transfer from Building Maintenance into KP1911 Town Hall Generator.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

G. CONTRACT COMPLIANCE:

1. Resolution 2021-176

Award Bid #2020035 - Allen Bradley Products - CRS #2380

WHEREAS, the Contract Compliance and Administration Department received bids on January 7, 2021 for Bid 2020035, Allen Bradley Products; and

WHEREAS, the bid process resulted in responses from two (2) vendors, as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Rexel, Inc.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Rexel, Inc.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-177

Extension of Town Wide Asbestos & Lead Surveys Contract - CRS #2402 (Orig. CRS/CMS #1370/1661)

WHEREAS, RFP #201905 for Town Wide Asbestos and Lead Surveys was awarded to AMD Environmental Consultants, Inc. on April 15, 2019; and

WHEREAS, the RFP allows for two (2) two-year extensions at the same terms and conditions as the original contract; and

WHEREAS, the Contract Compliance and Administration Department is requesting approval for the first two-year contract extension;

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves a contract extension with a term of April 17, 2021 to April 16, 2023; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract extension with AMD Environmental Consultants, Inc.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Resolution 2021-178

Award Bid #2021002 - 1.25" High Pressure Sewer Cleaning Hose Assembly - CRS #2416

WHEREAS, the Contract Compliance and Administration Department received bids on February 11, 2021 for Bid 2021002, 1.25" High Pressure Sewer Cleaning Hose Assembly; and

WHEREAS, the bid process resulted in responses from three (3) vendors, as per the attached bid tabulation form; and

WHEREAS, the Sewer Maintenance Dept. has a need for this equipment as soon as possible;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Joe Johnson Equipment, LLC; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Joe Johnson Equipment, LLC, subject to successful completion of the contract routing process.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

H. COURT:

I. ECONOMIC DEVELOPMENT:

J. EMERGENCY SERVICES:

K. ENGINEERING:

1. Resolution 2021-179

NYS Department of Health Environmental Laboratory Approval CRS 2400

We are requesting the Town Board authorize the Supervisor to sign the attached New York State Environmental Laboratory Approval Program Certification of Compliance for the WPCF Laboratory.

This request has successfully completed the contract review process.

Thank you.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-180

Inter-Municipal Agreement Between Erie County and the Town of Amherst for Canalway Trail & Hopkins Road Trail Safety Enhancements CRS ID #2410

The Town of Amherst has obtained Canal Corps and OPRHP funding for various barrier installations along the Canalway (Tonawanda Creek) and Hopkins Road trails. The Canalway Trail & Hopkins Road Trail Safety Enhancements project is in the design phase moving toward construction in the summer of 2021. The proposed guide rail as part of this project is located within Erie County right-of-way along both Tonawanda Creek Road and Hopkins Road. As such, an Inter-Municipal Agreement (IMA) with Erie County is necessary for the Town to make improvements between the Town's pathway and County highways.

We respectfully request Town Board approval authorizing the Town Supervisor to execute the attached Inter-Municipal Agreement with Erie County for work associated with the above referenced project.

There is no cost to the Town of Amherst associated with execution of the IMA. Erie County is responsible for filing the agreement at the Erie County Clerk's office. This request has successfully passed the contract review process. Thank you for considering this request.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Resolution 2021-181

Out-Of-District Agreement Between Town of Cheektowaga And the Town of Amherst Central Amherst Little League; 400 Wehrle Drive CRS No. 2415

The Town of Amherst has obtained Erie County funding towards the construction of a new restroom/concessions building and picnic shelter at the above facility to replace the temporary mobile restroom trailer that has been in use at this facility for 10+ years. As the design phase is moving forward towards construction during 2021, it is required that the new building be connected to the Cheektowaga sanitary sewer system, located on the south side of Wehrle Drive. As such, an Out-of-District Agreement is necessary for the Town to service the new restroom/concessions.

We respectfully request Town Board approval authorizing the Town Supervisor to sign the attached Out-of-District Agreement with the Town of Cheektowaga to accommodate connection to their system. Please note that this request is contingent upon successful completion of the contract review process.

As the flow from the facility is anticipated to be negligible, there is no cost associated with the execution of the above Agreement. The term of this Agreement shall be for 10 years from execution and shall be automatically extended if not renewed or cancelled. As stipulated by the County to obtain their funding, this executed Agreement will also be transmitted to them.

Thank you for considering this request.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

4. Resolution 2021-182

Emergency Procurement of Blackmer Pump Parts

The Engineering Department, WPCF Division is requesting that the Town Board approve an emergency purchase made on February 4, 2021. The WPCF was notified that Blackmer Pump is eliminating its vortex line of pumps on Friday February 05, 2021 and that repair parts would no longer be available after this date. Since the WPCF has (8) of these vortex pumps in operation, it was decided to be in the best interest of the Town of Amherst WPCF to order and stock enough parts to allow us to get a couple more years of service from our existing pumps. The WPCF working with the Contract Compliance, Attorneys and Supervisors Office made this "sole source" emergency purchase with Corrosion Products Inc. in the amount of $36,780.00 plus freight.

Funds for this request are available in G9916-2600

Thank you for considering this request.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

5. Resolution 2021-183

Travel Request Rockwell Automation Level Zero Training Course

The Engineering Department is requesting approval to send one (1) employee to attend the Rockwell Automation Level Zero Training Course which is tentatively scheduled to be held at the Millennium Buffalo hotel in Cheektowaga, NY in March 2021. At this time, we are also asking for mileage reimbursement should a Town vehicle not be available for the employee to take.

The total cost for the employee is estimated to be $668.01 which includes registration and possible mileage reimbursement.

Funding for this request is available in accounts G9916-4040 and G9916-4850.

Thank you for considering this request.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

6. Resolution 2021-184

WPCF Sludge Storage Building Plumbing Contract Change Order No. 1 CRS No. 2411

We are requesting the Town Board approve the above referenced Change Order No. 1, which calls for a $6,286.00 increase in the contract price. The project's revised contract price will be $145,536.00. This Change Order will cover the costs associated with the Contractor installing a new ¾" water service to Building 52. This service will be connected to the new water line that was installed on this project.

This request is pending successful completion of the contract review process.

May we have your approval to award Mollenberg-Betz the above referenced Change Order? Thank you for considering this request.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

7. Resolution 2021-185

Amherst Police Training Center Shooting Range - Change Order No. 2 CRS No. 2404

We are requesting the Town Board to consider approval of the attached Change Order, which calls for a $21,206.76 increase in the contract amount. This Change Order will cover the costs of additional work and materials associated with additional structural modifications to support the shooting range ceiling baffles as well as rooftop ducting. This change order also provides for a relocated skylight as well as additional work and materials associated with anchoring and flashing mechanical roof curbs.

Funds for this change order are available from this project's capital account KP2009.4972.

This request has successfully completed the contract review process.

Thank you for considering this request.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

8. Resolution 2021-186

Postage Meter Lease Renewal for Engineering Department CRS No. 2417

We are requesting Town Board approval and permission for the Supervisor to sign the attached renewal agreement for the postage meter rental with Quadient Leasing USA, Inc. The cost for rental is $39.99 monthly for 39 months ($1,559.61). This agreement will be effective from the date we activate the IS-280 iMeter.

Funding for this request is available in account A1440-4110. This request is pending successful completion of the contract review process. Thank you for considering this request.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

L. FINANCE:

1. Resolution 2021-187

Revised Budget Calendar - Fiscal Year 2022

WHEREAS, the Fiscal Year 2022 Budget Calendar was adopted at the Reorganization meeting in January; and

WHEREAS, the Calendar has been modified to allow for the proper time frame for budget modification by the Town Board, which converts the Tentative Budget to the Preliminary Budget, in accordance with New York State General Municipal Law;

NOW, THEREFORE, BE IT RESOLVED, the Revised Budget Calendar for the 2022 Fiscal Year is hereby adopted.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-188

Approve CRS #2391 - Indemnification Agreement for Participation in Amherst Market at Gateway Park - Jordan Buell / Equitable Advisors

WHEREAS, the Amherst Market at Gateway Park is being held during the month of February and Jordan Buell / Equitable Advisors wishes to participate as a non-sales vendor on February 27, 2021;

NOW, THEREFORE, BE IT RESOLVED, the Indemnification Agreement with Jordan Buell / Equitable Advisors is hereby approved and the Supervisor is authorized to sign the agreement; and

BE IT FURTHER RESOLVED, should the location of the market change, the Supervisor is authorized to sign a revised Hold Harmless reflecting a change in location only, and any revised paperwork shall be uploaded into the CRS record.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

M. HIGHWAY

1. Resolution 2021-189

Contract Extension - Good Riddance Pest Control LLC - CRS #2386

WHEREAS, BID # 2018053 Highway Department Rodent Control allows for the contract to be extended for a period of two (2) years at the same terms and conditions; and

WHEREAS, the Highway Department is requesting approval for the extension of the contract under Resolution 2019-69; and

NOW, THEREFORE, BE IT RESOLVED, the contract extension term will be dated from approval date through February 2, 2023; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the two year contract extension with Good Riddance Pest Control LLC, 1941 Harlem Road, Buffalo, NY 14212 subject to the contract routing system and the approval of the Town Attorney.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-190

Contract-Davis Ulmer Fire Sprinkler System Inspection, Monitoring, Testing and Repairs-21-22; CRS #2401

Authorize the Supervisor to sign an agreement between the Town of Amherst, Highway Department and Davis-Ulmer Inc., One Commerce Drive, Amherst, NY 14228-2395.

Agreement includes fire sprinkler system inspection, monitoring, testing and minor repairs (time and material) for the periods of 2/1/2021 through 1/31/2022:

> Monthly fire system monitoring - $42.00 times 12 equals $504.00;
> Quarterly sprinkler inspection and testing-4 times $294.00 equals $1,176.00;
> Annual alarm and antifreeze inspection-$617.00; and
> time and materials for minor repairs.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign and enter into such contract. This contract is subject to the contract routing system (CRS) and the approval of the Town Attorney.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

N. HUMAN RESOURCES:

1. Resolution 2021-191

Recreation Attendant - PT/Youth & Recreation

Recreation Attendant - PT/Youth & Recreation, Effective February 23, 2021, Temporary, $12.50 ph, Step 1 for Clare Purcell.

Due to reduced availability of current part-time staff.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-192

Senior Account Clerk - Highway Department

Please appoint a Senior Account Clerk to the Highway Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective February 23, 2021 at an annual salary of $45,307, Grade 6, Step G for Elizabeth Scott.

This is a promotion for an employee currently serving as Account Clerk Typist.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Resolution 2021-193

Police Dispatcher - PT/Police

Police Dispatcher - PT/Police, Effective February 23, 2021, Temporary, $14.92 ph, Step 1 for Samantha Williams.

Contingent upon completing all pre-employment requirements.

Replacing an employee who became full-time.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

4. Resolution 2021-194

Detective - Police Department

Please appoint a Detective to the Police Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective February 23, 2021 at an annual salary of $93,139 for Jonathan Hall.

This appointment fills a vacancy from a retirement and is a promotion for an employee serving as Police Officer.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

5. Resolution 2021-195

Wastewater Treatment Plant Operator "A" - Engineering Dept.

Please appoint a Wastewater Treatment Plant Operator "A" to the Engineering Department. Provisional, pending satisfactory completion of a Civil Service Examination. Effective February 23, 2021 at a hourly rate of $23.54, Job Group V, Step 1.

Six (6) month Residency Waiver is requested.

This appointment fills a vacancy due to a retirement.

RESULT:	**WITHDRAWN**

O. INFORMATION TECHNOLOGY:

P. PLANNING:

1. Resolution 2021-196

To Authorize the Town Supervisor to Amend the Agreement with Amherst Senior Transportation Services, Inc. (ASTS) for the Purchase of One Vehicle CRS #2407

WHEREAS, (ASTS) and the Town had an agreement dated November 19, 2018 to utilize Community Development Block Grant funds (CDBG) awarded for the purchase vehicles to transport seniors in Amherst, and

WHEREAS, on August 19, 2019 the original agreement dated November 19, 2018 was amended requiring the 2016 & 2017 CDBG awards totaling $18,000 to be expended through December 31, 2019, and the 2018 CDBG award of $8,000 to be expended by December 31, 2020; and

WHEREAS, the 2016 & 2017 awards were expended within the required time frame, however the 2018 funds were not spent by the December 31, 2020 deadline and the agreement has since expired; and

WHEREAS, Community Development is recommending the Town Supervisor, by request of the Amherst Town Board, execute an amendment extending the agreement for four months for ASTS to utilize their remaining CDBG award of $8,000 for the purchase of one vehicle; now therefore be it

RESOLVED, that the Town Board of the Town of Amherst hereby authorizes the Town Supervisor, subject to the satisfactory completion of the contract routing process, to amend the agreement with (ASTS) through a no-cost time extension until April 30, 2021.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-197

To Authorize the Supervisor to Sign the Revised HUD 2020 Community Development Block Grant Contract (CDBG) CRS #2387

WHEREAS, the Town has approved and submitted an Action Plan delineating the use of Community Development Block Grant funds (CDBG) for Fiscal Year 2020 (April 1, 2020 to March 31, 2021) to address housing and community development needs identified in the 5-Year Consolidated Plan; and

WHEREAS, the US Department of Housing and Urban Development (HUD) has approved the Town's 2020 Annual Action Plan and budget; and

WHEREAS, the Town was informed that the CDBG allocation was decreased by $95.00, from $623,151 to $623,056; and

WHEREAS, the CDBG housing rehabilitation program will absorb the decrease; now therefore, be it

RESOLVED that the Amherst Town Board hereby authorizes the Supervisor, as official representative of the Town in submitting the Action Plan and amendments thereto, all understandings and assurances contained therein, to execute the revised CDBG contract with the Department of Housing and Urban Development subject to satisfactory completion of the contract routing system.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Resolution 2021-198

To Authorize the Supervisor to Sign the Revised HUD 2020 HOME Investment Partnerships Program Contract (HOME) CRS #2388

WHEREAS, the Town has approved and submitted an Action Plan delineating the use of Home Investment Partnerships Program funds (HOME) for Fiscal Year 2020 (April 1, 2020 to March 31, 2021) to address housing and community development needs identified in the 5-Year Consolidated Plan; and

WHEREAS, the US Department of Housing and Urban Development (HUD) has approved the Town's 2020 Action Plan and budget; and,

WHEREAS, the Amherst-Cheektowaga-Tonawanda HOME Consortium was informed that the HOME allocation was decreased by $210.00, from $938,950 to $938,740; and

WHEREAS, the HOME housing rehabilitation program and HOME administration will absorb the decrease; now, therefore, be it

RESOLVED, that the Amherst Town Board hereby authorizes the Supervisor, as official representative of the Town in submitting the Action Plan and amendments thereto,

and all understandings and assurances contained therein, to execute the revised HOME contract with the Department of Housing and Urban Development subject to satisfactory completion of the contract routing system.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Q. POLICE:

1. Resolution 2021-199

Training Request Taser Instructor Certification Course

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Training Request**
Taser Instructor Certification Course

Kindly adopt a Resolution authorizing three (3) Officers to attend a certification course with regard to the above matter. This course is being held in Rochester, New York on March 4, 2021. The cost for this course is $1,125.00.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-200

Training Request Supervising the Field Training Officer (FTO) Program

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Training Request**
Supervising the Field Training Officer (FTO) Program

Kindly adopt a Resolution authorizing three (3) Officers to attend a training course with regard to the above matter. This course is being held locally from April 21, 2021-April 22, 2021. The cost for this course is $753.30.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Resolution 2021-201

Training Request The Adaptive Field Training Officer (FTO) Program

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Training Request**
The Adaptive Field Training Officer (FTO) Program

Kindly adopt a Resolution authorizing three (3) Officers to attend a training course with regard to the above matter. This course is being held locally from April 19, 2021-April 20, 2021. The cost for this course is $753.30.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

4. Resolution 2021-202

Lawn Treatments for Amherst Police Department (CRS #2403) Turf Tec of WNY, Inc.

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Lawn Treatments for Amherst Police Department (CRS #2403)**
Turf Tec of WNY, Inc.

Kindly adopt a Resolution authorizing the Supervisor to enter into and execute the above entitled contract with the Turf Tec of WNY, Inc. (CRS #2403). This contract has successfully completed the Contract Routing Process.

Thank you.

JCA:msl
Attachment

C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
A motion to approve was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and approved via Roll Call vote 4-1 (nay, Bucki).

RESULT:	**ADOPTED [4 TO 1]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Lavin, Szukala
NAYS:	Bucki

5. Resolution 2021-203

Camera Installation & Security Additions: Bailey Ave. Training Facility Digital Surveillance Solutions (DSS) (CRS #2409)

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Camera Installation & Security Additions: Bailey Ave. Training Facility Digital Surveillance Solutions (DSS) (CRS #2409)**

Kindly adopt a Resolution authorizing the Supervisor to enter into and execute the above entitled contract with the Digital Surveillance Solutions (DSS), 485 Cayuga Road, Buffalo, New York 14225 (CRS #2403). This contract has successfully completed the Contract Routing Process.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

R. SENIOR SERVICES:

1. Resolution 2021-204

Independent Contractor for Program CRS #2399

We respectfully request Town Board permission to authorize the Supervisor to sign the Program Entertainment Agreement between the Town of Amherst (Department of Senior Services) and Taylor Jeromas, Martin House.

Taylor Jeromas will provide (1) virtual tour of the Martin House in 2021 for $200.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

S. YOUTH AND RECREATION:

1. Resolution 2021-205

Lease Agreement - CRS #2371

Authorize the Supervisor to sign a contract between the Town of Amherst (Youth & Recreation Department) and the Cantalician Center for Learning, Inc. for rent for the Dayhab Without Walls program in 2021 and 2022.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Resolution 2021-206

Lease Agreement CRS #2395

Authorize the Supervisor to sign a contract between the Town of Amherst (Youth & Recreation Department) and Linda Moyer for office rental at the Harlem Road Community Center for 2021 and 2022, pending satisfactory completion of the contract routing process.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Resolution 2021-207

Yearly Pump Maintenance Program CRS #2412

Authorize the Supervisor to sign a contract between the Town of Amherst (Youth & Recreation Department) and Pump Irrigation Technologies for service at the Oakwood Golf Course.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

4. Resolution 2021-208

Authorization to Spend T Account Funds

WHEREAS, account T 2107 has been created for expenses that qualify as parkland alienation, and

WHEREAS, the Amherst Youth & Recreation Department was asked to decommission fields and facilities at the Audubon Recreation Complex as part of the sale agreement to Bones & Guts LLC, and

WHEREAS, the Amherst Youth & Recreation Department was asked to create new fields and facilities to replace those which had been decommissioned, and

WHEREAS, as part of this process, the Youth & Recreation Department incurred and will incur expenses that were not included in its 2021 budget, and

WHEREAS, the Supervisor, Finance Director, Town Attorney and the Director of Economic Development believe it appropriate to use this account to cover those expenses,

NOW THEREFORE BE IT RESOLVED, that the Amherst Town Board authorizes the use of funds in T 2017 to cover expenses incurred in decommissioning the Audubon Recreation Complex and re-establishing those services elsewhere, upon approval of those expenses by the Finance Director, Comptroller, and/or the Director of Economic Development.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

XIII. UNFINISHED BUSINESS

XIV. COMMUNICATIONS

1. Communication 2021-22

Request for Public Hearing - 39 Getzville Road Rezoning

Request from Daemen College for the Rezoning of 39 Getzville Road from R-3 to CF.

Public hearing has been scheduled for March 22nd.

2/22/2021
Consent

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Communication 2021-23

Request for public hearing - 1265 Sweet Home Road

Request from Corey Auerbach, Esq. for a public hearing with respect to the rezoning of 1265 Sweet Home Road from GB to CTR-8.

This hearing has been scheduled for March 22nd.

2/22/2021
Consent

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Communication 2021-24

Harlem Road Community Center Room Rental Policy

-------- Original message --------
From: Jennifer McCann
Date: 2/9/21 9:09 AM (GMT-05:00)
To: "Kulpa, Brian J." <bkulpa@amherst.ny.us <mailto:bkulpa@amherst.ny.us>>, "Berger, Jacqualine" <jberger@amherst.ny.us <mailto:jberger@amherst.ny.us>>, "Bucki, Debbie" <dbucki@amherst.ny.us <mailto:dbucki@amherst.ny.us>>, "Lavin, Shawn A." <slavin@amherst.ny.us <mailto:slavin@amherst.ny.us>>, "Szukala, Michael" <mszukala@amherst.ny.us <mailto:mszukala@amherst.ny.us>>
Subject: Harlem Road Community Center

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Town Representatives,

I am writing to you today about something that makes little sense and would like an explanation, and to call your attention to a small problem that needs to be resolved, potentially.

I am a town resident. I needed to rent the dance room at the Harlem road community center for approximately 90 minutes. I needed to video my son for an audition. That's it. Not holding a class. Not inviting guests. Not having people come. Nothing. My son and I, a ballet barre, a tripod, a speaker and music. That's it.

I do not gripe about the rental fees. At all. That is $27. A very fair price.

What I gripe about is the requirement that I obtain a certificate of liability.

I am not a business. I am not holding a business event. I can't just call my insurance company and say I am having an event and I need a COI for liability.

I am an ordinary citizen walking through the doors of the community center to rent a room for short bit. I am inviting NO ONE but my child. He and I are not having an event.

But your requirements treat me like a business and said, call your insurance company for a certification of insurance for liability for your event.

But my homeowners does not cover such a thing. So I had to purchase event insurance. For an HOUR AND HALF to rent your rooms and comply with the insurance requirement I have to pay $150.

I am not a business. I am not inviting anyone to participate in any activities or charging any fees. I am not having an event.

This insurance requirement makes accessing and utilizing the community center cost prohibitive. You don't require the insurance if I take my child to the playground. I can tell you that the risk of injury is greater on a play ground that it is with my son doing a few pirouettes or tendus.

There has to be a way to encourage use of the community center without requiring private citizens to shell out exorbitant fees.

Why do you not have a rider and roll the insurance into the cost. EG: if you are private citizen with fewer than 5 people, the cost for rental is X dollars plus another X for insurance for a nominal fee. If you are a business you must provide a COI for liability.

All I know is that I have to pay 110 for insurance to cover me for 90 minutes.

Only because of desperation due to Covid and weather can I find no other option. But I do know that I wouldn't consider the town or it's facilities for any thing in the future if the cost remains the same.

Jennifer M. McCann

2/22/2021

Referred to Youth & Recreation and the Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

4. Communication 2021-25

Letter Regarding Briarhurst Park from Resident

Please see the attached letter from David and Alicia Lombardo received February 1, 2021 regarding Briarhurst Park.

2/22/2021
Referred to Youth & Recreation, Police, and the Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

5. Communication 2021-26

NYS Dept of Taxation and Finance 2021 Tentative Special Franchise Full Values

Refer to the attached 'Notice of 2021 Tentative Special Franchise Full Value' from NYS Dept of Taxation and Finance, Office of Real Property Tax Services, as received by the Town Assessor.

2/22/2021
Referred to Assessor and the Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

6. Communication 2021-27

Summons & Verified Complaint: Kemper Services Group A/S/O Kristina Murray Vs. Town of Amherst

2/22/2021
Referred to Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

7. Communication 2021-28

Notice of Claim: Wilber on Behalf of USAA A/S/O Leah Nixon Vs. Town of Amherst

2/22/2021
Referred to Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

XV. PUBLIC IMPROVEMENT PERMITS

1. Resolution 2021-209

PIP - 6000-6040 North Bailey Avenue - Storm PIP 3074

Attached please find an application for a Storm Sewer Public Improvement Permit properly filled out. Permit fee and inspection cost amount to $6,086.00.

We are sending two (2) checks to the Town Clerk, one for $150.00 to be retained as a Permit Fee and one in the amount of $5,936.00 which will be sent to the Comptrollers Office by the Town Clerk to be held in escrow to cover the inspection cost.

At this time we are asking for your approval of the application for PIP No. 3074.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

XVI. SUSPENSION OF RULES

A motion was made by Deputy Supervisor Berger to open Suspension of Rules to receive in 3 unlisted items. The motion was seconded by Councilmember Bucki and unanimously approved 5-0. Suspension of Rules was opened at 8:30 PM.

There being no further business requiring Suspension of Rules, Deputy Supervisor Berger moved to close Suspension of Rules. The motion was seconded by Councilmember Bucki and unanimously approved 5-0. Suspension of Rules was closed at 8:35 PM.

1. Resolution 2021-210

Appointment Request, Youth & Recreation

Date: 11 February 2021

To: Robert McCarthy, Director of Human Resources

From: Mary-Diana Pouli, Executive Director

Re: Appointment Request

I am requesting the appointment of Kevin Strom as a full-time Laborer in the Youth & Recreation Department. He will fill a position vacated by A. Noel Kobus who retired in the fall of 2020. The position is fully funded in our department's 2021 budget.

The vacancy was posted in accordance with CSEA regulations. Mr. Strom is currently a recreation attendant in our department.

A Vacancy Control form is attached.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have any questions or need additional information.

2/22/2021
A motion to approve was made by Deputy Supervisor Berger, seconded by Councilmember Bucki and unanimously approved 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Deputy Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

2. Communication 2021-29

Concerns Regarding 2160 & 2170 N. Forest Road Rezoning Request

Letter from Joseph Hausbeck addressing his concerns with respect to the rezoning application for 2160 & 2170 N. Forest Road.

2/22/2021
A motion to refer to Planning and the Town Clerk for inclusion into the Minutes was made by Deputy Supervisor Berger, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Deputy Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

3. Communication 2021-30

Ramona D. Popowich, Solarize Amherst

From: Ramona D Popowich <
Sent: Saturday, February 20, 2021 2:47 PM
To: Kulpa, Brian J. <bkulpa@amherst.ny.us <mailto:bkulpa@amherst.ny.us>>; Berger, Jacqualine <jberger@amherst.ny.us <mailto:jberger@amherst.ny.us>>; Bucki, Debbie <dbucki@amherst.ny.us <mailto:dbucki@amherst.ny.us>>; Szukala, Michael <mszukala@amherst.ny.us <mailto:mszukala@amherst.ny.us>>; Lavin, Shawn A. <slavin@amherst.ny.us <mailto:slavin@amherst.ny.us>>
Cc: Spoth, Francina <fspoth@amherst.ny.us <mailto:fspoth@amherst.ny.us>>; swatson@buffnews.com <mailto:swatson@buffnews.com>
Subject: Solarize Amherst

Dear Supervisor Kulpa and Council Members,

This morning I read with interest the Buffalo News article, "Amherst wants to become a leader on green energy". I believe the Town of Amherst is already a leader in Green Energy.

In 2017 as a Town of Amherst Council Member, I was liaison to the Energy Conservation Citizens Advisory Committee. As a result, I became Chair of the Clean Energy Communities Committee that worked tirelessly with numerous meetings to secure a $250,000 NYSERDA Clean Energy Communities Grant. The University at Buffalo Regional Institute gave assistance to the committee.

The Town of Amherst was in competition with other New York State communities on who would be the first to complete at least 4 out of the 10 High Impact Actions designated by NYSERDA. Solarize Amherst was 1 of the 4 items. The baseline was 10 homes and at least 59 new roof mounted solar arrays were installed on private homes at a discounted price as a result of this effort. Also, an electric car was purchased by the Town using money from the equipment budget.

The Town of Amherst won and because of the time and efforts of the Clean Energy Communities Committee the $250,000 grant was awarded to Amherst. The committee decided the best use of this money was a NYSERDA approved project to place solar panels on the Clearfield Community Center. I am very pleased to read how well the Clearfield array has worked and how it has benefited Amherst.

I have attached only 3 resolutions from 2017 and 1 from 2018 for the historical record of green energy in the Town of Amherst.

I now live in Ohio but I still wish Amherst the very best.

Sincerely,
Ramona D. Popowich

2/22/2021
A motion to refer to the Town Clerk for inclusion into the Minutes and to the Clean Energy Review Committee was made by Deputy Supervisor Berger, seconded by Councilmember Bucki and unanimously approved 5-0.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Deputy Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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.
A motion to open Public Expression was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. Public Expression was opened at 8:36 PM.

There were no speakers from the public, therefore Supervisor Kulpa moved to close Public Expression, seconded by Deputy Supervisor Berger and unanimously approved 5-0. Public Expression was closed at 8:36 PM.

XVIII. ADJOURNMENT

There being no further business to come before the Town Board, Supervisor Kulpa moved to adjourn, seconded by Councilmember Bucki and unanimously approved 5-0. The Town Board meeting of February 22, 2021 was adjourned at 8:36 PM.

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
Initiated by: **Kathleen Cooper**
Co-Sponsored by:

DOC ID: 22806 **RESOLUTION 2021-114** **ADOPTED**

6565 Main Street Rezoning

Adoption of Local Law to amend the Zoning Map
[6565 Main Street; Z-2020-07]

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR have been completed and the Town Board issues the attached Negative Declaration, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of November 19, 2020 that the proposed Office Building (OB) zoning at 6565 Main Street is consistent with the adopted Bicentennial Comprehensive Plan, and be it further

RESOLVED, that to the extent the proposed zoning is not consistent with the adopted Comprehensive Plan, the plan is hereby amended to be consistent with the proposed zoning at this location, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts Local Law (#) to amend the Town Zoning map.

2/01/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was opened at 7:03 PM.

Erik O'Neill, Petitioner, presented to the Town Board. Architect Tim Kupinski also addressed the Board.

There were no speakers from the public, therefore Supervisor Kulpa moved to adjourn the public hearing and set a decision date for February 22nd. The motion was seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was adjourned at 7:19 PM.

2/22/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was opened at 7:08 PM.

There were no speakers from the public, therefore Supervisor Kulpa moved to close the public hearing, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was closed at 7:11 PM.

A motion to approve was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

D R A F T
(02/01/21)
SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst
Town Board

Project: Z-2020-07

Address: 5583 Main Street
Williamsville, NY 14221
(716) 631-7051

Date:

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Rezoning

SEQR Status: Unlisted action.

Description of Action: The purpose of this request is to rezone a 0.48± acre parcel of land from R-3 to OB to permit the future construction of a 2-story, 4,000 sq. ft. office building with 18-19 associated parking spaces to accommodate an office for an investment firm.

Location: 6565 Main Street, Town of Amherst, Erie County, New York

Petitioner: Erik O'Neill

Attachment: Z-2020-07_Town_Board_Draft Neg Dec_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Reasons Supporting This Determination

Based on information submitted by the applicant, including a Full Environmental Assessment Form (EAF) - Part 1, and a complete concept plan, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that the proposed rezoning of 0.48± acres of land from Residential District Three (R3) to Office Building District (OB) for a proposed single story office building will not have a significant impact on the environment, as follows:

1. The project is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Town Engineering Department on September 28, 2020 reviewed the application and EAF submitted on September 21, 2020 and has no objection or comments on the proposed rezoning.

2. The project will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. A Landscape Plan shall be required of the applicant upon submittal of a site plan application for development of the site at which time all landscape requirements of the Zoning Ordinance will be met.

3. The project is not expected to create any material conflict with the Town Comprehensive Plan. The project will comply with all regulations of the Town Zoning Ordinance before final site plan approval is granted. The Town Building Department on October 19, 2020 has reviewed the application and EAF submitted on September 21, 2020, and has no objection or comments on the proposed rezoning.

4. The project is within an area identified by the State as potentially containing significant cultural or archeological resources, however, the site is developed, therefore the action will not impair the character or quality of important historical resources.

5. The project will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. The subject property is to be rezoned from Residential District Three (R3) to Office Building District (OB). Neighboring uses include commercial developments to the west (zoned GB and OB). Properties to the east across Ridge Court North and along Main Street are zoned CF and OB. To the north across Main Street is a church zoned CF and an office complex zoned OB. Residential uses zoned R-3 are located to the south. A high impact landscape screen will be required at the site plan stage along the south property line.

6. The rezoning of 0.48± acres of land from R-3 to OB for a proposed a single story office building will not cause a major change in the use of either the quantity or type of energy.

7. The rezoning of 0.48± acres of land from R-3 to OB for a proposed single story office building will not create any hazard to human health.

Attachment: Z-2020-07_Town_Board_Draft Neg Dec_020121 (RES-2021-114 : 6565 Main Street Rezoning)

8. The rezoning of 0.48± acres of land from R-3 to OB will cause a change in the use and the intensity of land use at this location, since the property is presently occupied by a single-family home. The proposed 2 story office building will be screened from single family residential uses and will be consistent with the scale of surrounding land uses along Main Street.

9. The rezoning of 0.48± acres of land from R-3 to OB for the proposed single story office building will increase the number of people using the site over its previous level of use. All required road and utility infrastructure will be in place to accommodate the proposed use.

10. Review by the Town Traffic/Safety Board on October 2, 2020 and New York State Department of Transportation of November 19, 2020 indicate that significant negative traffic impacts are not expected to result from the proposed project.

11. Coordinated reviews of the project have been undertaken by Town Departments including Building on October 19, 2020, Engineering on September 28, 2020, Traffic/Safety Board on October 2, 2020, Assessor on September 29, 2020, along with outside agencies including Erie County Department of Environment and Planning on October 5, 2020 and NYSDOT on November 19, 2020. These reviews have not identified any significant environmental issues and indicate that the proposal will not have a significant damaging impact on the environment.

12. Issues not specifically mentioned above and/or those not specifically reviewed were not raised by Town departments, outside agencies or the public and are not determined to be causing significant negative environmental impacts.

_____ _____
Signature & title of preparer date

_____ _____
Brian J. Kulpa, Supervisor date

RR/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Town_Board_Draft Neg Dec_020121.docxcc:
cc: Amherst Town Clerk
Amherst Building Department
ECDEP
NYSDOT
Timothy E Kupinski, Kedeney Architects PC, 143 Genesee St., Buffalo, NY 14203
Erik O'Neill, 79 Oakgrove Dr, Williamsville, NY 14221

Attachment: Z-2020-07_Town_Board_Draft Neg Dec_020121 (RES-2021-114 : 6565 Main Street Rezoning)

LOCAL LAW NO. _____-2021

TOWN OF AMHERST
COUNTY OF ERIE, STATE OF NEW YORK

A LOCAL LAW AMENDING CHAPTER 203 OF THE TOWN OF AMHERST CODE, KNOWN AS THE ZONING ORDINANCE, TO REZONE 6565 MAIN STREET FROM R-3 TO OB AND TO AMEND THE ZONING MAP ACCORDINGLY.

Be it enacted by the Town Board of the Town of Amherst as follows:

Section 1. Title.

This Local Law shall be referred to as, "A Local Law Amending Chapter 203 of Town of Amherst Code, Known As The Zoning Ordinance, to Rezone 6565 Main Street from R-3 to OB and to Amend The Zoning Map Accordingly."

Section 2. Legislative Findings and Intent.

The Town Board of the Town of Amherst finds that an application to rezone 6565 Main Street from R-3 to OB zoning has been filed and is in proper order. The Town Board further finds that the rezoning is consistent with the Comprehensive Plan.

Section 3. Amherst Zoning Map.

The Town Board hereby amends its zoning map which is incorporated by reference in the Town zoning code by amending from R-3 to OB the zoning of 6565 Main Street**, subject to any conditions imposed by the authorizing resolution**; legally described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst, County of Erie and State of New York, being part of Lot No. 105, Township Twelve (12), Range Seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots No. Seven (7) and (8) and parts of Subdivision Lots Nos. Nine(9), Fourteen (14) and Fifteen (15) as shown on a map filed in the Erie County Clerk's Office under Cover No. 1380, bounded and described as follows:

BEGINNING at the point of intersection of the southerly line of Main Street and westerly line of Ridge Court North; thence westerly along said southerly line of Main Street 120 feet; thence southerly at right angles to said southerly line of Main Street 182 feet; thence easterly parallel with said southerly line of Main

Attachment: LOCAL LAW draft (RES-2021-114 : 6565 Main Street Rezoning)

Street, 118.40 feet to said westerly line of Ridge Court North; thence northerly along said westerly line of Ridge Court North 182.05 feet to the point of place of beginning.

Section 4. Validity.

This Local Law is adopted under the authority granted to the Town Board of the Town of Amherst pursuant to §§10(1)(ii)(a)(12), 20 and 27 of the Municipal Home Rule Law and §265 of the Town Law of the State of New York.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 5. Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and published pursuant to Sections 130 & 133 of the Town Law and Chapter 28 of the Code of the Town of Amherst.

Francina J. Spoth
Town Clerk
Town of Amherst
County of Erie, State of New York

X:\Current_Planning\Files\Rezonings\Z-2020-07/Local Law draft

Attachment: LOCAL LAW draft (RES-2021-114 : 6565 Main Street Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard,
Planning Direct

Ellen M. Kost, AICP
Assistant Planning Di

Town Board Agenda of February 1, 2021

January 22, 2021

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Request to rezone 0.48± acres of land from R-3 to OB; property located at 6565 Main Street; Erik O'Neill, Petitioner. Z-2020-07.

Honorable Members:

The subject property is a 0.48± acre rectangular parcel of land located on the south side of Main Street at the southwest corner of the intersection of Main Street and Ridge Court North, approximately 0.6± miles west of the intersection of Main Street and Transit Road. The parcel has 120± ft. of frontage on Main Street and 160± ft. on Ridge Court North, and a maximum depth of 182± ft.

The site presently contains a single family home and detached garage, with one driveway to Ridge Court North.

Main Street is designated as a major arterial roadway and Ridge Court North is designated a local street in the Town of Amherst Bicentennial Comprehensive Plan.

For more information on the surrounding zoning and land use, please refer to the attached sketch.

The purpose of this request is to permit the future construction of a 1-story, 4,000-4,200 sq. ft. office building with 18-19 associated parking spaces to accommodate an office for an investment firm. Three options for the conceptual site plan were submitted:

- 4,000 sf office building, 18 parking spaces, two driveways (Main Street, north end of Ridge Court N.)
- 4,200 sf office building, 19 parking spaces, one driveway (Ridge Court N.)
- 4,000 sf office building, 18 parking spaces, two driveways (Main Street, south end of Ridge Court N.)

The subject property was zoned R-3 with the adoption of the Town-wide zoning ordinance and zoning maps on January 19, 1976.

The Planning Board offers the following findings consistent with Section 8-3 of the Zoning Ordinance.

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Honorable Town Board

Rezone land from R-3 to OB;
property located at 6565 Main Street.
Agenda of February 1, 2021

INTENT AND OBJECTIVES OF THE COMPREHENSIVE PLAN

This rezoning will provide an opportunity for infill development of office space along the Main Street commercial corridor which is consistent with Section 3.3.4 in the Comprehensive Plan, "Office and Industrial Uses." It is also consistent with the Conceptual Land Use Plan (Figure 6), which shows office use at the subject location.

INTENT AND OBJECTIVES OF THE ZONING ORDINANCE

The proposal is consistent with Section 1-2-2K of the Zoning Ordinance which seeks to guide the future development of the Town so as to bring about the gradual conformity of land and building uses in accordance with the objectives of the Comprehensive Plan.

CONSISTENCY/COMPATIBILITY WITH SURROUNDING DEVELOPMENT/ZONING

Parcels to the west are commercial developments zoned GB and OB. Properties to the east across Ridge Court North and along Main Street, are zoned CF and OB. Parcels to the south on Ridge Court North and Bellingham Drive are residential lots zoned R-3. The future site plan will be required to install a high impact screen to minimize any adverse impacts to the residents.

ADEQUATE SERVICES AND UTILITIES

All services and utilities necessary for the proposed action are available and adequate at the subject location. This is an Unlisted action, and an environmental assessment consistent with SEQR has been prepared for the subject proposal. Pursuant to Local Law #3-82, as amended, the requirements of SEQR are complete and the proposal is not expected to have a significant adverse effect on the environment.

RECOMMENDATION

The Planning Board recommends that your Honorable Body concur with the Planning Board's findings and that the subject request be **approved** based on the attached resolution.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/RR/ac
Att.
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Town_Board_Letter_RR_011520.docx
cc: Stanley Sliwa, Town Attorney
Planning Board Approval – November 19, 2020
Ayes 6; Noes 0, Absent 1 (Gelber)

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2020-07

PETITIONER

Erik O'Neill
79 Oakgrove Drive
Williamsville, NY 14221

PROPERTY LOCATION

6565 Main Street

NOV24'20 PM 2:59 RCVD

WHEREAS the Town of Amherst Planning Board on Thursday, November 19, 2020 held a public hearing on the proposed rezoning of land from R-3 to OB, and

WHEREAS the Planning Board has reviewed plans and other materials regarding the rezoning proposal, and

WHEREAS the materials and plans have been referred to the Town's various review agencies, and

WHEREAS in accordance with Section 8-3-5 of the Zoning Ordinance the Planning Board finds that:

A. The proposed zoning and development plan is generally consistent with the policies of the Comprehensive Plan and the Zoning Ordinance.

The proposal is consistent with the Conceptual Land Use Plan which shows Office Building use in this area of the Town.

The proposal is consistent with Section 3.3.4, "Office and Industrial" which recognizes the need to locate individual offices on smaller sites in developed areas.

B. There are adequate services and utilities available or proposed to be made available in the construction of the development.

C. The proposal is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood.

D. The subject property may be more suitable for uses permitted by the current versus the proposed district.

E. The proposed change does tend to improve the balance of uses, or meets a specific demand in the Town.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act may be waived because the parcel is developed.

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

TOWN OF AMHERST
PLANNING BOARD
ZONING RESOLUTION
Z-2020-07

PETITIONER

Erik O'Neill

PROPERTY LOCATION

6565 Main Street

NOV24'20 PM 2:59 RCVD

Pursuant to Local Law #3-82, as amended, the Planning Board recommends that the Town Board determine that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

NOW THEREFORE BE IT RESOLVED that the Planning Board recommends to the Town Board in accordance with Section 8-3-4 of the Zoning Ordinance, that the rezoning request be approved.

The foregoing resolution was adopted by the Town of Amherst Planning Board, November 19, 2020; moved by Penberthy; seconded by Gill; ayes 6, noes 0; absent 1 (Gelber).

Robert J. Gilmour, Chair

11-24-20.
Date

RR/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Resolution-111920.doc
cc: Town Clerk
Commissioner of Building
Highway Superintendent
Town Engineer
Traffic/Safety Coordinator
Erik O'Neill, 79 Oakgrove Dr, Williamsville, NY 14221
Timothy E Kupinski, Kideney Architects PC, 143 Genesee St., Buffalo, NY 14203

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

RECEIVED
SEP 21 2020
TOWN OF AMHERST
PLANNING DEPT.

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Rezoning Review and, if required Comprehensive Plan Amendment

For Official Use

File #: Z-2020-07 Acreage 0.48± Fee $ 1265

Address Verified by Assessor's Office _____ VERIFIED BY DATE

Materials Accepted by Town Clerk & Fee Paid _____ ACCEPTED BY DATE

Materials Checked by Building Dept. _____ RECEIVED BY DATE

Materials Received by Planning Dept. JM 9/21/20 RECEIVED BY DATE

		Fill In Applicable Fees
2 ACRES OR LESS	**$1,250**	✓
2 – 20 ACRES $1,250 + $250/acres or fraction thereof over 2 acres		
20 – 30 ACRES $5,700 + $150/acre or fraction thereof over 20 acres		
OVER 30 ACRES $6,900 +$75/acre or fraction thereof over 30 acres		
Request for Relief of/Change to Conditions of Zoning Approval	**$ 1,200**	
AFFIDAVIT FEE FOR PUBLIC HEARING	**$ 15.00**	✓
TOTAL FEE:	$ 1265	

Town of Amherst Planning Department 5583 Main Street Williamsville New York 14221
(716) 631-7051 Fax (716) 631-7153 Web www.amherst.ny.us

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

TO BE COMPLETED BY APPLICANT

1. **Petitioner:** Name: Erik O'Neill

Address: 79 Oakgrove Drive

Williamsville (City) New York (State) 14221 (Zip Code)

Phone: 716-880-0430 Fax: _____

E Mail erikoneill@mac.com

2. **The undersigned hereby petitions the Honorable Town Board to rezone the following described property**

From: Residential R-3 District

To: Commercial OB District

3. **Street address of land to be rezoned:** (must be verified by Town Assessor's Office)

6565 Main Street

Williamsville, New York 14221

SBL #: 81.08-1-3

4. **Area of land to be rezoned** (in acres): .48

5. **Owner of Land:**

Name: Antoinette Lazzaro, as Trustee of Antonio C. DiFrancesco third party Supplemental Needs Trust

Address: 19 Fountain Park, Buffalo, New York 14223

Telephone: _____

6. **Representative** (Architect, Engineer, Landscape Architect, Surveyor or Attorney):

Name: Timothy E. Kupinski, AIA, NCARB

Address: Kideney Architects, PC

43 Genesee Street

Buffalo (City) New York (State) 14203 (Zip Code)

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

7. Petitioner's interest in property

__X__ Option to purchase

_____ Owner

_____ Other (explain) _____

8. The following are all others having an interest in this application and join herein with the petitioner named above: (describe extent of interest; attach sheets as needed)

GO Properties LLC will be the owner. Erik O'Neill, Managing Member

9. Attach Survey and Legal description of land to be rezoned. The Survey must be prepared by a New York State Licensed Land Surveyor.

10. Said property has the following deed restrictions or Covenants: (attach copy)

Liber N/A Page N/A

11. Information on proposed project:

A. Description of the character of the proposed development:

Demolish existing single family residential structure.

Construct 4,000 - 4,200 SF professional office building with 18 - 19 off-street parking spaces.

B. Rationale for rezoning request:

1. Why was this site chosen?

Location: high visability, vehicular access and adjacent businesses

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

2. Why cannot land be used with the existing zoning?

Currently zoned R3

3. How will this rezoning impact surrounding properties?

No effect, adjacent and near properties on Main Street are zoned GB & OB Districts.

4. How will this rezoning impact the school system?

Positive impact due to increase in property value and increased tax base.

12. Quantitative Data:

A. Total # of dwelling units: Proposed 0

B. Distribution of dwelling units by type: N/A

C. Gross Residential Density per acre: N/A

D. Total amount of Open Space: 0.376 Acres

E. Proposed Non-Residential Floor Area: 4,000 - 4,200 SF

13. Development Schedule:

Start: Fall 2020

Finish: Fall/Winter 2021

Stages (# of): 1

14. If any portion of the proposed development is planned to be sold or leased, please describe:

Property will be leased to owner's investment advisory firm.

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

15. **Open Space ownership and maintenance provisions (if applicable):**

GO Properties LLC

16. **Basis for Findings (Sec. 8-3-5 of the Town Zoning Code) (Attach sheets and supplemental materials as necessary.)**

A. **The proposed zoning and development plan must be generally consistent with the policies of the Comprehensive Plan and the Town Zoning Ordinance.**

1. State in detail why the proposed zoning is consistent with the adopted Town of Amherst Bicentennial Comprehensive Plan. Cite specific sections, maps, and/or figures in the plan that support the proposed zoning at this location (The Comprehensive Plan document is available at the Planning Department, Town Clerk's Office, Amherst libraries, or at www.amherst.ny.us). Add sheets as needed.

Confirmed with the Town of Amherst Planning Department that the proposed rezoning is consistent with the Town's Comprehensive Plan.

2. Pursuant to NYS Town Law Section 272a(11), "all Town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this Section." The Town Board adopted the Comprehensive Plan pursuant to NYS Town Law 272 on January 2, 2007. If the rezoning is approved, the Town Board may require the Plan to be amended, as applicable.

Cite all text, map, and / or figures that must be amended to support the proposed zoning at this location (attach pages as necessary) and provide detailed suggested amendments.

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

Proposed construction will be a high quality professional office building, consistent with the Town's plan for properties along Main Street.

B. Adequate Services and Utilities are available or are proposed to be made available with the construction of the development:

1. Sanitary Sewer Available
2. Storm Sewer/Drainage Available
3. Water Available
4. Other

C. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:

Similar size commercial buildings on either side and throughout the Main Street Corridor.

D. Suitability of the subject property for uses permitted by the current versus the proposed district:

unlikely the existing residential property would be reused as such due to its more commercial location

New building will be a commercial office building and support the Main Street commercial corridor

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

E. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:

the new structure would not only compliment the Amherst planning directives,

but enhance the street aesthetic

17. The petitioner encloses herewith the sum of $ 1,265.00 to pay the fee, and consents to the placement of a sign(s) at the described location identifying this request for a period of time to be determined by the Town Clerk.

18. The undersigned certifies that all information required to be disclosed pursuant to Section 809 of the General Municipal Law (see below) is as follows:

The undersigned swears or affirms that all statements made herein are true, that all drawings submitted correctly show the situation involved in this petition.

Signature of Petitioner

Subscribed and sworn to before me this 20 day of September 20 26

Notary Public, Erie County, New York

TIMOTHY J. KOLLER
No. 01KO6263885
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 06/11/2026

N.Y.S. General Municipal Law - Section 809 Disclosure in certain applications:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provision of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state office or any office or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

   (a) is the applicant, or
   (b) is an officer, director, partner or employee of the applicant, or
   (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
   (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such applicant, petition or request.

3. In the county of Nassau the provisions of subdivisions one and two of this section shall also apply to a party officer. "Party Officer" shall mean any person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four or section two of the election law.

4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

P/CurrPlan/Applications2007/Rezoning & Comp Plan Amend App.
10/08

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Rezoning Application Requirements and Checklist

The following checklist outlines the information required by the Town of Amherst to accept a Rezoning application. ***It is strongly recommended that you make an appointment with Planning Staff to discuss what information will be needed to address the items shown on the checklist.***

Item No.	Item	Submitted	Official use
I Application Information			
1.0	**Town of Amherst Rezoning / Comprehensive Plan Amendment Application Form (available from Planning Department)**	✓	
1.1	Name, address, and contact information of the petitioner	✓	
1.2	Name and address of property owners(s) – if different than petitioner	✓	
1.3	If petitioner is different than property owner, provide statement describing interest in property and a letter from the property owner authorizing the application	✓	
1.4	Identify existing and proposed zoning and acreage of area proposed to be rezoned	✓	
1.5	Parcel addresses and Section, Block, and Lot (SBL) numbers of all properties proposed to be rezoned. Indicate if a portion of any parcel is involved, if applicable	✓	
1.6	Statement of planning objectives to be achieved by the proposed rezoning, including the following: • How the proposed zoning and development plan meets the objectives of the Comprehensive Plan • A description of the character of the proposed development • The rationale behind the assumptions that are presented	✓ ✓ ✓	
1.7	Cite specific maps and / or figures in the Comprehensive Plan that must be amended to support the proposed zoning and provide suggested amendments.		
1.8	A general statement about how any proposed open space will be maintained (if applicable)	✓	
1.9	A development schedule indicating the approximate date when construction is expected to begin and be completed. Identify schedule of any proposed phasing of the development (attach pages as necessary)	✓	
1.10	A statement of the petitioner's intentions regarding future sale or leasing of all or portions of the proposed development	✓	
II Survey and Legal Description			
1.0	**Complete boundary survey that includes all existing structures, acreage, legal description, and easements plotted to scale by a NYS licensed land surveyor**	✓	
1.1	Raised/wet seal and signature of licensed surveyor		
1.2	Clear delineation and acreage of area to be rezoned if different than property boundary		
2.0	**Legal Description of the total area proposed to be rezoned. (must be consistent with area shown to be rezoned on boundary survey)**	✓	

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Item No.	Item	Submitted	Official use
III Concept Plan (if required by the Planning Board)			
1.0	**Conceptual development plan drawn to scale (no larger than 24" x36" format and folded into 8 ½" x 11" size)**	✓	
1.1	North arrow	✓	
1.2	Scale of drawing	✓	
1.3	Property lines (existing and proposed)	✓	
1.4	Unique natural features and tree cover	✓	
1.5	Information on land controlled by the applicant located within 500 feet of the perimeter of the area proposed to be rezoned	✓	
1.6	Location of all proposed structures and other improvements	✓	
1.7	Number and type of dwelling units (if applicable)	✓	
1.8	Gross square feet of commercial space (if applicable)	✓	
1.9	Maximum structure heights	✓	
1.10	Architectural sketches	✓	
1.11	Existing and proposed contours		
1.12	Existing utility systems (sanitary sewers, water, storm drainage)		
1.13	Location of proposed storm water detention or retention facilities		
1.14	Proposed land use arrangement	✓	
1.15	Location of all parking, loading, stacking and interior circulation drives	✓	
1.16	Location of proposed curb cuts	✓	
1.17	Location of cross access drives to adjacent parcels		
1.18	Pedestrian circulation system	✓	
1.19	Location of NYSDEC wetlands (including buffer area) and/or federal wetlands; indicate jurisdictional status		
1.20	Location of floodway and 100-year floodplain (if applicable)		
1.21	Location and purpose of any proposed easements		
1.22	Location and proposed development of all open spaces, including parks, playgrounds, conservation areas, and dedicated open space; indicate intended ownership of such areas		
1.23	Additional data as required by the Planning Board		
V Other Required Information			
1.0	**Completed and signed Environmental Assessment Form**	✓	
11	Soil boring report and geotechnical report prepared by a qualified Professional Engineer (if applicable) Encorus Group contacted	✓	
1.2	Traffic impact study (if applicable)		
1.3	Archaeological assessment (if applicable)		
1,4	Wetland Delineation report (if applicable)		
2.0	**8 1/2" X 11" reduction of concept plan drawing (see appendix B)**	✓	
3.0	**A CD containing a PDF of the complete submittal package, including all drawings.**		

Rev. 07/02/08, 10/24/08, 11/4/13

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

TOWN OF AMHERST ATTACHMENT
State Environmental Quality Review
ENVIRONMENTAL ASSESSMENT FORM

1. For each applicable category of proposed new structures, including additions to existing structures, provide the following information for all soil types on the project site (*according to Soil Survey of Erie County, NY; Table 11, Building Site Development, pp 294-305):*

Soil Name	Shallow excavations	Dwellings without basements	Dwellings with basements	Small commercial buildings	Local roads and streets
Waffaic Silt Loam					

2. If the Soil survey indicates either "severe" or "moderate" suitability for the proposed types of construction, a geotechnical and hydrological analysis based on one test per 3.5 acres of project area must be provided (per Town Board resolution, 3/17/03, amended 6/16/03).

☐ Geotechnical report attached ☐ Not applicable

3. Is your property located: On Youngs Road between Dodge and Klein Roads? ☐ Yes ☑ No
On Wehrle Dr. between Spindrift Dr. and Oakwood Rd? ☐ Yes ☑ No

If so, the property may be within an area of the Town that is affected by a moratorium on connections to the sanitary sewer system.

4. Are there alternative locations on the site for this project? ☐ Yes ☑ No

5. Location and size of real property owned by petitioner within one (1) mile of subject proposal:

_____

_____

6. Are you aware of current or future plans or intentions by others in the Town of Amherst to develop property within 1000± ft. of the present project request: ☐ Yes ☑ No

Describe_____

_____

(Potential environmental impacts from adjacent or nearby projects undergoing the approval process will receive a coordinated environmental review to determine cumulative effects on common receivers (e.g. traffic and drainage corridors) and other relevant environmental concerns.)

7. Maximum number of vehicular trips to be generated per hour upon completion of project Average of 2.5 cars
Source: _____

8. Will blasting occur during construction? ☐ Yes ☑ No

9. Does the project propose to connect and be tributary to the public sanitary sewer system? ☑ Yes ☐ No

10. Proposed net additional gallons per day (gpd) of sanitary sewer discharge upon completion of project:

300 gallons average flow 50 gallon peak flow.

(Please note that average flows of 2,500 gpd or greater will require an Engineer's Report that includes a detailed downstream sewer capacity analysis and the identification of and commitment to required I/I offset work during peak wastewater flow conditions.)

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

APPENDIX "E'

TOWN OF AMHERST PLANNING DEPARTMENT

SUBMITTAL OF REVISED SURVEY & LEGAL DESCRIPTION

For Official Use

File #
(SAME Z # AS ORIGINAL FILE)

Materials Checked by Building Dept.
RECEIVED BY DATE

Materials Received by Planning Dept.
RECEIVED BY DATE

Materials Accepted by Town Clerk
RECEIVED BY DATE

TO BE COMPLETED BY APPLICANT

ONLY IF LEGAL DESCRIPTION HAS BEEN REVISED

1. **Petitioner:**

Name: Erik M O'Neill

Address: 79 Oakgrove Drive

Williamsville, New York 14221

City State Zip Code

Phone: 716-880-0430 Fax:

E Mail erikoneill@mac.com

2. **Street address of land to be rezoned:**
6565 Main Street

3. **Submitted by:**

Name: Timothy E. Kupinski, AIA, NCARB

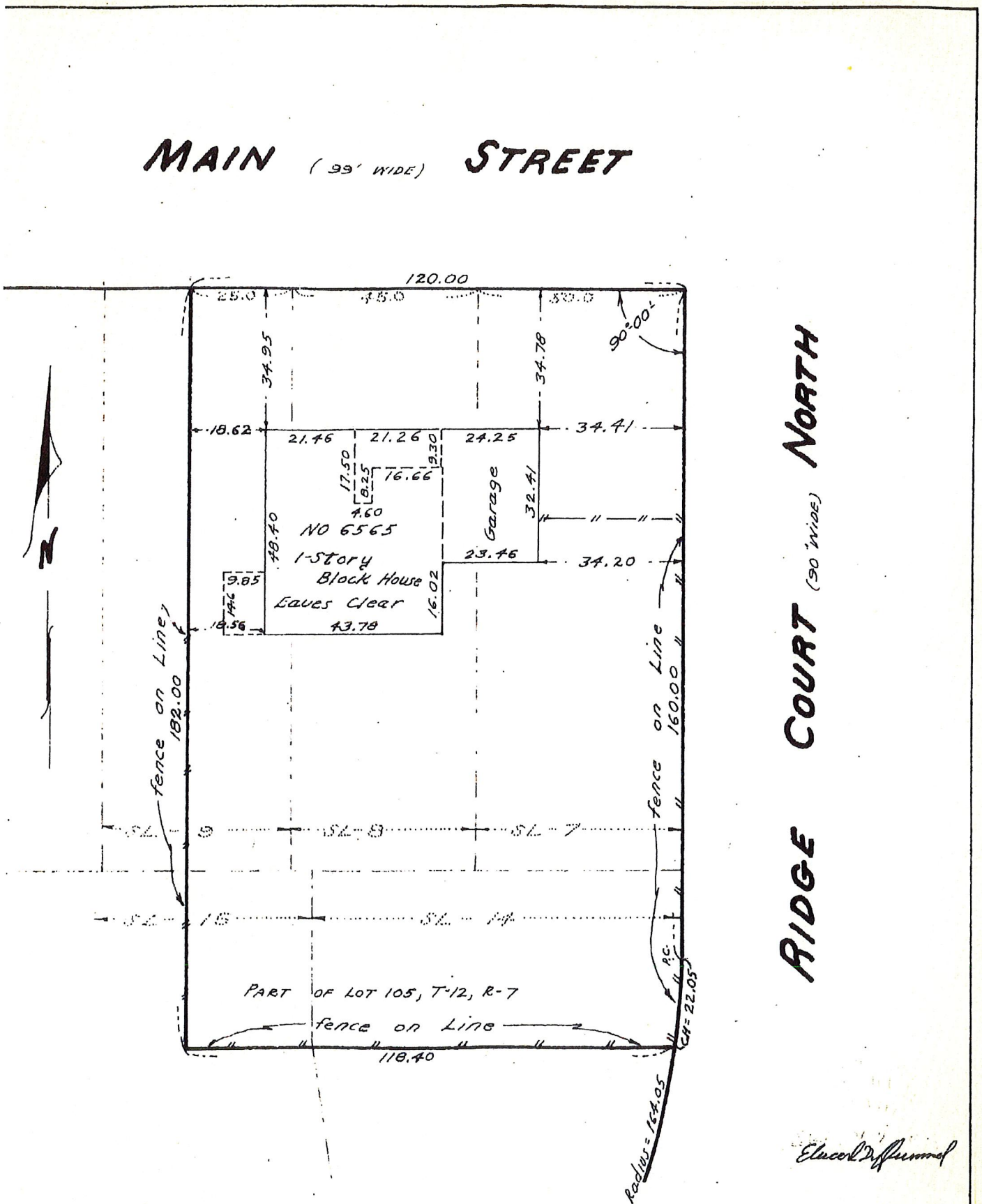
Address: Kideney Architects, PC 143 Genesee Street, Buffalo, New York 14203

Required Materials:

- ☐ Revised Survey and Legal Description
- ☐ Legal Description in the form of a Local Law
- ☐ Legal Description in a Microsoft Word Document

P/Currplan/Applications Working Docs/Revised Survey Submittal Form

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)



SURVEY OF NO 6565 MAIN STREET
SL-7 SL-8 & PARTS OF SUBLOTS 9 14 & 15, MAP COVER 1380

ELWOOD D. HUMMEL

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

ERIE COUNTY CLERK'S OFFICE

County Clerk's Recording Page

Return to:
ANTHONY DI FRANCESCO
6565 MAIN ST
WILLIAMSVILLE, NY 14221

Party 1:
DI FRANCESCO ANTHONY J JR

Party 2:
ANTONIO C DI FRANCESCO THIRD PARTY SUPPLEMENTAL NEEDS TRUST TR

Book Type: D Book: 11217 Page: 2536
Page Count: 3
Doc Type: DEED
Rec Date: 02/09/2012
Rec Tim: 10:11:15 AM
Control #: 2012032940
UserID: Eileen
Receipt#: 12021496
Document Sequence Number
TT2011010718

Consideration Amount: 1.00

Recording Fees:

Fee 1	$35.00
Fee 2	$1.00
COE STATE $14.25 GEN	$14.25
COE STATE $4.75 RM	$4.75
RP5217 COUNTY $9 RET	$9.00
RP5217 ST-RES $116	$116.00
TP584	$10.00

BASIC	$0.00
SONYMA	$0.00
ADDL	$0.00
NFTA MT	$0.00
TRANSFER	$0.00
NFTA TT	$0.00

Total: $190.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.

Christopher L. Jacobs
COUNTY CLERK

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Record & Return to:
Anthony & Carolyn Di Francesco
6565 Main Street
Williamsville, New York 14221

THIS INDENTURE,

made the 25th *day of* January *, Two Thousand and ~~Eleven~~* Twelve

Between *ANTHONY J. DI FRANCESCO, JR., residing at 6565 Main Street, Williamsville, New York 14221,*

party of the first part, and

CAROLYN A. DI FRANCESCO as Trustee of the ANTONIO C. DI FRANCESCO THIRD PARTY SUPPLEMENTAL NEEDS TRUST, *with a mailing address of 6565 Main Street, Williamsville, New York 14221,*

party of the second part.

GRANTOR RESERVES A LIFE ESTATE INTEREST IN PREMISES CONVEYED HEREIN

Witnesseth, *that the said party of the first part, in consideration of ONE AND NO MORE Dollars ($1.00 and no more) lawful money of the United States, paid by the party of the second part, does hereby remise, release and forever Quit-Claim unto the said party of the second part, its heirs and assigns forever, his remaining interest in the following described parcel:*

ALL THAT TRACT OR PARCEL OF LAND, *situate in the Town of Amherst, County of Erie and State of New York, being part of Lot No. 105, Township Twelve (12), Range Seven (7) of the Holland Land Company's Survey and further distinguished as Subdivision Lots No. Seven (7) and Eight (8) and parts of Subdivision Lots Nos. Nine (9), Fourteen (14) and Fifteen (15) as shown on a map filed in the Erie County Clerk's Office under Cover No. 1380, bounded and described as follows:*

BEGINNING *at the point of intersection of the southerly line of Main Street and westerly line of Ridge Court North; thence westerly along said southerly line of Main Street 120 feet; thence southerly at right angles to said southerly line of Main Street 182 feet; thence easterly parallel with said southerly line of Main Street, 118.40 feet to said westerly line of Ridge Court North; thence northerly along said westerly line of Ridge Court North 182.05 feet to the point or place of beginning.*

SUBJECT TO *all covenants, easements and restrictions of record affecting said premises, if any*

BEING *intended to convey the same premises conveyed to the party of the first part and Kenneth N. Fromm, described in deed dated May 18., 1976 and recorded in the Erie County Clerk's Office on May 18, 1976, in Liber 8390 of Deeds at page 397.*

Premises: *6565 Main Street, Williamsville, New York 14221*
SBL: *81.08-1-3*

THIS CONVEYANCE is not intended to render the party of the first part insolvent nor is it intended to defraud creditors.

THE GRANTOR HEREIN GRANTS A LIFE ESTATE IN SAID PREMISES TO CAROLYN A. DI FRANCESCO AND RESERVES UNTO THE GRANTOR AND CAROLYN A. DI FRANCESCO, THE RIGHT TO THE EXCLUSIVE USE AND OCCUPANCY OF THE PREMISES DURING THE GRANTOR'S AND CAROLYN A. DI FRANCESCO'S LIFETIME WITH THE GRANTOR TO PAY FOR ALL MAINTENANCE AND REPAIRS, WATER AND SEWER CHARGES, INSURANCE CHARGES AND TAXES RELATING TO THE SAID PREMISES. SAID LIFE ESTATE SHALL BE PERSONAL TO THE GRANTOR AND CAROLYN A. DI FRANCESCO AND SHALL NOT BE SUBJECT TO THE ASSIGNMENT OF LEASE, EXCEPT AS OTHERWISE PROVIDED IN THIS DEED.

THE GRANTOR RESERVES THE POWER TO APPOINT THE REMAINDER AND/OR THE GRANTOR'S LIFE ESTATE IN THE PREMISES TO THE ISSUE OF THE GRANTOR, SIBLINGS OF THE GRANTOR OR ISSUE OF THE GRANTOR'S SIBLINGS, OR THE SPOUSES OR SURVIVING SPOUSES OF ANY OF THE FOREGOING PERSONS WITH THE TERM "ISSUE" BEING DEEMED TO INCLUDE PERSONS WHO HAVE BEEN ADOPTED ACCORDING TO LAW OR BORN OUT OF WEDLOCK. THIS POWER SHALL BE EXERCISABLE OR MAY BE RELINQUISHED DURING THE GRANTOR'S LIFETIME BY A DEED TO THE GRANTEES HEREIN OR TO OTHERS WHO ARE MEMBERS OF THE CLASS OF THE APPOINTEES SET FORTH HEREIN, MAKING EXPRESS REFERENCE TO THIS POWER AND EXECUTED AND RECORDED IN THE COUNTY CLERK'S OFFICE WHERE THIS DEED IS RECORDED, PRIOR TO SUCH GRANTOR'S DEATH. NO EXERCISE OF THIS POWER SHALL BE DEEMED TO RELEASE THE LIFE ESTATE CREATED HEREIN UNLESS SUCH A RELEASE IS EXPLICITLY MADE IN A DEED. THE EXERCISE OF THIS POWER SHALL NOT EXHAUST IT, AND UNLESS THE POWER IS SPECIFICALLY RELEASED IN SUCH A DEED, THE DEED RECORDED LAST SHALL CONTROL AS TO ANY AMBIGUITIES OR INCONSISTENCIES.

AmH

Deed-2

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

TOGETHER *with the appurtenances and all the estate and rights of the party of the first part in and to the said premises;*

TO HAVE AND TO HOLD, *the above-granted premises unto the said party of the second part, its heirs and assigns forever.*

IN WITNESS WHEREOF, *the said party of the first part has hereunder set his hand and seal the day and year first above written.*

IN PRESENCE OF

Anthony J. Di Francesco Jr.
ANTHONY J. DI FRANCESCO, JR.

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

On this 25th day of January, in the year Two Thousand and ~~Eleven~~ Twelve

before me, the undersigned, personally appeared ***ANTHONY J. DI FRANCESCO, JR.,*** *personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.*

Deanna L Batcho
Signature and Office of individual taking acknowledgment

254927 1693480.1

DEANNA L. BATCHO
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 19, 2015

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

FOR COUNTY USE ONLY

C1. SWIS Code 142289

C2. Date Deed Recorded 2 / 9 / 12 (Month / Day / Year)

C3. Book 11217 C4. Page 2536

New State Department of **Taxation and Finance**

Office of Real Property Tax Services

RP- 5217

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location: 6565 (* STREET NUMBER) Main Street (* STREET NAME)
Williamsville (* CITY OR TOWN) (VILLAGE) 14221 (* ZIP CODE)

2. Buyer Name: Antonio C. Di Francesco Third Party Supplemental Needs Trust (* LAST NAME/COMPANY / FIRST NAME)
(LAST NAME/COMPANY / FIRST NAME)

3. Tax Billing: Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form): Di Francesco (LAST NAME/COMPANY) Anthony & Carolyn (FIRST NAME)
6565 Main Street (STREET NUMBER AND NAME) Williamsville (CITY OR TOWN) NY (STATE) 14221 (ZIP CODE)

4. Indicate the number of Assessment Roll parcels transferred on the deed: 1 (# of Parcels) OR ☐ Part of a Parcel

(Only if Part of a Parcel) Check as they apply:
4A. Planning Board with Subdivision Authority Exists ☐
4B. Subdivision Approval was Required for Transfer ☐
4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size: 120 (* FRONT FEET) X 182 (* DEPTH) OR (*ACRES)

6. Seller Name: Di Francesco (* LAST NAME/COMPANY) Anthony J., Jr. (FIRST NAME)
(LAST NAME/COMPANY / FIRST NAME)

*7. Select the description which most accurately describes the use of the property at the time of sale:
Single Family Residence

Check the boxes below as they apply:
8. Ownership Type is Condominium ☐
9. New Construction on a Vacant Land ☐
10A. Property Located within an Agricultural District ☐
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date: N/A

*12. Date of Sale/Transfer: 1/25/12

*13. Full Sale Price: 0.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) *Please round to the nearest whole dollar amount.*

15. Check one or more of these conditions as applicable to transfer:
- [X] A. Sale Between Relatives or Former Relatives
- [ ] B. Sale between Related Companies or Partners in Business.
- [ ] C. One of the Buyers is also a Seller
- [ ] D. Buyer or Seller is Government Agency or Lending Institution
- [X] E. Deed Type not Warranty or Bargain and Sale (Specify Below)
- [ ] F. Sale of Fractional or Less than Fee Interest (Specify Below)
- [ ] G. Significant Change in Property Between Taxable Status and Sale Dates
- [ ] H. Sale of Business is Included in Sale Price
- [ ] I. Other Unusual Factors Affecting Sale Price (Specify Below)
- [ ] J. None

Comment(s) on Condition:

14. Indicate the value of personal property included in the sale: 0.00

Retained Life Estate

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY): 11

*17. Total Assessed Value: 182,000.00

*18. Property Class: 210 - 1

*19. School District Name: Williams - 142203

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional Identifier(s))

81.08-1-3

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

Anthony J. Di Francesco Jr. 1-25-12
SELLER SIGNATURE DATE

BUYER SIGNATURE

Carolyn Di Francesco 1-25-12
BUYER SIGNATURE DATE

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC,society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

DI FRANCESCO (LAST NAME) ANTONIO (FIRST NAME)

(AREA CODE) (TELEPHONE NUMBER (Ex: 9999999))

6565 (* STREET NUMBER) MAIN ST. (* STREET NAME)

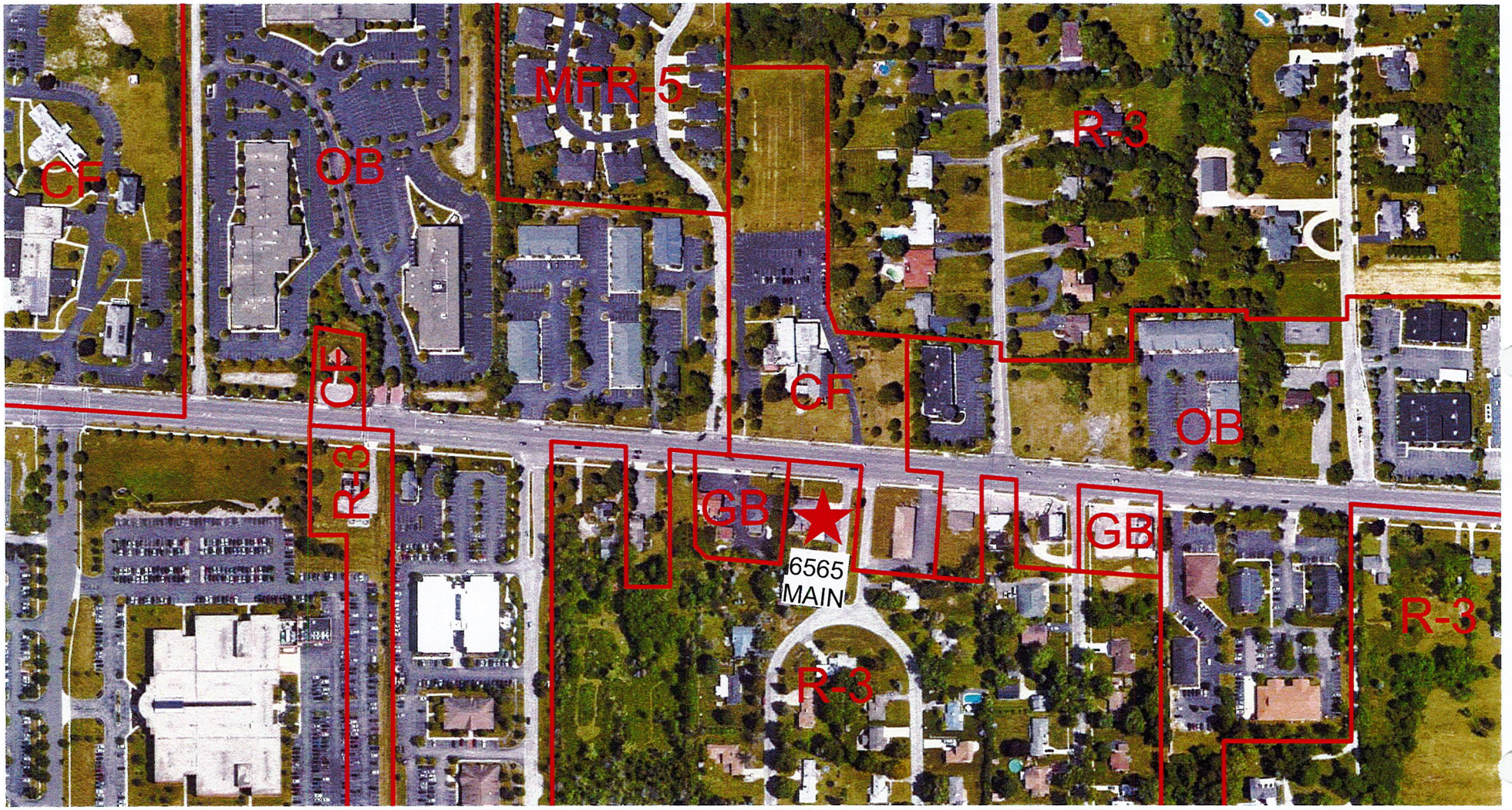
WILLIAMSVILLE (*CITY OR TOWN) NY (*STATE) 14221 (*ZIP CODE)

BUYER'S ATTORNEY

Allen (LAST NAME) Lisa (FIRST NAME)

716 (AREA CODE) ~~200-5050~~ 633-1444 (TELEPHONE NUMBER (Ex: 9999999))

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)



SITE PLAN

SCALE: 1" = 300'-0"

N

KideneyArchitects

Kideney Architects, P.C.

6565 MAIN STREET

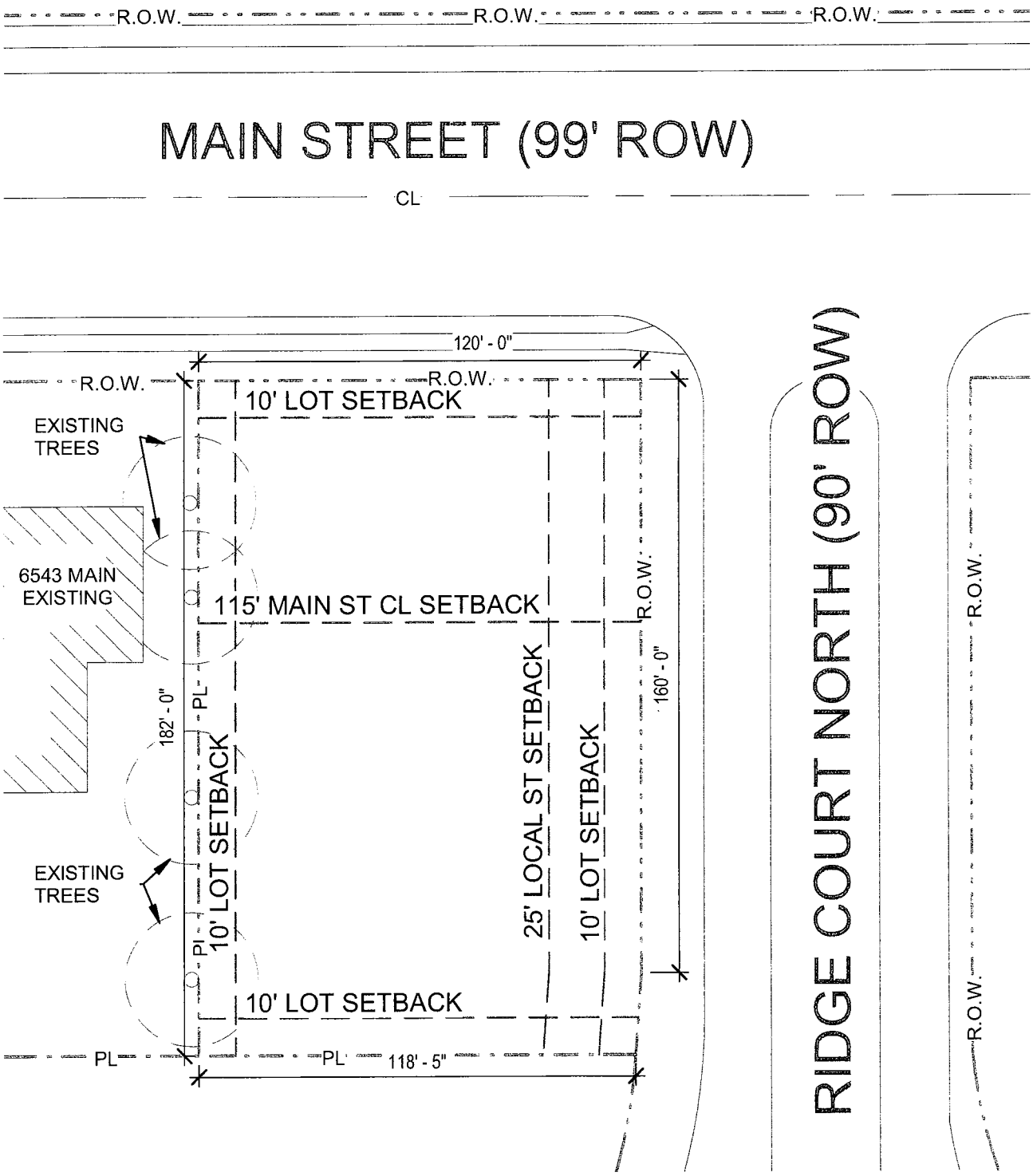
LOCATION PLAN

GO PROPERTIES LLC

09/15/20

143 Genx

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)



SITE PLAN

SCALE: 1" = 40'-0"

N

KideneyArchitects

6565 MAIN STREET

GO PROPERTIES LLC

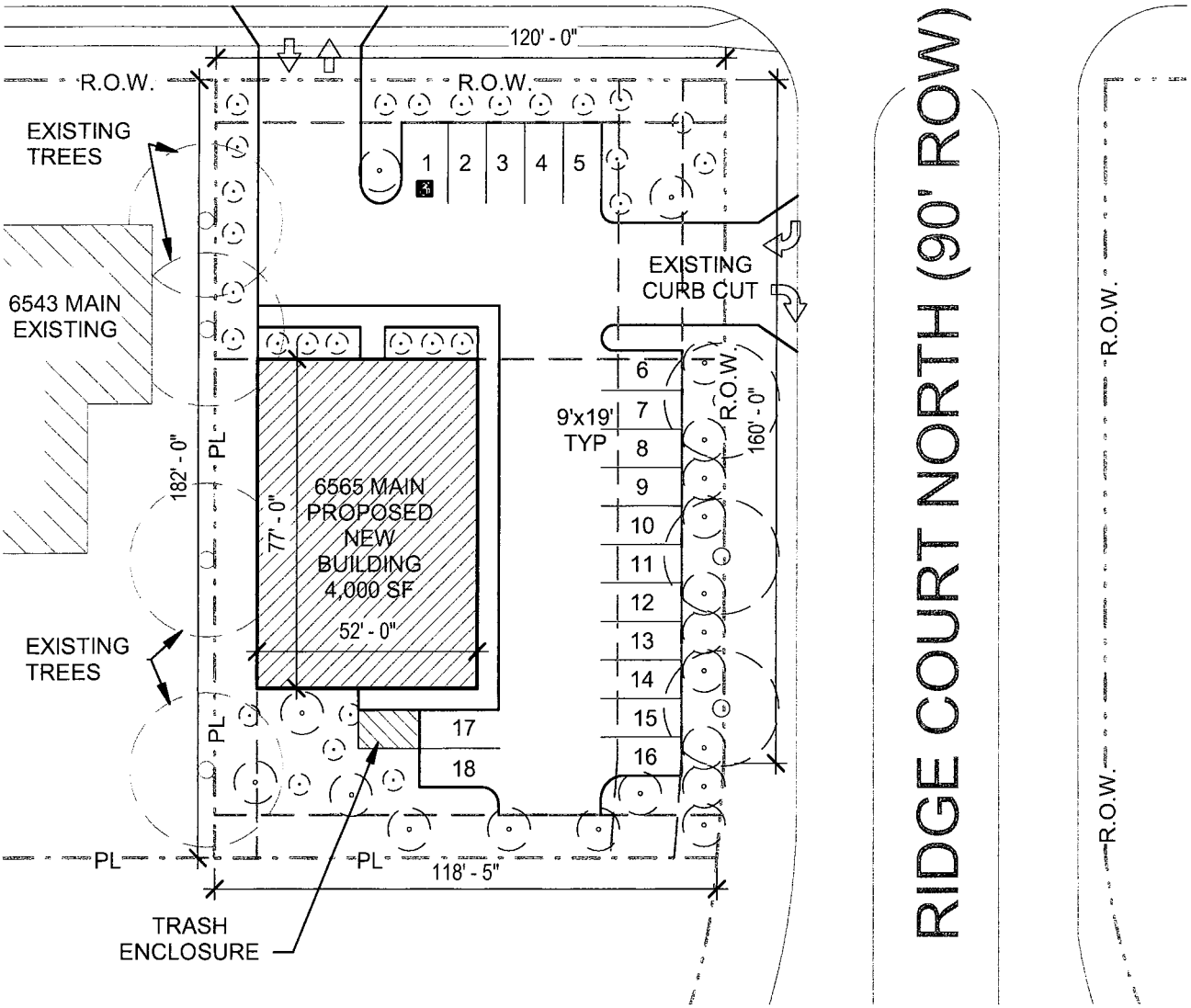
Kideney Architects, P.C.
143 Genesee Street | Buffalo, New York 14203 | 716.249.3837 | kideney.com

SETBACK REQUIREMENTS

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

R.O.W. R.O.W. R.O.W.

MAIN STREET (99' ROW)



SITE PLAN

SCALE: 1" = 40'-0"

N

KideneyArchitects

6565 MAIN STREET

OPTION A

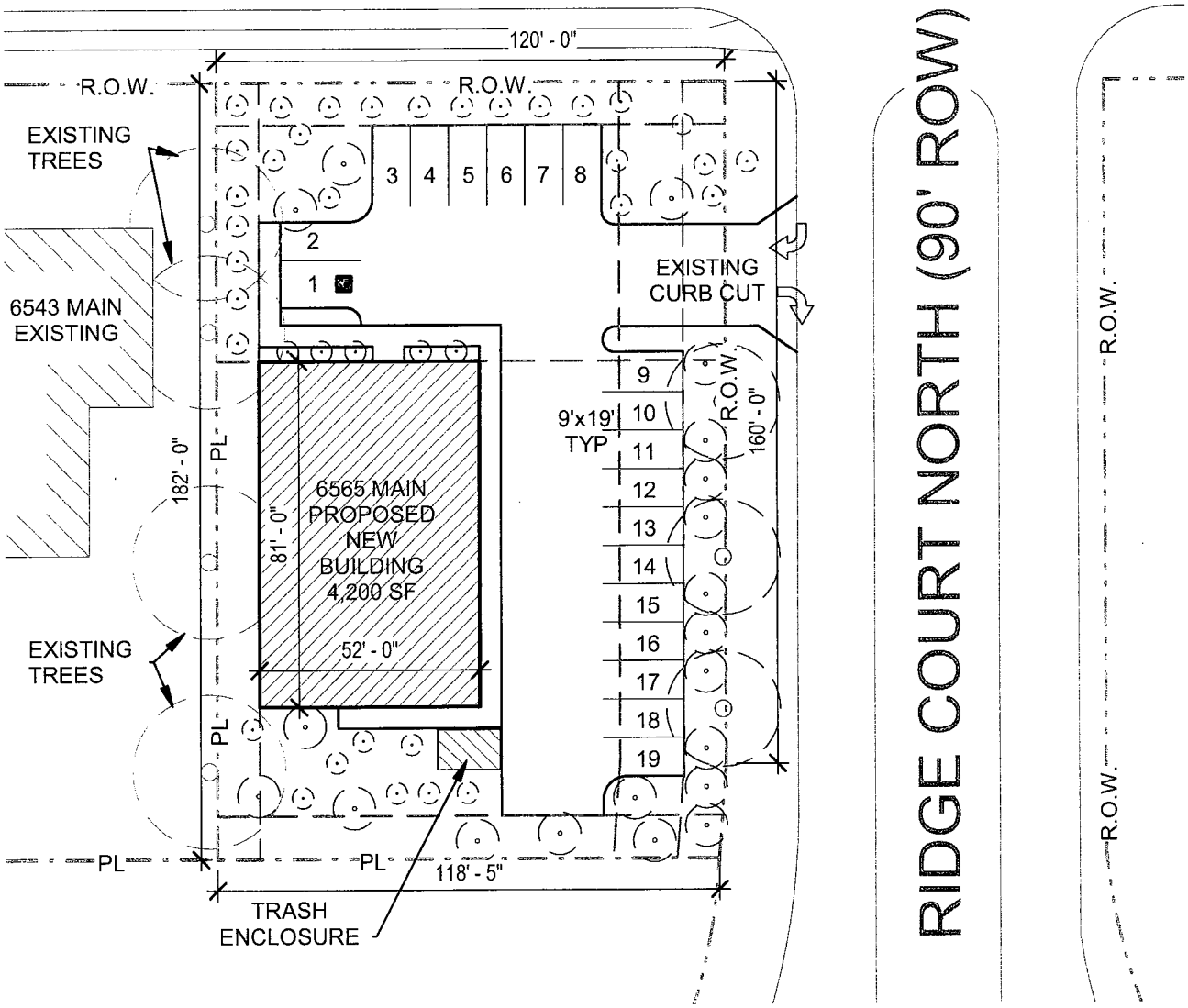
GO PROPERTIES LLC

Kideney Architects, P.C.
143 Genesee Street | Buffalo, New York 14203 | 716.249.3837 | kideney.com

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

R.O.W. R.O.W. R.O.W.

MAIN STREET (99' ROW)



SITE PLAN

SCALE: 1" = 40'-0"

N

KideneyArchitects

6565 MAIN STREET

GO PROPERTIES LLC

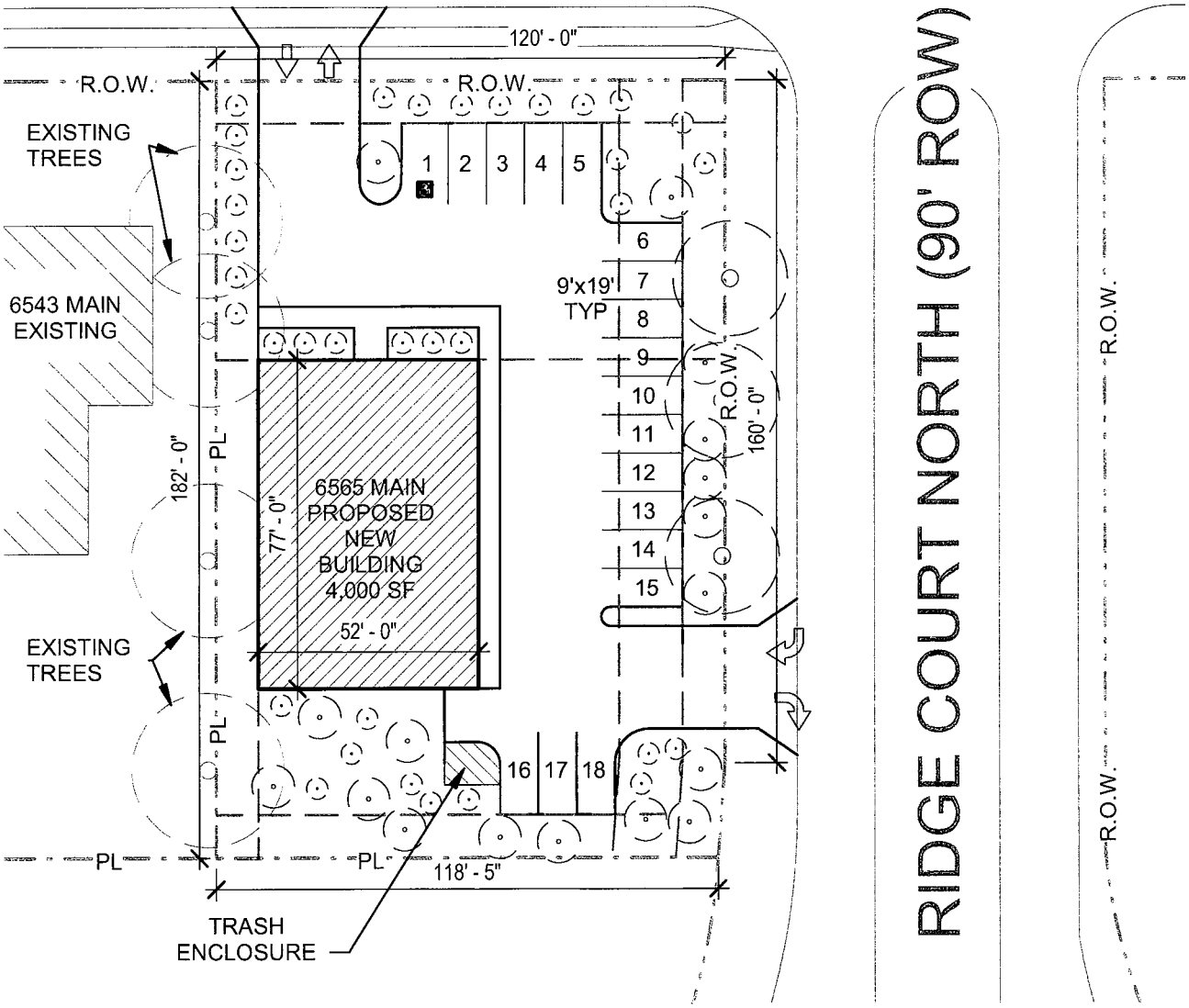
Kideney Architects, P.C.
143 Genesee Street | Buffalo, New York 14203 | 716.249.3837 | kideney.com

OPTION B1

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

R.O.W. R.O.W. R.O.W.

MAIN STREET (99' ROW)



SITE PLAN

SCALE: 1" = 40'-0"

N

KideneyArchitects

6565 MAIN STREET

GO PROPERTIES LLC

Kideney Architects, P.C.
143 Genesee Street | Buffalo, New York 14203 | 716.249.3837 | kideney.com

OPTION B2

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Rezone 6565 Main St R3 Zone to GB Zone		
Project Location (describe, and attach a general location map): 6565 Main Street (see Attachment 1)		
Brief Description of Proposed Action (include purpose or need): Presently, 6565 Main Street is zoned R3 and is part of a commercial thoroughfare in Amherst, New York. The property has been identified as a distinct location of a professional investment management office and it would be desirable to rezone the parcel to GB, General Business.		
Name of Applicant/Sponsor: Erik M. O'Neill	Telephone: 716-880-0430 E-Mail: erikoneill@mac.com	
Address: 79 Oakgrove Drive		
City/PO: Williamsville	State: New York	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Timothy E. Kupinski, AIA, NCARB, Principal, Kideney Architects	Telephone: 716-249-3837 E-Mail: tkupinski@kideney.com	
Address: 143 Genesee Street		
City/PO: Buffalo	State: New York	Zip Code: 14203
Property Owner (if not same as sponsor): Antoinette Lazzaro	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes ☐No		
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board Approval	September 21, 2020
c. City, Town or Village Zoning Board of Appeals ☐Yes ☐No		
d. Other local agencies ☐Yes ☐No		
e. County agencies ☐Yes ☐No		
f. Regional agencies ☐Yes ☐No		
g. State agencies ☐Yes ☐No		
h. Federal agencies ☐Yes ☐No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☑No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Town of Amherst, New York R3 is the present classification.

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Proposed GB (General Business)

C.4. Existing community services.

a. In what school district is the project site located? Williamsville, New York

b. What police or other public protection forces serve the project site?
Amherst Police Department & Erie County Sheriff

c. Which fire protection and emergency medical services serve the project site?
Williamsville Fire Department, Hutchison Hose Co.

d. What parks serve the project site?
Garrison Park; Glenn Park; Island Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? professional commercial offices

b. a. Total acreage of the site of the proposed action? 0.48 acres
b. Total acreage to be physically disturbed? +/-0.385 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .48 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? i, existing
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 9 months
ii. If Yes:
- Total number of phases anticipated 1
- Anticipated commencement date of phase 1 (including demolition) March month 2021 year
- Anticipated completion date of final phase Dec month 2021 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

The project is proposed on the basis of changing the zoning classification. If the new GB Zone is not adopted the project NOT commence.

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 18 feet height; 60feet width; and 75 feet length

iii. Approximate extent of building space to be heated or cooled: 4,500 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No
If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No
If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water? ☐Yes ☑No
If Yes:

i. Total anticipated water usage/demand per day: 250 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No
If Yes:

- Name of district or service area: Erie Count Water Authority
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑No
If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☑No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☑No
If Yes:

- Name of wastewater treatment plant to be used:
- Name of district:
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

- Do existing sewer lines serve the project site? ☑ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☑ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☑ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 0.193 acres (impervious surface)

_____ Square feet or 0.48 acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Storm water will be collected and conveyed underground detention system prior to discharge to municipal storm sewer system

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☑ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☑ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☑ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☑ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____ Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:
- Monday - Friday: 7:00 am to 4 pm
- Saturday: N/A
- Sunday: N/A
- Holidays: N/A

ii. During Operations:
- Monday - Friday: 8:00 am to 5:30 pm
- Saturday: N/A
- Sunday: N/A
- Holidays: N/A

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe:

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Building illumination for aesthetic and wall mounted lighting for parking areas and security

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.092	0.296	+0.204
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑ Yes ☐ No
If Yes,
i. Identify Facilities:
St John Lutheran Church 6540 Main Street, 320 feet

e. Does the project site contain an existing dam? ☐ Yes ☑ No
If Yes:
i. Dimensions of the dam and impoundment:
- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____
☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? greater than 15 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: Waffaic Silt Loam 100 %

d. What is the average depth to the water table on the project site? Average: 2.25 feet

e. Drainage status of project site soils:
☐ Well Drained: ____ % of site
☑ Moderately Well Drained: 100 % of site
☐ Poorly Drained ____ % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: ____ % of site
☐ 10-15%: ____ % of site
☐ 15% or greater: ____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☑ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☑ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer: _____

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

m. Identify the predominant wildlife species that occupy or use the project site:
N/A

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No
If Yes:
i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Timothy E. Kupinski, AIA, NCARB Date 9/21/2020

Signature _____ Title Principal Kideney Architects, PC

PRINT FORM

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Agency Use Only [If applicable]

Project :

Date :

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐NO ☐YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____ _____		☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☐NO ☐YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐NO ☐YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

l. Other impacts: _____ _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☐NO ☐YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☐NO ☐YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. ☐NO ☐YES
(See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐NO ☐YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐NO ☐YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

9. Impact on Aesthetic Resources
The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) ☐NO ☐YES
If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources
The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) ☐NO ☐YES
If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☐ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☐ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. ☐ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. ☐ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____		☐	☐

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☐ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____		☐	☐

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☐ NO ☐ YES
(See Part 1. C.1, C.2. and C.3.)
If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☐ NO ☐ YES
(See Part 1. C.2, C.3, D.2, E.3)
If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Upon review of the information recorded on this EAF, as noted, plus this additional support information

_____

_____

_____

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

_____

_____

_____

_____

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:
Name of Lead Agency:
Name of Responsible Officer in Lead Agency:
Title of Responsible Officer:
Signature of Responsible Officer in Lead Agency: Date:
Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

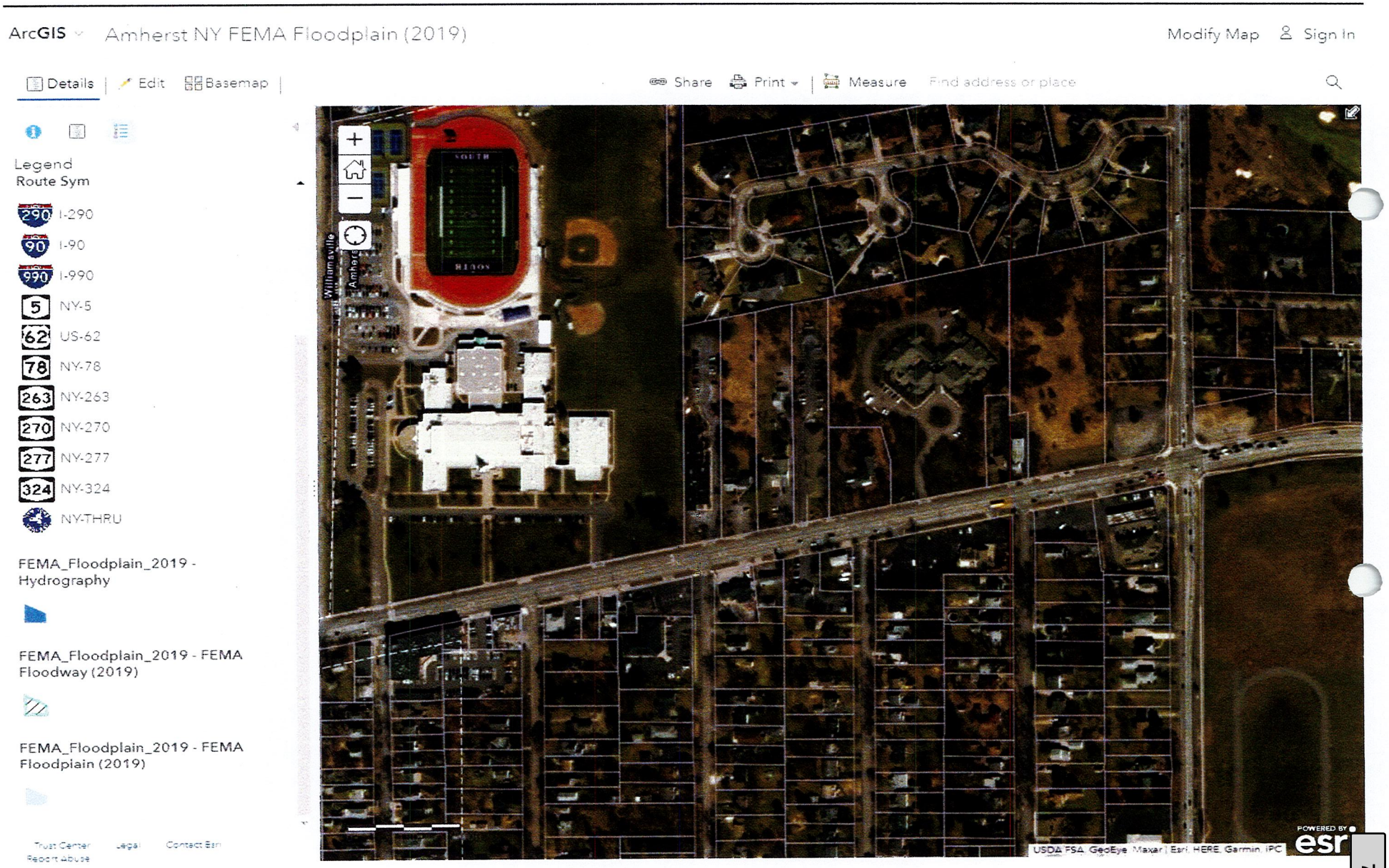
E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)


ArcGIS
Amherst NY FEMA Floodplain (2019)
Modify Map
Sign In
Details
Edit
Basemap
Share
Print
Measure
Find address or place
Legend
Route Sym
I-290
I-90
I-990
NY-5
US-62
NY-78
NY-263
NY-270
NY-277
NY-324
NY-THRU
FEMA_Floodplain_2019 - Hydrography
FEMA_Floodplain_2019 - FEMA Floodway (2019)
FEMA_Floodplain_2019 - FEMA Floodplain (2019)
Trust Center
Legal
Contact Esri
Report Abuse
Williamsville
Amherst
USDA FSA, GeoEye, Maxar | Esri, HERE, Garmin, IPC
POWERED BY esri

HANNA COMMERCIAL REAL ESTATE

344 Delaware Avenue | Suite 2A | Buffalo, NY 1420
O: (716) 856-7107 F: (716) 856-721

September 15, 2020

Regarding: The property at 6565 Main Street, Williamsville, NY 14221

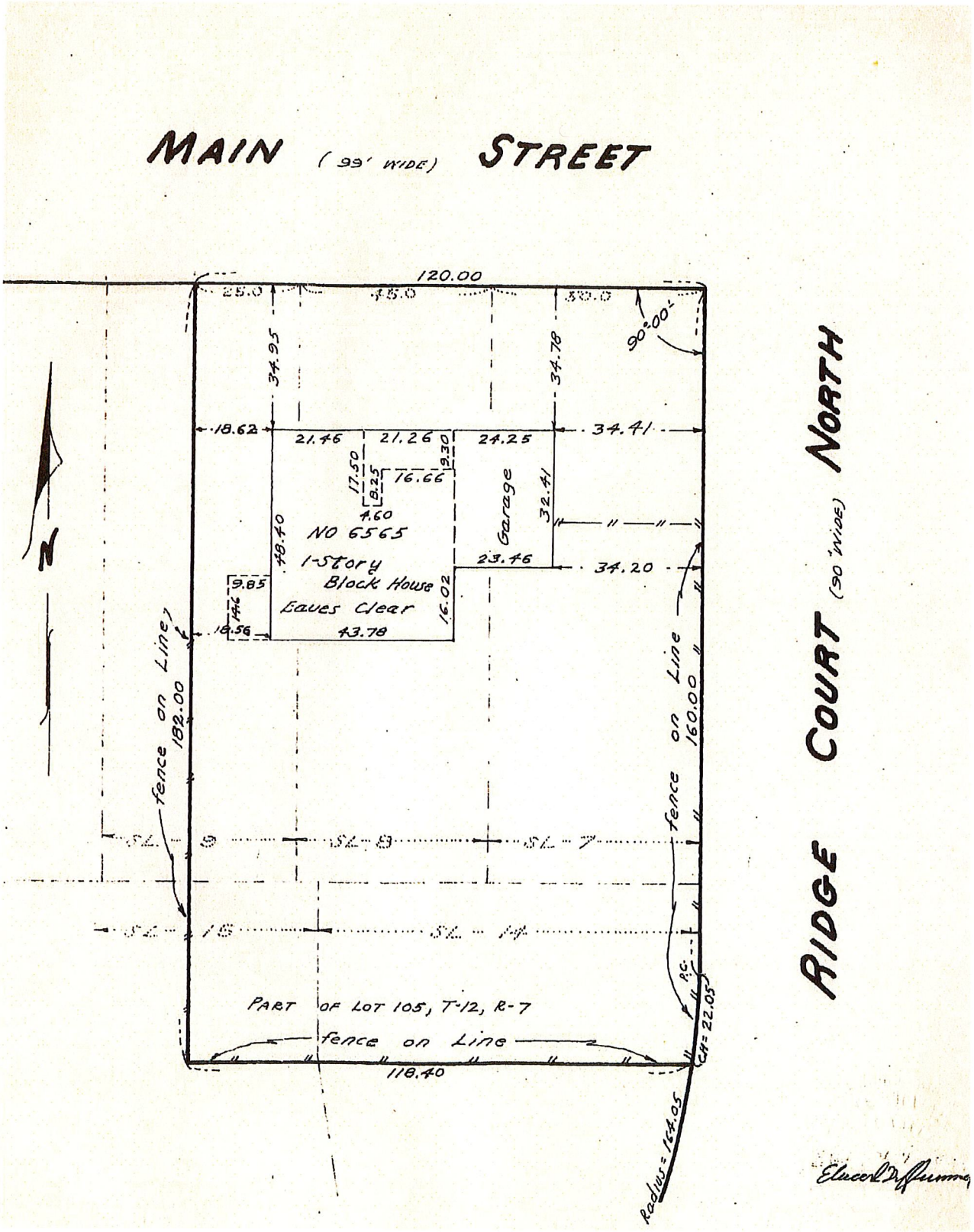
I, Antoinette Lazzaro, the Trustee of the Antonio C. DiFrancesco third party Supplemental Needs Trust authorize and give permission to, Erik O'Neill/ GO Properties LLC and/or his representatives to conduct due diligence procedures as it applies to their research of the land and improvements located at 6565 Main Street, Williamsville, NY 14221. This research will include and not be limited to, detailed zoning and usage, securing copies of any plans, building changes, specifications and the like from any agencies (municipal and otherwise) having such information. This due diligence is needed as a result of an attorney approved contract for the sale of the property and the Seller shall not be responsible for the costs of such research.

Antoinette Lazzaro, Trustee of the Antonio C DiFrancesco third party Supplemental Needs Trust, 6565 Main Street, Williamsville, NY 14221

September 14, 2020

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)


OFFICE
OFFICE
OFFICE
OFFICE
OFFICE
OFFICE
OB
SF/
OFFICE
HAMPTON HILL DR
MAIN ST
RELIGIOUS
CF
SF
R-3
SF
SF
SF
BROMPTON RD
SF
SF
SF
OFFICE
VACANT
OB
OFFICE
GB
VETERINARY
RIDGE CT N
RELIGIOUS
RETAIL
AUTO
GB
BAR
SF
SF
SF

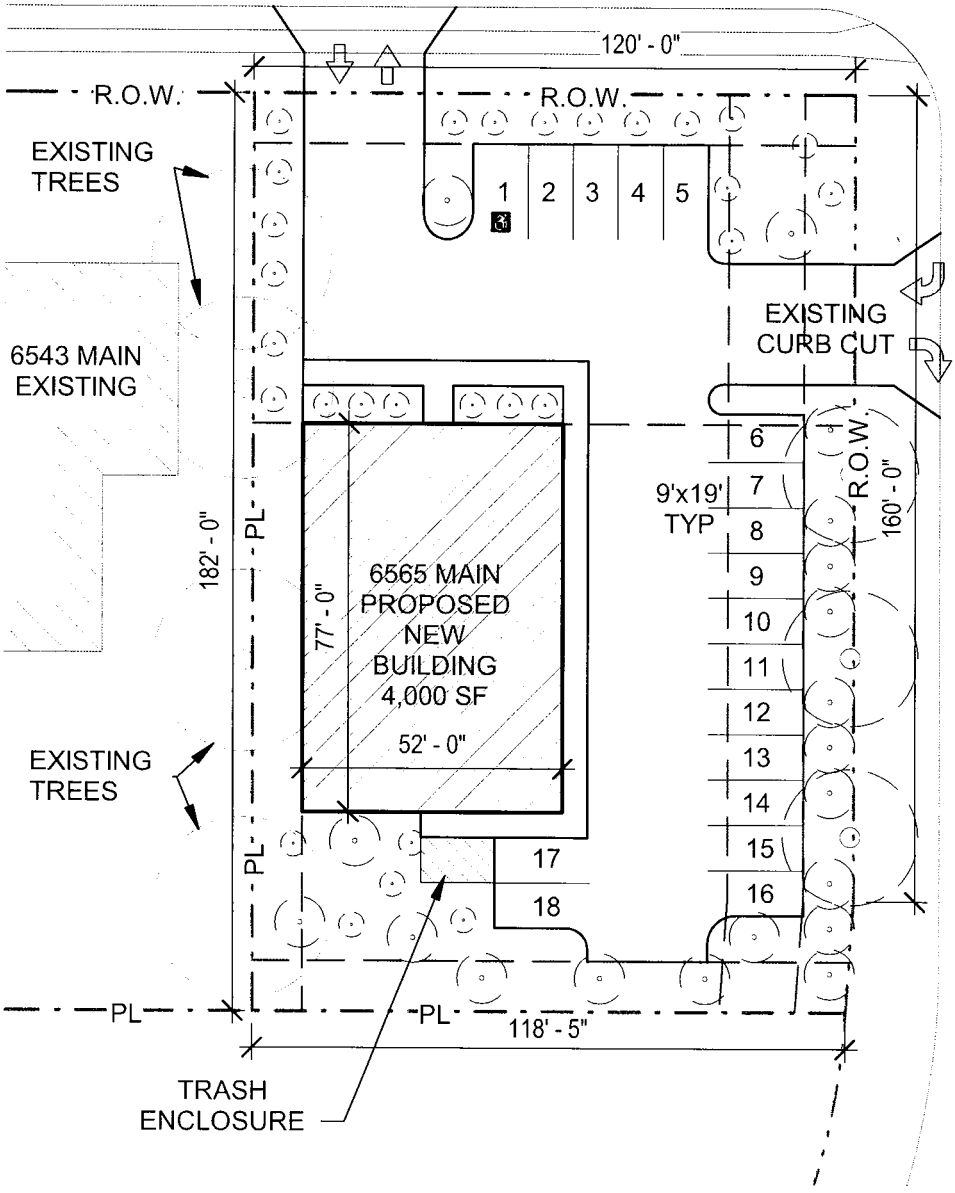


SURVEY

Z-2020-07
6565 Main Street
Received: 9/21/20

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

MAIN STREET (99' ROW)

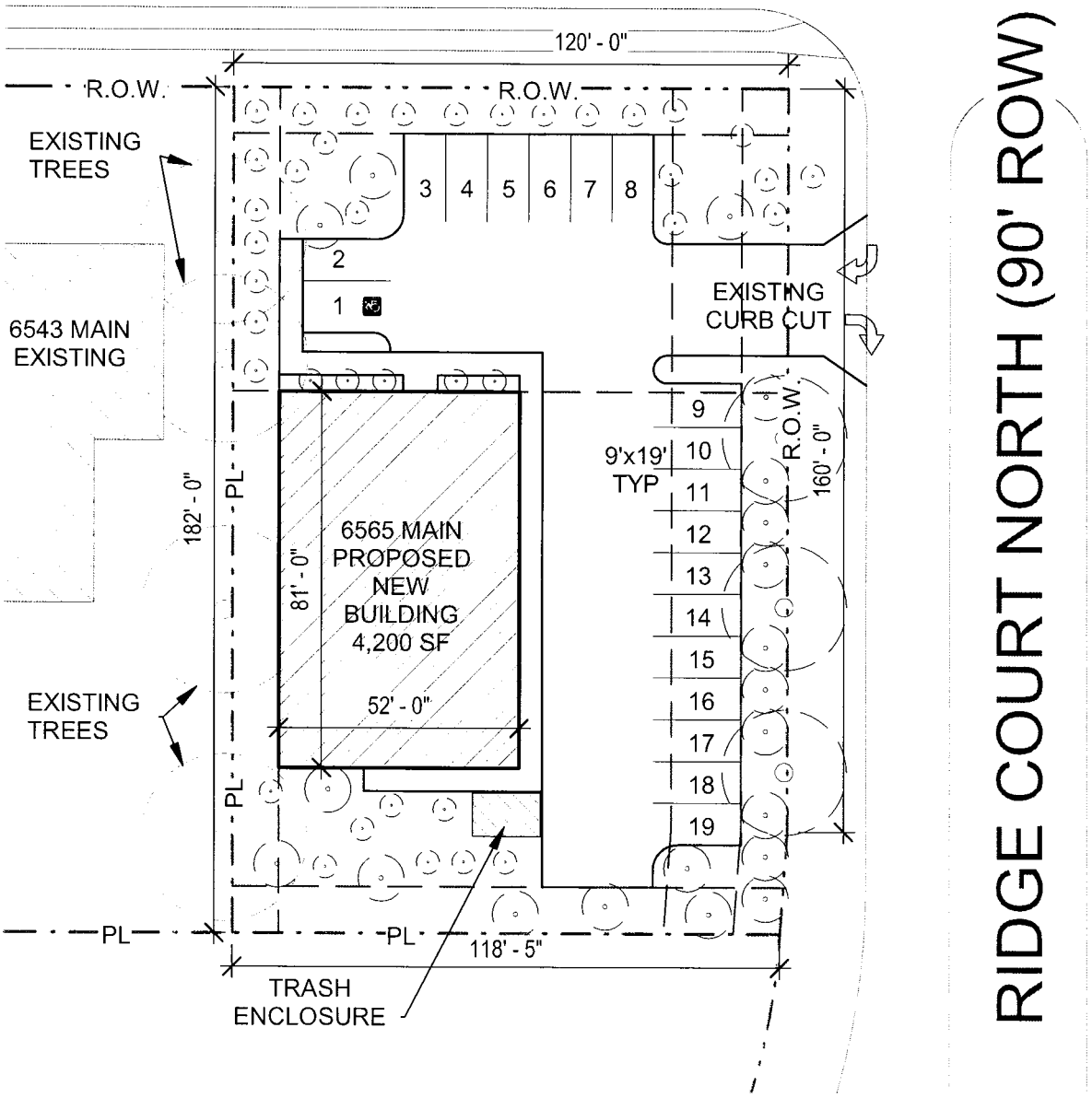


CONCEPT PLAN

Z-2020-07
6565 Main Street
Received: 10/29/20

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

MAIN STREET (99' ROW)

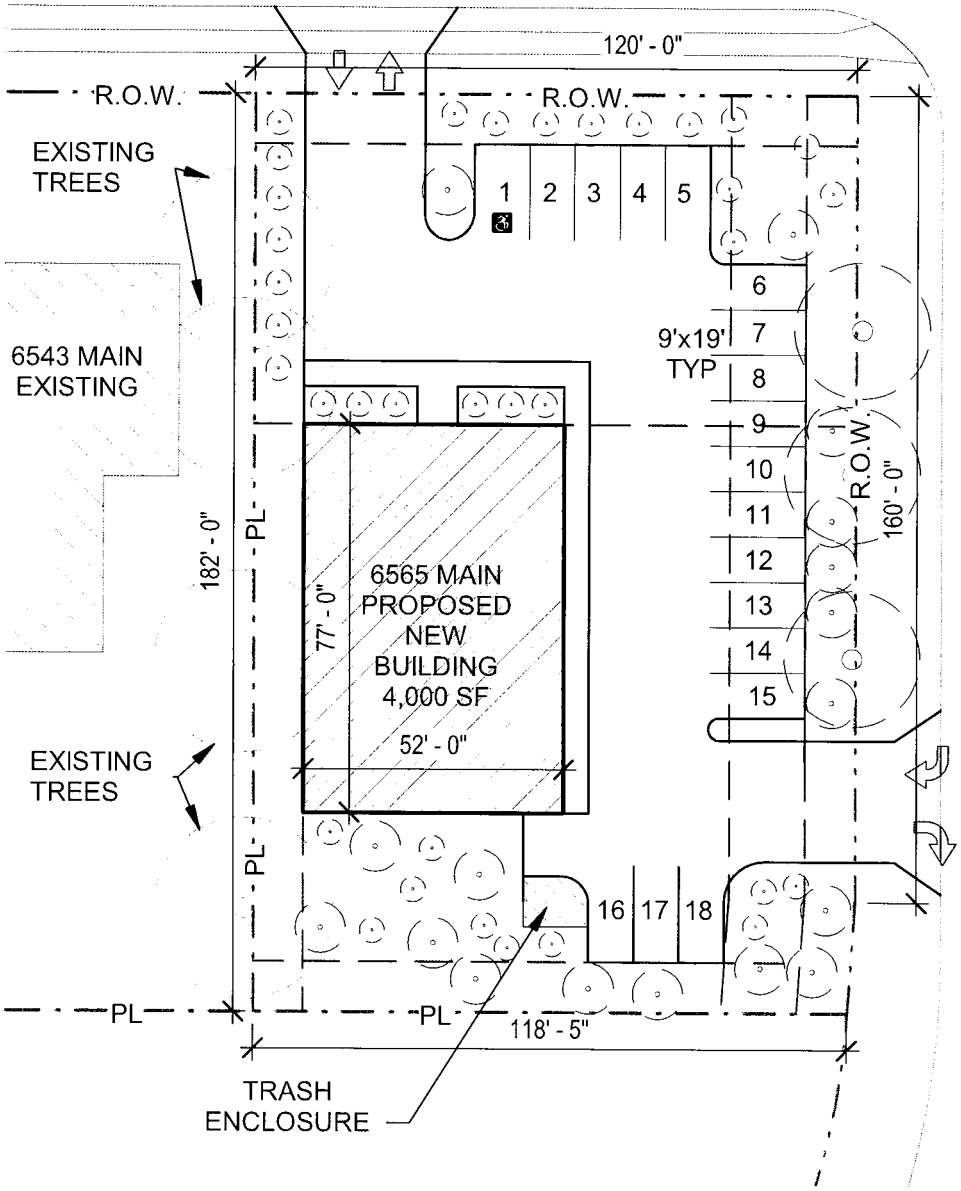


CONCEPT PLAN

Z-2020-07
6565 Main Street
Received: 10/29/20

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

MAIN STREET (99' ROW)



CONCEPT PLAN

Z-2020-07
6565 Main Street
Received: 10/29/20

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)



Z-2020-07
Request to Rezone 0.48+/- AC of Land from R-3 to OB
Property Located at 6565 Main Street

Erik O'Neil, Petitioner

Novemeber 19, 2020

6565 Main Street

Prepared by the Town of Amherst Planning Department

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Z-2020-07
SP-2020

7.1.c

Rappoccio, Roberta

From: Evans, Kathy
Sent: Thursday, November 19, 2020 9:05 AM
To: Rappoccio, Roberta
Subject: RE: Highway Reviews

Roberta,

There are no issues with either one of them-paperwork to follow

Kathy Evans – Clerk Typist
Refuse/Highway Tech
1042 North Forest Rd
Williamsville, NY 14221
631-7117 ext. 5936

From: Rappoccio, Roberta
Sent: Wednesday, November 18, 2020 2:22 PM
To: Evans, Kathy <KEvans@amherst.ny.us>
Subject: Highway Reviews

Hi Kathy,
Could you please send me the reviews from Mark for the following projects:

1. Gateway Park – 143 KENMORE AVENUE/159 NIAGARA FALLS BLVD
2. 6565 MAIN STREET - REZONING

These projects are items on the Planning Board meeting agenda for tomorrow night.
Thank you. Let me know if you have any questions.

Roberta

NOTE: The Town of Amherst Planning Department is currently operating under contingency conditions in accordance with Town guidance. Please visit the Town Website at: http://www.amherst.ny.us/index.php *for updated information.*

Roberta Rappoccio, Associate Planner

TOWN OF AMHERST
Planning Department
5583 Main Street

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Kost, Ellen

From: Rutkowski, Edward (DOT) <Edward.Rutkowski@dot.ny.gov>
Sent: Thursday, November 19, 2020 12:28 PM
To: Kost, Ellen
Cc: Rappoccio, Roberta
Subject: 6565 Main St, proposed Rezoning for 4,000sf Office Building, Amherst
Attachments: 6565 Main St.pdf

Z-2020-07

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Ellen,

New York State Department of Transportation (NYSDOT) reviewed the information submitted for the subject project and has the following comments:

- The proposed project should not have a significant impact to traffic on the State Highway System.
- The information submitted shows 2 different Site Plan options. Option A shows a driveway on Main Street while Option B1 shows no access to Main Street. Based on Access Management Principles, NYSDOT would not approve access on Main Street. Therefore, NYSDOT supports Option B1 which proposes access only on Ridge Court North and no access on Main Street.
- A NYSDOT Highway Work Permit will be required if any work is located within the State Highway Right-of-Way. Additional site engineering review will be performed as part of the Highway Work Permit process. This correspondence does not constitute approval for the purpose of a Highway Work Permit. The applicant should direct the Highway Work Permit application and/or questions to:

  Ronald Frei, North Erie Assistant Resident Engineer
  New York State Department of Transportation
  111 Indian Road, Depew, New York 14043
  (716) 683-3476 I ronald.frei@dot.ny.gov

If you have any questions, please contact me either by email or phone.

Sincerely,
Ed Rutkowski

Edward S. Rutkowski, P. E.
SEQR/Site Plan Review Coordinator
NYSDOT - Region 5
100 Seneca Street
Buffalo, New York 14203
716-847-3575

NEW YORK STATE OF OPPORTUNITY | Department of Transportation

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

October 22, 2020

Erik O'Neill
GO Properties, LLC
79 Oakgrove Drive
Williamsville, New York 14221

SUBJECT:	Rezoning Request:	**Z-2020-07**
	Proposed:	Rezone 0.48± acres of land from Residential (R-3) to Office Building (OB)
	Property located at:	**6565 Main Street**
	Plans received:	September 19, 2020
	Architect/Engineer:	Kideney Architects

Dear Mr. O'Neill,

Please consider the following comments relative to the proposed concept plans:

1. Recommend exploring a shared access with the parcel to the west of the subject site located at 6543-6551 Main Street and eliminating any proposed curb cut to Main Street.

2. Recommend that a cut-through within the existing Ridge Court center island be explored that would align the proposed curb cut with that on the opposite side of Ridge Court. This would allow for better access to the site and to Main Street, without vehicles having to enter into the adjacent neighborhood.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

DH/SM/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Plan_Review_102020.doc
cc: Timothy E. Kupinski, AIA, NCARB, Kideney Architects, PC, 43 Genesee Street, Buffalo, NY 14203

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

RECEIVED
SEP 23 2020
TOWN OF AMHERST
BUILDING DEPT

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

RECEIVED
OCT 20 2020
TOWN OF AMHERST
PLANNING DEPT.

MEMORANDUM

September 22, 2020

TO: Daniel Ulatowski, Principal Planner dulatowski@amherst.ny.us
Dave Marrano, Town Assessor dmarrano@amherst.ny.us
Douglas Gesel, Supervising Code Enforcement Officer, Building Department dgesel@amherst.ny.us
Jeffrey Burroughs, Town Engineer jburroughs@amherst.ny.us
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief plucey@amherst.ny.us
Chris Schregel, Traffic/Safety Coordinator (c/o Eng) cschregel@amherst.ny.us
Brian Barnes, Senior GIS Analyst (Eng.) (letter only) bbarnes@amherst.ny.us
Bryan Parnell, Fire Chiefs' Association (c/o Bldg) bparnell@amherst.ny.us
Stan Sliwa, Town Attorney (Local Law Only) ssliwa@amherst.ny.us
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent ademopoulos@amherst.ny.us
Integrated Review Coordinator, ECDEP david.hall@erie.gov
Edward Rutkowski, SEQR Review Coordinator, NYSDOT erutkowski@dot.state.ny.us

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director
/ES/ Scott A. Marshall

SUBJECT: REQUEST TO REZONE 0.48± ACRES OF LAND FROM R-3 TO OB **Z-2020-07-**; PROPERTY LOCATED AT **6565 MAIN STREET**. ERIK O'NEILL, PETITIONER.

Digital Files:
https://share.amherst.ny.us:443/docman/doc_files_list.php?hash=3amyklktxzic2q7qddxm2ka3p

REVIEW:

Do you agree with all statements made? Yes.

If you do not, briefly state why: _____

General comments relative to your agency interests: None at this time.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Doug Gesel **Date:** 10-19-2020

EK/SM/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Transmittal_Electronic_09212020.doc
cc: Timothy E Kupinski, Kedeney Architects PC, 143 Genesee St., Buffalo, NY 14203
Erik O'Neill, 79 Oakgrove Dr, Williamsville, NY 14221 erikoneill@mac.com
Scott Marshall, Principal Planner smarshall@amherst.ny.us

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

RECEIVED
OCT 06 2020
TOWN OF AMHERST
PLANNING DEPT.

SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY AND REPLY TO MUNICIPALITY

Note: Please complete and send one copy with attachments to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain a copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: SP-20-419

Received: 9/24/2020

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aherst

2. Hearing Schedule: **Date** November 19, 2020 **Time** 6:30 p.m **Location** 5583 Main Street, Wmsvl NY

3. Action is before: ☐ Legislative Body ☐ Board of Appeals ☒ Planning Board

4. Action consists of: ☐ New Ordinance ☒ Rezone/Map Change ☐ Ordinance Amendment ☐ Site Plan ☐ Variance ☐ Special Use Permit ☐ Other

5. Location of Property: ☐ Entire Municipality ☒ Specific as follows: 6565 Main Street Amherst, NY 14221

6. Referral required as Site is within 500'of: ☐ State or County Property/Institution ☐ Municipal Boundary ☐ Farm Operation located in an Agricultural District ☐ Expressway ☐ County Road ☒ State Highway ☐ Proposed State or County Road, Property, Building/ Institution, Drainageway

7. Proposed change or use: Request to rezone 0.48 acres of land from Residential District Three (R3) to Office building District (OB)

8. Other remarks: (ID#, SBL#, etc.) Z-2020-07

9. Submitted by: Scott A. Marshall, Principal Planner **Date:** September 21, 2020

Mailing Address: Town of Amherst Planning Department, 5583 Main Street, Williamsville, NY 14221

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 9/30/20**. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.**

1. ☐ **The proposed action is not subject to review under the law.**
2. ☐ **Form ZR-3, Comment on Proposed Action is attached hereto.**
3. ☐ **The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.**
4. ☒ **No recommendation; proposed action has been reviewed and determined to be of local concern**

By the Division of Planning: Date: 10/5/20

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

RECEIVED
OCT 05 2020
TOWN OF AMHERST
PLANNING DEPT.

TOWN OF AMHERST
ENGINEERING
DEPARTMENT
2020 SEP 24 P 12:56

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM September 22, 2020

TO: Daniel Ulatowski, Principal Planner dulatowski@amherst.ny.us
Dave Marrano, Town Assessor dmarrano@amherst.ny.us
Douglas Gesel, Supervising Code Enforcement Officer, Building Department dgesel@amherst.ny.us
Jeffrey Burroughs, Town Engineer jburroughs@amherst.ny.us
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief plucey@amherst.ny.us
Chris Schregel, Traffic/Safety Coordinator (c/o Eng) cschregel@amherst.ny.us
Brian Barnes, Senior GIS Analyst (Eng.) (letter only) bbarnes@amherst.ny.us
Bryan Parnell, Fire Chiefs' Association (c/o Bldg) bparnell@amherst.ny.us
Stan Sliwa, Town Attorney (Local Law Only) ssliwa@amherst.ny.us
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent ademopoulos@amherst.ny.us
Integrated Review Coordinator, ECDEP david.hall@erie.gov
Edward Rutkowski, SEQR Review Coordinator, NYSDOT erutkowski@dot.state.ny.us

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director
/ES/ Scott A. Marshall

SUBJECT: REQUEST TO REZONE 0.48± ACRES OF LAND FROM R-3 TO OB **Z-2020-07-**; PROPERTY LOCATED AT **6565 MAIN STREET**. ERIK O'NEILL, PETITIONER.

Digital Files:
https://share.amherst.ny.us:443/docman/doc_files_list.php?hash=3amyklktxzic2q7qddxm2ka3p

REVIEW:

Do you agree with all statements made? YES.

If you do not, briefly state why: _____

General comments relative to your agency interests: ADD'L Review on the Ridge Court North curb cut will occur at site plan Rev.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 10/2/20

EK/SM/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Transmittal_Electronic_09212020.doc

cc: Timothy E Kupinski, Kedeney Architects PC, 143 Genesee St., Buffalo, NY 14203
Erik O'Neill, 79 Oakgrove Dr, Williamsville, NY 14221 erikoneill@mac.com
Scott Marshall, Principal Planner smarshall@amherst.ny.us

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

RECEIVED
SEP 30 2020
TOWN OF AMHERST
PLANNING DEPT.

RECEIVED
SEP 23 2020
TOWN ATTORNEY

MEMORANDUM September 22, 2020

TO: Daniel Ulatowski, Principal Planner dulatowski@amherst.ny.us
Dave Marrano, Town Assessor dmarrano@amherst.ny.us
Douglas Gesel, Supervising Code Enforcement Officer, Building Department dgesel@amherst.ny.us
Jeffrey Burroughs, Town Engineer jburroughs@amherst.ny.us
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief plucey@amherst.ny.us
Chris Schregel, Traffic/Safety Coordinator (c/o Eng) cschregel@amherst.ny.us
Brian Barnes, Senior GIS Analyst (Eng.) (letter only) bbarnes@amherst.ny.us
Bryan Parnell, Fire Chiefs' Association (c/o Bldg) bparnell@amherst.ny.us
Stan Sliwa, Town Attorney (Local Law Only) ssliwa@amherst.ny.us
9/25/20 - AD approved ✓
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent ademopoulos@amherst.ny.us
Integrated Review Coordinator, ECDEP david.hall@erie.gov
Edward Rutkowski, SEQR Review Coordinator, NYSDOT erutkowski@dot.state.ny.us

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director
/ES/ Scott A. Marshall

SUBJECT: REQUEST TO REZONE 0.48± ACRES OF LAND FROM R-3 TO OB **Z-2020-07-**; PROPERTY LOCATED AT **6565 MAIN STREET**. ERIK O'NEILL, PETITIONER.

Digital Files:
https://share.amherst.ny.us:443/docman/doc_files_list.php?hash=3amyklktxzic2q7qddxm2ka3p

REVIEW:

Do you agree with all statements made? N/A.

If you do not, briefly state why: N/A

General comments relative to your agency interests: viewed property - one of few houses on main - no objection to rezone - ROW not affected

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.) N/A

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 9/25/2020

EK/SM/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Transmittal_Electronic_09212020.doc

cc: Timothy E Kupinski, Kedeney Architects PC, 143 Genesee St., Buffalo, NY 14203
Erik O'Neill, 79 Oakgrove Dr, Williamsville, NY 14221 erikoneill@mac.com
Scott Marshall, Principal Planner smarshall@amherst.ny.us

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

RECEIVED
SEP 29 2020
TOWN OF AMHERST
PLANNING DEPT.

MEMORANDUM

September 22, 2020

TO: Daniel Ulatowski, Principal Planner dulatowski@amherst.ny.us
Dave Marrano, Town Assessor dmarrano@amherst.ny.us
Douglas Gesel, Supervising Code Enforcement Officer, Building Department dgesel@amherst.ny.us
Jeffrey Burroughs, Town Engineer jburroughs@amherst.ny.us
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief plucey@amherst.ny.us
Chris Schregel, Traffic/Safety Coordinator (c/o Eng) cschregel@amherst.ny.us
Brian Barnes, Senior GIS Analyst (Eng.) (letter only) bbarnes@amherst.ny.us
Bryan Parnell, Fire Chiefs' Association (c/o Bldg) bparnell@amherst.ny.us
Stan Sliwa, Town Attorney (Local Law Only) ssliwa@amherst.ny.us
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent ademopoulos@amherst.ny.us
Integrated Review Coordinator, ECDEP david.hall@erie.gov
Edward Rutkowski, SEQR Review Coordinator, NYSDOT erutkowski@dot.state.ny.us

TOWN OF AMHERST PLANNING DEPARTMENT 2020 SEP 29 P 12:51

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director
/ES/ Scott A. Marshall

SUBJECT: REQUEST TO REZONE 0.48± ACRES OF LAND FROM R-3 TO OB **Z-2020-07-**; PROPERTY LOCATED AT **6565 MAIN STREET**. ERIK O'NEILL, PETITIONER.

Digital Files:
https://share.amherst.ny.us:443/docman/doc_files_list.php?hash=3amyklktxzic2q7qddxm2ka3p

REVIEW:

Do you agree with all statements made? YES.

If you do not, briefly state why: _____

General comments relative to your agency interests: NONE

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 9/28/20

EK/SM/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Transmittal_Electronic_09212020.doc

cc: Timothy E Kupinski, Kedeney Architects PC, 143 Genesee St., Buffalo, NY 14203
Erik O'Neill, 79 Oakgrove Dr, Williamsville, NY 14221 erikoneill@mac.com
Scott Marshall, Principal Planner smarshall@amherst.ny.us

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

RECEIVED
SEP 28 2020
TOWN OF AMHERST
PLANNING DEPT.

Amherst

Town of Amherst Planning Department — *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM

September 22, 2020

TO: Ellen Kost
From: Dave Marrano
Date: 9/24/20

TO: Daniel Ulatowski, Principal Planner dulatowski@amherst.ny.us
Dave Marrano, Town Assessor dmarrano@amherst.ny.us
Douglas Gesel, Supervising Code Enforcement Officer, Building Department dgesel@amherst.ny.us
Jeffrey Burroughs, Town Engineer jburroughs@amherst.ny.us
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief plucey@amherst.ny.us
Chris Schregel, Traffic/Safety Coordinator (c/o Eng) cschregel@amherst.ny.us
Brian Barnes, Senior GIS Analyst (Eng.) (letter only) bbarnes@amherst.ny.us
Bryan Parnell, Fire Chiefs' Association (c/o Bldg) bparnell@amherst.ny.us
Stan Sliwa, Town Attorney (Local Law Only) ssliwa@amherst.ny.us
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent ademopoulos@amherst.ny.us
Integrated Review Coordinator, ECDEP david.hall@erie.gov
Edward Rutkowski, SEQR Review Coordinator, NYSDOT erutkowski@dot.state.ny.us

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director
/ES/ Scott A. Marshall

See Below

SUBJECT: REQUEST TO REZONE 0.48± ACRES OF LAND FROM R-3 TO OB **Z-2020-07-**; PROPERTY LOCATED AT **6565 MAIN STREET**. ERIK O'NEILL, PETITIONER.

Digital Files:
https://share.amherst.ny.us:443/docman/doc_files_list.php?hash=3amyklktxzic2q7qddxm2ka3p

REVIEW:

Do you agree with all statements made? Yes.

If you do not, briefly state why: No Issue

General comments relative to your agency interests: No Issue

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

N/A

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 9/24/20

EK/SM/ac
N:\Current_Planning\Files\Rezonings 2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Transmittal_Electronic_09212020.doc
cc: Timothy E Kupinski, Kedeney Architects PC, 143 Genesee St., Buffalo, NY 14203
Erik O'Neill, 79 Oakgrove Dr. Williamsville, NY 14221 erikoneill@mac.com
Scott Marshall, Principal Planner smarshall@amherst.ny.us

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Amherst

Town of Amherst Planning Department — Erie County, New York

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

RECEIVED
SEP 24 2020
TOWN OF AMHERST
PLANNING DEPT.

RECEIVED
SEP 23 2020
TOWN ATTORNEY

MEMORANDUM September 22, 2020

TO: Daniel Ulatowski, Principal Planner dulatowski@amherst.ny.us
Dave Marrano, Town Assessor dmarrano@amherst.ny.us
Douglas Gesel, Supervising Code Enforcement Officer, Building Department dgesel@amherst.ny.us
Jeffrey Burroughs, Town Engineer jburroughs@amherst.ny.us
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief plucey@amherst.ny.us
Chris Schregel, Traffic/Safety Coordinator (c/o Eng) cschregel@amherst.ny.us
Brian Barnes, Senior GIS Analyst (Eng.) (letter only) bbarnes@amherst.ny.us
Bryan Parnell, Fire Chiefs' Association (c/o Bldg) bparnell@amherst.ny.us
Stan Sliwa, Town Attorney (Local Law Only) ssliwa@amherst.ny.us
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent ademopoulos@amherst.ny.us
Integrated Review Coordinator, ECDEP david.hall@erie.gov
Edward Rutkowski, SEQR Review Coordinator, NYSDOT erutkowski@dot.state.ny.us

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director
/ES/ Scott A. Marshall

SUBJECT: REQUEST TO REZONE 0.48± ACRES OF LAND FROM R-3 TO OB **Z-2020-07-**; PROPERTY LOCATED AT **6565 MAIN STREET**. ERIK O'NEILL, PETITIONER.

Digital Files:
https://share.amherst.ny.us:443/docman/doc_files_list.php?hash=3amyklktxzic2q7qddxm2ka3p

REVIEW:

Do you agree with all statements made? N/A.

If you do not, briefly state why: _____

General comments relative to your agency interests: No Local law provided to review.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Stanley Sliwa **Date:** 9/23/2020

EK/SM/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-07_(6565_Main St)_2020\Z-2020-07_Transmittal_Electronic_09212020.doc
cc: Timothy E Kupinski, Kedeney Architects PC, 143 Genesee St., Buffalo, NY 14203
Erik O'Neill, 79 Oakgrove Dr, Williamsville, NY 14221 erikoneill@mac.com
Scott Marshall, Principal Planner smarshall@amherst.ny.us

Attachment: Z-2020-07_TB letter 2_020121 (RES-2021-114 : 6565 Main Street Rezoning)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Director

Ellen M. Kost, AICP
Assistant Planning Dir

MEMORANDUM February 22, 2021

Town Board Agenda February 22, 2021

TO: Town Board

FROM: Daniel C. Howard, AICP, Planning Director

SUBJECT: REVISED Concept Plan – Rezoning of 6565 Main Street
Resolution 2021-114

Attached is a revised concept plan for the above-referenced rezoning which appears on today's Town Board agenda.

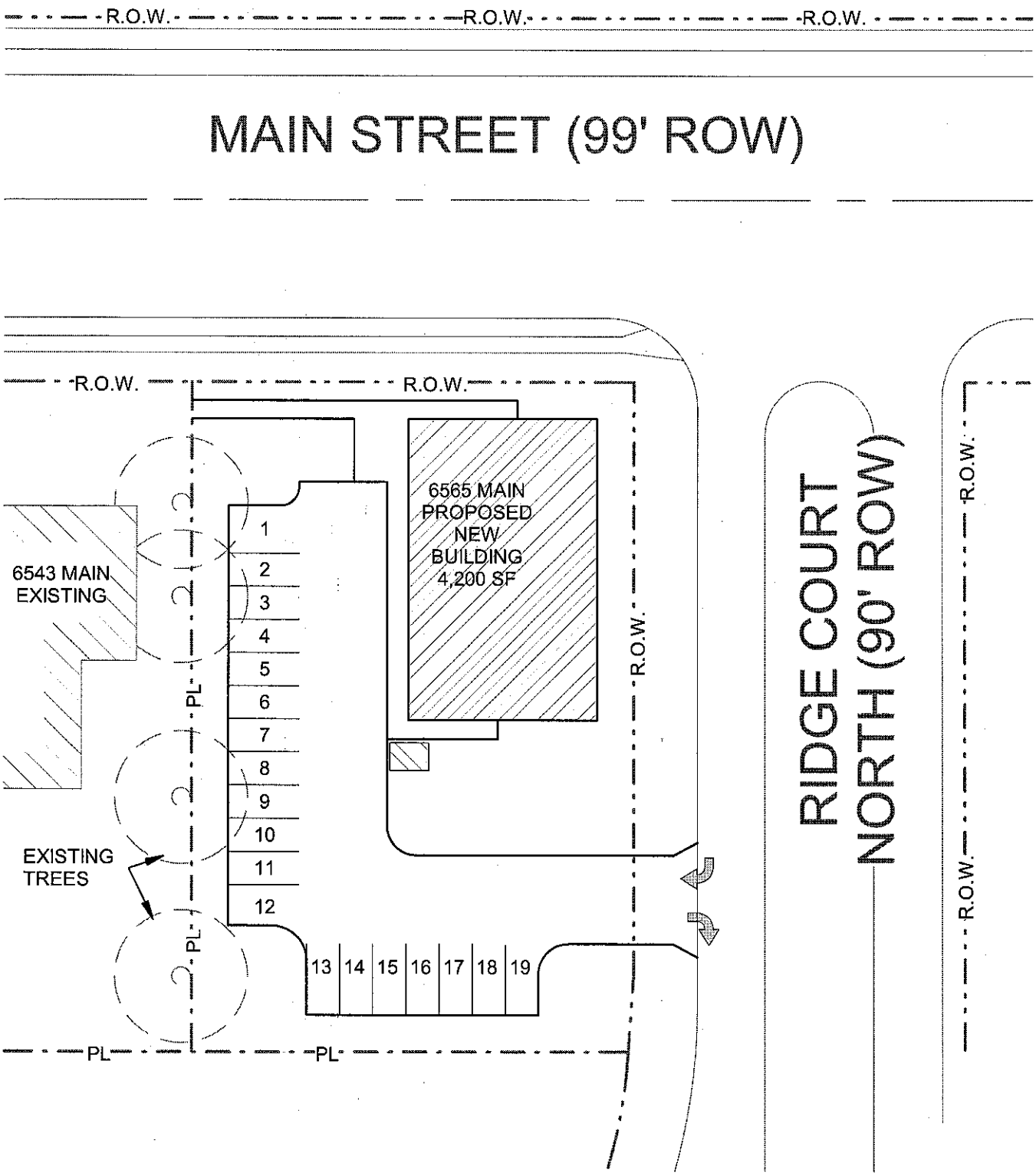
Please contact me if you have any questions.

Attachment

Cc: Town Clerk
Town Attorney

Attachment: 6565 Main St-02222021120029 (RES-2021-114 : 6565 Main Street Rezoning)

Revised 2/22/21
Resolution 2021-114



CONCEPT PLAN

SCALE: 1" = 40'-0"

N

NorthCape Wealth Management, LLC

6565 MAIN STREET

KideneyArchitects

02/22/2021

OPTION C2

143 Genesee Street | Buffa

Attachment: 6565 Main St-02222021120029 (RES-2021-114 : 6565 Main Street Rezoning)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
Initiated by: **Kathleen Cooper**
Co-Sponsored by:

DOC ID: 22866 **RESOLUTION 2021-152** **ADOPTED**

Special Use Permit for Solar Energy Development at 595 Schoelles Road

Adoption of a Special Use Permit for Solar Energy Project
(595 Schoelles Road; SP-2020-14)

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of January 21, 2021 that the proposed solar energy development to be located at 595 Schoelles Road is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that in accordance with Section 6-10-7B(3)(d) of the Zoning Ordinance, the Planning Board recommended to the Town Board approval of the Special Use Permit for the proposed solar development as stated in their resolution of January 21, 2021; and be it further

RESOLVED, that pursuant with Section 8-6-6 of the Zoning Ordinance, the Town Board **approves** said Special Use Permit subject to the following conditions:

1) Copies of all reporting documentation to be prepared by the designated environmental monitor (EM) as required by the NYS Dept. of Agriculture & Markets in their Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands during construction shall also be provided to the Town Planning Department.

2) The applicant shall install segments of wooden split rail fencing along the east and west property lines near Schoelles Road to prevent all-terrain vehicles from accessing lands outside of the solar compound. Such installation shall occur during final landscaping installations and in coordination with the Town Landscape Architect.

2/22/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was opened at 7:12 PM.

Jeffery Palumbo, Esq. addressed the Board. Dan Leary, Amherst Community Solar, LLC and Jason Burford, GPI, co-presented.

The following speaker addressed the Town Board:
Joe Voytovich, 35 Bucyrus Dr. - Asked about the infrastructure

There were no further speakers from the public, therefore Supervisor Kulpa moved to close the public hearing, seconded by Councilmember Lavin and unanimously approved 5-0. The public hearing was closed at 7:30 PM.

A motion to approve the Negative Declaration was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0.

A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Attachment: SP-2020-14_595 Schoelles TB_DRAFT_neg_dec_022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

D R A F T (02/22/21)

SEQR
Negative Declaration

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst
Planning Board

Project: SP- 2020-14

Address: 5583 Main Street
Williamsville, NY 14221
(716) 631-7051

Date:

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Site Plan Review

SEQR Status: Type I Action

Description of Action: Proposed development of a 15± acre solar energy development on a 21.5± acre parcel. A maximum of 13,260 solar panels will be post mounted in a southerly orientation facing I-990, with a potential output of 3.5-4 mw of energy. A 75 ft. paved access driveway will be located at the west end of the frontage along Schoelles Road. A 6 ft. tall fence and high impact screening will be installed on all four sides of the buildable area- 50 feet on the east, west and south boundaries, and 100 feet from Schoelles Road. Energy collecting equipment is to be located on pads within the fence line to the north of the property along Schoelles Road. An additional agricultural use, to be determined at a later date, will be included with this project. Work will include the site improvements not specifically stated above, including, stormwater, utilities, grading, lighting, paving, and landscaping.

Location: 595 Schoelles Road, Amherst, Erie County

Petitioner: Amherst Community Solar, LLC

Attachment: SP-2020-14_595 Schoelles TB_DRAFT_neg_dec_022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Reasons Supporting This Determination

Based on information submitted by the applicant including a Full Environmental Assessment Form (EAF) - Part I, (as amended) and a complete site plan application, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that this action will not have a significant impact on the environment, as follows:

1. The project is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Engineering Department on November 24, 2020 reviewed the Grading, Drainage and Utility Plans, Erosion and Control Plans, and the Engineer's Report submitted on November 16, 2020.

   The Stormwater Pollution Prevention Plan (SWPPP) submitted on November 16, 2020 was also reviewed. Based on its review of these documents, the Department has determined that the project has or will have met all applicable requirements and has no objection to its approval.

2. The project will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. The Planning Department reviewed a Landscape Plan submitted on November 16, 2020 and determined that it meets or exceeds Zoning Ordinance requirements for greenspace. The Landscape Plan has or will have met all Zoning Ordinance and Town requirements for landscaping.

3. The project is not expected to create any material conflict with the Town Comprehensive Plan. The Building Department in their review of December 9, 2020 and the Planning Department in their review of December 14, 2020 determined that the subject project has or will have met all International Building Code – 2015 and Zoning Ordinance regulations.

4. The project is within an area identified by the State as having potentially archaeological or historical significance. A report by PanAmerican Consultants, Inc. and received by the Planning Department on January 21, 2021 concluded that the project will not have a significant impact on historical or cultural resources.

5. The project will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. The project is located in the Suburban Agriculture (SA) zoning district; neighboring uses are agricultural uses and single family homes and zoned Suburban Agriculture (SA); therefore, the project is consistent with surrounding land use since it complies with the Town's adoption of local laws that strongly emphasize mitigation measures (e.g. landscaping, inclusion of agricultural use) to allow renewable energy developments to be compatible with the surrounding rural character in the area.

6. The proposed subject development will include a 15± acre solar energy development which will increase energy output at this location.

7. The project will not create any hazard to human health. The Fire Chief's Association on December 3, 2020 has reviewed the project and has no objection to the approval of the site plan, as all requirements of this agency has or will have been met.

8. The project will change the use, and the intensity of the use, of land at this location, from open farmland to a field of solar arrays, however, the proposed 15± acre solar energy development will include a co-located agricultural use and will be consistent with the scale of surrounding land uses.

9. The function of the proposed 15± acre solar energy development will not significantly increase the number of people using the site over its previous level of use. A maintenance plan will provide the minimum access by individuals needed to maintain the equipment and uses on the site.

10. Reviews by the Town Traffic/Safety Board dated December 3, 2020, and NYSDOT dated January 21, 2021 indicate that significant negative traffic impacts are not expected to result from the proposed project.

11. A coordinated review of the project has been undertaken by Town Departments including, in addition to those mentioned above, Highway on December 5, 2020, Assessor on December 1, 2020, Plumbing Division on December 1, 2020, and Right-of-Way Agent on November 25, 2020. These reviews did not identify any potential significant adverse environmental issues and indicated that the proposal will not have a significant damaging impact on the environment.

12. Issues not specifically mentioned above and/or those not specifically reviewed were not raised by Town departments, outside agencies or the public and are not determined to cause significant negative environmental impacts.

_____ _____
Signature & title of preparer date

_____ _____
Brian J. Kulpa, Supervisor date

RR/ac
X:\Current_Planning\Files\Site Plans\2020\SP-2020-14_(595_Schoelles_Rd)_2020\SP-2020-14_TB_DRAFT_neg_dec_022221.doc
cc: Amherst Town Clerk
Amherst Building Department
ECDEP
NYSDEC
NYSDOT
5275 Millersport Highway LLC, c/o Hopkins Sorgi & McCarthy, 5500 Main St., Suite 343, Williamsville, NY 14221

Attachment: SP-2020-14_595 Schoelles TB_DRAFT_neg_dec_022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Memorandum February 17, 2021

TO: Amherst Town Board
c/o Francina J. Spoth, Town Clerk

FROM: Daniel Howard, Planning Director DCH

SUBJECT: Application for Special Use Permit; Solar Energy Development.
Property Located at: **595 Schoelles Road**
Petitioner: Amherst Community Solar
Received: **November 16, 2020**

At its January 21, 2021 meeting, the Planning Board approved the first site plan application for a solar energy development in the Town. The development includes 15 acres of solar arrays (roughly 13,260 panels) on a 21.5 acre property, situated on the south side of Schoelles Road north of the I-990. A maximum potential output of 5.6 mw of energy is expected from the facility. A 75 ft. paved access driveway will be located in the western portion of the site; a 6 ft. high fence will surround the facility, including the energy collecting equipment, for added security; and there is a 100 ft. setback from the roadway to mitigate visual impacts along Schoelles Road.

In addition to site plan approval by the Planning Board, Section 8-6-6 (as amended 12/14/2020) of the Zoning Ordinance requires a solar energy development obtain a Special Use Permit issued by the Town Board prior to construction.

In accordance with Chapter 203, Sections 8-6-3 & 8-6-4 of the Code of the Town of Amherst, the Planning Department provides the following review per the standards set forth in §203-8-6-6, Review Criteria, for issuance of a special use permit.

1. ***Will be generally Consistent with the policies of the Comprehensive Plan.*** The applicant's request does not conflict with the policies of the Comprehensive Plan, as the Plan currently does not address solar energy developments within the land use section or elsewhere.

2. ***Meets any specific criteria set forth in this Ordinance.*** The applicant's request meets the provisions of Section 6-10-7B(3)(d) of the Zoning Ordinance which regulates solar energy developments:

    a. Ownership and Access. Property to be leased for 25 years. A copy of the lease agreement is required to be submitted to the Town.

b. Site Plans. The project must successfully complete the site plan approval process through the Planning Board. A site plan has been approved by the Planning Board with the following conditions:

1. That the consideration of signs is specifically excluded from this approval as they require a separate review and approval by the Town.

2. That any lights used to illuminate the property be equipped with adjustable hoods to control light spread and direction so as not to create any nuisance to nearby properties, and that lights not exceed 25 feet in total height from finished grade.

3. That as-built record drawings, including location of utilities, be provided to the Engineering Department prior to issuance of a Certificate of Occupancy by the Building Department.

4. That discussion continue between the Town and the developer regarding the relocation of the access drive towards the center of the development along Schoelles Road.

5. That discussion continue between the Town and the developer regarding the extension of the north fence line to the east and west property lines.

c. Utility Notification. An application has been submitted to National Grid for the installation of the solar energy system to the existing grid and has been approved.

d. Safety. The site plan has been reviewed and approved by the Fire/Safety office. All means of shut off will be provided on the equipment in case of emergency.

e. Operation and Maintenance. A Maintenance Plan has been submitted by the developer and approved by the Zoning Enforcement Officer. The project shall comply with the New York State Department of Agriculture and Markets Guidelines for Solar Energy Projects. No prime soils have been identified on the site, however, no soil shall be removed from the property.

f. Airport Approach Zone. This development is not within the airport approach zone.

g. Decommissioning Plan. A Decommissioning Plan will be submitted prior to final site plan approval. In addition, a performance bond shall be obtained prior to the issuance of a Special Use Permit.

3. ***Will be compatible with existing uses adjacent to and near the property.*** The applicant's proposed solar energy development is compatible with the existing adjacent agricultural and residential uses and vacant land. There will be no occupied structures or excessive traffic in and out of the site. The property will include an agricultural use (proposed sheep grazing) within the solar fields that will be maintained throughout the development lifespan, as regulated by the required Maintenance Plan.

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

4. ***Will be in harmony with the general purpose of this Ordinance.*** The applicant's request will be in harmony with the provisions of Section 6-10 of the Zoning Ordinance, "Solar Energy."

5. ***Will not tend to depreciate the value of adjacent property.*** The applicant's proposed solar energy development will consist of a 25 year lease of the property and be subject to a Maintenance Plan required for the development. The solar development will be screened and set back from the roadway and adjacent properties in order to maintain the rural character of the area. The value of the proposed property as well as adjacent property shall not be devalued due to the proposed "soft" development. Solar energy developments are temporary and will not degrade the quality of the soil to the point of remediation.

6. ***Will not create a hazard to health, safety or the general welfare.*** The applicant's request will not create a hazard to health, safety or the general welfare. The solar arrays and all associated equipment will be surrounded on all sides by a six foot high fence that is gated and locked when not being maintained. The fence line is 50 feet from the east, west and south property lines and 100 feet from Schoelles Road. In addition, the Maintenance Plan states that no pesticides or herbicides will be used in the cultivating of the property.

7. ***Will not alter the essential character of the neighborhood nor be detrimental to the neighborhood residents.*** The proposed use will not alter the essential character of the neighborhood nor be detrimental to the neighborhood residents due to its passive use and setbacks. There is a required 100 ft. setback from Schoelles Road to the proposed fence line that shall remain "rural" in character and include a vegetative buffer to the solar energy development. In addition, the entire site will feature a minimum of 50 ft. setback surrounding the development to the property lines. No lighting will be located on the site.

8. ***Will not otherwise be detrimental to the public convenience or welfare.*** The proposed use will not be detrimental to the public convenience or welfare due to the passive nature of the development with very limited need for an onsite presence. The proposed use will provide 5.6 megawatts of solar energy to the grid in the form of an alternative, clean energy source for the benefit of Amherst residents.

The Town Board is encouraged to consider placing the following conditions on the Special Use Permit approval:

A. Copies of all reporting documentation to be prepared by the designated environmental monitor (EM) as required by the NYS Dept. of Agriculture & Markets in their Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands during construction shall also be provided to the Town Planning Director.

B. The applicant shall install segments of wooden split rail fencing along the east and west property lines near Schoelles Road to prevent all-terrain vehicles from accessing lands outside of the solar compound. Such installation shall occur during final landscaping installations and in coordination with the Town Landscape Architect.

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

A draft resolution is attached in the event the Town Board desires to issue the subject special use permit.

DU/RR/bf
X:\Current_Planning\Files\Site Plans\2020\SP-2020-14_(595_Schoelles_Rd)_2020\SP-2020-14_Special Use Permit_TB Ltr_020121.doc
Attachment
cc: Jeff Palumbo, Esq., Barclay Damon LLP, Main Street, Clarence, NY
Mark Berke, P.E., Building Commissioner
Ann Demopoulos, Esq., Deputy Town Attorney
Daniel Howard, AICP, Planning Director

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-14

PETITIONER

Amherst Community Solar, LLC
412 S. 13th St, Unit 607
Philadelphia, PA 19147

PROPERTY LOCATION

595 Schoelles Road

JAN22'21 PM 2:49 RCVD

WHEREAS, the Town of Amherst Planning Board on Thursday, January 21, 2021 held a public hearing on a Site Plan for a 15± acre solar energy development, and

WHEREAS, the Planning Board reviewed the plans and specifications for the proposed project, and

WHEREAS, the Site Plan was referred to the Town's various review agencies, and

WHEREAS, in accordance with Section 8-7-9 of the Zoning Ordinance, the Planning Board finds that:

A. The proposed site plan is consistent with the development plan if one is required.

B. The proposed site plan is consistent with the purpose and specific requirements of the Zoning Ordinance and generally consistent with the policies of the Comprehensive Plan.

C. Adequate services and utilities will be available prior to occupancy.

D. The site plan is consistent with all other applicable laws.

E. Pursuant to Local Law #3-82, as amended, the Planning Board has determined that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

F. Review by the US Army Corps of Engineers under Section 404 of the Clean Water Act is required since Hydric/potentially hydric soils have been identified on the parcel.

NOW THEREFORE BE IT RESOLVED that in accordance with 6 NYCRR, Part 617 and Local Law #3-82, as amended, the Planning Board has issued a Negative Declaration attached hereto, and

BE IT FURTHER RESOLVED that in accordance with Section 6-10-7B(3)(d) of the Zoning Ordinance, the Planning Board recommends Town Board approval of the Special Use Permit for the proposed solar development; and

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-14

PETITIONER

Amherst Community Solar, LLC

PROPERTY LOCATION

595 Schoelles Road

JAN22'21 PM 2:49 RCVD

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board, in accordance with Section 8-7 of the Zoning Ordinance approves said Site Plan subject to the following conditions:

1. That the consideration of signs is specifically excluded from this approval as they require a separate review and approval by the Town.

2. That any lights used to illuminate the property be equipped with adjustable hoods to control light spread and direction so as not to create any nuisance to nearby properties, and that lights not exceed 25 feet in total height from finished grade.

3. That as-built record drawings, including location of utilities, be provided to the Engineering Department prior to issuance of a Certificate of Occupancy by the Building Department.

4. That all adjacent zoning districts designations be clearly marked on all drawings.

5. That all equipment on the proposed pads include a detail sheet with dimensions, including height.

6. That the required high impact landscape screening along the east, west and south property lines be shown on the plans.

7. That the site plan be revised to show the correct orientation of the solar panels.

8. That the 20 ft. setback dimension from the edge of panels to the fence line be shown on the plans.

9. That the Maintenance Plan address all comments by the Zoning Enforcement Officer's review dated January 20, 2021.

10. That the Maintenance Plan required by Section 6-10-7B(3) (d)(7) include the preservation of the existing topsoil on site.

11. That the petitioner negotiate the PILOT agreement with the Amherst Industrial Development Agency.

12. That a jurisdictional determination from the Army Corps of Engineers be obtained.

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST
PLANNING BOARD
SITE PLAN RESOLUTION
SP-2020-14

PETITIONER

Amherst Community Solar, LLC

PROPERTY LOCATION

595 Schoelles Road

JAN22'21 PM 2:49 RCVD

13. That a floodplain permit be obtained as required by the Amherst Building Department.

14. That the Town reserves the right to add supplemental planting to the hedgerow(s) during post construction as per Zoning Ordinance Section 7-2-4(A)(5).

15. That discussion continue between the Town and the developer regarding the relocation of the access drive towards the center of the development along Schoelles Road.

16. That discussion continue between the Town and the developer regarding the extension of the north fence line to the east and west property lines.

The foregoing resolution was adopted by the Town of Amherst Planning Board, January 21, 2021; moved by Giuliani; seconded by Chmiel; ayes 7, noes 0.

Robert J. Gilmour, Chair — Date 1/22/21

RR/ac
X:\Current_Planning\Files\Site Plans\2020\SP-2020-14_(595_Schoelles_Rd)_2020\SP-2020-14_resolution_012121.doc

cc: Town Clerk
Commissioner of Building
Town Engineer
Fire Chiefs
Traffic/Safety
Highway Superintendent
NYSDOT
Amherst Community Solar, LLC, 412 S. 13th St, Unit 607, Philadelphia, PA 19147
Greenman-Pedersen, Inc, 4950 Genesee St. Suite 100, Buffalo, NY 14225
Jeff Palumbo, Barclay Damon LLP, 9276 Main Street, Suite 3, Clarence, New York 14031

Approved Plan: Greenman-Pederson, Inc.
Received: January 12, 2021

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

RECEIVED
NOV 16 2020
TOWN OF AMHERST
PLANNING DEPT

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Major Site Plan Review

For Official Use

File #: SP-2020-14 **Acreage** 21.5 acres **Fee $** 15,265

Address Verified by Assessor's Office _____ VERIFIED BY _____ DATE

Site Plan Review

		Fill In Applicable Fees
1 acre or less	$1,250.00	~~2,500~~ 1250
Each Additional acre or fraction thereof	$ 650.00/acre	13,000
Amendments to Site Plans	$1,200.00	
Request for Relief of / or Change to Conditions of Site Plan Approval	$1,200.00	
Request for Extension of Site Plan Approval	$ 450.00	
Stormwater Pollution Prevention Plan		
1-4.99 Acres	$ 500.00	
5-10 Acres	$ 750.00	
>10 Acres	$1,000.00	1,000
Affidavit Fee for Public Hearing	$ 15.00	15
	TOTAL FEE:	$ 15,265

Materials Received by Planning Department _____ RECEIVED BY 11/16/20 DATE

Materials Accepted by Town Clerk & Fee Paid _____ ACCEPTED BY _____ DATE

To Be Completed By Applicant

Petitioner:

Name: Amherst Community Solar, LLC

Address: 412 South 13th Street

Unit 607

Philadelphia (city) PA (state) 19147 (zip code)

Phone: 914-420-5803 Fax: _____ E Mail: eschecter@ourgeneration.dev

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Representative (Architect, Engineer, Landscape Architect, Surveyor, or Attorney):

Name: Greenman-Pedersen, Inc.

Address: 4950 Genesee Street Suite 100

Buffalo (city) NY (state) 14225 (zip code)

Phone: 716-633-4844 Fax: 716-633-4940

E Mail: jasonburford@gpinet.com

Project Location (must be verified by Town Assessor's Office):

Address: 595 Schoelles Road

Amherst, NY

SBL No(s): 28-1-1.11

Project Name: Amherst Solar Farm

Project Description: Development of a solar energy farm on a parcel of approximately 21.5 acres. Solar panels to be post mounted, plus an access driveway, fencing, and landscape plantings as required. Equipment to be located on pads in approximately 3 locations around the site. No ground disturbance (soil stripping) as considered by the NYSDEC except for access driveway and equipment pads (3).

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

If this petition is an amendment to a previously approved site plan, please describe the proposed changes (include type and size of existing structures and number of existing parking spaces):

not applicable

	existing	proposed	total
Gross Floor Area (non-residential):	n/a		
Number of Residential Units:	n/a		
Number of Parking Spaces:	n/a		

Acreage of Parcel: 21.5

Frontage on Public Roads: 690 feet

Existing Zoning District(s) SA - suburban agricultural

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Town of Amherst Planning Department 5583 Main Street Williamsville-NY-14221
(716) 631-7051- Fax: (716) 631-7153

RECEIVED
NOV 16 2020
TOWN OF AMHERST
PLANNING DEPT.

Cimato Enterprises, Inc.
9220 Transit Road
East Amherst, NY 14051
716 688-3536
cimatoenterprises5647@gmail.com

November 16, 2020

Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

Ref: Amherst Solar Farm
595 Schoelles Road
Town of Amherst

Ms. Ellen Kost:

Cimato Enterprises, Inc., as owner of the above referenced property, authorizes Amherst Community Solar, LLC to apply for Site Plan Review and other applicable review requirements for development of the above Amherst Solar Farm project.

Authorized Signer

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

RECEIVED
NOV 16 2020
TOWN OF AMHERST
PLANNING DEPT.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Amherst Solar Farm		
Project Location (describe, and attach a general location map): 595 Schoelles Road, Amherst, NY (SBL 28.0-1-1.11)		
Brief Description of Proposed Action (include purpose or need): Construction of new solar farm for generation of electricity to be supplied to the public grid. Approximate area of panels to be 15 acres.		
Name of Applicant/Sponsor: OurGeneration LLC	Telephone: 914-420-5803 E-Mail: eschecter@ourgeneration.dev	
Address: 412 South 13th Street, Unit 607		
City/PO: Philadelphia	State: PA	Zip Code: 19147
Project Contact (if not same as sponsor; give name and title/role): Jason Burford, Project Manager at Greenman-Pedersen, Inc.	Telephone: 716-989-3336 E-Mail: jasonburford@gpinet.com	
Address: 4950 Genesee Street, Suite 100		
City/PO: Buffalo	State: NY	Zip Code: 14225
Property Owner (if not same as sponsor): Cimato Enterprises Inc.	Telephone: 716-688-3536 E-Mail: cimatoenterprises5647@gmail.com	
Address: 9220 Transit Road		
City/PO: East Amherst	State: NY	Zip Code: 14051

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Amherst Town Board Special Use Permit	
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Amherst Planning Board Site plan approval	
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☐Yes ☑No		
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDEC SPDES permit approval	
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No

If Yes, identify the plan(s):
NYS Heritage Areas:West Erie Canal Corridor

No disturbance anticipated to Heritage Area.

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
SA - Suburban Agricultural

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Williamsville School District

b. What police or other public protection forces serve the project site?
Town of Amherst Police and Emergency Services

c. Which fire protection and emergency medical services serve the project site?
Getzville Fire Protection

d. What parks serve the project site?
Dann Lake Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? commercial

b. a. Total acreage of the site of the proposed action? 21.5 acres
b. Total acreage to be physically disturbed? 15.0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.0 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☑Yes ☐No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): non-regulated federal wetlands identified during the course of this development design scattered on the site

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
post mounted solar arrays not considered an action requiring permitting or mitigation

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☑No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☑No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☑No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☑No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☐No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes ☑No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☑No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

None

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Construction equipment only

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

None

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 am - 5 pm
- Saturday: 7 am - 2 pm
- Sunday: none
- Holidays: none

ii. During Operations:

- Monday - Friday: inspections as needed only
- Saturday: none
- Sunday: none
- Holidays: none

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Heavy equipment only during construction

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☑ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☑ Residential (suburban) ☑ Rural (non-farm)
☐ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.00	.09	+.09
• Forested	0.00	0.00	0.00
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	21.5	21.41	-.09
• Agricultural (includes active orchards, field, greenhouse etc.)	0.00	0.00	0.00
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.00	0.00	0.00
• Wetlands (freshwater or tidal)	0.00	0.00	0.00
• Non-vegetated (bare rock, earth or fill)	0.00	0.00	0.00
• Other Describe: _____			

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes ☑No
If Yes,
i. Identify Facilities:

_____
_____

e. Does the project site contain an existing dam? ☐Yes ☑No
If Yes:
i. Dimensions of the dam and impoundment:
- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

_____
_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No
If Yes:
i. Has the facility been formally closed? ☐Yes ☐ No
- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____
_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____
_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes ☑ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes ☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____
☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____
_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes ☑No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____
_____

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☑No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >6.5 feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Lamson very fine sandy loam	51.4 %
Minoa very fine sandy loam	48.6 %
	%

d. What is the average depth to the water table on the project site? Average: 1 feet

e. Drainage status of project site soils:
☐ Well Drained: ____% of site
☐ Moderately Well Drained: ____% of site
☑ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % of site
☐ 10-15%: ____% of site
☐ 15% or greater: ____% of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes ☑No
ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☑No

j. Is the project site in the 100-year Floodplain? ☑Yes ☐No

k. Is the project site in the 500-year Floodplain? ☑Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☑No
If Yes:
i. Name of aquifer: _____

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

m. Identify the predominant wildlife species that occupy or use the project site:
successional

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No
If Yes:
i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑Yes ☐No
If Yes, provide county plus district name/number: ERIE017

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Elie Schecter, Amherst Community Solar, LLC Date 11/16/2020

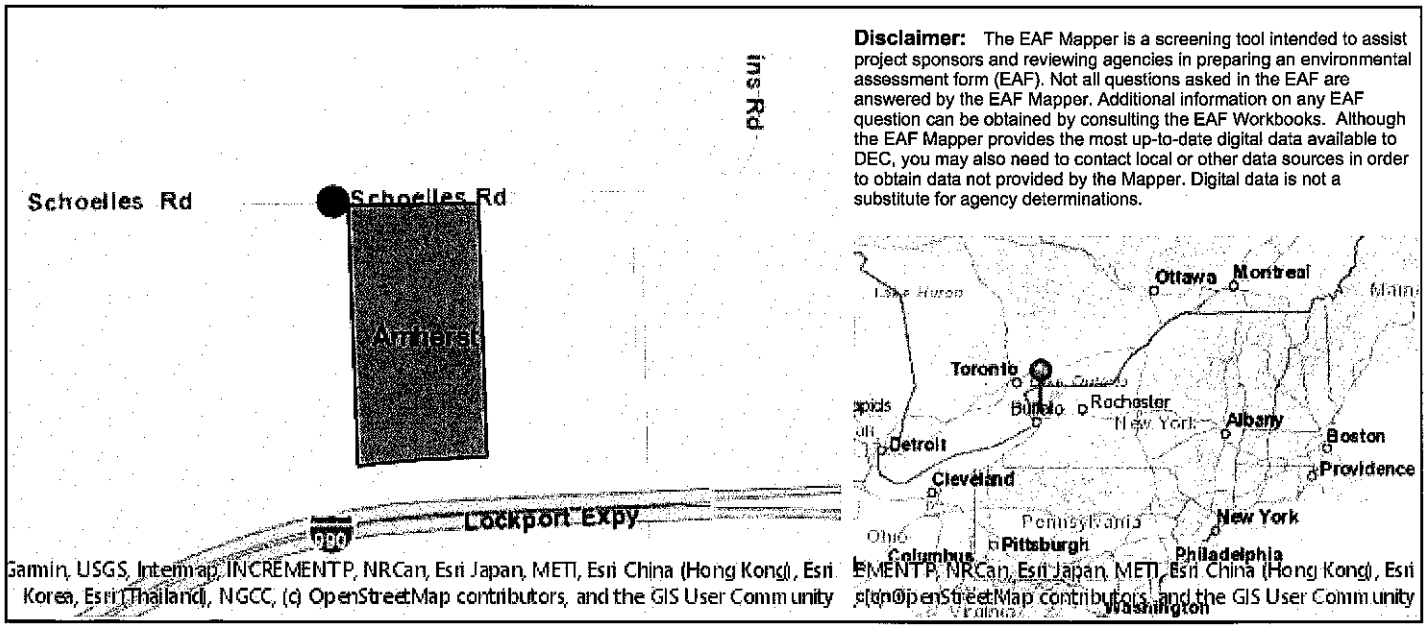
Signature _____ Title Managing Member

PRINT FORM

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

EAF Mapper Summary Report

Tuesday, August 18, 2020 4:28 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	ERIE017
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Agency Use Only [If applicable]

Project : 585 Schoelles Road

Date : 12/07/2020

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐ NO ☑ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☑	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: Average Depth to water table is 1 foot however only disturbance comes from solar array posts, no soil is to be removed		☐	☐

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

l. Other impacts: possible regulated federal/state/local wetlands on site with solar array posts		☑	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source:	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts:		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☐ NO ☑ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☑	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☑	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☑	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☑	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☑	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☑	☐

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐ NO ☑ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☑	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☑	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☑	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☑	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☑	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☑	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☑	☐
h. Other impacts: Site is located within an Agricultural District and contains prime soils		☑	☐

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

d. Other impacts: _____		☑	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

d. The proposed action may result in light shining onto adjoining properties.	D2n	☑	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☑	☐
f. Other impacts: Noise levels will be exceed during construction phase only; see Glare study regarding		☑	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts:			

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The project will not result in any significant adverse environmental impacts.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Major Site Plan Approval - SP-2020-14 Solar Energy Development; 595 Schoelles Road, Amherst, New York

Name of Lead Agency: Town of Amherst, New York

Name of Responsible Officer in Lead Agency: Daniel C. Howard

Title of Responsible Officer: Planning Director

Signature of Responsible Officer in Lead Agency: _____ Date: 1/29/21

Signature of Preparer (if different from Responsible Officer) _____ Date: 1/29/21

For Further Information:

Contact Person: Ellen Kost, Deputy Planning Director

Address: 5583 Main Street, Williamsville, New York 14221

Telephone Number: 716-631-7051

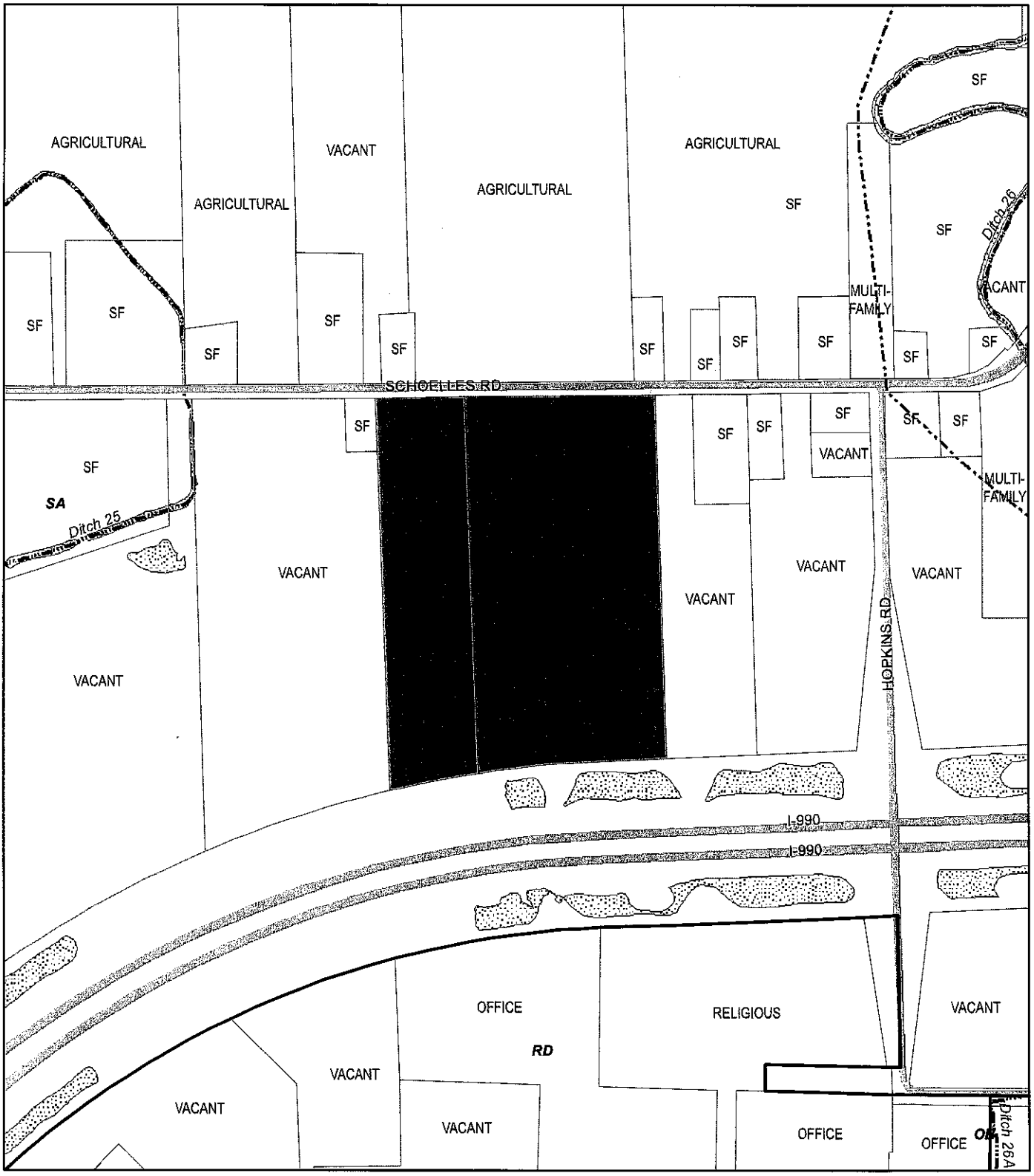
E-mail: ekost@amherst.ny.us

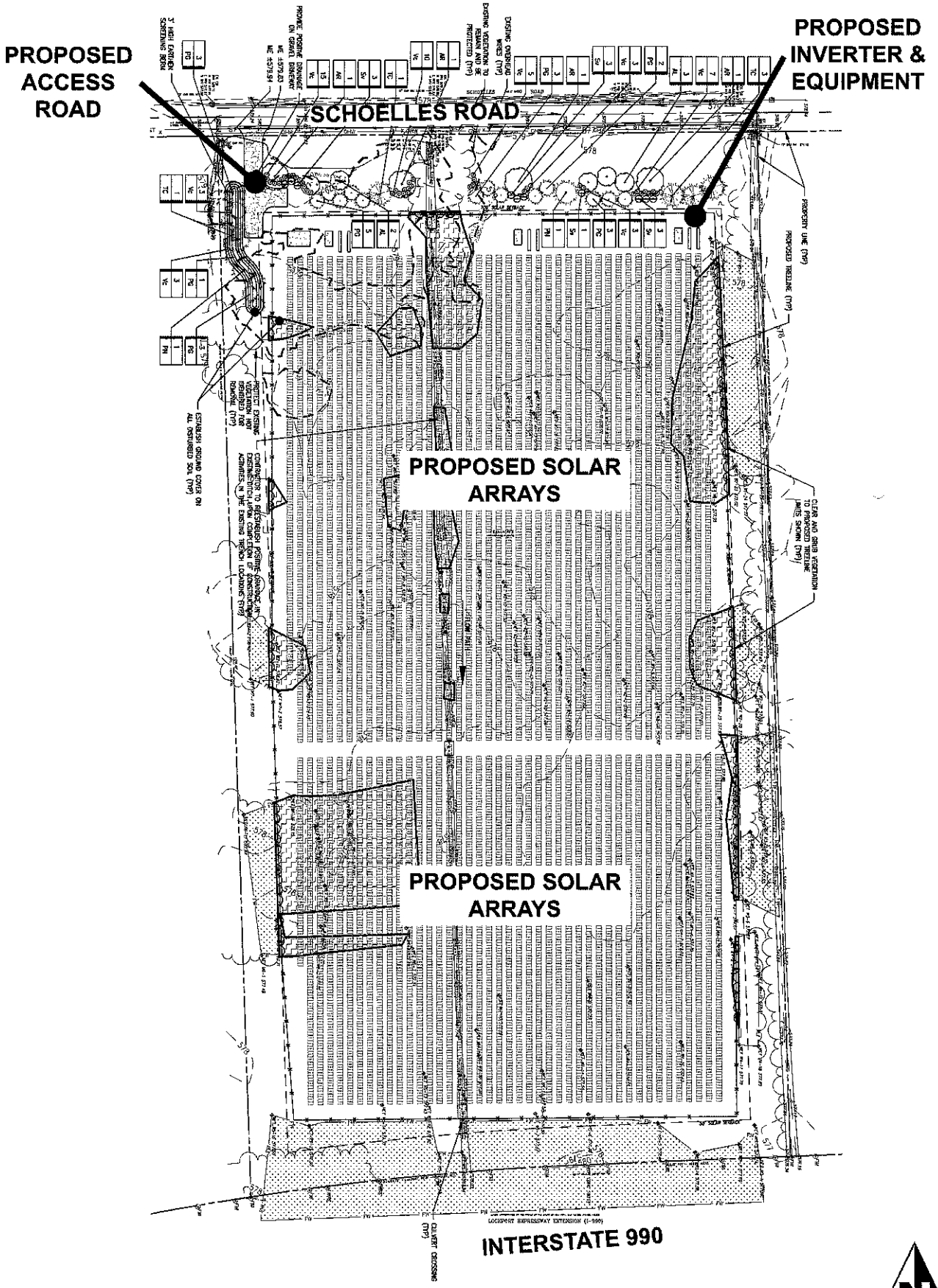
For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)


AGRICULTURAL
AGRICULTURAL
VACANT
AGRICULTURAL
AGRICULTURAL
SF
SF
SF

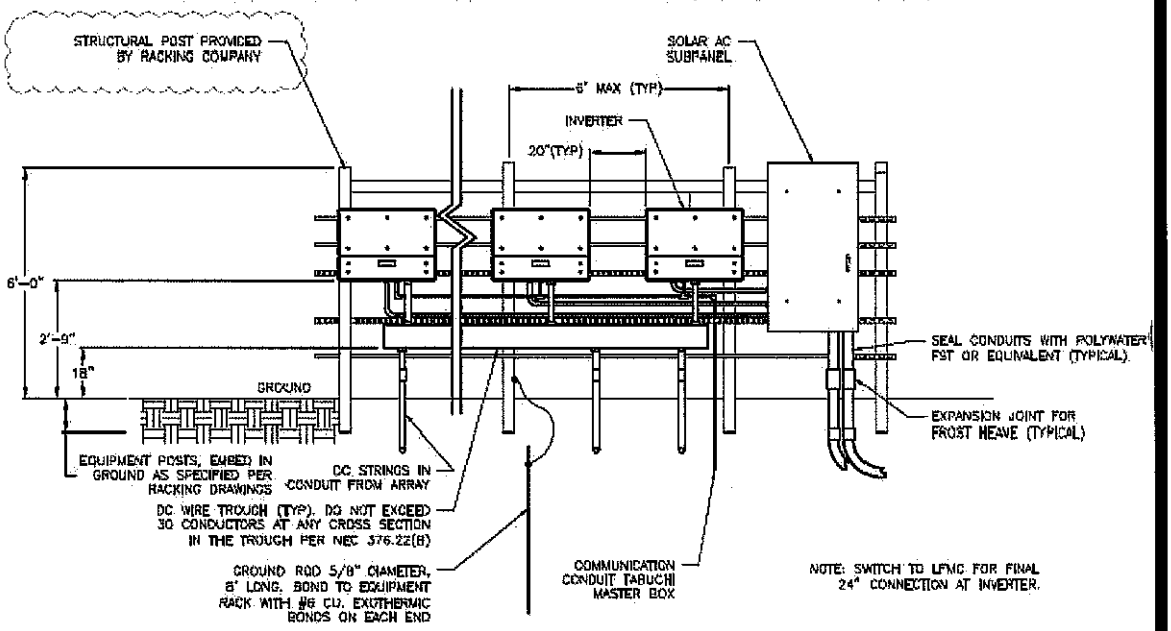


LANDSCAPE PLAN

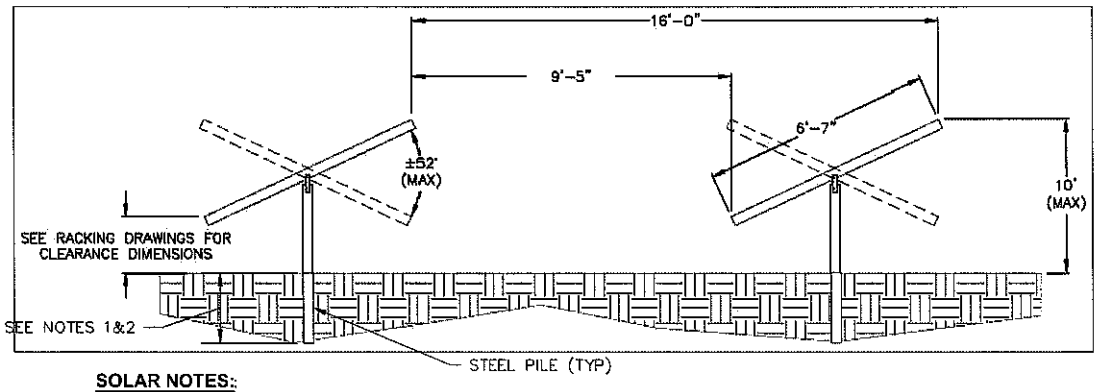
SP-2020-14
595 Schoelles Road
Received: 11/16/20

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

NOTES:
1. ELECTRICAL EQUIPMENTS LOCATED OUTSIDE MUST NOT HAVE CONDUITS PENETRATING ON TOP OF THE EQUIPMENT.
2. CONDUITS AND TROUGHS SHALL NOT PROTRUDE MORE THAN 6" INTO WORKING SPACE OF EQUIPMENT.
3. MOUNT EQUIPMENT AS PER INSTALLATION MANUAL INSTRUCTION.
4. ELECTRICAL EQUIPMENT MOUNTED WITH UNISTRUT CHANNEL USE FASTENER SPECIFICALLY INTENDED FOR THE WALL TYPE & CONSTRUCTION. MOUNT EQUIPMENT AS PER INSTALLATION MANUAL.
5. DC TROUGH SHALL NOT HAVE MORE THAN 30 CONDUCTORS IN ANY SECTION.
6. TRANSITION TO MAX. 24" OF LFMC FOR FINAL CONNECTION TO INVERTER (TYPICAL AC, DC & COMMUNICATION).



7 / C-501 **INVERTER AREA ELEVATION**
SCALE: NOT TO SCALE



SOLAR NOTES:

1. FINAL PILE DEPTH SHALL BE DESIGNED BY A NEW YORK STATE PROFESSIONAL ENGINEER PRIOR TO CONSTRUCTION AND BE IN ACCORDANCE WITH ALL LOCAL AND STATE STANDARDS.
2. SOLAR PANELS INSTALLED WITHIN THE FLOODPLAIN BOUNDARY SHALL INCLUDE ANTI-FLOTATION ANCHORAGE AS NECESSARY.

8 / C-501 **TYPICAL SOLAR PANEL ELEVATION**
SCALE: NOT TO SCALE

SOLAR EQUIPMENT DETAILS NOT DESIGNED BY GPI AND SHOWN FOR REFERENCE ONLY.

ELEVATION

SP-2020-14
595 Schoelles Road
Received: 11/16/20

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

View Looking South from Schoelles Road

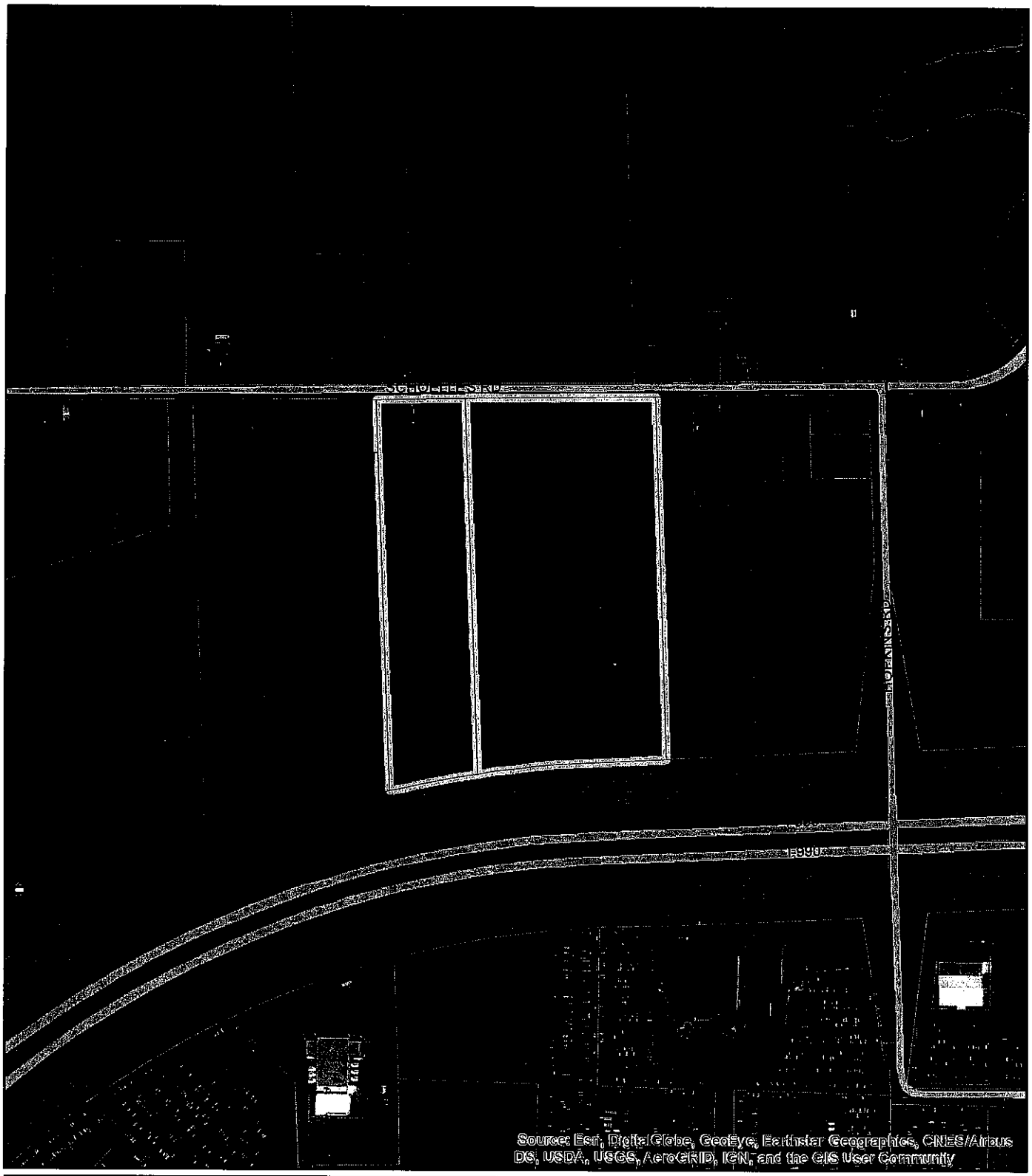




PHOTOS

SP-2020-14
595 Schoelles Road
Received: 11/16/20

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)



SP-2020-14
Proposed Solar Development
Property Located at 595 Schoelles Road

Amherst Solar LLC, Petitioner

January 21, 2021

595 Schoelles Road

Floodway Boundary

Prepared by the Town of Amherst Planning Department

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Directo

Ellen M. Kost, AICP
Assistant Planning Di

January 22, 2021

Elisha A. Schecter
Amherst Community Solar, LLC
412 South 13th Street, Unit 607
Philadelphia, PA 19147

SUBJECT:	Site Plan Review	**SP-2020-14**
	Proposed:	Solar Farm Development
	Property located at:	**595 Schoelles Road**
	Plans received:	November 16, 2020
	Architect/Engineer:	Greenman Pedersen, Inc.

Dear Mr. Schecter,

Please consider the following comments.

ZONING ENFOREMENT OFFICER REVIEW

Denied for the following reasons:

The maintenance plan provided within the Engineers report is in sufficient. Pursuant to section 6-10-7 B 3 (d) an operational maintenance plan shall be provided and shall include:

1. Measures for maintaining safe access; Identify if a knox box or other means of access will be provided for emergency access.
2. A description of operational maintenance activities. What will be the frequency of site visits by maintenance personnel? What activities will be conducted during visits? Will the site have an emergency sign with notification number to report vandalism, unsecure fencing or hazardous conditions?
3. A detailed description of property upkeep, including vegetation maintenance is necessary. The proposed plan does not commit to the introduction of grazing animals as a means of natural vegetation maintenance. Provide frequency of such grazing practices, number of animals anticipated and a detailed description of such activity including the hours during the day and any additional operational needs to sustain the grazing animals.
4. The plan does not commit to the introduction of an active agricultural component. The introduction of an apiary was recommended to the petitioner's representative. Has the petitioner met with Gott Creek Capital, LLC to discuss the feasibility of relocating an existing apiary at 380 Muegel Road to the subject solar farm?

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

5. The plan shall describe how the existing prime farmland soils will be preserved. The legend on sheet C-101A shows a dashed line for disturbance limits, however, such symbols is not used? Please remove any legend symbols not being utilized. The proposed vegetation removals shown near the south west corner does not appear necessary as it is outside of the fenced compound, similarly, the wetland disturbances and proposed vegetative removals along the required 50 foot east and west yards appear to be unnecessary and in conflict with section 6-10-7 B 3 (f) 8.

6. The Soil Restoration Table provided for on Sheet C-505 should correspond with Sheets C-101A, C-102 and C104. See note number 2. On sheet C-102, the plan does not clearly reflect what areas will be "removed of vegetation, trees, stumps, grasses, organic soils, debris and deleterious materials within the areas identified on this plan". A plan which clearly shows areas of no soil disturbance and stripping of topsoil is necessary, consider modifying sheet C-101-A for such plan. All notes on each plan sheet must be reviewed for consistency with such required soil preservation plan. Remove any boilerplate construction notes that are not applicable.

7. Section 6-10-7 B 3 (d) 4.requires a line of site section through the entire property along with photos of the existing roadway character.

8. Section 6-10-7 B 3 (f) 2. Requires a glare study and visual simulations of the project. The Town Landscape Architect should be consulted for vantage points for the visual simulations.

This is a review only and does not constitute approval of the Major Site Plan. Final approval will occur after Planning Board approval and addressing any conditions imposed by that board as part of their approval and issuance of approved Major Site Plan drawings by this department. Should you have questions regarding this correspondence, please contact Scott A. Marshall, Principal Planner at smarshall@amherst.ny.us or Roberta Rappoccio, Associate Planner at rrappoccio@amherst.ny.us.

Very truly yours,

Daniel Ulatowski, AICP
Principal Planner

DU/ac
X:\Current_Planning\Files\Site Plans\2020\SP-2020-14_(595_Schoelles_Rd)_2020\Reviews\SP-2020-14_ZEO review_01_21_21.docx
cc: Greenman-Pedersen, Inc, 4950 Genesee St. Suite 100, Buffalo, NY 14225

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST

RECEIVED
JAN 21 2021
PLANNING DEPT

TRAFFIC SAFETY BOARD

ENGINEERING DEPARTMENT – 1100 NORTH FOREST ROAD, WILLIAMSVILLE, NEW YORK 14221
TRAFFIC SAFETY COORDINATOR - TELEPHONE 631-7154 - FAX 631-7222

MICHAEL SZUKALA
Councilmember & Liaison Officer

ERIC FRAAS
Chairman

DANIEL J. RIDER, P.E.
Vice Chairman

CHRISTOPHER P. SCHREGEL
Traffic Safety Coordinator

MEMBERS

MICHELLE NAGEL
KENNETH A. SMITH
J. MICHNIEWICZ, P.E., P.T.O.E.
MARK STORCH
MAXWELL KAHN
KEVIN CANTWELL
KRISTIN GOSS
GREGORY DIONNE

DEPT. LIAISONS

ROBERTA RAPPOCCIO
Planning

CAPT. KEVIN BROWN
Police

JOE FRESE
Building

AL SPOTH
Highway

January 20, 2021

TO: Ellen M. Kost, AICP – Assistant Planning Director
Mark S. Berke – Commissioner of Buildings

FROM: Christopher P. Schregel – Traffic Safety Coordinator

SUBJECT: Major Site Plan Review **SP-2020-14**
Proposed 15± Acres Solar Energy Development
TOA Job # 2020.037

ADDRESS: 595 Schoelles Road

PETITIONER: Amherst Community Solar LLC

X **MAJOR SITE PLAN REVIEW**

X **APPROVED AS SUBMITTED**

CPS/ch
Cc: Scott Marshall, Principal Planner
Amherst Community Solar LLC, 412 S. 13th Street, Unit 607, Philadelphia, PA 19147
Jason Burford, Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

January 20, 2021

Amherst Solar Community, LLC
412 S. 13th Street, Unit 607
Philadelphia, PA 19147

SUBJECT:	Site Plan Review	**SP-2020-14**
	Proposed:	Proposed Solar Farm Development
	Property located at:	**595 Schoelles Road**
	Plans received:	January 11, 2021
	Architect/Engineer:	Greenman-Pedersen, Inc.

Dear Sir or Madam:

Please consider the following comments:

1. The Town reserves the right to add supplemental plantings to the hedgerow(s) during post construction as per Zoning Ordinance 7-2-4 (A) (5).
2. Please consider adding small groupings of *Cornus sericea* tight to the fence along Interstate 990 in the non-jurisdictional wetlands.

Very truly yours,

Jeffrey Szatkowski
Landscape Architect

JS/ac
X:\Current_Planning\Files\Site Plans\2020\SP-2020-14_(595_Schoelles_Rd)_2020\Reviews\LA_Forestry_Review_01152021_JS.doc
cc: Greenman-Pedersen, Inc, 4950 Genesee St. Suite 100, Buffalo, NY 14225
Doug Gesel, Senior Code Enforcement Officer
Scott A. Marshall, Principal Planner

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

January 20, 2021

TO: Ellen M. Kost, AICP – Assistant Planning Director
Douglas Gesel – Senior Code Enforcement Officer
Jeffrey S. Burroughs, P.E – Town Engineer

REVIEWER: Vaishali Reberholt, P.E, CPESC – SMO

SUBJECT: Site Plan Review; SP-2020-14
Proposed Solar Farm Development
TOA Job No. 2020.037

ADDRESS: 595 Schoelles Road

PETITIONER: Amherst Community Solar, LLC

SITE PLAN SWPPP APPROVED WITH CONDITIONS

- Please provide 3 signed copies of maintenance agreement for long term maintenance of the post construction measures. (sample attached)
- Provide signed copy of the NOI
- Please note that the Town does not provide level 2 maintenance inspections. The owner is responsible to have a qualified licensed professional complete inspection of the swale and bioretention areas per the maintenance requirement in the design manual and provide the results of the inspection to the Town. And when such inspection identifies any repairs or maintenance work the owner will be responsible to follow the direction provided by the qualified professional and notify the Town when work is completed.

Cc: Scott Marshall, Principal Planner
Elisha Schecter, Amherst Community Solar, LLC, 412 S. 13th St, Unit 607, Philadelphia, PA 19147
GPI Engineering, 4950 Genesee St, Suite 100, Buffalo, NY 14225

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT

Whereas, the **Municipality of Amherst** ("Municipality") and the **Temple Beth Tzedek** ("facility owner") want to enter into an agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Municipality for the below named project;

Whereas, the Municipality and the facility owner desire that the stormwater control measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components. Therefore, the Municipality and the facility owner agree as follows:

1. This agreement binds the Municipality and the facility owner, its successors and assigns, to the maintenance provisions depicted in the approved project plans which are attached as Schedule A of this agreement.

2. The facility owner shall maintain, clean, repaired, replace and continue the stormwater control measures depicted in Schedule A as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices and retention ponds.

3. The facility owner shall be responsible for all expenses related to the maintenance of the stormwater control measures and shall establish a means for the collection and distribution of expenses among the parties for any commonly owned facilities.

4. The facility owner shall provide for the periodic inspection of the stormwater control measures, not less than once in every five (5) year period, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Municipality within thirty (30) days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.

5. The facility owner shall not authorize, undertaken or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Municipality.

6. The facility owner shall undertake necessary repairs and replacement of the stormwater control measures at the direction of the Municipality or in accordance with the recommendations of the inspecting engineer.

7. The facility owner shall provide to the Municipality within 30 days of the date of this agreement, a security for the maintenance and continuation of the stormwater control measures in the form of a Bond, letter of credit or escrow account.

8. This agreement shall be recorded in the Office of the County Clerk, County of Erie together with the deed for the common property and shall be included in the offering plan and/or prospectus approved pursuant to _____.

9. If ever the Municipality determines that the facility owner has failed to construct or maintain the stormwater control measures in accordance with the project plan or has failed to undertake corrective action specified by the Municipality or by the inspecting engineer, the Municipality is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as lien against the property.

10. This agreement is effective _____.

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

STORMWATER CONTROL FACILITY
MAINTENANCE AGREEMENT

UNIFORM CERTIFICATE OF ACKNOWLEDGEMENT

The Municipality of Amherst

By: _____ **Date:** _____

STATE OF NEW YORK)

: SS.

COUNTY OF _____)

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____

Temple Beth Tzedek

By: _____ **Date:** _____

STATE OF NEW YORK)

: SS.

COUNTY OF _____)

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

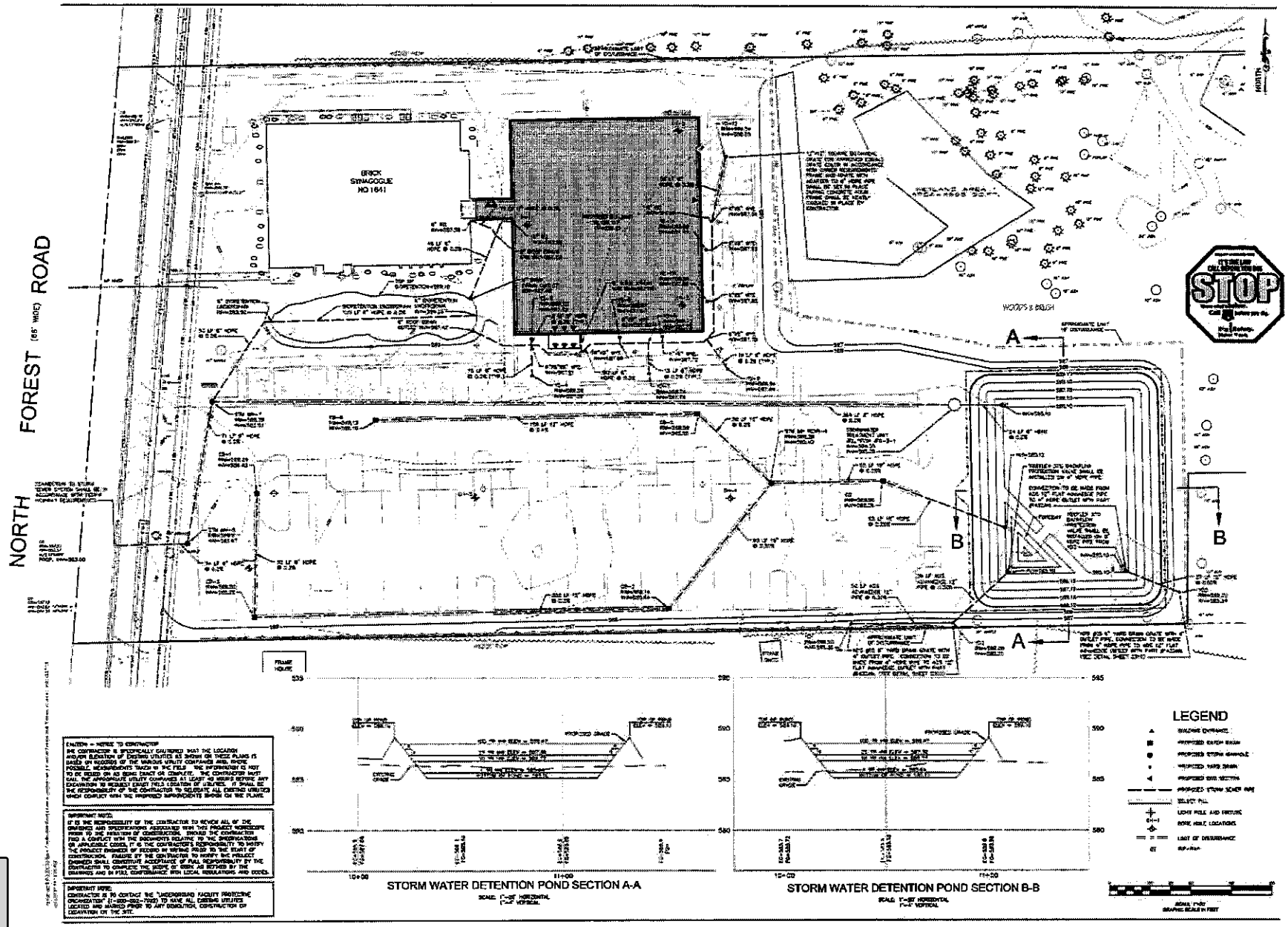
_____

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Schedule A

Stormwater Management Facility Site Map
Stormwater Management Facility Inspection Procedures
Stormwater Management Facility Inspection Checklists

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)



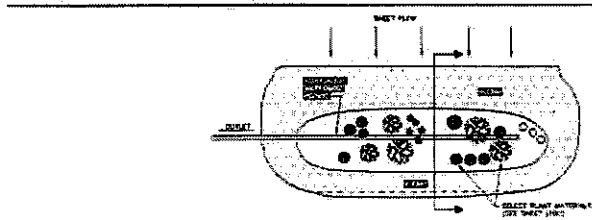
Finegold AlexanderArchitects

Temple Beth Tzedek

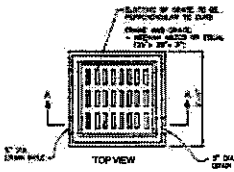
STORM DRAINAGE PLAN AND NOTES

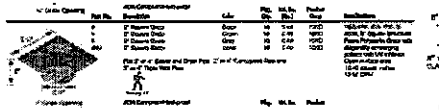
NO	DATE	DESCRIPTION
1	8/8/17	REVISED PER TOWN COMMENTS
2	9/20/17	REVISED PER TOWN & ARCHITECT COMMENTS
3	1/31/17	REVISED PER TOWN & ARCHITECT COMMENTS

C300

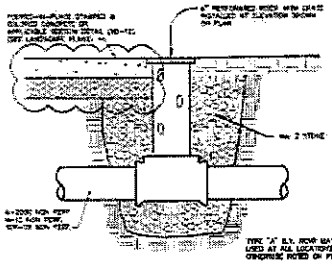


BIORETENTION DETAIL AND CROSS SECTION





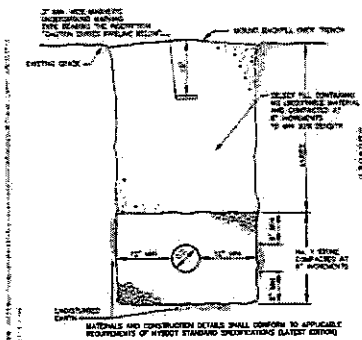
YARD DRAIN GRATE



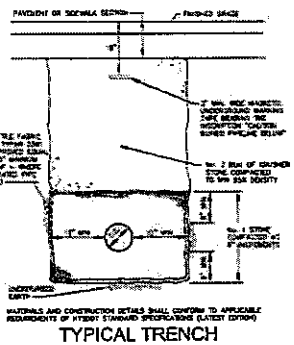
YARD DRAIN (YD)



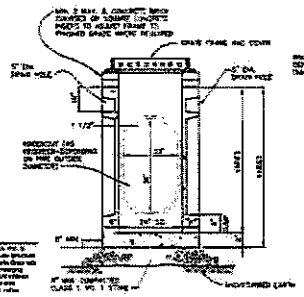
SUKKAH TERRACE DRAIN GRATE



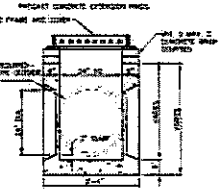
TYPICAL TRENCH DETAIL - EARTH



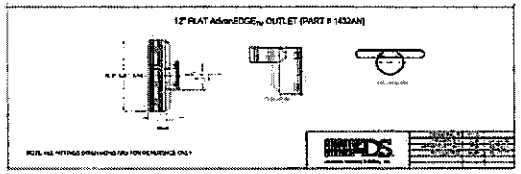
TYPICAL TRENCH
DETAIL - PAVEMENT

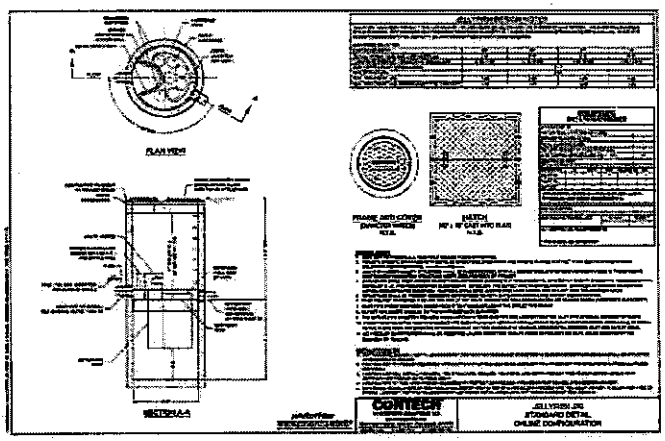


STANDARD PRECAST CONCRETE CATCH BASIN

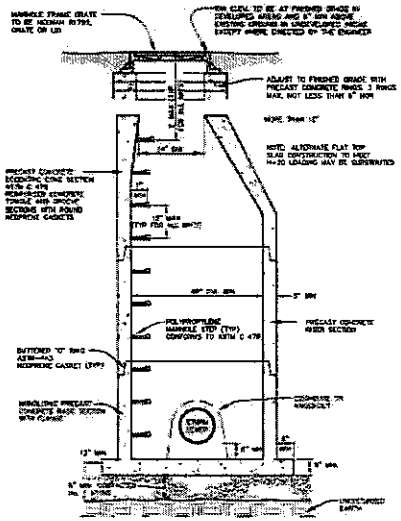


CATCH BASIN SIZING CRITERIA





JELLYFISH JF6



STANDARD PRECAST CONCRETE
STORM MANHOLE
(STM MH -RCVR)

GRADING/PAVING/STORM NOTES

1. ALL WORK TO CONFORM TO THE TOWN OF AMHERST, ECDPH REQUIREMENTS.
2. CONTRACTOR REQUIRED TO OBTAIN PERMITS FROM THE ERIE COUNTY DEPARTMENT OF PUBLIC WORKS FOR ANY AND ALL WORK WITHIN THE NORTH FORKED ROAD ROW.
3. ANY DAMAGE CAUSED BY CONTRACTOR'S OPERATIONS TO EXISTING PAVEMENT, SHOULDERS, DITCHES AND/OR STORM DRAINAGE FACILITIES SHALL BE REPAIRED OR REPLACED AS DIRECTED BY CONSTRUCTION AND SHALL BE ACCEPTABLE TO THE OWNER OR AGENCY HAVING JURISDICTION
4. THE CONTRACTOR SHALL TAKE ANY AND ALL PRECAUTIONS NECESSARY TO PROTECT TREES AND SHRUBBERY FROM DAMAGE UNLESS SPECIFICALLY DESIGNATED FOR CLEARING. THE CONTRACTOR SHALL REPAIRS AND PLANT REPLACEMENT TREES OR SHRUBBERY AT HIS EXPENSE.
5. THE CONTRACTOR SHALL BE AWARE THAT SOIL CONDITIONS ARE UNKNOWN AND ASSUMED TO VARY AT DIFFERENT DEPTHS AND LOCATIONS.
6. ALL ROAD AND DRIVE DISTURBED SHALL BE BACKFILLED WITH NO. 2 RUN OF CRUSHED STONE PLACED IN 6-INCH LIFTS AND PROPERLY COMPACTED. SELECT BASEFILL MATERIAL SHALL EXTEND A MINIMUM OF 4-FEET BEYOND EDGE OF PAVEMENT
7. MANHOLE RIMS AND WATERLINE VALVE BOXES SHALL BE SET AT FINISHED GRADE.
8. DURING CONSTRUCTION OPERATIONS, EXCAVATION AREAS, EMBANKMENTS AND/OR SURFACES SHALL BE SHAPED, SLOPED, PROTECTED AND MAINTAINED TO FACILITATE THE DRAINAGE OF SURFACE WATER. EXISTING DRAINAGE ROUTES AND FACILITIES SHALL BE PROTECTED AND MAINTAINED
9. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL STANDARDS RELATIVE TO THE PROTECTION AND ABATEMENT OF SOIL EROSION, SEDIMENTATION AND WATER POLLUTION
10. STORM SEWERS CONSTRUCTED OF 3-8 SHALL BE CONSTRUCTED USING HIGH DENSITY CORRUGATED POLYETHYLENE PIPE (HDPE) WITH A SMOOTH INTERIOR AS MANUFACTURED BY ADS OR EQUAL. PIPE BEDDING MATERIAL SHALL BE NO. 1 WASHED STONE WITH A MINIMUM COMPACTED DEPTH OF 7½-INCHES BELOW PIPE. PIPE BACKFILL STONE SHALL BE WELL GRADED WITH NO PARTICLE LARGER THAN 1" AND HAVING A MAXIMUM EMBEDMENT MATERIAL THE LIMITS DESIGNATED IN THE SPECIFICATIONS. THE BEDDING SHALL BE COMPACTED IN 6" LIFTS WITH EQUIPMENT ACCEPTABLE TO THE ENGINEER
11. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE PROJECT ENGINEER AND THE TOWN OF AMHERST BUILDING DEPT. OF ANY HAZARDOUS SUBSTANCE ENCOUNTERED DURING THE CONSTRUCTION OF THE WORK. HE SHALL AT HIS EXPENSE, CONFORM TO ALL LAWS, RULES, REGULATIONS AND DIRECTIONS AS ISSUED BY THE UNITED STATES DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, THE NEW YORK STATE DEPARTMENT OF HEALTH AND ANY SUCH LOCAL RULES, ORDINANCES AND LAWS WHEN ENCOUNTERING OR WORKING WITH ANY SUCH HAZARDOUS SUBSTANCE.
12. THE CONTRACTOR SHALL COMPLY IN ALL RESPECTS TO THE INDUSTRIAL CODE PART (RULE NO.) 53 RELATING TO CONSTRUCTION, EXCAVATION AND DEMOLITION OPERATIONS AS PER NEAR UNDERGROUND FACILITIES, AS ISSUED BY THE STATE OF NEW YORK DEPARTMENT OF LABOR, BOARD OF STANDARD AND APPEALS.
13. THE TOWN OPERATES AND MAINTAINS THE EXISTING WATER LINES. THEY ARE TO BE NOTIFIED AT LEAST 48 HOURS IN ADVANCE OF THE START OF CONSTRUCTION. ALL EXISTING VALVES ARE TO BE OPERATED BY THE TOWN.
14. THE CONTRACTOR SHALL EXPOSE EXISTING UTILITIES AHEAD OF THE PIPE LAYING OPERATION SO THAT IF MINOR ADJUSTMENTS MUST BE MADE IN ELEVATION AND/OR ALIGNMENT DUE TO INTERFERENCE FROM THOSE UTILITIES, SAID CHANGES CAN BE MADE IN ADVANCE OF THE WORK.
15. SEE ARCHITECTURAL DRAWINGS FOR EXACT BUILDING DIMENSIONS AND FOR EXACT ROOF DRAIN CONNECTIONS.
16. REFER TO GEOTECHNICAL REPORT BY RAY M. SEITER, P.E. CONSULTING GEOTECHNICAL ENGINEER DATED MARCH 20, 2017 FOR RECOMMENDATIONS ON SITE WORK, PAVEMENT AND FOUNDATION

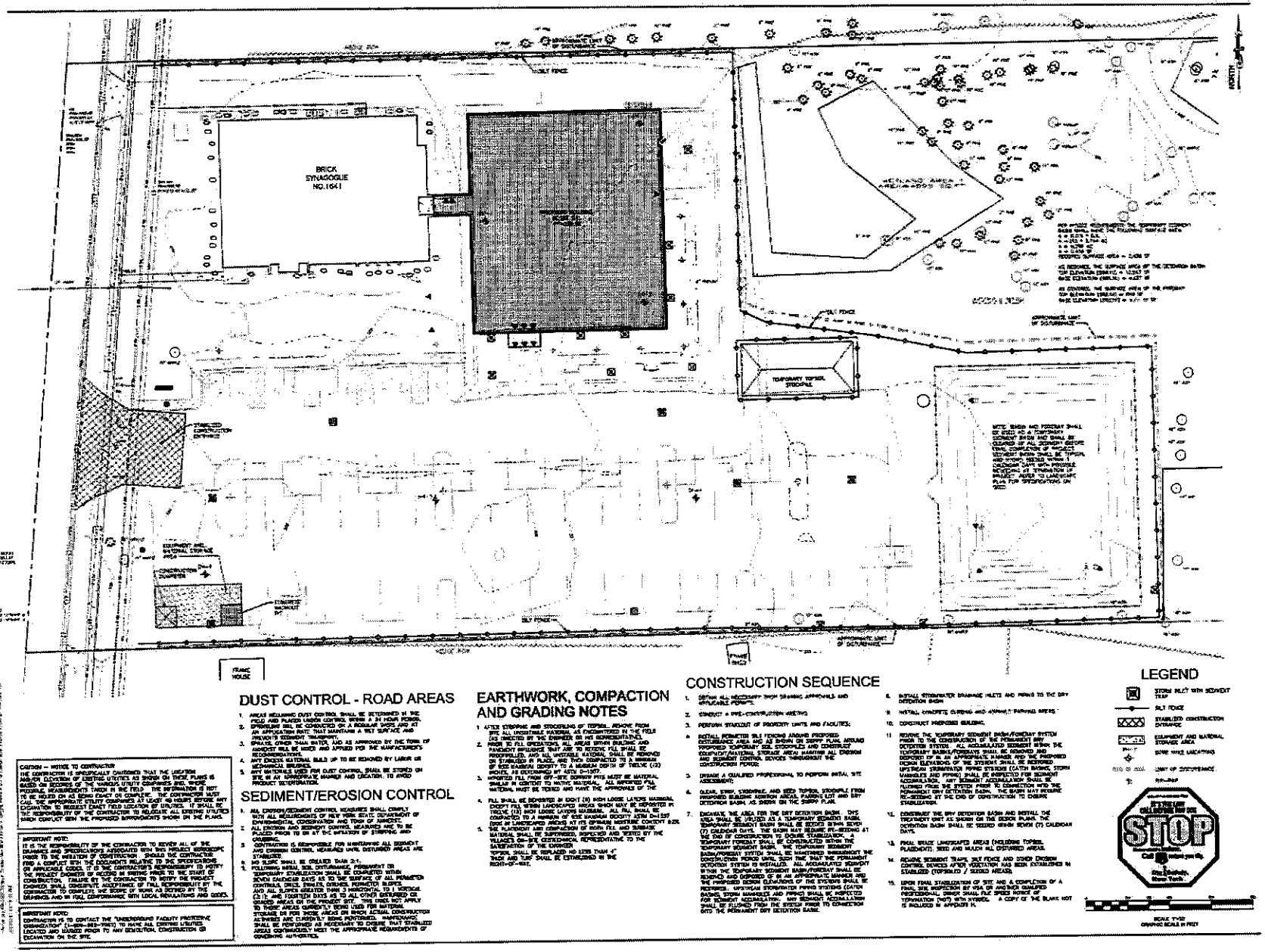
Finegold AlexanderArchitects

Temple Beth Tzedek

INTERIM DRAINAGE DETAILS

NO.	DATE	DESCRIPTION
1	6/9/17	REVISED PER TOWN COMMENTS
2	6/30/17	REVISED PER TOWN & ARCHITECT COMMENTS
3	7/31/17	REVISED PER TOWN & ARCHITECT COMMENTS

SHEET # C310


NORTH
FOREST (66' WIDE) ROAD
BRICK SYNAGOGUE NO.1641
TEMPORARY TOPSOIL STOCKPILE
SILT FENCE
STABILIZED CONSTRUCTION ENTRANCE
EASEMENT AND MATERIAL STORAGE AREA
CONSTRUCTION TRAILER
TRANSFORMER
TRANSFORMER
TRANSFORM

Stormwater Management Facility Inspection Procedures

Post Construction Operation & Maintenance

1. On a quarterly basis, perform the following:
   a. Inspect catch basins, storm piping and detention basin for debris
   b. Inspect catch basins and storm piping for accumulation of sediment
   c. Remove and properly dispose of any collected debris from structures
   d. Flush storm sewers with water, if necessary to remove accumulated sediment
   e. Check all stone outfall structures for erosion and re-stone, if necessary to prevent further erosion
   f. Inspect grassed/landscaped areas for unvegetated areas or areas with less than 80% healthy stand of grass and reseed and mulch as necessary. Water areas daily if reseeded through July and August.

2. Maintain all lawn areas by regular mowing, including the grassed slopes of the wet pond and grassed swale. Any eroded areas shall be re-graded, seeded and mulched immediately.

3. The dry detention basin shall be inspected annually.

4. Inspect the water quality treatment unit. Sediment and debris accumulation should be removed from the units at a frequency recommended by the system manufacturer.

5. The proposed bioretention areas are to be maintained as required in the NYS SMDM and as a component of the property landscaping and shall be maintained on a regular basis. Mulching, weeding and plant replacement shall occur on an annual basis. Sediment must be removed when accumulation depth exceeds one inch. Any erosion of the bioretention berm must be repaired as soon as possible to prevent diversion around the bioretention area.

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Stormwater Pond/Wetland Operation, Maintenance and Management Inspection Checklist

Project _____
Location: _____
Site Status: _____

Date: _____
Time: _____

Inspector: _____

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
1. Embankment and emergency spillway (Annual, After Major Storms)		
1. Vegetation and ground cover adequate		
2. Embankment erosion		
3. Animal burrows		
4. Unauthorized planting		
5. Cracking, bulging, or sliding of dam		
a. Upstream face		
b. Downstream face		
c. At or beyond toe		
downstream		
upstream		
d. Emergency spillway		
6.Pond, toe & chimney drains clear and functioning		
7.Seeps/leaks on downstream face		
8.Slope protection or riprap failure		
9. Vertical/horizontal alignment of top of dam "As-Built"		

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
10. Emergency spillway clear of obstructions and debris		
11. Other (specify)		
2. Riser and principal spillway (Annual)		
Type: Reinforced concrete ____ Corrugated pipe ____ Masonry ____ 1. Low flow orifice obstructed		
2. Low flow trash rack. a. Debris removal necessary		
b. Corrosion control		
3. Weir trash rack maintenance a. Debris removal necessary		
b. corrosion control		
4. Excessive sediment accumulation insider riser		
5. Concrete/masonry condition riser and barrels a. cracks or displacement		
b. Minor spalling (<1")		
c. Major spalling (rebars exposed)		
d. Joint failures		
e. Water tightness		
6. Metal pipe condition		
7. Control valve a. Operational/exercised		
b. Chained and locked		
8. Pond drain valve a. Operational/exercised		
b. Chained and locked		
9. Outfall channels functioning		
10. Other (specify)		

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
3. Permanent Pool (Wet Ponds) (monthly)		
1. Undesirable vegetative growth		
2. Floating or floatable debris removal required		
3. Visible pollution		
4. Shoreline problem		
5. Other (specify)		
4. Sediment Forebays		
1.Sedimentation noted		
2. Sediment cleanout when depth < 50% design depth		
5. Dry Pond Areas		
1. Vegetation adequate		
2. Undesirable vegetative growth		
3. Undesirable woody vegetation		
4. Low flow channels clear of obstructions		
5. Standing water or wet spots		
6. Sediment and / or trash accumulation		
7. Other (specify)		
6. Condition of Outfalls (Annual , After Major Storms)		
1. Riprap failures		
2. Slope erosion		
3. Storm drain pipes		
4.Endwalls / Headwalls		
5. Other (specify)		
7. Other (Monthly)		
1. Encroachment on pond, wetland or easement area		

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
2. Complaints from residents		
3.Aesthetics a. Grass growing required		
b. Graffiti removal needed		
c. Other (specify)		
4. Conditions of maintenance access routes.		
5. Signs of hydrocarbon build-up		
6. Any public hazards (specify)		
8. Wetland Vegetation (Annual)		
1. Vegetation healthy and growing Wetland maintaining 50% surface area coverage of wetland plants after the second growing season. (If unsatisfactory, reinforcement plantings needed)		
2. Dominant wetland plants: Survival of desired wetland plant species Distribution according to landscaping plan?		
3. Evidence of invasive species		
4. Maintenance of adequate water depths for desired wetland plant species		
5. Harvesting of emergent plantings needed		
6. Have sediment accumulations reduced pool volume significantly or are plants "choked" with sediment		
7. Eutrophication level of the wetland.		
8. Other (specify)		

Comments:

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Actions to be Taken:

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST

ENGINEERING DEPARTMENT
ERIE COUNTY – NEW YORK
JEFFREY S. BURROUGHS, P.E. – TOWN ENGINEER

January 19, 2021

TO: Ellen Kost, AICP – Deputy Planning Director
Doug Gesel – Senior Code Enforcement Officer
Patrick G. Lucey - Highway Superintendent
David Marrano - Town Assessor

FROM: Brian J. Armstrong, EIT – Assistant Municipal Engineer

SUBJECT: Major Site Plan Review; SP-2020-14
Proposed Solar Farm Development
Town of Amherst Job No. 2020.037

ADDRESS: 595 Schoelles Road

PETITIONER: Amherst Community Solar, LLC

MAJOR SITE PLAN REVIEW IS APPROVED AS SUBMITTED

cc: Scott A. Marshall, Principal Planner
Amherst Community Solar, LLC, 412 S. 13th Street, Unit 607, Philadelphia, PA 19147
Greenman-Pedersen, Inc., 4950 Genesee Street, Suite 100, Buffalo, NY 14225

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY AND REPLY TO MUNICIPALITY

Note: Please complete and send one copy with attachments to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain a copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: SP-20-576

Received: 11/19/20

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: TOWN OF AMHERST

2. Hearing Schedule: Date 01/21/2021 Time 6:30pm Location Amherst Town Offices

3. Action is before: ☐ Legislative Body ☐ Board of Appeals ☒ Planning Board

4. Action consists of: ☐ New Ordinance ☐ Rezone/Map Change ☐ Ordinance Amendment ☒ Site Plan ☐ Variance ☐ Special Use Permit ☐ Other

5. Location of Property: ☐ Entire Municipality ☒ Specific as follows: 595 Schoelles Road

6. Referral required as Site is within 500'of: ☐ State or County Property/Institution ☐ Municipal Boundary ☒ Farm Operation located in an Agricultural District ☐ Expressway ☒ County Road ☒ State Highway ☐ Proposed State or County Road, Property, Building/ Institution, Drainageway

7. Proposed change or use: Proposed 15 acres community Solar development.

8. Other remarks: (ID#, SBL#, etc.) SP-2020-14

9. Submitted by: Roberta Rappoccio, Associate Planner **Date:** 11/17/2020

Mailing Address: 5583 Main Street, Williamsville, NY 14221

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 11/30/20. **The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.**

1. ☐ **The proposed action is not subject to review under the law.**
2. ☒ **Form ZR-3, Comment on Proposed Action is attached hereto.**
3. ☐ **The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.**
4. ☐ **No recommendation; proposed action has been reviewed and determined to be of local concern**

By the Division of Planning: [signature] **Date:** 12/28/20

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

December 28, 2020

Ms. Roberta Rappoccio
Associate Planner
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Re: **Comprehensive Plan Amendment and Rezoning of 10880-10900 Transit Road**

Location: **595 Schoelles Road, Town of Amherst**
Review No.: **SP-20-516**

Dear Ms. Rappoccio,

Pursuant to New York General Municipal Law Section 239-m, and Article 8 of the New York Environmental Conservation Law, the County of Erie (the "County") has reviewed the above-referenced project referred to us on November 19, 2020. The Department of Environment and Planning (DEP) offers the following comments:

- The subject parcel is enrolled in Erie County Agricultural District #17, and is designated as a "Developing Area" in the Erie Niagara Framework for Regional Growth. The Framework discourages the conversion of rural and agricultural lands in these areas.
- If this parcel has received a reduced assessment through the New York State Agricultural Assessment Program, the landowner should be aware that the State may enforce a financial penalty for the conversion of farmland to non-farm use.
- The Town and developer should contact the New York State Department of Agriculture and Markets for guidance on siting solar energy projects on farmland.
- The Town may wish to prohibit the removal of prime soils from the property so a return to active farmland remains possible.
- The Town and developer should put a "pre-plan" in place with the Town's Fire Safety division to address fire suppression. Solar facilities may require the usage of a foam fire suppressant vs. water. The details should be laid out in a plan between the developer, Town, and designated fire company.
- The developer's plan for the required landscaping buffer should incorporate best management practices for the promotion of pollinator-friendly habitat, which would support the surrounding agricultural land.

This review pertains to the above referenced project submitted to Erie County DEP. This should not be considered sufficient for any County approvals.

Sincerely,

David Hall
Planner

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

AMHERST HIGHWAY DEPARTMENT

1042 North Forest Road Williamsville, New York 14221

Patrick Lucey
Superintendent of Highways
plucey@amherst.ny.us

Paul Anderson
Deputy Highway Superintendent
panderson@amherst.ny.us

PHONE (716) 631-7117

FAX (716) 631-7265

www.amherst.ny.us

December 15, 2020

RECEIVED
DEC 16 2020
TOWN OF AMHERST
PLANNING DEPT.

To: Ellen Kost, AICP, Assistant Planning Director

From: Patrick Lucey, Superintendent of Highways PL

Re: MAJOR SITE PLAN REVIEW, **SP-2020-14;** PROPOSED SOLAR FARM DEVELOPMENT PROPERTY LOCATED AT **595 SCHOELLES ROAD.** AMHERST COMMUNITY SOLAR, LLC, PETITIONER.

After review relative to Highway Department concerns, the plan is approved as submitted.

/ke
C: Daniel Ulatowski, AICP, Zoning Enforcement Officer
Douglas Gesel, Supervising Code Enforcement Officer
Jeffrey Burroughs, Town Engineer
Vaishali Reberholt, Stormwater Management Officer
Chris Schregel, Traffic Safety Coordinator (c/o Eng.)
David Marrano, Town Assessor
Bryan Parnell, Fire Chief's Association
Alan Herberger, Senior Plumbing Inspector
Ann Demopoulos, Deputy Town Attorney, ROW Agent
Jeffrey Szatkowski, Landscape Architect
Scott A Marshall, Principal Planner
Brian Barnes, Senior GIS Analyst (Eng)
ECDPW
ECDEP
NYSDOT
Amherst Community Solar, LLC, 412 South 13th Street, Unit 607, Philadelphia, PA 19147
Greenman-Pederson, Inc., 4950 Genesee Street, Suite 100 Buffalo, NY 14225

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

RECEIVED
DEC 10 2020
TOWN OF AMHERST
PLANNING DEPT.

Mark S. Berke, P.E.
Commissioner of Building

DATE: December 9, 2020

TO: Ellen Kost

FROM: Doug Gesel Supervising Code Enforcement Officer

RE: Major Site Plan SP-2020-14, Solar Farm Development @ 595 Schoelles Road

■Site Plan is: ☐ Subdivision is: ☐ ODA is: ☐ CSP is:

☐ Approved as Submitted

☐ Approved with the following conditions or changes:

■ Denied for the following reasons: - § 83-8-2 Paving. 2-1. Every parking lot shall be paved with the type of material and thickness sufficient to support the loads to be imposed and with a surface not subject to excessive dusting.

☐ Not reviewable at this stage because the following information is not provided:

☐ Not applicable to this department at this time.

■Floodplain Development Permit required.

*This review was for Building Codes compliance only.
*Approval does not grant permission to start construction.

Douglas Gesel DG

Supervising Code Enforcement Officer
Town of Amherst Building Department

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

AMHERST FIRE CHIEFS' ASSOCIATION INC.

To: Dan Howard, Planning Director Date: 12/3/20

From: Krista Halt, Liaison to Amherst Fire Safety Committee

RE: Site Plan Review: SP-2020-14 PROPOSED SOLAR FARM DEVELOPMENT
Address: 595 SCHOELLES ROAD
Petitioner: AMHERST COMMUNITY SOLAR, LLC

The above referenced ☒ Site Plan is ☐ Subdivision is ☐ Minor Modification is:

☒ Approved as Submitted

☐ Denied due to the following:

☐ Not reviewable at this time due to the following:

☐ 1. Section 503 IFC 2020 – Fire Apparatus Access Road

- ☐ A. Section 503 Firelanes (fire apparatus access roads) be provided in accordance with the IFC 2020
- ☐ B. 503.1.1 – provide for the fire apparatus access road to within 150 feet of all portions of the building or within 300 feet if the building is sprinkled.
- ☐ C. 503.1.2 – provide an additional fire apparatus access road
- ☐ D. 503.2 – specifications – fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 through 503.2.7
  - ☐ 1. 503.2.1 – fire apparatus access road must be an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches.
  - ☐ 2. 503.2.2 – increase width of fire apparatus access road to ____ feet to be adequate for fire or rescue operations.
  - ☐ 3. 503.2.4 – the turning radius for fire apparatus access roads is 22 inside and 45 outside.
  - ☐ 4. 503.2.5 – dead end fire apparatus access roads in excess of 150 feet, shall be provided with an approved area for turning around fire apparatus.
  - ☐ 5. 503.3 – fire apparatus access roads must be marked as firelanes per the signage specification established by Appendix D IFC 2015
  - ☐ 6. Appendix D – Access Roads: Width, Distance from bldgs. Remoteness requiring 2 separate access roads.

☐ 2. Section 506 IFC 2020 – Key Boxes – A fire department Knox key box is required for access to building keys.

☐ 3. Section 507 IFC 2020 – Fire Protection Water Supplies

- ☐ A. Indicate all existing Fire Hydrants on plans.
- ☐ B. All waterlines with numerous hydrants should be looped or on a grid system.
- ☐ C. All fire hydrants must be within 500 feet of each other. (Subdivisions)
- ☐ D. Section 507.5.1 – provide an additional Fire Hydrant within 400 feet of the most remote point of the building (as the fire hose would be laid out) or within 600 feet if the building is equipped with a Fire Sprinkler system.
- ☐ E. [B] Section 912 - This project may be required to install a Fire Sprinkler system, if so, indicate the location of the fire department connection for the sprinkler system, which must be located on the street side of the building

COMMENTS: A CLEAR , BRUSH FREE AREA OF 10 FEET IS REQUIRED AROUND GROUND MOUNTED PHOTOVOLTAIC ARRAYS.

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST
ASSESSOR'S OFFICE

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
PHONE: 716-631-7038
FAX 716-631-7144
www.amherst.ny.us

David C. Marrano
Assessor
dmarrano@amherst.ny.us

MEMORANDUM

TO: Ellen M. Kost, AICP, Associate Planner
Douglas Gesel, Supervising Code Enforcement Officer
Jeff Burroughs, Town Engineer
Daniel Ulatowski, Principle Planner

FROM: Cheryl E. Walfrand, Senior Real Property Appraiser

DATE: December 1, 2020

SUBJECT: Major Site Plan Review: **SP-2020-14**
Proposed: **Solar Farm Development**
Property located at: **595 Schoelles Road**
Petitioner: **Amherst Community Solar, LLC.**

The Site Plan is approved as submitted

cc: Amherst Community Solar, LLC, 412 S. 13th St, Unit 607, Philadelphia, PA 19147
Greenman-Pedersen, Inc. 4950 Genesee St. Suite 100, Buffalo, NY 14225

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST
BUILDING DEPARTMENT
ERIE COUNTY, NEW YORK
5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221

PHONE: (716) 631-7080
FAX: (716) 631-7192

Mark S. Berke, P.E., CFM
Commissioner of Building

Date November 30, 2020

To: Ellen Kost, AICP- Asst. Planning Director

From; Alan D. Herberger, Sr. Plumbing Inspector

Re: **SP-2020-14; Proposed Solar Farm Development; 595 Schoelles Rd.; Amherst Solar Community Solar, LLC, Petitioner.**

The Proposed Major Site Plan is Approved as Submitted – Plumbing Dept.

cc: Engineering Dept.
Building Dept.

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7030
FAX (716) 631-7101
www.amherst.ny.us

Stanley J. Sliwa
Town Attorney

Nicole M. Burroughs
Paralegal

Joanne A. Schultz
Sr. Deputy Town Attorney

Jeffrey E. Marion
Sr. Deputy Town Attorney

RECEIVED
NOV 30 2020
TOWN OF AMHERST
PLANNING DEPT.

TO: **Ellen Kost, AICP, Planning Department**

FROM: **Ann Demopoulos, Deputy Town Attorney** AD/lcg
Right-of-Way Review

DATE: **November 25, 2020**

RE: **Major Site Plan Review**
SP-2020-14
595 Schoelles Road
Amherst Community Solar, LLC, Petitioner

This office has reviewed the materials submitted by your correspondence dated November 19, 2020 and advise that there are no objections.

We are returning copies of the materials provided for your file.

AD:lcg
Attachment
c: Douglas Gesel, Senior Code Enforcement Officer *(w/o attachment)*
Jeffrey S. Burroughs, PE, Town Engineer *(w/o attachment)*
Scott A. Marshall, Associate Planner *(w/o attachment)*
Amherst Community Solar, *(w/o attachment)*
Greedman-Pedersen, Inc., *(w/o attachment)*

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

Donald Spoth Farm and Greenhouse
2715 Tonawanda Creek Road
Amherst New York 14228

Date: January 18, 2021

To: Amherst Planning Board, Amherst Planning Department

I Donald F Spoth and Daniel J Spoth owners of Donald Spoth Farm and Greenhouse are writing to inform you that we support the development of the proposed Solar Farm Development located at 595 Schoelles Road. We cannot attend the Amherst Planning Board Zoom Meeting this Thursday due to a conflict, but certainly want to convey our support.

Sincerely;

Donald F Spoth

Donald F Spoth.

Attachment: SP-2020-14 SUP TB letter 022221 (RES-2021-152 : 595 Schoelles Road Special Use Permit)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
Initiated by: **Kathleen Cooper**
Co-Sponsored by:

DOC ID: 22856 **RESOLUTION 2021-153** **ADJOURNED**

Amend the Audubon Development Plan and the Zoning Map to Reclassify 2160 & 2170 North Forest Road from NCD-SA to NCD-ND

DRAFT RESOLUTION
(2/22/21)

Amend the Audubon Development Plan and the Zoning Map
[2160 & 2170 North Forest Road (NCD); Z-2020-06]

RESOLVED, that pursuant to 6NYCRR Part 617 (SEQR) and Town Code Section 104, as amended, that the requirements of SEQR have been completed and the Town Board issues the attached Negative Declaration, and be it further

RESOLVED, that pursuant to NYS Town Law Sec.272-a, the Town Board concurs with the findings of the Planning Board as stated in their resolution of January 21, 2021 that the proposed New Community District - Neighborhood District (NCD-ND) classification at 2160 & 2170 North Forest Road is consistent with the adopted Bicentennial Comprehensive Plan, as amended, and be it further

RESOLVED, that to the extent the proposed classification is not consistent with the adopted Comprehensive Plan, the plan is hereby amended to be consistent with the proposed classification at this location, and be it further

RESOLVED, that in accordance with Section 203-8-3 of the Town Code (Zoning), the Town Board adopts Local Law (#) to amend the Town Zoning map subject to the following condition as recommended by the Planning Board:

1. That the petitioner include additional parking spaces beyond the 17 spaces shown on the concept plan at the site plan stage.

2/22/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Lavin and unanimously approved 5-0. The public hearing was opened at 7:32 PM.

Sean Hopkins, Esq. presented.

The following speakers addressed the Town Board:
Joseph Hausbeck, 2180 N. Forest Rd. - Spoke in opposition; does not fit the concept of the neighborhood; submitted a letter listing various concerns

Fran Cummings, 2200 N. Forest Rd. - Voiced her concerns; property floods; traffic
Karen Macris, 2230 N. Forest Rd. - Asked questions; concern of dorm-like apartments; dumpster location and noise

There were no further speakers from the public, therefore Supervisor Kulpa moved to adjourn the public hearing to March 8th. The motion was seconded by Councilmember Szukala and unanimously approved 5-0. The public hearing was adjourned at 8:17 PM.

3/8/2021

A motion to adjourn to April 5th was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0.

4/5/2021

A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was opened at 7:05 PM.

Sean Hopkins, Esq. presented updated plans.

The following speakers addressed the Town Board:
Fran Cummings, 2200 N. Forest Rd. - Concerned about it being student housing, lighting spillover, flooding and traffic
Joseph Hausbeck, 2180 N. Forest Rd. - Concerned about excavation of the site and the project being too large

There were no further speakers from the public, therefore Supervisor Kulpa moved to adjourn the public hearing to April 19th. The motion was seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was adjourned at 7:34 PM.

4/19/2021

Per Supervisor Kulpa, the Petitioner has requested an adjournment. Supervisor Kulpa then moved to Adjourn to May 3rd, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The hearing was adjourned at 7:09 PM.

5/03/2021

A motion to open the public hearing was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was opened at 7:09 PM.

Sean Hopkins, Esq. presented updated plans.

The following speaker addressed the Town Board:
Fran Cummings, 2200 N. Forest Rd. - Voiced her continued concerns regarding flooding, student housing in their senior citizen community

There were no further speakers from the public, therefore Supervisor Kulpa moved to close the public hearing, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was closed at 7:29 PM.

1/18/2022

A motion was made by Supervisor Kulpa to remove from Unfinished Business, seconded by Councilmember Bucki and unanimously approved 5-0.

A motion was made by Supervisor Kulpa to schedule a public hearing for the February 28th Town Board meeting, seconded by Deputy Supervisor Berger and unanimously approved 5-0.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 3/8/2021 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Michael Szukala, Councilmember	
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala	

D R A F T (2/22/21)

SEQR

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

Lead Agency: Town of Amherst
Town Board

Project: Z-2020-06

Address: 5583 Main Street
Williamsville, NY 14221
(716) 631-7051

Date:

This notice is issued pursuant to Part 617 and Local Law #3-82, as amended, of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Lead Agency has determined that the proposed action described below will not have a significant adverse effect on the environment.

Title of Action: Rezoning Request.

SEQR Status: Type I

Description of Action: Rezoning of 2.35± acres of land from NCD-SA to NCD-ND to allow a proposed 2-story, 8-unit apartment building.

Location: 2160 & 2170 North Forest Road (NCD), Town of Amherst, Erie County, New York

Petitioner: Coromandel Estates Amherst, LLC

Attachment: Z-2020-06_draft TB Neg Dec_2160 & 2170_2.22.21 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon

Reasons Supporting This Determination

Based on information submitted by the applicant, including a Full Environmental Assessment Form (EAF) - Part 1, a complete rezoning application, and concept plan, a preliminary staff analysis was undertaken. Compared to the criteria listed in Section 617.7, all indications are that the proposed rezoning of 2.35± acres of land from NCD-SA to NCD-ND for a proposed 2-story, 8-unit apartment building will not have a significant impact on the environment, as follows:

1. The action is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems. The Town Engineering Department on December 24, 2020 reviewed the application and EAF submitted on December 18, 2020, and had no objection or comments on the proposed rezoning. The Building Department requires that a floodplain development permit be obtained prior to final site plan approval.

2. The action will not result in the removal or destruction of large quantities of vegetation or fauna; or in significant adverse impacts to fish or wildlife species, habitats or other natural resources. A Landscape/Tree preservation Plan shall be required of the applicant upon submittal of a site plan application for development of the site at which stage all landscape requirements of the Zoning Ordinance will be met.

3. The action is not expected to create any material conflict with the Town Comprehensive Plan. The project will comply with all regulations of the Town Zoning Ordinance before final site plan approval is granted. The Town Building Department on January 13, 2021 reviewed the application and EAF submitted on December 18, 2020, and has no objection or comments on the proposed rezoning.

4. The property is within an area identified by the State as potentially containing significant cultural or archeological resources. A Phase I Archaeological Reconnaissance Survey was conducted in October 2020 by the University at Buffalo's Department of Anthropology. The report concluded that no prehistoric or historic sites were identified and recommended no further work. The NYS Office of Parks, Recreation and Historic Preservation's letter of October 30, 2020 concurred that the action will not impair the character or quality of important historical resources.

5. The action will not impair the character or quality of important aesthetic resources or of existing community or neighborhood character. The subject request is for reclassification from NCD-SA to NCD-ND. This property is in an area of Town with a variety of residential uses. The majority of this area is occupied by single-family homes, however, directly across North Forest Road from this site is the Beechwood Senior Residence/Asbury Pointe development. Within the past few years, apartment developments have been constructed further west along North Forest Road, most notably the "Muir Lake" apartments between Millersport Highway and John James Audubon Parkway. Therefore, the project is considered consistent with surrounding land use.

Attachment: Z-2020-06_draft TB Neg Dec_2160 & 2170_2.22.21 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon

6. The proposed reclassification to NCD-ND for the proposed 2-story, 8-unit apartment building will not cause a major change in the use of either the quantity or type of energy.

7. The reclassification to NCD-ND for the proposed 2-story, 8-unit apartment building will not create any hazard to human health.

8. The reclassification to NCD-ND will not cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses. The proposed 2-story, 8-unit apartment building will be consistent with the scale of surrounding land uses.

9. The reclassification to NCD-ND for the proposed 2-story, 8-unit apartment building will not significantly increase the number of people using the site over its previous level of use.

10. Review by the Town Traffic/Safety Board on December 30, 2020 and the NYS Department of Transportation on November 28, 2020 indicate that significant negative traffic impacts are not expected to result from the proposed project.

11. Coordinated reviews of the project have been undertaken by Town Departments including Building on January 13, 2021, Engineering on December 24, 2020, Attorney on January 4, 2021, Traffic/Safety Board on December 30, 2020, Assessor on December 23, 2020, and Right-of-Way Agent on December 29, 2020, along with outside agencies including the NYS Department of Environmental Conservation on January 22, 2021 and the Williamsville School District on December 28, 2020. These reviews have not identified any significant environmental issues and indicate that the proposal will not have a significant damaging impact on the environment.

12. Issues not specifically mentioned above and/or those not specifically reviewed were not raised by Town departments, outside agencies or the public and are not determined to be causing significant negative environmental impacts.

_____ _____
Signature & title of preparer date

_____ _____
Brian J. Kulpa, Supervisor date

EK/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-06_(2160 &_2170_North_Forest_Rd_NCD)_2020\Z-2020-06_draft TB Neg Dec_2.22.21.docx
cc: Amherst Town Clerk
Amherst Building Department
ECDEP
NYSDEC

Attachment: Z-2020-06_draft TB Neg Dec_2160 & 2170_2.22.21 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon

Attachment: Draft Local Law-Reclassification of 2160 2170 North Forest Road-08-24-20 (RES-2021-153 : 2160 & 2170 Request to Rezone and

LOCAL LAW NO. _____-201_

TOWN OF AMHERST
COUNTY OF ERIE, STATE OF NEW YORK

A LOCAL LAW AMENDING CHAPTER 203 OF THE TOWN OF AMHERST CODE, KNOWN AS THE ZONING ORDINANCE, TO REZONE/RECLASSIFY 2160 AND 2170 NORTH FOREST ROAD FROM NCD-SA TO NCD-ND AND TO AMEND THE AUDUBON DEVELOPMENT PLAN AND TO AMEND THE ZONING MAP ACCORDINGLY.

Be it enacted by the Town Board of the Town of Amherst as follows:

Section 1. Title.

This Local Law shall be referred to as, "A Local Law Amending Chapter 203 of Town of Amherst Code, Known As The Zoning Ordinance, to Rezone/Reclassify 2160 and 2170 North Forest Road from NCD-SA to NCD-ND and to Amend The Audubon Development Plan and to Amend The Zoning Map Accordingly".

Section 2. Legislative Findings and Intent.

The Town Board of the Town of Amherst finds that an application to rezone/reclassify 2160 and 2170 North Forest Road from NCD-SA to NCD-ND and Amend the Audubon Development Plan and to Amend the Zoning Map Accordingly has been filed and is in proper order. The Town Board further finds that the request including the rezoning/reclassification and the amendment of the Audubon Development Plan is consistent with the Comprehensive Plan.

Section 3. Amherst Zoning Map.

The Town Board hereby: 1.) amends its Zoning Map which is incorporated by reference in the Town Zoning Code by amending/reclassifying from NCD-SA to NCD-ND the parcels at 2160 and 2170 North Forest Road; and 2.) amending the Audubon Development Plan, both being **subject to any conditions imposed by the authorizing resolution**; legally described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie, State of New York, being part of Lot 68, Township 12, Range 7 of the Holland Land Survey so-called and further bounded and described as follows.

BEGINNING at the intersection of the centerline of Stahl Road (66.0 feet wide) with the centerline of North Forest Road (66.0 feet wide):

THENCE: Southerly, along the centerline of Stahl Road extended southerly, a

distance of 108 feet more or less to the north bank of Ellicott Creek;

THENCE: Westerly along said north bank of Ellicott Creek, a distance of 583 feet more or less to the west line of lands conveyed to Peter D. Durham by deed recorded in the Erie County Clerk's Office in Liber 9264 of Deeds at page 188;

THENCE: Northerly along said west line of Peter D. Durham lands, a distance of 10 feet more or less to the north bank of Ellicott Creek;

THENCE: Westerly and southerly along said north bank of Ellicott Creek, a distance of 227 feet more or less to a point distant 100 feet westerly from the said west line of Peter D. Durham lands as measured at right angles;

THENCE: Northerly along a line parallel with the west line of said Peter D. Durham lands distant 100.00 feet westerly therefrom measured at right angles, a distance of 491 feet more or less to the centerline of North Forest Road;

THENCE: Easterly, along said centerline of North Forest Road, a distance of 564.74 feet to the POINT OR PLACE OF BEGINNING.

Section 4. Validity.

This Local Law is adopted under the authority granted to the Town Board of the Town of Amherst pursuant to §§10(1)(ii)(a)(12), 20 and 27 of the Municipal Home Rule Law and §265 of the Town Law of the State of New York.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 5. Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and published pursuant to Sections 130 & 133 of the Town Law and Chapter 28 of the Code of the Town of Amherst.

Francina J. Spoth
Town Clerk
Town of Amherst
County of Erie, State of New York

Attachment: Draft Local Law-Reclassification of 2160 2170 North Forest Road-08-24-20 (RES-2021-153 : 2160 & 2170 Request to Rezone and

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Directo

Ellen M. Kost, AICP
Assistant Planning Dir

Town Board Agenda of February 22, 2021

February 9, 2021

The Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Subject: Amendment #73 to the Audubon New Community District Development Plan to reclassify 2.35± acres of land from NCD-SA to NCD-ND; property located at 2160 & 2170 North Forest Road (NCD). Z-2020-06.

Honorable Members:

The subject property consists of two lots and forms a 2.35± acre irregularly shaped area located on the south side of North Forest Road, just west of the Stahl Road intersection. The site has 278.60± ft. of frontage and a depth of 497.16± ft. The site is vacant and partially wooded.

The south boundaries of the two lots are directly adjacent to Ellicott Creek, and the Ellicott Creek floodway extends onto both properties. A preliminary wetland investigation by Earth Dimensions, Inc. in July 2020 did not identify any federal jurisdictional wetlands or NYS wetlands on the subject properties. North Forest Road is a County collector.

For information on the surrounding zoning and land use, please refer to the attached sketch.

The purpose of this request is to reclassify the land to allow a 2-story, 8-unit apartment building. The concept plan shows the building in the central portion of the site, with 17 parking spaces in front of the building, eight (8) of which are proposed to be in a free-standing garage. Parking would be accessed by one driveway to North Forest Road approximately in the center of the site. Space for emergency vehicle turnaround is shown between the building and the road. The plan also shows a covered patio with fire pit on the west side of the building and a dumpster location west of the building. Two stormwater basins are proposed near the north and south ends of the west property line. All development is shown outside the Ellicott Creek floodway.

The property was zoned New Community District – Suburban Agriculture (NCD-SA) with adoption of the Town-wide zoning ordinance and maps in 1976. No other requests are on file.

The Planning Board offers the following findings consistent with Section 8-3 of the Zoning Ordinance.

continued . .

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

A) **EXTENT TO WHICH THE PROPOSED AMENDMENT MEETS THE INTENT AND OBJECTIVES OF A NEW COMMUNITY DISTRICT AS EXPRESSED IN SECTION 5-2-2 OF THE ZONING ORDINANCE.**

The proposed revision to the development plan addresses the following objectives of the Zoning Ordinance.

Objectives

2-2A *A varied choice in the types of environment, occupancy, tenure, types and cost of housing, lot sizes, and community facilities available to existing and potential Town residents.*

The proposed project consists of a 2-story, 8-unit apartment building with 17 parking spaces in front of the building, eight (8) of which will be in a free-standing garage. One driveway to North Forest Road is shown in the central portion of the site. Two stormwater basins are proposed near the west property line. All development is shown outside the Ellicott Creek floodway.

The Assessor's office agrees with all statements made in the application and has no issue with the rezoning since units will be leased and not sold with condominium tax status.

The Building Department has approved the rezoning as submitted.

2-2B *Extensive usable open space and recreation areas, appropriate in terms of location, size and suitability of intended function.*

No usable open space or recreation areas are proposed with this project. The Ellicott Creek floodway, which extends onto these properties, will remain as open space and is prohibited by FEMA regulations from containing any structures.

2-2C *The provision of commercial, office or industrial uses of substantial real property tax productivity intended to support the financing of additional educational, municipal, and other public services required as a result of the development.*

No commercial, office or industrial uses are proposed with this project.

2-2D *Convenience in location of Commercial and Service Areas*

The closest commercial/service areas to the subject property are located on Millersport Highway (0.5 miles) and on Maple Road (1.5 miles). These include gas stations and a variety of restaurants. The UB North campus, on the opposite side of Ellicott Creek, also offers commercial services.

2-2E *The preservation of such features as trees, outstanding natural topography and geological features; the prevention of soil erosion; and the comprehensive design of storm water retention and proper drainage systems.*

As most of the wooded areas in the southern and eastern portions of these properties are within the Ellicott Creek floodway, they are proposed to remain undisturbed.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

The NYS Department of Environmental Conservation concurs that the Town of Amherst should act as SEQR Lead Agency and has the following comments:

1. Note that Ellicott Creek has a water classification and standard of B. Therefore, any physical alteration (ie, land clearing, filling, drainage pipe/ditch installation, etc.) to the bed or banks (within 50 feet of the stream) will require an Article 15, Title 5, Protection of Waters Permit from the NYSDEC.

2. The project site is located near a NYS Flood Control Easement, specifically Amherst Ellicott Creek Flood Control Project. Use of this easement requires an Article 16 Flood Control Land Use Permit from the NYSDEC.

3. The site is located within the designated 100-year floodplain per the Federal Emergency Management Agency's (FEMA) Firm Map No. 36029C0069H. The proposed project should be designed in accordance with all applicable local municipal laws for flood damage reduction. In addition, Ellicott Creek has a regulatory floodway, and any encroachment into floodway, including fill, requires an engineering analysis that demonstrates a 0.0' rise in the base flood elevation before a permit can be issued. Based on submitted plans, it also appears that the proposed patio/fire pit area is within the floodway and may require a separate floodplain development permit.

4. If any project activities will involve land disturbance of 1 acre or more, the project sponsor is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity.

5. This proposed project requires a sanitary sewer connection that is designed to convey 2,500 gallons/day or more of municipal sewage and is therefore considered a sanitary sewer extension. The Erie County Health Department will be the approving agency. A detailed Downstream Sewer Capacity Analysis must be performed and submitted for the proposed project as part of the Project's Engineering Report.

6. Portions of this project area are located on hydric soils. The project sponsor should contact the United States Department of the Army, Corps of Engineers (COE) to ensure that the project will not involve federally regulated wetlands or any other approval from that agency. If Federal Wetlands are involved, the COE may require Water Quality Certification from DEC.

7. The project site appears to be within an archaeologically sensitive area based on information obtained through the Cultural Resources Information System (CRIS) on the NYS Office of Park, Recreation and Historic Preservation's (OPRHP) website. As part of the SEQR process, this concern should be evaluated, unless it can be verified by appropriate documentation that the sites have been significantly disturbed in a way that would destroy potential artifacts. Note: If any of the described Department approvals are required, an appropriate archaeological investigation must be conducted in order to satisfy the NYS Historic Preservation Act.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

2-2F *The creative use of land and related physical development which allows an orderly transition of land from rural to urban uses.*

The subject properties are located within an area of Town with a variety of residential uses. The majority of this area is occupied by single-family homes, however, directly across North Forest Road from this site is the Beechwood Senior Residence/Asbury Pointe development. Within the past few years, apartment developments have been constructed further west along North Forest Road, most notably the "Muir Lake" apartments between Millersport Highway and John James Audubon Parkway.

The ROW Agent agrees with all statements made in the application and notes that an easement to the Town of Amherst on this property (liber 7105, page 369) should continue to be in effect and be reduced to an agreement.

2-2G *An efficient use of land resulting in smaller networks of utilities and streets and lessened burden of traffic on streets and highways thereby lowering utility and maintenance costs borne by new development.*

As the floodway is located on nearly half of the subject site, the concept plan submitted with this application shows the development limited to the central portion of the site. One driveway to North Forest Road is shown in the center of the site.

The Engineering Department, Traffic-Safety Board and Fire Chiefs' Association agree with all statements made in the application. The Highway Department review is pending.

NYSDOT reviewed the project, concurred with the Town acting as Lead Agency, and stated that the proposed project will not have a significant impact to traffic on the State Highway System.

The Erie County DPW – Highways Division concurs with the Town of Amherst being the Lead Agency for this project and has the following comments:

Permit Requirements:

1. The Developer will be required to apply for and obtain an Erie County Highway Work Permit for Utility Work Perm-2 for construction within the North Forest Road highway right-of-way.

2. The Developer will be required to apply for and obtain an Erie County Highway Work Permit for Non-Utility Work, Perm 3 for construction of a new entrance drive within the North Forest Road highway right-of-way.

Traffic Concerns:

1. A Traffic Impact Study may be needed due to the close proximity of the project to the intersection of North Forest and Stahl Road.

2-2H *Creation and preservation of natural and man-made features which will give increased environmental quality, encourage uses which will maintain high environmental quality and provide an attractive community design.*

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

The most important natural feature on this development site is the Ellicott Creek floodway, which according to FEMA regulations cannot hold structures of any kind. The wooded areas in the southern and eastern portions of the site within the floodway are therefore proposed to remain undisturbed.

This project is in an archaeologically sensitive location based on NYS mapping. A Phase I Archaeological Reconnaissance Survey was conducted in October 2020 by the Department of Anthropology at the University at Buffalo. The survey found that no historic or prehistoric sites were identified and recommended no further work. The NYS Office of Parks, Recreation and Historic Preservation concurs with the report's conclusion that no further archaeological investigations are warranted, and their opinion is that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

2-2I *Guidance and control of development in Flood Hazard Areas so that life and property both within and without such areas are protected.*

The Building Department is responsible for administering all flood code provisions; that department has no issue with the proposed rezoning but notes that a floodplain permit will be required. Town mapping from 2019 shows this property within the existing flood hazard area.

2-2J *Increased safety for all modes of travel, including pedestrian and bicycle.*

There are no sidewalks on North Forest Road in the vicinity of this project, and the petitioner does not propose to install any. An internal sidewalk is shown around the proposed building and parking lot but does not extend to the road.

The Williamsville Central School District notes that the District has received information on this project and placed it on file, and that a future bus stop will be located at a driveway entrance at North Forest Road in accordance with District policy.

2-2K *An appropriate balancing or accommodation of the effect of major public or private development elsewhere in the Town or its vicinity.*

While the proposed 8-unit apartment building presents a denser development than the nearby single-family lots, it is consistent with the adjacent Beechwood Senior Residence/Asbury Pointe development across North Forest Road. The property is close to the UB North Campus on the opposite side of Ellicott Creek. The development can also be expected to supplement the off-campus housing stock for faculty, staff and students. The developer has stated that these units are intended to be marketed to professionals who often work remotely.

2-2L *Sufficient civic and community facilities, carefully integrated with adjoining areas.*

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

There are no civic or community facilities proposed with this project; adequate civic and community facilities are located in the area.

2-2M *Provision for the orderly updating of long-term, large-scale development plans to reflect changing circumstances within an overall, Town-approved planning framework.*

The Comprehensive Plan's Conceptual Land Use Plan (Figure 6) indicates Mixed Residential use for the section of North Forest Road between Stahl Road and Millersport Highway. The Mixed Residential designation is aimed at projects with densities of 4 – 12 units/acre. The subject project will result in a density of 3.4 units/acre.

The requested change is generally compatible with the character of development in the area, although the other comparable developments are not located on the 'creek side' of North Forest Road. The 3-story, 90-unit "Muir Lake" apartments between Millersport Highway and J. J. Audubon Parkway, as well as the Beechwood/Asbury senior residence, do not back up to Ellicott Creek. It should be noted that the subject site is within the boundary of the Town's Local Waterfront Revitalization Program (LWRP) currently in progress. This project would require another level of review for consistency with waterfront policies if the LWRP was adopted by the Town (adoption is not expected within the next year).

2-2N *A more desirable environment than would be possible through the strict application of other sections of this Zoning Ordinance.*

The current zoning of New Community District – Suburban Agriculture (NCD-SA) allows single family dwellings only. The proposed development of the site includes 8 apartment units that would not be allowed under the current zoning classification. The demand for student housing in the area surrounding the UB campus makes this a desirable location for apartment use.

B) EXTENT TO WHICH THE PROPOSED DEVELOPMENT PLAN MEETS ALL THE REQUIREMENTS OF SUBSECTIONS 5-2-4, 5-2-5, and 5-2-6 OF THE ZONING ORDINANCE.

5-2-4 Location of NCD Not applicable (pertains to entire existing NCD within the Town).

5-2-5 Permitted Uses

5-2-5A(2) Neighborhood District. This classification includes primarily residential areas designed to provide living space for families and individuals. Ancillary uses designed to conveniently serve residents may be located within them. The classification includes:

a. Residences and dwelling units of every type, except as otherwise specified in this subsection.
b. Fraternity and sorority houses, dormitories, hostels and boardinghouses.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

c. Small convenience retail and service facilities, except for automobile drive-in restaurants, and ancillary office facilities designed to serve the needs of residents of the neighborhood.
d. Public or quasi-public facilities, including schools and day-care centers, religious buildings and other community facilities.
e. Recreation facilities, open space areas, and personal training facilities.
f. Special limited commercial services and facilities not already included in the above uses, storage yards, and open equipment structures.

5-2-5B Use Mixture: Not applicable.

5-2-6 Dimensional Standards

5-2-6A The overall residential density of an NCD shall not exceed five (5) dwelling units per gross acre. This density regulation applies to the entire New Community District (4,121± acres) within the Town. Although the density of the proposed development is 3.4 units/acre, it would not bring the overall NCD density beyond the threshold of 5 units/acre.

5-2-6B Dwelling Unit Area. Information not provided. All dwelling units and rooms included in a dwelling are required to have sufficient floor area to satisfy the applicable minimum floor area requirements of the State Building Construction Code or the Town Building Code, whichever is applicable. This requirement will need to be met.

5-2-6C Minimum Area. Not applicable

5-2-6D Building Arrangements. The proposed development will result in a 2-story, 8-unit apartment building in the central portion of the site. The proposed 17 parking spaces will result in 2 spaces/unit, the minimum required by code elsewhere in the Town.

C) THE PROPOSED DEVELOPMENT PLAN IS CONCEPTUALLY SOUND IN THAT IT MEETS PRESENT AND FUTURE COMMUNITY NEEDS

The requested NCD-ND classification and proposed project concept will generally result in a sound development plan for the subject area; however, the concept should include space for overflow parking beyond that required for residents of the development. Section 5-2-7A(8) in the Zoning Ordinance states that "Off-street parking, loading, and stacking spaces shall be provided so as to prevent overflow of parked or standing vehicles onto public or common vehicular or pedestrian rights-of-way."

D) THERE ARE ADEQUATE SERVICES AND UTILITIES AVAILABLE OR PROPOSED TO BE MADE AVAILABLE IN THE CONSTRUCTION OF THE DEVELOPMENT.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

All services and utilities are or will be made available with this development.

E) THE PROPOSED DEVELOPMENT PLAN IS CONSISTENT WITH THE TOWN COMPREHENSIVE PLAN

The proposed project generally complies with the locational and use criteria in the Comprehensive Plan for land near a university campus.

SEQR

This is a Type I action, and an environmental assessment consistent with SEQR has been prepared for the subject proposal. Pursuant to Local Law #3-82, as amended, the requirements of SEQR are complete and the proposal is not expected to have a significant adverse effect on the environment.

RECOMMENDATION

The Planning Board recommends that your Honorable Body concur with the Planning Board's findings relative to SEQR and issue the attached Negative Declaration, and that the subject request be **approved** based on the attached resolution.

Very truly yours,

DANIEL C. HOWARD, AICP
Planning Director

DH/EK/ac
Att.
X:\Current_Planning\Files\Rezonings\2020\Z-2020-06_(2160 &_2170_North_Forest_Rd_NCD)_2020\Z-2020-06_TB Letter_2.22.21.docx
cc: Stanley Sliwa, Town Attorney

Planning Board Approval – January 21, 2021
Ayes 7; Noes 0

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

TOWN OF AMHERST
PLANNING BOARD RESOLUTION
AMENDMENT #73 TO THE AUDUBON DEVELOPMENT PLAN
Z-2020-06

PETITIONER
Coromandel Estates Amherst LLC
c/o Sean Hopkins, Esq.
Hopkins Sorgi & McCarthy PLLC
5500 Main St., Suite 343
Williamsville, NY 14221

PROPERTY LOCATION
2160 & 2170 North Forest Road (NCD)

JAN29'21 AM 8:32 RCVD

WHEREAS the Town of Amherst Planning Board on Thursday, January 21, 2021 held a public hearing on Amendment #73 to the Audubon New Community District Development Plan to classify the subject property as suitable for use as an apartment development, and

WHEREAS the Planning Board has reviewed the Amendment plans and supporting documentation, and

WHEREAS the Amendment has been referred to the various Town review agencies, and

WHEREAS the Planning Board finds that:

A. The proposed Revision to the Development Plan meets the intent and objectives of a New Community District as expressed in Subsection 1-1.1.

B. The proposed Revision to the Development Plan meets all the requirements of Section 5-2-3 through 5-2-6.

C. The proposed Revision to the Development Plan is conceptually sound in that it meets present and future community needs.

D. There are or will be adequate services and utilities available or proposed to be made available in the construction of the development.

E. The proposed Amendment to the Development Plan is consistent with the Town Comprehensive Plan.

Pursuant to Local Law #3-82, as amended, the Planning Board recommends that the Town Board determine that the requirements of SEQR are complete and that the subject proposal is not expected to have a significant adverse effect on the environment.

NOW THEREFORE BE IT RESOLVED that the Planning Board, in accordance with Section 8-15-2 of the Zoning Ordinance offers a positive report and recommends Town Board approval of Amendment #73 to the Audubon Development Plan with the following condition:

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

TOWN OF AMHERST
PLANNING BOARD RESOLUTION
AMENDMENT #73 TO THE AUDUBON DEVELOPMENT PLAN
Z-2020-06

PETITIONER
Coromandel Estates Amherst LLC

PROPERTY LOCATION
2160 & 2170 North Forest Road (NCD)

JAN29'21 AM 8:33 RCVD

1. That the petitioner include additional parking spaces beyond the 17 spaces shown on the concept plan at the site plan stage.

The foregoing resolution was adopted by the Town of Amherst Planning Board, January 21, 2021; moved by Chmiel; seconded by Giuliani; ayes 7, noes 0.

Robert J. Gilmour, Chair — Date 1/28/21

EK/ac
X:\Current_Planning\Files\Rezonings\2020\Z-2020-06_(2160 &_2170_North_Forest_Rd_NCD)_2020\Z-2020-06_resolution_012121.doc
cc: Commissioner of Building
Town Engineer
Highway Superintendent
Traffic/Safety Coordinator
Coromandel Estates Amherst LLC, c/o Sean Hopkins, 5500 Main St., Suite 343, Williamsville, NY 14221
Thiru Vikram, c/o Coromandel Estates LLC, 4515 Chestnut Ridge Road, Unit 106, Amherst NY 14228
Chris Wood, Carmina Wood Morris, 487 Main St., Suite 500, Buffalo NY 14203
Christina Barmosz, Silvestri Architects, 1321 Millersport Hwy., Amherst, NY 14221
David Pawlik, Creative Structures Services, 550 Seneca St., Suite 100, Buffalo NY 14204

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amended Application - Reclassification 2160 and 2170 North Forest Road and to Amend the Audubon Development Plan
Date: December 17, 2020

Applicant: Commandel Estates
Amherst LLC c/o Sean Hopkins, Esq.
5500 Main Street, Suite 343
Williamsville, NY 14221
Tel: 716.510-4338
E-mail: shopkins@hsr-legal.com

Original

TOWN OF AMHERST PLANNING DEPARTMENT

Application for Rezoning Review and, if required Comprehensive Plan Amendment

For Official Use

File #: Z-2020-06 **Acreage** — **Fee $** -0-

Address Verified by Assessor's Office _____ VERIFIED BY DATE

Materials Accepted by Town Clerk & Fee Paid _____ ACCEPTED BY DATE

Materials Checked by Building Dept. _____ RECEIVED BY DATE

Materials Received by Planning Dept. _____ RECEIVED BY DATE

		Fill In Applicable Fees
2 ACRES OR LESS	**$1,250**	$1,250.00
2 – 20 ACRES **$1,250 + $250/acres or fraction thereof over 2 acres**		$250.00
20 – 30 ACRES **$5,700 + $150/acre or fraction thereof over 20 acres**		____
OVER 30 ACRES **$6,900 +$75/acre or fraction thereof over 30 acres**		____
Request for Relief of/Change to Conditions of Zoning Approval	**$ 1,200**	____
AFFIDAVIT FEE FOR PUBLIC HEARING	**$ 15.00**	$15.00
	TOTAL FEE:	$ 1,515.00

REVISED
DEC 18 2020
TOWN OF AMHERST
PLANNING DEPT.

Z-2020-06,
2160 & 2170 N. Forest Rd. (RCD)

[Note: A completed Amended Part 1 of the Full Environmental Assessment Form prepared pursuant to the State Environmental Quality Review Act ("SEQRA") is attached as Exhibit "2" of this Application.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

TO BE COMPLETED BY APPLICANT

1. **Petitioner:** Name: Coromandel Estates Amherst LLC

Address: c/o Sean Hopkins, Esq.
5500 Main Street, Suite 343
Williamsville, New York 14221
City State Zip Code

Phone: 510-4338 Fax:

E Mail shopkins@hsr-legal.com

2. **The undersigned hereby petitions the Honorable Town Board to rezone the following described property**

From: NCD-SA District

To: NCD-ND District

3. **Street address of land to be rezoned:** (must be verified by Town Assessor's Office)

2160 and 2170 North Forest Road

SBL #: 55.02-1-2 and 55.01-1-19.2

4. **Area of land to be rezoned** (in acres): 2.35

5. **Owner of Land:**

Name: Allen and Kristen Guerin

Address: 270 Rosedale Boulevard, Amherst, NY 14226

Telephone:

6. **Representative** (Architect, Engineer, Landscape Architect, Surveyor or Attorney):

Name: Sean W. Hopkins, Esq.

Address: 5500 Main Street, Suite 343
Williamsville, New York 14221
Tel: 716.510-4338 - E-mail: shopkins@hsr-legal.com
City State Zip Code

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

7. **Petitioner's interest in property**

_____Option to purchase

_____Owner

__X__Other (explain) Petitioner has entered into a contract to purchase the Project Site. A signed Authorization Form is attached as Exhibit 1 of this Amended Application.

8. **The following are all others having an interest in this application and join herein with the petitioner named above:** (describe extent of interest; attach sheets as needed)

Not Applicable.

9. **Attach Survey and Legal description of land to be rezoned. The Survey must be prepared by a New York State Licensed Land Surveyor.** The legal description of property to be reclassified is attached as Exhibit "3" and a full size copy of the Survey prepared by GPI dated dated July 13, 2020 is attached. A reduced size copy of the Survey is also attached as Exhibit "4".

10. **Said property has the following deed restrictions or Covenants:** (attach copy) Not Applicable.

Liber _____ Page _____

11. **Information on proposed project:**

A. Description of the character of the proposed development:

See Exhibit 5.

B. Rationale for rezoning request:

1. Why was this site chosen?

See Exhibit 5.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

2. Why cannot land be used with the existing zoning?

See Exhibit 5.

3. How will this rezoning impact surrounding properties?

See Exhibit 5.

4. How will this rezoning impact the school system?

See Exhibit 5.

12. Quantitative Data:

A. Total # of dwelling units 8
[The density of the proposed project has been reduced from 18 units to 8 units.]

B. Distribution of dwelling units by type Attached residential units for lease

C. Gross Residential Density per acre 3.40 units per acre

D. Total amount of Open Space Approximately 1 acre of greenspace and landscaping

E. Proposed Non-Residential Floor Area Not Applicable

13. Development Schedule:

Start Spring/Summer 2021

Finish 2022

Stages (# of) 1

14. If any portion of the proposed development is planned to be sold or leased, please describe:

The attached residential units will be leased to residential tenants.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

15. **Open Space ownership and maintenance provisions (if applicable):**

Greenspace and landscaping will be privately owned and maintained.

16. **Basis for Findings (Sec. 8-3-5 of the Town Zoning Code) (Attach sheets and supplemental materials as necessary.)**

A. **The proposed zoning and development plan must be generally consistent with the policies of the Comprehensive Plan and the Town Zoning Ordinance.**

1. State in detail why the proposed zoning is consistent with the adopted Town of Amherst Bicentennial Comprehensive Plan. Cite specific sections, maps, and/or figures in the plan that support the proposed zoning at this location (The Comprehensive Plan document is available at the Planning Department, Town Clerk's Office, Amherst libraries, or at www.amherst.ny.us). Add sheets as needed.

See Exhibit 6.

2. Pursuant to NYS Town Law Section 272a(11), "all Town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this Section." The Town Board adopted the Comprehensive Plan pursuant to NYS Town Law 272 on January 2, 2007. If the rezoning is approved, the Town Board may require the Plan to be amended, as applicable.

Cite all text, map, and / or figures that must be amended to support the proposed zoning at this location (attach pages as necessary) and provide detailed suggested amendments.

See Exhibit 6.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

3. State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

See Exhibit 6.

B. Adequate Services and Utilities are available or are proposed to be made available with the construction of the development:

1. Sanitary Sewer
   Yes.
2. Storm Sewer/Drainage
   Yes.
3. Water
   Yes.
4. Other Yes.

C. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:

See Exhibit 6.

D. Suitability of the subject property for uses permitted by the current versus the proposed district:

See Exhibit 6.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

E. Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:

See Exhibit 6.

17. The petitioner encloses herewith the sum of $ 1,515.00 to pay the fee, and consents to the placement of a sign(s) at the described location identifying this request for a period of time to be determined by the Town Clerk.
[The filing fee was previously paid .]

18. The undersigned certifies that all information required to be disclosed pursuant to Section 809 of the General Municipal Law (see below) is as follows:

The undersigned swears or affirms that all statements made herein are true, that all drawings submitted correctly show the situation involved in this petition.

[Note: Authorization letter of property owners dated August 18, 2020 is attached to this Application.]

Counsel for Petitioner
Signature of Petitioner

Subscribed and sworn to before me this 17th day of December, 20 20

Notary Public, Erie County, New York

MARIANNE BRAUTLACHT
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 01/14/20

N.Y.S. General Municipal Law - Section 809 Disclosure in certain applications:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provision of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state office or any office or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

   (a) is the applicant, or
   (b) is an officer, director, partner or employee of the applicant, or
   (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
   (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such applicant, petition or request.

3. In the county of Nassau the provisions of subdivisions one and two of this section shall also apply to a party officer. "Party Officer" shall mean any person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four or section two of the election law.

4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

P/CurrPlan/Applications2007/Rezoning & Comp Plan Amend App.
10/08

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Exhibit 1 – Authorization Form of Property Owners dated August 18, 2020

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Authentisign ID: 5F5EDAC5-6B0F-4377-B19F-0884A050FD33

AUTHORIZATION

Allen Guerin and Kristen Guerin, as the record owners of the parcels of land located at 2160 North Forest Road [SBL No. 55.02-1-1] and 2170 North Forest Road [SBL No. 55.01-1-19.2] in the Town of Amherst (collectively the "Project Site") hereby authorizes Postwork Capital LLC and its consultants to seek a rezoning and all other required governmental approvals from the municipal boards of the Town of Amherst in connection with a proposed multifamily project to be located on the Project Site.

Date: August 18, 2020 Signature: Authentisign Allen Guerin 08/19/2020
8/19/2020 9:14:43 AM EDT
Print Name: Allen Guerin

Date: August 18, 2020 Signature: Authentisign Kristen Guerin 08/19/2020
Print Name: Kristen Guerin

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Exhibit 2 – Amended Part 1 of Full Environmental Assessment Form Prepared Pursuant to the State Environmental Quality Review Act ("SEQRA") with Attachments "A" and "B"

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amended Part 1 of Full Environmental Assessment Form with Attachments
Date: December 17, 2020

Full Environmental Assessment Form Part 1 - Project and Setting

Prepared By: Sean Hopkins, Esq.
Hopkins Sorgi & McCarthy PLLC
5500 Main Street, Suite 343
Williamsville, NY 14221
Tel: 510-4338
E-mail: shopkins@hsr-legal.com

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Proposed Multifamily Project		
Project Location (describe, and attach a general location map): 2160 and 2170 North Forest Road - Town of Amherst - Erie County		
Brief Description of Proposed Action (include purpose or need): The proposed action involves an amendment of the land use classification of 2160 and 2170 North Forest Road from NCD-SA to NCD-ND and an amendment of the Audubon Development Plan to accommodate the development of the Project Site as a three-story multifamily building consisting of 8 attached residential units for lease and all related site improvements as depicted on the Concept Site Plan prepared by Silvestri Architects, P.C. The proposed action has been defined broadly to include the construction of the proposed two-story multifamily building as well as all necessary site improvements including: parking spaces, a curb cut onto North Forest Road, access aisles, water and sanitary sewer lines as well as utility connections. Although the proposed project ("action") will not cross of any of the thresholds for a Type I action contained in 6 NYCRR Part 617.4. of SEQRA Regulations, it is a Type I action due the proximity of the Project Site to Ellicott Creek, which is a flowing watercourse, pursuant to a local law adopted by the Town of Amherst in 1982. The local law requires projects within 100 ft. of a flowing watercourse to be classified as Type I action. Given that the proposed project will not result in any potentially significant adverse environmental impacts, the issuance of a negative declaration pursuant to SEQRA is appropriate.		
Name of Applicant/Sponsor: Coromandel Estates Amherst LLC c/o Sean Hopkins, Esq.	Telephone: 716.510-4338 E-Mail: shopkins@hsr-legal.com	
Address: 5500 Main Street, Suite 343		
City/PO: Williamsville	State: NY	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Same as Above.	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Allen and Kristen Guerin	Telephone: E-Mail:	
Address: 270 Rosedale Boulevard		
City/PO: Amherst	State: NY	Zip Code: 14226

REVISED
DEC 18 2020
TOWN OF AMH
PLANNING DEPT.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Town of Amherst Town Board - Reclassification NCD Property and Amend. of Audubon Dev. Plan	August 24, 2020
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Planning Board - Site Plan Approval	To be Determined
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☑Yes ☐No	Building Dept. - Building and Floodplain Permits; Stormwater Permit - Eng. Dept.	To be Determined
e. County agencies ☑Yes ☐No	ECDPW - Curb cut onto North Forest Road; ECWA - Water	To be Determined
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDEC - DSCA and SPDES Permit and NYSOPRHP - Cultural resource review	To be Determined
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No

If Yes, identify the plan(s):

NYS Heritage Areas:West Erie Canal Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
The zoning classification of the Project Site is NCD-SA.

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? NCD-ND

C.4. Existing community services.

a. In what school district is the project site located? Williamsville Central School District

b. What police or other public protection forces serve the project site?
Town of Amherst Police Department

c. Which fire protection and emergency medical services serve the project site?
Getzville Volunteer Fire Department

d. What parks serve the project site?
There are various Town parks that will be accessible to future residents of the project.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Multifamily residential consisting of attached residential units for lease.

b. a. Total acreage of the site of the proposed action? 2.35 acres
b. Total acreage to be physically disturbed? 1.3 +/- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.35 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

f. Does the project include new residen... uses? ☑ Yes ☐ No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				8
At completion of all phases				8

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☑ Yes ☐ No
If Yes,
i. Purpose of the impoundment: Stormwater management.
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑ Other specify: Runoff from impervious surfaces to be located on the Project Site.
iii. If other than water, identify the type of impounded/contained liquids and their source.
iv. Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: 0.3 acres
v. Dimensions of the proposed dam or impounding structure: n/a height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
impoundment is an excavation, a dam is not required

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☑ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐ Yes ☐ No
ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

Attached as Attachment "A" of this Amended Part 1 of the Full EAF is a wetland investigation letter prepared by Scott Livingstone of Earth Dimensions, Inc. dated July 7, 2020 confirming there are not any wetland subject to the jurisdiction of either of the NYS Dept. of Environmental Conservation of the United States Army Corps of Engineers located on the Project Site.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No
If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No
If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water? ☑Yes ☐No
If Yes:

i. Total anticipated water usage/demand per day: 1,850 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No
If Yes:

- Name of district or service area: ECWA
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No
- Do existing lines serve the project site? ☑Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☑No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑No
If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes ☐No
If Yes:

i. Total anticipated liquid waste generation per day: 1,850 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: Town of Amherst Waste Water Treatment Plan on Tonawanda Creek Road
- Name of district: Town of Amherst Consolidated Sanitary Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

- Do existing sewer lines serve the project site? ☑Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☑No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 0.5 acres (impervious surface)

_____ Square feet or 2.35 acres (parcel size)

ii. Describe types of new point sources. roof, parking lot

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Private on-site storm water management area. Discharge will be to Ellicott Creek.

- If to surface waters, identify receiving water bodies or wetlands: Ellicott Creek.
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☑No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☑Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: Typical energy usage for a project of this type

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): National Grid

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☑No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7:00 a.m. to 7:00 p.m.
- Saturday: 8:00 a.m. to 5:00 p.m.
- Sunday: As needed
- Holidays: Not Applicable

ii. During Operations:

- Monday - Friday: Not Applicable
- Saturday: Not Applicable
- Sunday: Not Applicable
- Holidays: Not Applicable

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

There will be short-term unavoidable noise impacts during the construction of the project that will result from construction equipment.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe:

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Parking lot lights, 15' mounting height, dark sky compliant, minimum of 30' from nearest residence.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: 3 tons per week (unit of time)
- Operation : 2 tons per month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: at the discretion of the contractor
- Operation: Project will follow town of Amherst recycling program

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: NYSDEC approved landfill
- Operation: NYSDEC approved landfill

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Asbury Pointe Retirement Community

ii. If mix of uses, generally describe:

There are a mixture of land uses in the vicinity of the Project Site including single-family homes, the Asbury Pointe Retirement Community and the Audubon Women's Health Medical Office.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0.9	+0.9
• Forested	.5	.5	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.8	.4	-1.4
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: lawn/landscaping		0.3	+1.4

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes ☐No
If Yes,
i. Identify Facilities:
The Asbury Pointe Retirement Community is located at 50 Stahl Road.

e. Does the project site contain an existing dam? ☐Yes ☑No
If Yes:
i. Dimensions of the dam and impoundment:
- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No
If Yes:
i. Has the facility been formally closed? ☐Yes ☐No
- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes ☑No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes ☐No
☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____
☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes ☑No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >5 feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: Cosad loamy fine sand 100 %

d. What is the average depth to the water table on the project site? Average: >5 feet

e. Drainage status of project site soils:
☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☑ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 837-25 Classification B
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑Yes ☐No
If yes, name of impaired water body/bodies and basis for listing as impaired:
Name - Pollutants - Uses:Ellicott Creek, Lower, and tribs – Nutrients;Silt/Sediment – Aquatic Life

i. Is the project site in a designated Floodway? [There will not be any development in the Floodway associated with Ellicott Creek.] ☑Yes ☐No

j. Is the project site in the 100-year Floodplain? ☑Yes ☐No

k. Is the project site in the 500-year Floodplain? ☑Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☑No
If Yes:
i. Name of aquifer: _____

[Note: Attached as Attachment "A" of this Amended Part 1 of the Full EAF is a wetland investigation letter prepared by Scott Livingstone of Earth Dimensions, Inc. dated July 7, 2020 confirming there are not any wetland subject to the jurisdiction of either of the NYS Dept. of Environmental Conservation of the United States Army Corps of Engineers located on the Project Site.]

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

m. Identify the predominant wildlife species that occupy or use the project site:
Typical suburban species

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No
If Yes:
i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

[Note: A copy of the No Impact determination letter issued by the NYS Office of Parks, Recreation and Historic Preservation dated October 30, 2020 is provided at Attachment "B" of this Amended Part 1 of the Full EAF.]

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Coromandel Estates Amherst LLC Date December 17, 2020

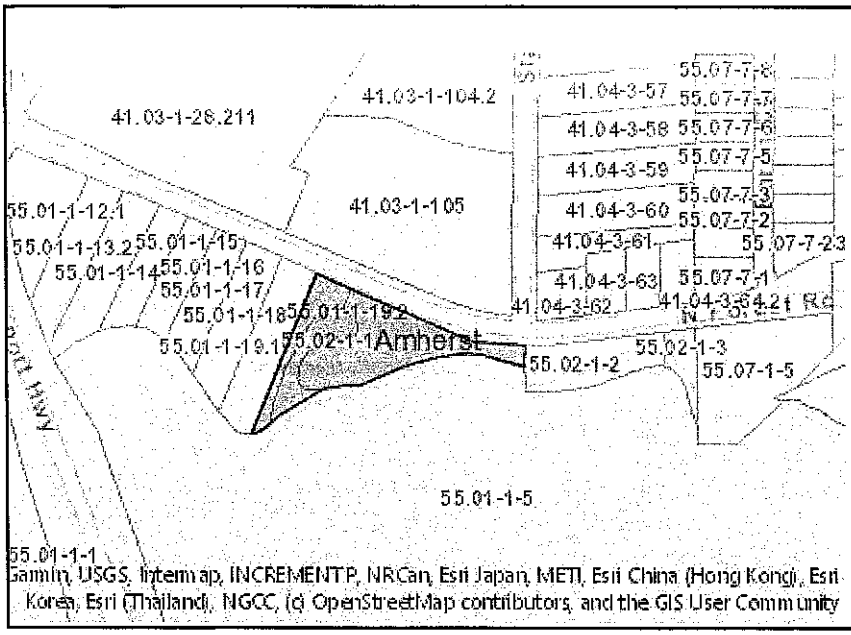
Signature _____ Title Counsel for Project Sponsor

PRINT FORM

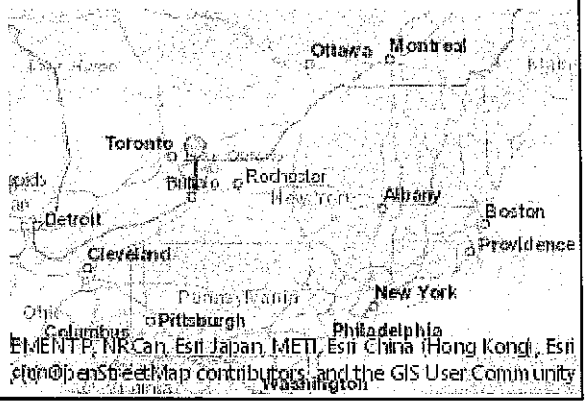
Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

EAF Mapper Summary Report

Monday, August 17, 2020 7:45 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	837-25
E.2.h.iv [Surface Water Features - Stream Classification]	B
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Ellicott Creek, Lower, and tribs – Nutrients;Silt/Sediment – Aquatic Life

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment "A" of Amended Part 1 of Full Environmental Assessment Form – Wetland Investigation Letter of Scott J. Livingstone of Earth Dimensions, Inc. dated July 7, 2020

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

EARTH DIMENSIONS, INC.
* Soil & Hydrogeologic Investigations * Wetland Delineations
1091 Jamison Road, Elma NY 14059
(716) 655-1717 * Fax (716) 655-2915 www.earthdimensions.com

July 7, 2020 W4E87a

Thiru Vikram
4515 Chestnut Ridge Road
Amherst, New York 14228

Re: Preliminary Wetland Investigation – 1.9± acres
2160-2170 North Forest Road
Town of Amherst
Erie County, New York

Dear Mr. Vikram:

Earth Dimensions, Inc. (EDI) has completed a preliminary wetland investigation at the above referenced site for the purpose of identifying potential regulated wetlands and waterways. The site investigation was conducted on July 7, 2020. The attached map depicts the limits of our investigation. EDI did not identify any federally regulated wetlands as defined by the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manuals within the limits of investigation. However, Ellicott Creek abuts the site on the south boundary and would be regulated by USACE under Section 404 of the Clean Water Act.

The New York State Department of Environmental Conservation (NYSDEC) On-line Resource Mapper does not depict any Freshwater Wetlands within or adjacent to the subject parcel. NYSDEC, thus, has no jurisdiction over any wetlands within the site. However, Ellicott Creek is a Class B stream and is regulated under Article 15 of New York Conservation Law.

Based on this investigation, it is our professional opinion that as long as no disturbance is proposed to the bed and banks of Ellicott Creek, your project may move forward without the need for a Section 404 permit from USACE or Article 15 permit from NYSDEC. Should your project propose impacts to the bed or banks of Ellicott Creek, we recommend that a Joint Application for permit be submitted to USACE and/or NYSDEC with a request for a Section 404 and/or an Article 15 permit, respectively.

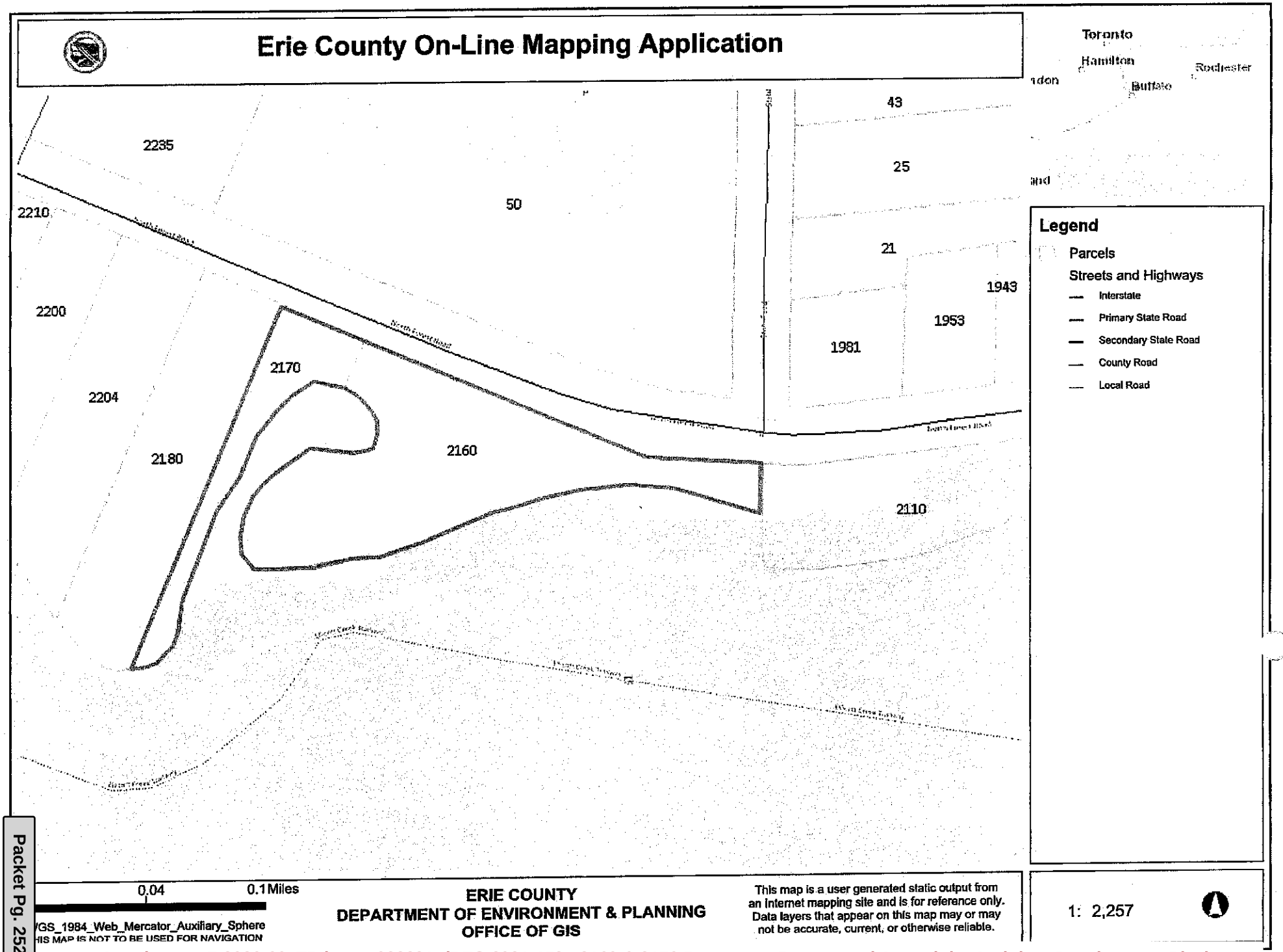
If you have any questions, please contact our office at (716) 655-1717 or email slivingstone@earthdimensions.com.

Very truly yours,
Earth Dimensions, Inc.

Scott J. Livingstone
Wetlands Operations Manager

Encl.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)



Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment "B" of Amended Part 1 of Full Environmental Assessment Form – No Impact Determination Letter of Josalyn Ferguson of the New York State Office of Parks, Recreation and Historic Preservation dated October 30, 2020

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

NEW YORK STATE OF OPPORTUNITY | Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

October 30, 2020

Roberta Rappoccio
Associate Planner
Town of Amherst, NY Planning Department
5583 Main Street
Amherst, NY 14221

Re: DEC
Rezoning for 18-Unit 3-story New Construction Project
2160 North Forest Rd, Amherst, Erie County, NY
20PR05460
Z-2020-06

Dear Roberta Rappoccio:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the Phase I Archaeological Reconnaissance Survey report prepared by the University at Buffalo's Archaeological Survey (Whalen & Angelini, October 2020; 20SR00539) in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation, and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

Based on this review, it is OPRHP's understanding that no archaeological sites were identified during the above-noted investigation, and we concur with the report's conclusion that no further archaeological investigations are warranted. It is, therefore, OPRHP's opinion that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project. Should the project design be changed OPRHP recommends further consultation with this office.

If you have any questions, I can be reached via e-mail at Josalyn.Ferguson@parks.ny.gov.

Sincerely,

Josalyn Ferguson, Ph.D.
Scientist Archaeology

via email only

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Exhibit 3 – Legal Description of Property to be Reclassified from NCD-SA to NCD-ND

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

EXHIBIT 3 OF AMENDED APPLICATION

LEGAL DESCRIPTION OF PROPERTY TO BE RECLASSFIED FROM NCD-SA TO NCD-ND – 2160 AND 2170 NORTH FOREST ROAD

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie, State of New York, being part of Lot 68, Township 12, Range 7 of the Holland Land Survey so-called and further bounded and described as follows.

BEGINNING at the intersection of the centerline of Stahl Road (66.0 feet wide) with the centerline of North Forest Road (66.0 feet wide):

THENCE: Southerly, along the centerline of Stahl Road extended southerly, a distance of 108 feet more or less to the north bank of Ellicott Creek;

THENCE: Westerly along said north bank of Ellicott Creek, a distance of 583 feet more or less to the west line of lands conveyed to Peter D. Durham by deed recorded in the Erie County Clerk's Office in Liber 9264 of Deeds at page 188;

THENCE: Northerly along said west line of Peter D. Durham lands, a distance of 10 feet more or less to the north bank of Ellicott Creek;

THENCE: Westerly and southerly along said north bank of Ellicott Creek, a distance of 227 feet more or less to a point distant 100 feet westerly from the said west line of Peter D. Durham lands as measured at right angles;

THENCE: Northerly along a line parallel with the west line of said Peter D. Durham lands distant 100.00 feet westerly therefrom measured at right angles, a distance of 491 feet more or less to the centerline of North Forest Road;

THENCE: Easterly, along said centerline of North Forest Road, a distance of 564.74 feet to the POINT OR PLACE OF BEGINNING.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Exhibit 4 – Reduced Size Copy of Survey of 2160 and 2170 North Forest Road as Prepared by GPI Surveying dated July 13, 2020

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

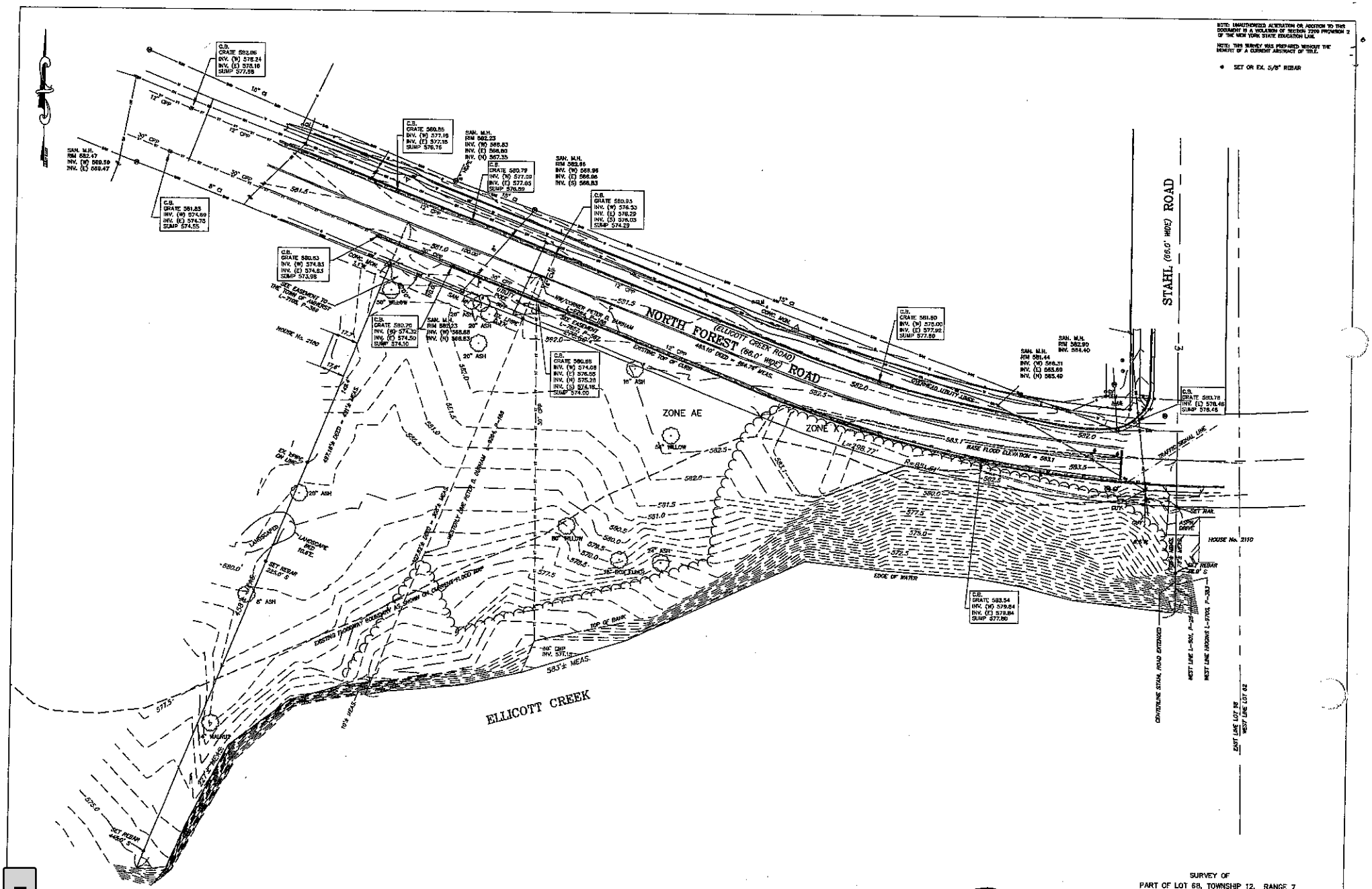

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE.
SET OR EX. 5/8" REBAR
NORTH FOREST (ELLICOTT CREEK ROAD) ROAD
(66.0' WIDE)
STAHL (66.0' WIDE) ROAD
ELLICOTT CREEK
ZONE AE
ZONE X
BASE FLOOD ELEVATION = 583.1
HOUSE No. 2160
HOUSE No. 2170
EDGE OF WATER
TOP OF BANK
583'± MEAS.
EXISTING TOWPATH ROADWAY AS SHOWN ON CHESSUIL FLOOD MAP
SET REBAR 225.0' S
SET REBAR 440.0' S
SET REBAR 0.0' S
SET REBAR
EX. POWER LINE
TRAFFIC SIGNAL LINE
CENTERLINE STAHL ROAD EXTENDED
WEST LINE L-901, P-39 & L-9700L, P-303
WEST LINE HAVENS L-9700L, P-303
EAST LINE LOT 68
WEST LINE LOT 62
C.B. GRATE 582.06 INV. (W) 576.24 INV. (E) 575.16 SUMP 577.56
C.B. GRATE 580.85 INV. (W) 577.15 INV. (E) 577.15 SUMP 576.76
C.B. GRATE 581.85 INV. (W) 574.69 INV. (E) 574.79 SUMP 574.55
C.B. GRATE 580.53 INV. (W) 574.83 INV. (E) 574.83 SUMP 573.98
C.B. GRATE 580.70 INV. (W) 574.32 INV. (E) 574.50 SUMP 574.10
C.B. GRATE 580.79 INV. (W) 577.09 INV. (E) 577.05 SUMP 576.59
C.B. GRATE 580.95 INV. (W) 576.53 INV. (E) 576.29 INV. (S) 576.09 SUMP 574.29
C.B. GRATE 580.85 INV. (W) 574.08 INV. (E) 574.55 INV. (N) 575.28 INV. (S) 574.15 SUMP 574.00
C.B. GRATE 581.80 INV. (W) 575.00 INV. (E) 577.92 SUMP 577.50
C.B. GRATE 583.78 INV. (E) 578.46 SUMP 578.46
C.B. GRATE 583.54 INV. (W) 579.64 INV. (E) 579.84 SUMP 577.60
SAN. M.H. RIM 582.17 INV. (W) 569.59 INV. (E) 569.47
SAN. M.H. RIM 582.23 INV. (W) 566.83 INV. (E) 566.80 INV. (N) 567.35
SAN. M.H. RIM 582.95 INV. (W) 568.96 INV. (E) 568.96 INV. (S) 568.83
SAN. M.H. RIM 581.44 INV. (W) 578.31 INV. (E) 565.69 INV. (N) 565.49
SAN. M.H. RIM 582.90 INV. 581.40
SAN. M.H. RIM 582.20 INV. (W) 574.83 INV. (E) 574.83 INV. (N) 568.83
30" WILLOW
20" ASH
16" ASH
8" WILLOW
6" ASH
LANDSCAPED
LANDSCAPE RED. PLTS.
METERED TAKE FROM & DRAIN L-3084, P-188
427.47'± DEED - 30'± MEAS.
491.19'± DEED - 30'± MEAS.
498.10' DEED = 504.76' MEAS.
30' EASEMENT TO THE TOWN OF AMHERST L-7105, P-369
30' EASEMENT L-7105, P-369
30' EASEMENT L-7957, P-307
OVERHEAD UTILITY LINES
CONC. MON.
R=881.42'
L=498.77'
12" CMP
10" CMP
8" CMP
18" CMP
24" CMP
30" CMP
INV. 577.15
INV. 575.15
INV. 575.05
INV. 574.95
INV. 574.85
INV. 574.75
INV. 574.65
INV. 574.55
INV. 574.45
INV. 574.35
INV. 574.25
INV. 574.15
INV. 574.05
INV. 573.95
INV. 573.85
INV. 573.75
INV. 573.65
INV. 573.55
INV. 573.45
INV. 573.35
INV. 573.25
INV.

Exhibit 5 – Responses to Questions 11A & 11B of the Rezoning Application

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

EXHIBIT 5

AMENDED APPLICATION TO RECLASSIFY 2160 AND 2170 NORTH FOREST ROAD FROM NCD-SA TO NCD-ND

Question 11(A): **Description of the character of the proposed development:**

Response to Question 11(A): The modified layout of the proposed residential project is depicted on the updated Concept Site Plan prepared by Silvestri Architects P.C. A full size copy of the updated Concept Site Plan [Drawing AS-101 – Date: 12/16/20] is attached to this Amended Application and a reduced size copy is also provided at Exhibit "7". The updated layout of the proposed residential project consists of a two-story building consisting of eight (8) units for lease with related site improvements as depicted on the updated Concept Site Plan. It is important to mention that the updated Concept Plan reflects a deliberate effort made by the project team to reduce the density of the proposed multifamily project that previously consisted of a three-story building with eighteen (18) units. A copy of the previous Concept Plan for the project as prepared by Carmina Wood Morris DPC is provided at Exhibit "8" of this Amended Application.

It is important to mention that the layout of the proposed project as depicted on the updated Concept Site Plan provided is not meant to represent the final layout of the proposed project since modifications may be necessary based on the project review process and the preparation of fully engineered plans.

Question 11(B)(1): **Rationale for rezoning request: 1. Why was this site chosen?**

Response to Question 11(B)(1): The Project Site is an appropriate location for the proposed project given its location on North Forest Road in an area that consist of a mixture of uses and zoning

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

classifications. The Project Site was listed for sale and the Petitioner has entered into a contract to purchase the Project Site.

Question 11(B)(2): Why cannot land be used with the existing zoning?

Response to Question 11(B)(2): The Project Site is currently zoned NCD-SA. The allowable uses of property zoned NCD-SA are extremely limited given that the NCD-SA classification is intended for agricultural uses in rural areas.

Question 11(B)(3): How will this rezoning impact surrounding properties?

Response to Question 11(B)(3): The requested reclassification of the Project Site from NCD-SA to NCD-ND to accommodate the proposed residential project will not result in any potentially significant adverse impacts on surrounding properties. The density of the proposed residential project has been reduced from eighteen (18) units to eight (8) units as depicted on the updated Concept Plan prepared by Silvestri Architects P.C. [Drawing AS-101 – Date: 12/16/20]. An effort has been to reduce the density of the residential project and also to design the residential project to minimize environmental impacts associated with the proximity of Ellicott Creek. A completed Amended Part 1 of the Full Environmental Assessment Form prepared pursuant to the State Environmental Quality Review Act ("SEQRA") is attached as Exhibit "2".

Question 11(B)(4): How will this rezoning impact the school system?

Response to Question 11(B)(4): The proposed project will have positive impacts on the school district since the project will generate annual property taxes to be received by taxing jurisdictions. The proposed project will not generate a substantial demand for educational services.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Exhibit 6 – Responses to Questions 16A, 16B, 16D & 16E of the Rezoning Application

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

EXHIBIT 6

AMENDED APPLICATION TO RECLASSIFY 2160 AND 2170 NORTH FOREST ROAD FROM NCD-SA TO NCD-ND

Question 16(A)(1): **State in detail why the proposed zoning is consistent with the adopted Town of Amherst Bicentennial Comprehensive Plan. Cite specific sections, maps and/or figures in the plan that support the proposed zoning at this location.**

Response to Question 16(A)(1): The request to reclassify the Project Site from NCD-SA to NCD-ND to accommodate the proposed residential project consisting of eighteen attached units for lease is consistent with the adopted Bicentennial Comprehensive Plan. The Town of Amherst adopted the Bicentennial Comprehensive Plan in January of 2007 after completing a lengthy planning process that included numerous public meetings and public hearings involving the Comprehensive Plan Advisory Committee, the Planning Board and the Town Board.[1] On September 3, 2019, the Town Board most recently adopted an amendments to the Bicentennial Comprehensive Plan. The Comprehensive Plan is intended to guide future growth and redevelopment in the Town.

Figure 6 of the Bicentennial Comprehensive Plan is the Conceptual Land Use Plan and it depicts the Project Site as being appropriate for "Mixed Residential" use. A copy of Figure 6 of the Comprehensive Plan is provided at Exhibit "9". The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development in the Town of Amherst. The Mixed-Residential land use category is described in Chapter 3 of the Comprehensive Plan as

[1] A copy of the resolution adopted by the Town Board on January 2, 2007 for the purpose of adopting the Bicentennial Comprehensive Plan pursuant to Town Law Section 272-a is included at the beginning of the Comprehensive Plan. This resolution recites the lengthy planning history that incorporated numerous opportunities for public input as well as a coordinated environmental review pursuant to SEQRA that involved the preparation a Generic EIS and the issuance of a Findings Statement.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

being appropriate for a residential density of 4-12 units per acre the density of the proposed project is 7.66 units per acre.

Question 16(A)(2): Cite all text, map, and/or figures that must be amended to support the proposed zoning at this location and provide detailed suggested amendments.

Response to Question 16(A)(2): The adopted Comprehensive Plan does not need to be amended to accommodate the requested reclassification of the Project Site from NCD-SA to NCD-ND.

Question 16(A)(3): State why the proposed zoning is consistent with intent and objectives (Sec. 1-2-2) of the Zoning Ordinance:

Response to Question 16(A)(3): Section 1-2-1 of the Zoning Code is titled "Purpose" and it states as follows:

> *"The purpose of this Zoning Ordinance and the intent of the legislative authority in its adoption is to promote the environment of the town and its public health, safety, convenience, comfort, prosperity and the general welfare by regulating the use of buildings, other structures and land for residences, open space, public facilities, business, services, industry or other purposes; by regulating and restricting the bulk, height, design, building coverage and location of structures; by regulating and limiting population density; and for the aforesaid purposes, to divide the land within the limits of the town into districts of such number and dimensions generally consistent with the policies of the Comprehensive Plan and to provide procedures for the administration and amendment of said Zoning Ordinance."*

The request reclassification of the Project Site from NCD-SA to NCD-ND to accommodate the proposed residential project is consistent with the "Purpose" of the Zoning Code. Section 1-2-2 of the Zoning Code sets forth the objectives of the Zoning Code. This section of the Zoning Code lists thirteen (13) objectives that are discussed below as follows:

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

A. To protect the character and values of residential, institutional and public uses, business, commercial and manufacturing uses and to insure their orderly and beneficial development;

Response: The proposed project will be consistent with the objective of protecting the character and value of existing land uses and represents orderly and beneficial development.

B. To provide adequate open spaces for light, air and outdoor uses to include public, common and private open space areas;

Response: The proposed project is consistent with this objective.

C. To prevent overcrowding of land;

Response: The proposed residential project will not result in the overcrowding of land.

D. To prevent excessive concentration of population and to prevent spare and uncoordinated development;

Response: The proposed residential project will not result in an excessive concentration of population. The proposed residential project is not an example of uncoordinated development.

E. To regulate and control the location and spacing of buildings on the lot and in relation to the surrounding property generally consistent with the policies of the Comprehensive Plan.

Response: The requested reclassification of the Project Site from NCD-SA to NCD-ND and the proposed residential project are consistent with the policies of the Comprehensive Plan.

F. To protect persons and property from damage and injury due to fire or flood;

Response: The Site Plan review process will trigger the need for an Engineer's Report and SWPPP prepared by a licensed engineer to be prepared for review and approval by the Town's Engineering Department. The residential project will not increase the

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

likelihood of damage and injury due to fire and flood. The proposed project will be constructed per the stringent requirements of the NYS Building Code including the fire safety standards contained therein.

G. **To preserve and protect significant natural features and vegetation, thereby preventing ecological damage and visual blight which occur when those features or vegetation are eliminated or substantially altered to serve development purposes only.**

Response: The proposed residential project will not be inconsistent with this objective.

H. **To assure that structure and land use arrangements are aesthetically harmonious with nearby areas and structures.**

Response: The development of the Project Site in a manner consistent with the updated Concept Site Plan depicting a two-story building with 8 units will result in a residential project that is aesthetically harmonious with nearby areas and structures.

I. **To regulate the location of buildings and intensity of uses in relation to streets according to plans so as to cause the least interference with and be damaged least by traffic movements and hence result in lessened street congestion and improved public safety.**

Response: The proposed residential project will not result in any potentially significant traffic impacts and only curb cut will be provided onto North Forest Road, which is an Erie County Highway. The potential traffic impacts of the proposed project will be evaluated in connection with the coordinated environmental review of the project pursuant to SEQRA.

J. **To establish zoning patterns that insure economical extensions for sewers, water supply waste disposal and other public utilities, as well as development of recreation, schools and other public facilities;**

Response: The Project Site has access to sanitary sewer and water lines as well as necessary public utilities.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

K. To guide the future development of the town so as to being the gradual conformity of land, structures and uses generally consistent with the policies of the Comprehensive Plan.

Response: The proposed reclassification of the Project Site from NCD-SA to NCD-ND is consistent with this objective since the project is generally consistent with the recommended land use category of "Mixed Residential" as well as the planning objectives and policies in the Comprehensive Plan.

L. To accomplish the specific intents and goals set forth in the introduction to the respective sections.

Response: The proposed residential project is consistent with this objective.

M. To protect the community from visual pollution resulting from the unregulated use of signs and other advertising devices.

Response: The proposed residential project will not be inconsistent with this objective.

Question 16(C): Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood:

Response to Question 16(C): The proposed project is compatible with the present zoning and conforming uses of nearby properties and the character of the neighborhood.

Question 16(D): Suitability of the subject property for uses permitted by the current versus the proposed district:

Response to Question 16(D): The Project Site is not suitable for agricultural uses allowed in the NCD-SA district given its size, location and nearby land uses.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

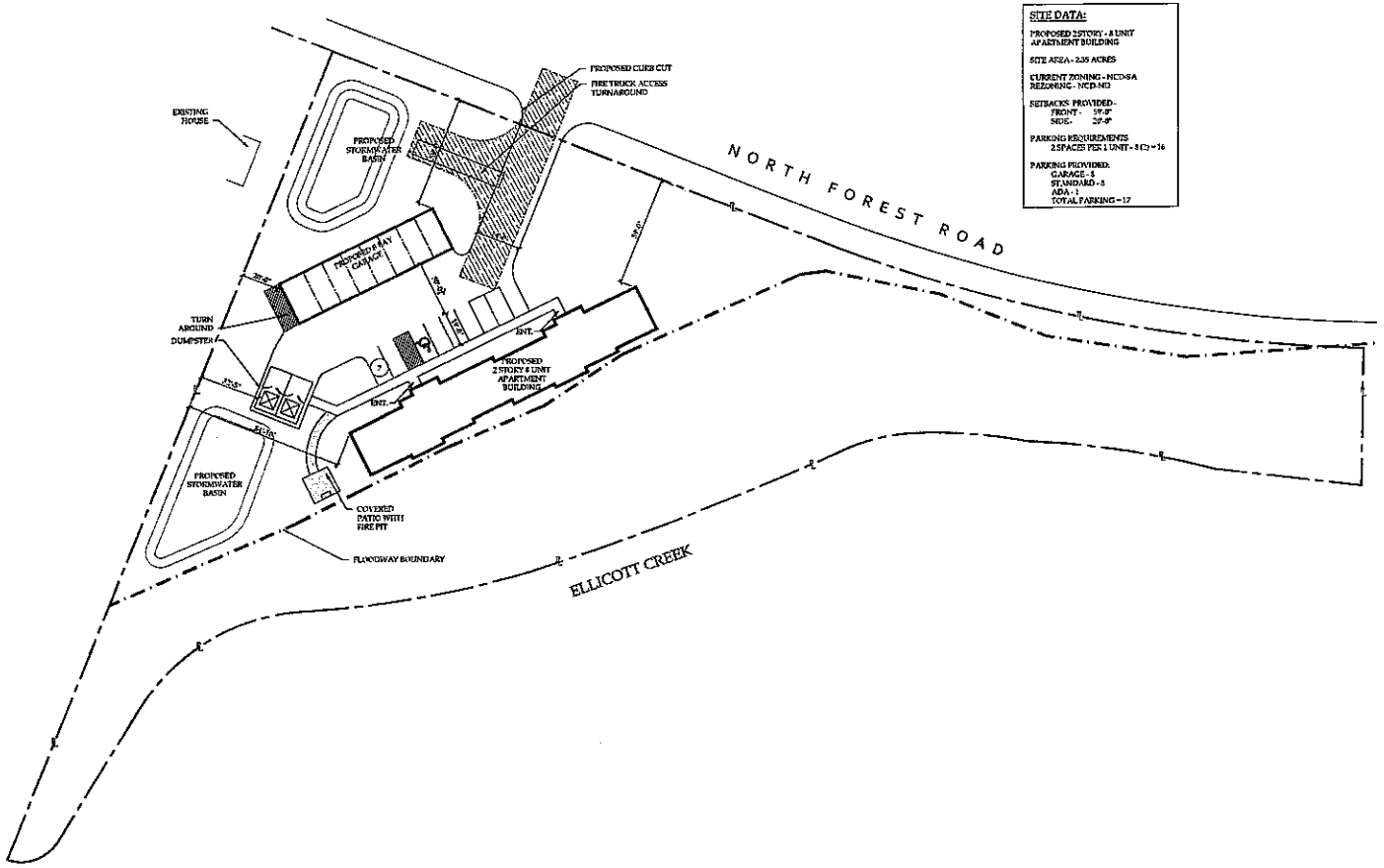
Question 16(E): **Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the Town:**

Response to Question 16(D): The requested reclassification of the Project Site from NCD-SA to NCD-ND to accommodate the proposed residential project will have positive impacts on the balance of uses in the Town since there is demand for upscale attached residential units for lease in the Town.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Exhibit 7 – Reduced Size Copy of the Updated Concept Site Plan for the Proposed Project as Prepared by Silvestri Architects PC [Drawing AS-101 – Date: 12/16/20] [Note: A full size copy of Updated Concept Site Plan is also attached to this Amended Application]

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)



N

A1 CONCEPT SITE PLAN

NOTICE

This document, the property of, prepared and issued by the architect, is submitted for the specific project named _____ and the recipient by accepting this document assumes custody and agrees that this document will not be copied or reproduced in part or in whole, and any special features peculiar to this design shall not be incorporated in any other project, unless prior agreement has been obtained in writing. These documents will be returned immediately upon completion of the project or upon the request of the architect.

This document is the exclusive property of the architect, no rights to ownership are transferable or shall be lost by the filing of this document with any and all public authorities for the purpose of compliance with Codes and or Ordinances, i.e. Building Permit, etc.

NORTH FOREST APARTMENTS

2160-2170 North Forest Rd
Amherst, ny

ISSUE:

SA PROJECT TEAM: PRINCIPAL R.Silvestri
PROJ. ARCH. S.Hunt DRAFTER B.Meinhardt
JOB CAPT. _____ INTERIORS K. Hamann

SEAL:

TITLE:

CONCEPT SITE PLAN

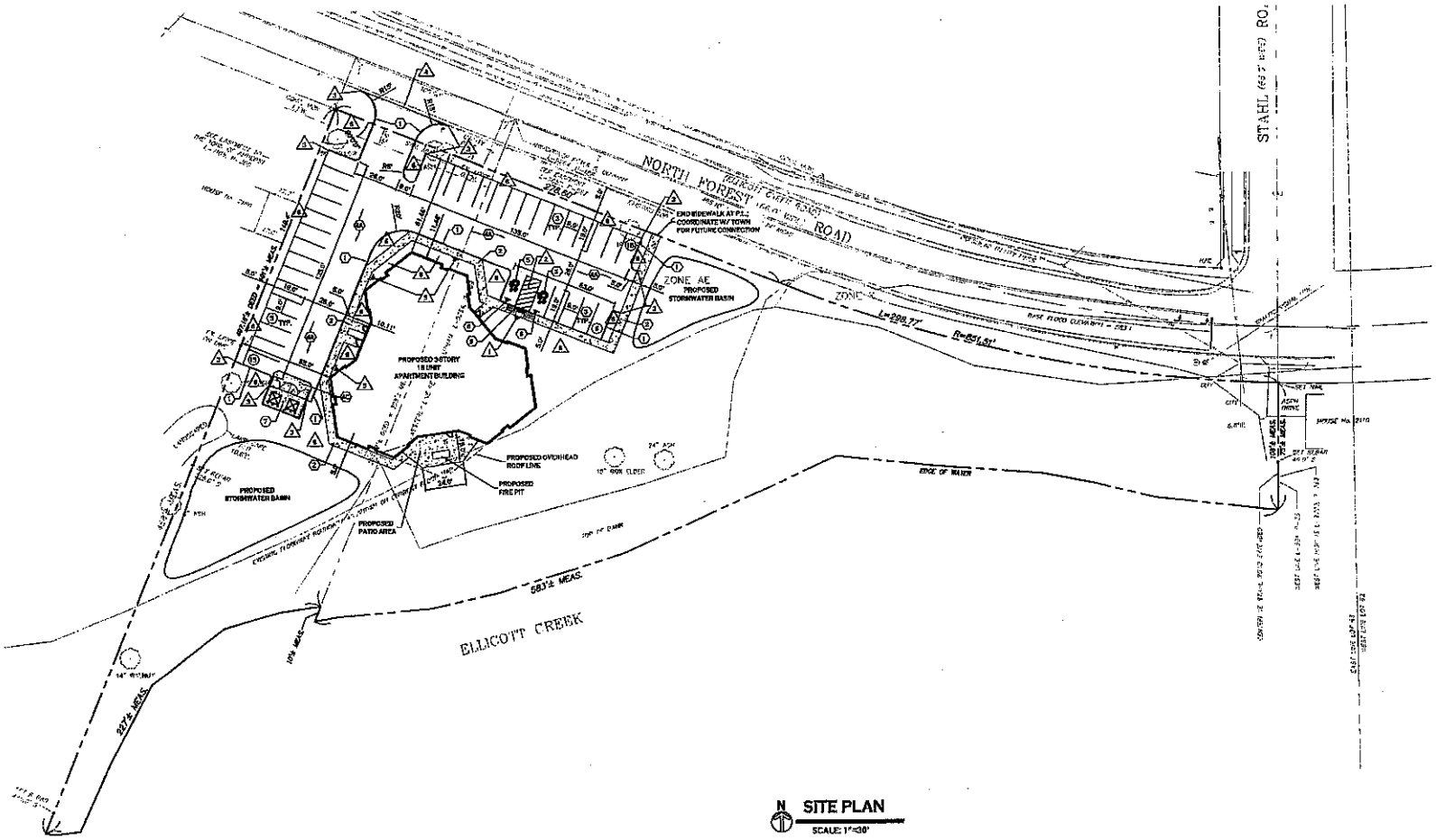
SILVESTRI
ARCHITECTS • PC
1321 MILLERSPORT HWY PH. 716.691.0909
AMHERST, NY 14221 FAX 716.691.4773

SA JOB #: 20060.02
DATE: 12/16/20
DRAWING #: AS-101

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Exhibit 8 – Reduced Size Copy of the Previous Concept Site Plan as Prepared by Carmina Wood Morris DPC [Drawing C-100 – Date: August 2020]

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)



N SITE PLAN
SCALE: 1"=30'

SITE DATA
TOTAL SITE 2.36 ACRES
ZONED: HC/RA (CURRENT) TO BE REZONED TO HC/AD
USE: PROPOSED 3-STORY 18 UNIT APARTMENT BUILDING

PARKING REQ'D: 2.5/FACE PER UNIT.
18 UNITS x 2.5 = 36 SPACES REQ'D.
36 SPACES PROVIDED.

SITE LEGEND
- PROPERTY LINE
- PROPOSED CONCRETE CURB
- PROPOSED CONCRETE SIDEWALK
- PROPOSED ASPHALT PAVEMENT
- PROPOSED SIGN
- PROPOSED PARKING NUMBER (27)
- PROPOSED LIGHT POLE
- PROPOSED WALL MOUNTED LIGHT

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD MORRIS, D.P.C. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

30 0 30 60FT.

GENERAL NOTES:
1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
4. VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
8. ALL OTHER PERMITS REQUIRED BY STATE OF NEW YORK, COUNTY OF ERIE, AND TOWN OF AMHERST ARE THE RESPONSIBILITY OF THE CONTRACTOR / DEVELOPER / OWNER.

SITE NOTES:
1. ALL RADII SHALL BE 3'-0" UNLESS OTHERWISE NOTED.
2. ALL DISTURBED AREAS: SHALL HAVE 4" MIN. OF TOPSOIL AND SEED.
3. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED PERPENDICULAR TO THE PROPERTY LINE.
4. CENTER ENTRANCE SIDEWALKS ON DOOR OPENINGS.
5. BUILDING DIMENSIONS ARE APPROXIMATE, REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.

DETAIL LEGEND SEE SITE DETAIL SHEET
1. CONCRETE CURB
2. CONCRETE SIDEWALK, 5' WIDE UNLESS OTHERWISE NOTED
3. 90° PARKING STALL
4A. STANDARD DUTY ASPHALT
4C. EXTERIOR CONCRETE SLAB ON GRADE
5. HANDICAP PAVEMENT MARKINGS
6. HANDICAPPED PARKING SIGN
7. DUMPSTER ENCLOSURE
8. LIGHT POLE FOUNDATION
9. HANDICAP PAVEMENT RAMP

NOTE LEGEND
A. INSTALL "NO PARKING" SIGN, M.U.T.C.D. SIGN NO. R7-1C
A. 4" WIDE YELLOW PAINT STRIPE @ 45° @ 2'0 O.C., 8'FILL AREA AS SHOWN
A. BOXOUT CURB IN 2' OR MATCH EXISTING CURB
A. MATCH EX. EDGE OF PAVEMENT, SAWCUT AS REQ'D TO ACHIEVE SQUARE EDGE TO MATCH
A. INSTALL "NO PARKING - FIRE LANE" SIGN, M.U.T.C.D. SIGN NO. R8-3
A. LANDSCAPED AREA - SEE LANDSCAPE PLAN. IF NO PLANTINGS, INSTALL TOPSOIL & SEED

© Carmina Wood Morris DPC All rights reserved. Reuse of these documents without the permission of Carmina Wood Morris, DPC is prohibited. Unauthorized reproduction of these documents is a violation of applicable laws. WARNING: It is a violation of Section 7209(2) of the New York State Education Law for any person, unless acting under the direction of a licensed professional engineer, licensed landscape architect or licensed land surveyor, to alter these documents. If any such person alters these documents, he or she must affix to the item his or her seal and the notation "altered by" followed by his or her signature and the date of such alteration, and a specific description of the alteration.

Carmina Wood Morris DPC
457 Main Street Suite 300
Buffalo, New York 14203
P 716.842.3195
F 716.842.0263

REVISIONS:
No. Description Date

PROJECT NAME:
Site Development Plans for:
Proposed 3-Story Apartment bldg
2160 - 2170 North Forest Road
Amherst, New York

Date: 08/2020
Drawn by: C. Wood
Scale: As Noted

DRAWING NAME:
Concept Site Plan

DRAWING NO.
C-100
Project no.: 20.143

Exhibit 9 - Color Copy of Figure 6 of the Adopted Bicentennial Comprehensive Plan (titled "Conceptual Land Use Plan")

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Town of Amherst Bicentennial Comprehensive Plan

The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development. While it is not a zoning map and does not show the existing or proposed use of individual parcels, it is intended to show land use relationships, provide a generalized guide for future development, and establish a context for detailed area planning and design.

Location of Project Site - Designated as Appropriate for Mixed Residential Use

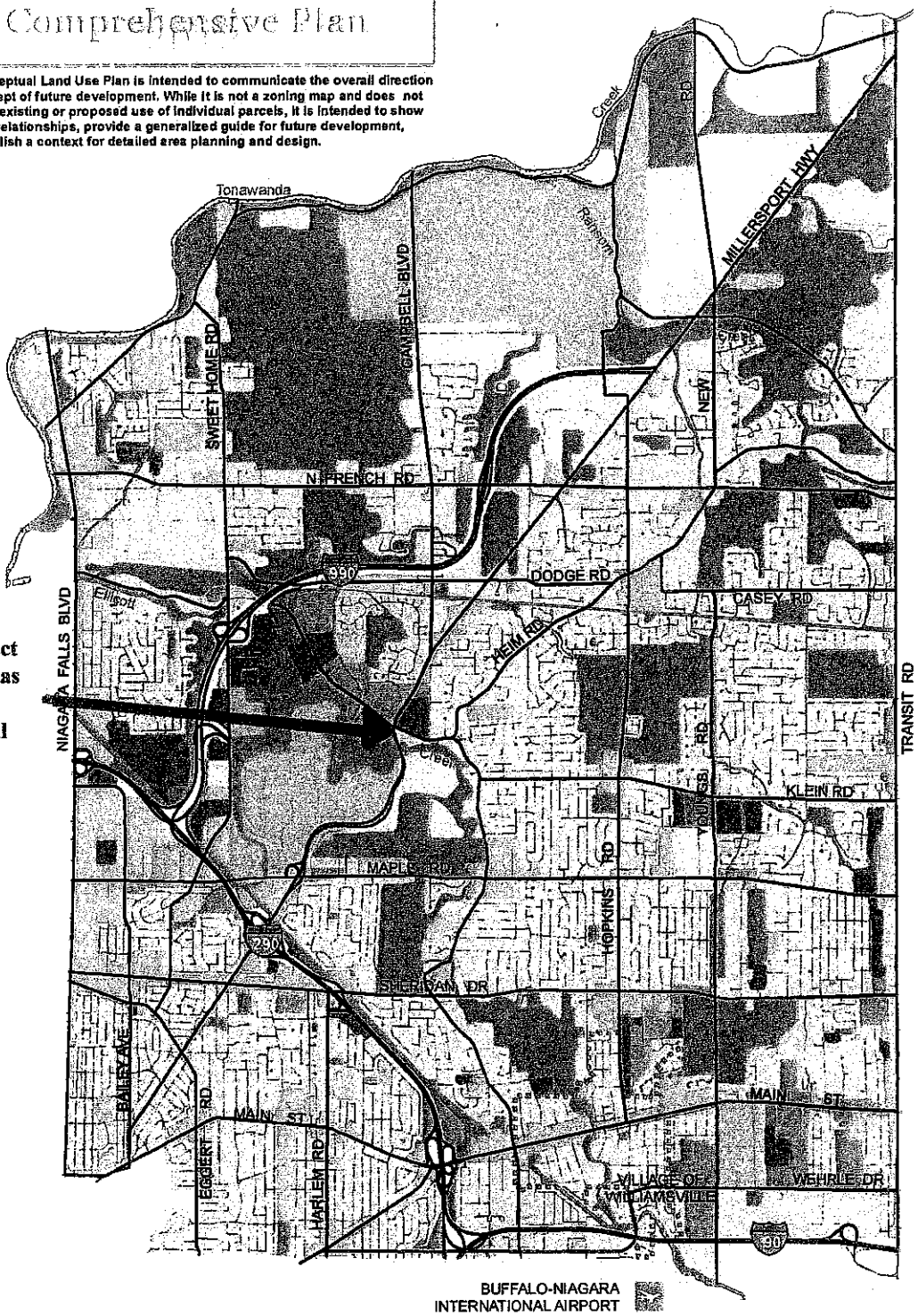


FIGURE 6

Conceptual Land Use Plan

Rural Residential
Single Family Residential
Mixed Residential
Medium Residential
Commercial / Mixed Use*
Special Use Center
Commercial - Office
Industrial - Office
Community Facilities
Educational Campus
Recreation, Open Space & Greenways
Agriculture
Transportation
Surface Water
Village of Williamsville Boundary

* See Map Figure 6-A for Additional Designations

SOURCE NOTES:

Original Source Data Provided by the Town of Amherst Information Technology Department, URS Corporation and Wallace Roberts & Todd, LLC

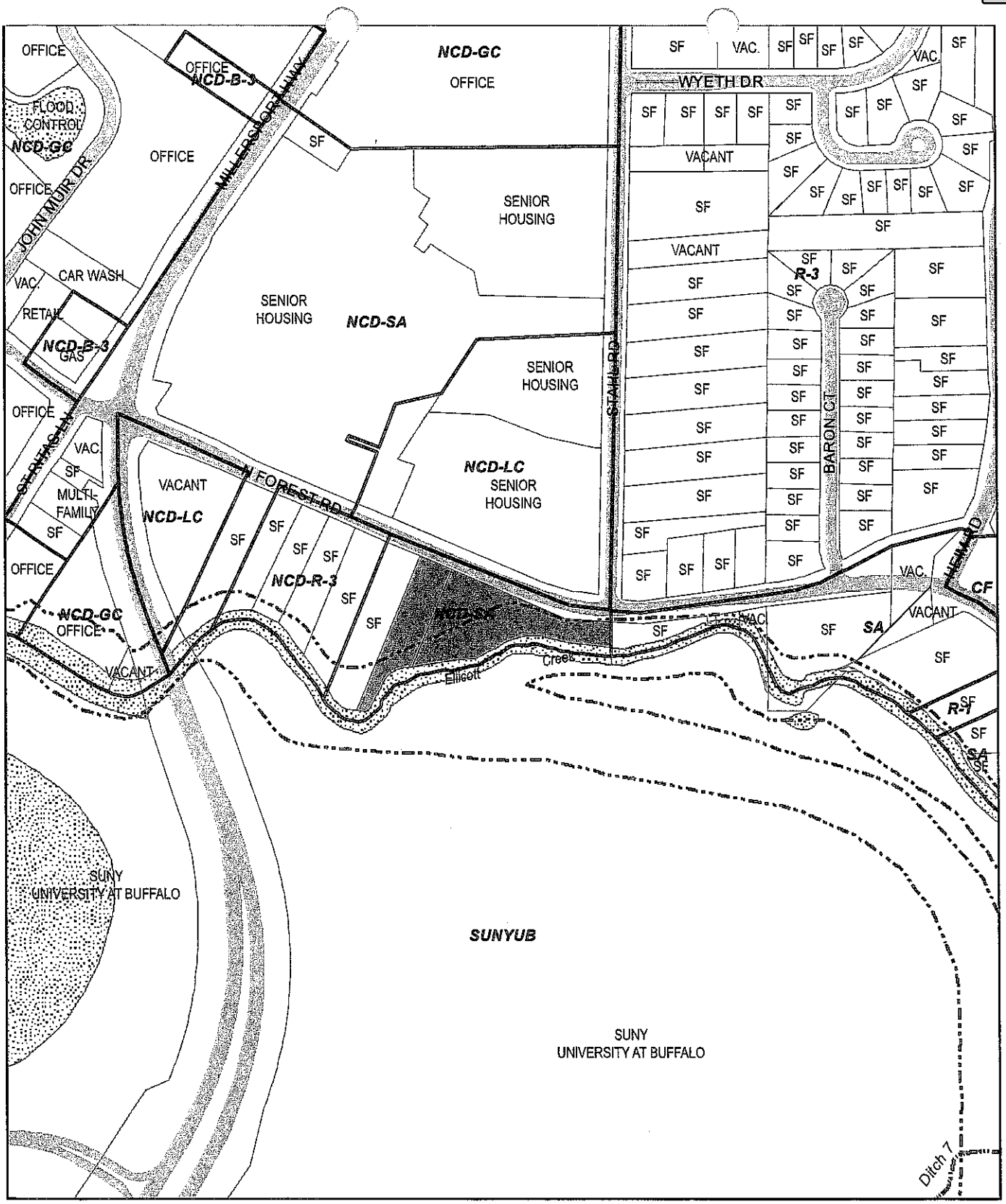
Map Compiled by the Town of Amherst Planning Department

Date: September 2019

N

0 0.25 0.5 0.75 1 1.25
Miles

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)



Z-2020-06
Proposed Amendment #73 to the Audubon New Community Development Plan to Reclassify 2.35+/- AC of Land from NCD-SA to NCD-ND
Property Located at 2160 & 2170 North Forest Road (NCD)

Coromandel Estates Amherst, LLC, Petitioner

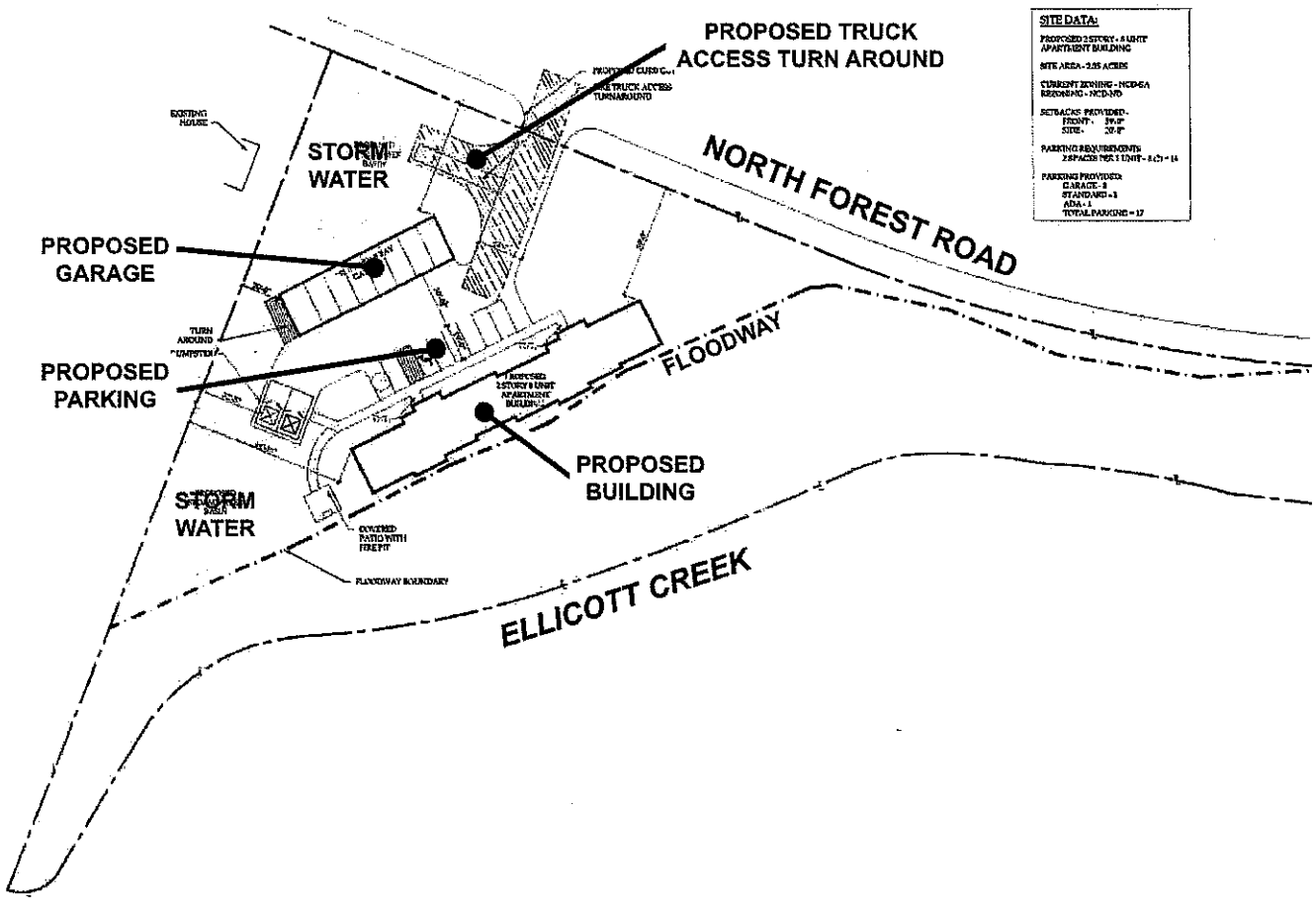
January 21, 2021

2160 & 2170 North Forest

Floodway Boundary

Prepared by the Town of Amherst Planning Department

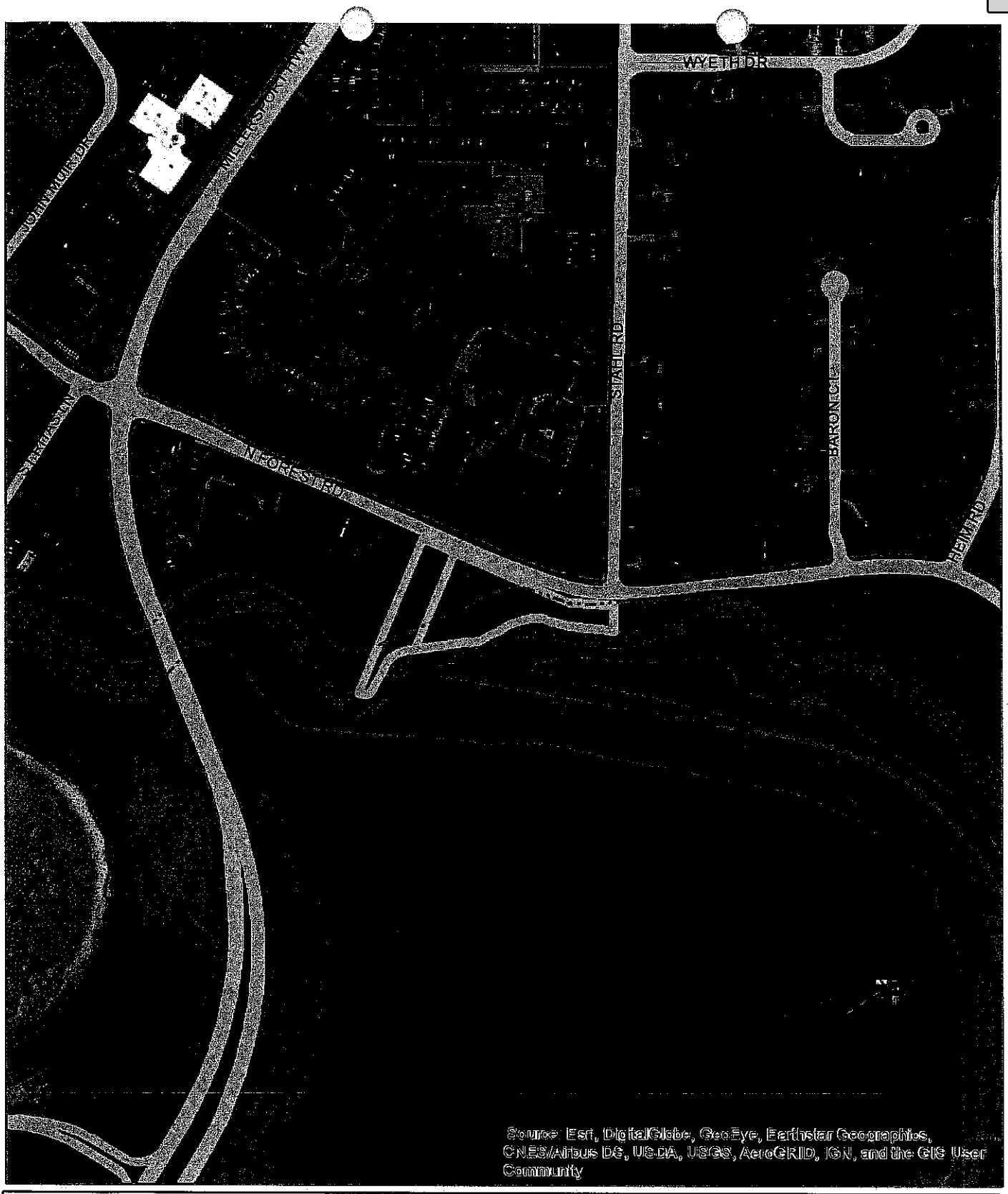
Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)



CONCEPT PLAN

Z-2020-06
2160 & 2170 North Forest Road
Received: 12/21/20

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)



Z-2020-06
Proposed Amendment #73 to the Audubon New Community Development Plan to Reclassify 2.35+/- AC of Land from NCD-SA to NCD-ND
Property Located at 2160 & 2170 North Forest Road (NCD)

Coromandel Estates Amherst, LLC, Petitioner
January 21, 2021

2160 & 2170 North Forest

Floodway Boundary

Prepared by the Town of Amherst Planning Department

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Williamsville Central Schools

Encouraging • Nurturing • Challenging

RECEIVED
SEP 22 2020
TOWN OF AMHERST
PLANNING DEPT.

September 15, 2020

Ms. Ellen Kost
Associate Planner
Town of Amherst Planning Department
5583 Main Street
Williamsville, NY 14221

RE: PROPOSED AMENTMENT #73 TO THE AUDUBON NEW COMMUNITY DEVELOPMENT PLAN TO RECLASSIFY 2.35 ACRES OF LAND FROM **NCD-SA** TO **NCD-ND, Z-2020-06**; PROPERTY LOCATED AT **2160 AND 2170 NORTH FOREST ROAD (NCD)**; COROMANDEL ESTATES AMHERST, LLC, PETITIONER.

Dear Ms. Kost:

The Williamsville Central School District has reviewed file number **Z-2020-06** for the request by Coromandel Estates Amherst, LLC to reclassify land for the above-named property.

Please note that the District has received this information and placed it on file. A future bus stop will be located at a driveway entrance at N. Forest Road in accordance with District policy.

Sincerely,

Thomas R. Maturski
Assistant Superintendent for Finance & Management Services

TRM/ld

cc: Coromandel Estates Amherst LLC c/o Sean Hopkins, Esq, 5500 Main St., Suite 343, Williamsville NY 14221; shopkins@hsr-legal.com
Scott Marshall, Principal Planner; smarshall@amherst.ny.us

105 Casey Road, P.O. Box 5000, East Amherst, NY 14051-5000 • Phone: (716) 626-8012, Fax: (716) 626-8017
www.williamsvillek12.org
Thomas R. Maturski, Assistant Superintendent for Finance & Management Services

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

William E. Geary, Jr.,
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS
RATH BUILDING 14TH FLOOR

TELEPHONE:716.858.8300
FAX: 716.858.8228

September 27, 2020
Ms. Ellen M. Kost, AICP
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Re: Lead Agency Request
Proposed 3 Story Apartment Building
2160-2170 North Forest Road (CR-294)
(T) of Amherst, County of Erie

Dear Ms. Kost:

This Department has received your request for Lead Agency for the above referenced project and the rezoning of 2.35 acres. Erie County Department of Public Works takes no exception with the Town of Amherst being the Lead Agency for this project. This approval of Lead Agency is only from Erie County Department of Public Works and does not imply that other County Departments concur with this approval, as their response will be coming by separate letter.

Permit Requirements

The Developer will be required to apply for and obtain an Erie County Highway Work Permit for Utility Work Perm-2 for construction within the North forest Road highway right-of-way.

The Developer will be required to apply for and obtain an Erie Count Highway Work Permit for Non-Utility Work, Perm 3 for construction of a new entrance drive within the North Forest Road highway right-of-way.

Traffic Concerns

A Traffic Impact Study may be needed due to the close proximity of the project to the intersection of North Forest and Stahl Road.

We ask that you please keep us informed as this project progresses and forward design plans and reports when they become available.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Sincerely,

ERIE COUNTY DEPARTMENT OF PUBLIC WORKS

Darlene M. Svilokos, P.E.
Principal Civil Engineer

cc: Karen Hoak, Deputy Commissioner – Highways
Brian A. Rose, P.E., Supervisor of Engineering
Gina Wilkolaski, P.E., Traffic and Safety Engineer
John Dennee, Senior Highway Maintenance Engineer
File: CR-294

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
270 Michigan Avenue, Buffalo, NY 14203-2915
P: (716) 851-7165 I F: (716) 851-7168
www.dec.ny.gov

January 22, 2021

Ms. Ellen Kost
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Dear Ms. Kost,

SEQR Lead Agency Coordination
Audubon New Community Development
2160 and 2170 North Forest Road
Town of Amherst, Erie County

This letter is in response to your December 23, 2020 correspondence regarding the above-noted project. The revised project plan has been reviewed and the Department has no additional comments on the proposed project beyond those in the attached September 30, 2020 SEQR lead agency response letter from this agency. Thank you.

If you have any other questions, please feel free to contact Ms. Kerri Pickard-DePriest of my staff or me at 716/851-7165.

Sincerely,

David S. Denk

Digitally signed by David S. Denk
DN: cn=David S. Denk, o=NYS DEC, ou=Div. of Env. Permits, email=david.denk@dec.ny.gov, c=US
Date: 2021.01.22 14:13:13 -05'00'

David S Denk
Regional Permit Administrator

KPD

ecc: Mr. Theodore Myers, NYSDEC, Division of Water
Mr. Sean Hopkins, Esq, shopkins@hsr-legal.com

Z-2020-06

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amherst

Town of Amherst Planning Department *Erie County, New York*

RECEIVED
JAN 14 2021
TOWN OF AMHERST
PLANNING DEPT.

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Directo

MEMORANDUM December 18, 2020

TO: Daniel Ulatowski, Principal Planner
Dave Marrano, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Stan Sliwa, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
ECHWY
NYSDEC
Williamsville Central School District

DEC 23 2020
TOWN OF AMHERST
BUILDING DEPT

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director EMK

SUBJECT: PROPOSED AMENDMENT #73 TO THE AUDUBON NEW COMMUNITY DEVELOPMENT PLAN TO RECLASSIFY 2.35± ACRES OF LAND FROM **NCD-SA** TO **NCD-ND;** PROPERTY LOCATED AT **2160 and 2170 NORTH FOREST ROAD (NCD);** COROMANDEL ESTATES AMHERST, LLC, PETITIONER. **Z-2020-06**

REVISED APPLICATION AND CONCEPT PLAN:
Received December 18, 2020

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: _____

General comments relative to your agency interests: a floodplain development permit will be required

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Doug Gesel **Date:** 1-13-21

EK/jfa
X:\Current_Planning\Files\Rezonings\2006\Z-2006-06_(9290_Transit_Rd)_2006\Z-2020-06_Rev_Transmittal_Application & Concept Plan_121820.doc

cc: Scott Marshall, Principal Planner
Coromandel Estates Amherst LLC, c/o Sean Hopkins, 5500 Main St., Suite 343, Williamsville, NY 14221
Thiru Vikram, c/o Coromandel Estates LLC, 4515 Chestnut Ridge Road, Unit 106, Amherst NY 14228
Chris Wood, Carmina Wood Morris, 487 Main St., Suite 500, Buffalo NY 14203
Christina Barmosz, Silvestri Architects, 1321 Millersport Hwy., Amherst, NY 14221
David Pawlik, Creative Structures Services, 550 Seneca St., Suite 100, Buffalo NY 14204

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

RECEIVED
DEC 17 2020
TOWN ATTORNEY

MEMORANDUM December 18, 2020

TO: Daniel Ulatowski, Principal Planner
Dave Marrano, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Stan Sliwa, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
ECHWY
NYSDEC
Williamsville Central School District

RECEIVED
JAN 05 2021
TOWN OF AMHERST
PLANNING DEPT.

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director

SUBJECT: PROPOSED AMENDMENT #73 TO THE AUDUBON NEW COMMUNITY DEVELOPMENT PLAN TO RECLASSIFY 2.35± ACRES OF LAND FROM **NCD-SA** TO **NCD-ND**; PROPERTY LOCATED AT **2160 and 2170 NORTH FOREST ROAD (NCD);** COROMANDEL ESTATES AMHERST, LLC, PETITIONER. **Z-2020-06**

REVISED APPLICATION AND CONCEPT PLAN:
Received December 18, 2020

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: _____

General comments relative to your agency interests: None at this time

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: Stanley Sliwa **Date:** 1/4/2021

EK/jfa
X:\Current_Planning\Files\Rezonings\2006\Z-2006-06_(9290_Transit_Rd)_2006\Z-2020-06_Rev_Transmittal_Application & Concept Plan_121820.doc

cc: Scott Marshall, Principal Planner
Coromandel Estates Amherst LLC, c/o Sean Hopkins, 5500 Main St., Suite 343, Williamsville, NY 14221
Thiru Vikram, c/o Coromandel Estates LLC, 4515 Chestnut Ridge Road, Unit 106, Amherst NY 14228
Chris Wood, Carmina Wood Morris, 487 Main St., Suite 500, Buffalo NY 14203
Christina Barmosz, Silvestri Architects, 1321 Millersport Hwy., Amherst, NY 14221
David Pawlik, Creative Structures Services, 550 Seneca St., Suite 100, Buffalo NY 14204

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

RECEIVED
DEC 21 2020
TOWN ATTORNEY

MEMORANDUM December 18, 2020

TO: Daniel Ulatowski, Principal Planner
Dave Marrano, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Stan Sliwa, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
ECHWY
NYSDEC
Williamsville Central School District

RECEIVED
JAN 05 2021
TOWN OF AMHERST
PLANNING DEPT.

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director

SUBJECT: PROPOSED AMENDMENT #73 TO THE AUDUBON NEW COMMUNITY DEVELOPMENT PLAN TO RECLASSIFY 2.35± ACRES OF LAND FROM **NCD-SA** TO **NCD-ND**; PROPERTY LOCATED AT **2160 and 2170 NORTH FOREST ROAD (NCD);** COROMANDEL ESTATES AMHERST, LLC, PETITIONER. **Z-2020-06**

REVISED APPLICATION AND CONCEPT PLAN:
Received December 18, 2020

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: N/A

General comments relative to your agency interests: N/A

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)
N/A

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 12/29/20

EK/jfa
X:\Current_Planning\Files\Rezonings\2006\Z-2006-06_(9290_Transit_Rd)_2006\Z-2020-06_Rev_Transmittal_Application & Concept Plan_121820.doc

cc: Scott Marshall, Principal Planner
Coromandel Estates Amherst LLC, c/o Sean Hopkins, 5500 Main St., Suite 343, Williamsville, NY 14221
Thiru Vikram, c/o Coromandel Estates LLC, 4515 Chestnut Ridge Road, Unit 106, Amherst NY 14228
Chris Wood, Carmina Wood Morris, 487 Main St., Suite 500, Buffalo NY 14203
Christina Barmosz, Silvestri Architects, 1321 Millersport Hwy., Amherst, NY 14221
David Pawlik, Creative Structures Services, 550 Seneca St., Suite 100, Buffalo NY 14204

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

RECEIVED
DEC 31 2020
TOWN OF AMHERST
PLANNING DEPT.

MEMORANDUM December 18, 2020

TO: Daniel Ulatowski, Principal Planner
~~Dave Marrano~~, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Stan Sliwa, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
ECHWY
NYSDEC
Williamsville Central School District

TO: Ellen Kost
From: Dave Marrano
12/23/20
See Below

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director EMK

SUBJECT: PROPOSED AMENDMENT #73 TO THE AUDUBON NEW COMMUNITY DEVELOPMENT PLAN TO RECLASSIFY 2.35± ACRES OF LAND FROM **NCD-SA** TO **NCD-ND**; PROPERTY LOCATED AT **2160 and 2170 NORTH FOREST ROAD (NCD);** COROMANDEL ESTATES AMHERST, LLC, PETITIONER. **Z-2020-06**

REVISED APPLICATION AND CONCEPT PLAN:
Received December 18, 2020

REVIEW:

Do you agree with all statements made? Yes

If you do not, briefly state why: No Issue.

General comments relative to your agency interests: No Issue since units will be Leased, not sold w/ Condominium Tax Status

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.) N/A

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 12/23/20

EK/jfa
X:\Current_Planning\Files\Rezonings\2006\Z-2006-06_(9290_Transit_Rd)_2006\Z-2020-06_Rev_Transmittal_Application & Concept Plan_121820.doc

cc: Scott Marshall, Principal Planner
Coromandel Estates Amherst LLC, c/o Sean Hopkins, 5500 Main St., Suite 343, Williamsville, NY 14221
Thiru Vikram, c/o Coromandel Estates LLC, 4515 Chestnut Ridge Road, Unit 106, Amherst NY 14228
Chris Wood, Carmina Wood Morris, 487 Main St., Suite 500, Buffalo NY 14203
Christina Barmosz, Silvestri Architects, 1321 Millersport Hwy., Amherst, NY 14221
David Pawlik, Creative Structures Services, 550 Seneca St., Suite 100, Buffalo NY 14204

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amherst

Town of Amherst Planning Department *Erie County, New York*

RECEIVED
DEC 31 2020
TOWN OF AMHERST
PLANNING DEPT.

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM December 18, 2020

TO: Daniel Ulatowski, Principal Planner
Dave Marrano, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Stan Sliwa, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
ECHWY
NYSDEC
Williamsville Central School District

TOWN OF AMHERST
ENGINEERING
DEPARTMENT
2020 DEC 22 P 12:51

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director EMK

SUBJECT: PROPOSED AMENDMENT #73 TO THE AUDUBON NEW COMMUNITY DEVELOPMENT PLAN TO RECLASSIFY 2.35± ACRES OF LAND FROM **NCD-SA** TO **NCD-ND**; PROPERTY LOCATED AT **2160 and 2170 NORTH FOREST ROAD (NCD);** COROMANDEL ESTATES AMHERST, LLC, PETITIONER. **Z-2020-06**

REVISED APPLICATION AND CONCEPT PLAN:
Received December 18, 2020

REVIEW:

Do you agree with all statements made? YES

If you do not, briefly state why: _____

General comments relative to your agency interests: None At This Time

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 12/30/20

EK/jfa
X:\Current_Planning\Files\Rezonings\2006\Z-2006-06_(9290_Transit_Rd)_2006\Z-2020-06_Rev_Transmittal_Application & Concept Plan_121820.doc

cc: Scott Marshall, Principal Planner
Coromandel Estates Amherst LLC, c/o Sean Hopkins, 5500 Main St., Suite 343, Williamsville, NY 14221
Thiru Vikram, c/o Coromandel Estates LLC, 4515 Chestnut Ridge Road, Unit 106, Amherst NY 14228
Chris Wood, Carmina Wood Morris, 487 Main St., Suite 500, Buffalo NY 14203
Christina Barmosz, Silvestri Architects, 1321 Millersport Hwy., Amherst, NY 14221
David Pawlik, Creative Structures Services, 550 Seneca St., Suite 100, Buffalo NY 14204

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amherst

Town of Amherst Planning Department *Erie County, New York*

RECEIVED
Williamsville Central School District
DEC 23 2020
Asst Superintendent for
Finance & Management Services

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM December 18, 2020

RECEIVED
DEC 21 2020
TOWN OF AMHERST
PLANNING DEPT.

TO: Daniel Ulatowski, Principal Planner
Dave Marrano, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Stan Sliwa, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
ECHWY
NYSDEC
Williamsville Central School District

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director EMK

SUBJECT: PROPOSED AMENDMENT #73 TO THE AUDUBON NEW COMMUNITY DEVELOPMENT PLAN TO RECLASSIFY 2.35± ACRES OF LAND FROM **NCD-SA** TO **NCD-ND**; PROPERTY LOCATED AT **2160 and 2170 NORTH FOREST ROAD (NCD);** COROMANDEL ESTATES AMHERST, LLC, PETITIONER. **Z-2020-06**

REVISED APPLICATION AND CONCEPT PLAN:
Received December 18, 2020

REVIEW:

Do you agree with all statements made? In regard to site plan and SEQRA, the

If you do not, briefly state why: District does not have comments on these items

General comments relative to your agency interests: Williamsville Central School District school bus service will follow policy, presently, bus service would be at entrance of the apartment complex.

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: [signature] **Date:** 12/28/20

EK/jfa
X:\Current_Planning\Files\Rezonings\2006\Z-2006-06_(9290_Transit_Rd)_2006\Z-2020-06_Rev_Transmittal_Application & Concept Plan_121820.doc

cc: Scott Marshall, Principal Planner
Coromandel Estates Amherst LLC, c/o Sean Hopkins, 5500 Main St., Suite 343, Williamsville, NY 14221
Thiru Vikram, c/o Coromandel Estates LLC, 4515 Chestnut Ridge Road, Unit 106, Amherst NY 14228
Chris Wood, Carmina Wood Morris, 487 Main St., Suite 500, Buffalo NY 14203
Christina Barmosz, Silvestri Architects, 1321 Millersport Hwy., Amherst, NY 14221
David Pawlik, Creative Structures Services, 550 Seneca St., Suite 100, Buffalo NY 14204

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

TOWN OF AMHERST
ENGINEERING
DEPARTMENT
2020 DEC 22 P 12:37

MEMORANDUM December 18, 2020

TO: Daniel Ulatowski, Principal Planner
Dave Marrano, Town Assessor
Douglas Gesel, Supervising Code Enforcement Officer, Building Department
Jeffrey Burroughs, Town Engineer
Patrick Lucey, Superintendent of Hwys/Mark Gortzig Gen. Crew Chief
Chris Schregel, Traffic/Safety Coordinator (c/o Eng)
Brian Barnes, Senior GIS Analyst (Eng.) (letter only)
Bryan Parnell, Fire Chiefs' Association (c/o Bldg)
Stan Sliwa, Town Attorney (Local Law Only)
Ann Demopoulos, Deputy Town Attorney, Right-of-Way Agent
Integrated Review Coordinator, ECDEP
ECHWY
NYSDEC
Williamsville Central School District

RECEIVED
DEC 28 2020
TOWN OF AMHERST
PLANNING DEPT.

FROM: Planning Department, Ellen M. Kost, AICP, Assistant Planning Director EMK

SUBJECT: PROPOSED AMENDMENT #73 TO THE AUDUBON NEW COMMUNITY DEVELOPMENT PLAN TO RECLASSIFY 2.35± ACRES OF LAND FROM **NCD-SA** TO **NCD-ND**; PROPERTY LOCATED AT **2160 and 2170 NORTH FOREST ROAD (NCD);** COROMANDEL ESTATES AMHERST, LLC, PETITIONER. **Z-2020-06**

REVISED APPLICATION AND CONCEPT PLAN:
Received December 18, 2020

REVIEW:

Do you agree with all statements made? YES.

If you do not, briefly state why: _____

General comments relative to your agency interests: NONE

If improvements are required involving your agency, please state schedule for completion (sewer construction, road widening, etc.)

Please call the Planning Department if additional information is required (631-7051).

Signature: _____ **Date:** 12/24/20

EK/jfa
X:\Current_Planning\Files\Rezonings\2006\Z-2006-06_(9290_Transit_Rd)_2006\Z-2020-06_Rev_Transmittal_Application & Concept Plan_121820.doc

cc: Scott Marshall, Principal Planner
Coromandel Estates Amherst LLC, c/o Sean Hopkins, 5500 Main St., Suite 343, Williamsville, NY 14221
Thiru Vikram, c/o Coromandel Estates LLC, 4515 Chestnut Ridge Road, Unit 106, Amherst NY 14228
Chris Wood, Carmina Wood Morris, 487 Main St., Suite 500, Buffalo NY 14203
Christina Barmosz, Silvestri Architects, 1321 Millersport Hwy., Amherst, NY 14221
David Pawlik, Creative Structures Services, 550 Seneca St., Suite 100, Buffalo NY 14204

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

RECEIVED
NOV 30 2020
TOWN OF AMHERST
PLANNING DEPT.

Kost, Ellen

From: Rutkowski, Edward (DOT) <Edward.Rutkowski@dot.ny.gov>
Sent: Saturday, November 28, 2020 12:50 PM
To: Kost, Ellen
Subject: 2160-2170 North Forest Rd, Proposed Rezoning for 18 Unit Apartment Building, Amherst
Attachments: 2160-2170 N Forest.pdf

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Ellen,

New York State Department of Transportation (NYSDOT) reviewed the information submitted for the subject project and has the following comments:

- NYSDOT concurs with the Town of Amherst acting as the Lead Agency.
- The proposed project will not have a significant impact to traffic on the Stathe Highway System.

If you have any questions, please contact me either by email or phone.

Sincerely,
Ed Rutkowski

Edward S. Rutkowski, P. E.
SEQR/Site Plan Review Coordinator
NYSDOT - Region 5
100 Seneca Street
Buffalo, New York 14203
716-847-3575

NEW YORK STATE OF OPPORTUNITY. | Department of Transportation

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

NEW YORK STATE OF OPPORTUNITY. | Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

October 30, 2020

Roberta Rappoccio
Associate Planner
Town of Amherst, NY Planning Department
5583 Main Street
Amherst, NY 14221

Re: DEC
Rezoning for 18-Unit 3-story New Construction Project
2160 North Forest Rd, Amherst, Erie County, NY
20PR05460
Z-2020-06

Dear Roberta Rappoccio:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the Phase I Archaeological Reconnaissance Survey report prepared by the University at Buffalo's Archaeological Survey (Whalen & Angelini, October 2020; 20SR00539) in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation, and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

Based on this review, it is OPRHP's understanding that no archaeological sites were identified during the above-noted investigation, and we concur with the report's conclusion that no further archaeological investigations are warranted. It is, therefore, OPRHP's opinion that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project. Should the project design be changed OPRHP recommends further consultation with this office.

If you have any questions, I can be reached via e-mail at Josalyn.Ferguson@parks.ny.gov.

Sincerely,

Josalyn Ferguson, Ph.D.
Scientist Archaeology

via email only

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Carrato, Amy

From: ann bealer <annri35@msn.com>
Sent: Tuesday, October 06, 2020 3:26 PM
To: Carrato, Amy
Subject: Rezoning of property at 2160&2170 N. Forest Rd.

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

I am totally against the rezoning of the above properties for a 3 story apartment building. I spend my summers outside in my backyard and I would lose all my privacy. Traffic is a problem. We have trouble getting in and out of our driveways. At rush hour it is almost impossible. We also have frequent water brakes as the lines are old. They were supposed to put new lines in 3or4 years ago and they never did. How much more water can those pipes handle? Water pressure is another issue. Am and pm the pressure is low. I ask also where is the green space in Amherst. It seems all the developers want to do is build. And I would ask the Board members and the Planning Board if they would like a 3 story building right next door to them.

Ann Bealer
2204 N. Forest Rd.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Carrato, Amy

From: sprinter16@roadrunner.com
Sent: Sunday, October 11, 2020 11:29 AM
To: Carrato, Amy
Subject: Rezoning request located at 2160 & 2170 N Forest Rd.

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

We received a notice regarding the request to rezone 2160 & 2170 N Forest Rd. We live at 2200 N Forest Rd which is 3 houses down from the proposed rezoning and would like it noted that we are definitely not in favor of a 3 story apartment building or any apartment building for that matter.

Several years ago an effort was made to rezone the corner of N Forest Rd and Millersport Hwy to a 3 story apartment building and that effort was successfully denied based on various issues such as excessive traffic which is already a terrible problem, frequent water main breaks that occur in our area and the proposed targeted tenants which would have been college students. At the time, there was a house on the property that was being rented out to college students and the loud parties and noise created many complaints that required a police response.

As well as the concerns already mentioned, the project calls for 2 retention ponds that will drain in to Ellicott Creek. We always have flooding occur on the lower portion of our property during heavy rains and we do not want additional discharge of water from other sources as we feel this will create more opportunity for additional flooding as well as perhaps change the flow of the water.

Most of the homes that would be directly impacted by the proposed apartment building would lose all backyard privacy based on the illustration provided in the rezoning request. One of the only saving graces of living on an extremely busy, noisy street is the fact that we have no rear neighbors and are able to enjoy the view of the creek as well as the natural habitat. Having a 3 story apartment building and the noise it will create just through everyday living will definitely have a negative impact on those of us nearest to it.

We will continue to remain involved in the meetings and decisions regarding this request.

Fran & Dennis Cummings

2200 N Forest Rd

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Carrato, Amy

From: Dan Boscarino <dboscarino@yahoo.com>
Sent: Tuesday, October 13, 2020 3:07 PM
To: Carrato, Amy
Subject: Property at 2160& 2170 North Forest Road Planning Board meeting October 15

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm writing to voice my opinion that I'm not in favor of rezoning the property. The corner is extremely busy and less than a half a mile from a school zone. The traffic is already unbearable on weekday mornings and evenings. This is a residential neighborhood and should stay that way, with single family homes only. I cannot see how anyone could approve a zoning change.

Regards,

Daniel M. Boscarino
Carrie Boscarino
57 Baron Ct
Getzville, New York

Sent from Yahoo Mail for iPad

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Carrato, Amy

From: Rosemary Blando <rblando@durham.com>
Sent: Tuesday, October 13, 2020 8:04 AM
To: Carrato, Amy
Cc: jjh2180@verizon.net
Subject: 2160 & 2170 North Forest Rd
Attachments: Amherst final draft.docx; Signed petitions.pdf

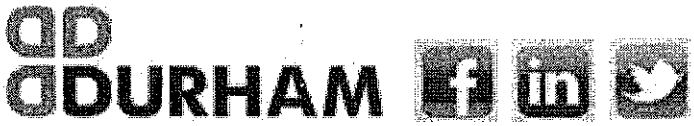
CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning Board:
Attached please find our response to the request to approve **Amendment #73 of the Audubon New Community Development Plan**. This matter is scheduled to be heard as **item #3** on the Planning Board's **October 15th agenda**. Kindly acknowledge receipt via email as well as **jjh2180@vereizon.net**. My husband, Joseph Hausbeck plans to appear at the hearing, via Zoom, and requests permission to speak in rebuttal. The second attachment are (2) petitions in opposition to petitioner's request.
Thank you for your consideration,

Joseph J. Hausbeck
Rosemary Blando
Residents 2180 North Forest Rd
Williamsville, NY 14221

716.473.3972 cell

www.durhamstaffing.com



CONFIDENTIALITY NOTICE: The information contained in this email message is intended only for the personal and confidential use of the designated recipients named above. This message is an attorney-client communication or may be subject to a common interest privilege / protection, and as such, is privileged and confidential. If the reader of this message is not the intended recipient or any agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone 716-684-3333.

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Amherst Planning Board
5583 Main Street
Williamsville, New York 14221

Via email to: acarrato@amherst.ny.us

Re: Request to Approve Amendment #73 of the Audubon New Community Development Plan to Reclassify Property located at 2160 and 2170 North Forest Road.

To Whom It May Concern:

My wife and I are the owners and residents of 2180 North Forest Road, the property immediately adjoining the subject property. We have resided there over 23 years. We are hereby expressing our **strong opposition** to the above referenced matter which is scheduled for consideration by the Town Planning Board on Thursday, October 15th.

PROCEDURAL MATTER:

Prior to setting forth our concerns about the proposed project, I wish to raise a **procedural** concern. I am very concerned that there has been insufficient notice given of the upcoming hearing. In preparation for the hearing, I attempted to contact local residents to gauge their interest in the matter. I was advised that the Beechwood Campus and, specifically, the residents of Asbury Point, located directly across from the subject property on North Forest Road, were **not** given notice of the hearing. In addition, in speaking with the residents of eight (8) other parcels in close proximity to the subject, three (3) residents advised that they had **not** received any notice whatsoever. I attempted to contact other residents without success, perhaps because of the Covid 19 times in which we are living. I am therefore respectfully requesting that the Town insure that all reasonable efforts are made to assure that all Town Residents potentially impacted by the requested action be afforded their basic right to Notice and an Opportunity to be Heard.

SUBSTANTIVE MATTERS:

I would like to address the Request from two (2) perspectives.

I. **Character of the Neighborhood and the Subject Property:**

The property in question is the eighth parcel on the west side of North Forest Road, south of Millersport Highway. It is the last parcel on North Forest before Stahl Road and is immediately adjacent to the "zombie" property, known throughout Amherst as "that white house". The seven parcels between it and Millersport consist of six (6) single family ranch homes and one (1) one- story building, housing a Women's Medical Center. The Medical Center is on the corner of Millersport Highway (a commercial thoroughfare) and North Forest Rd. There is a substantial fenced buffer zone between the Medical Center and the first residential property, including an area dedicated to a Stormwater Management Practices Bio-retention Project, permitted by the NYS Dept. of Environmental Conservation. The rear of all the ranch homes, as well as the subject property, abut Ellicott Creek.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

It should be noted that the Medical Center required a rezoning. However, prior to that being accomplished, a different developer attempted to rezone that property to build a similar residential rental structure. That proposed redevelopment plan was objected to by the residents and was not approved by the Town. The question may therefore be asked as to why the Town should approve this application for a three-story multifamily residence on property which sits further down the same block (removed from any commercial intersection) which also presents potentially significant adverse environmental impacts.

On the opposite side of North Forest sits Asbury Point, a quiet and pristine retirement residence. Asbury Point is set back far from North Forest Road. There are dense wooded areas, landscaped areas, abundant mature trees and open greenspaces that act as a buffer between Asbury Point and North Forest Rd. The Asbury Point structure referred to by the petitioner is, indeed, three stories, but it has some underground parking. The structure, as well as its infrequently used limited surface parking area, is setback, partially concealed, and surrounded by walking paths. The building is entirely occupied by senior citizens who have a vested interest in the self-contained elderly campus. They are wonderful neighbors.

In contrast, the proposed project is a three-story, 18 unit apartment building with surface area parking for 36 cars. The site abuts our southern property line and is just 17.5 feet (+ or -) from the south wall of our home. It should be noted that the site plan describes the site as being 2.35 acres. However, the structure, surface parking and all appurtenances are "sandwiched in" on less than ½ of the "site". The remainder of the site sits in the existing floodway and is unusable. It is wooded, but sits behind the proposed development and offers no buffer between the structure and the street or our adjoining property. The "sandwiching" is so tight, that the proposed site plan reveals that portions of the proposed fire pit actually encroach into the floodway.

The site plan appears to show only a 5' "landscaped" area between the 15 parking spaces (that face our lot line and house) and the lot line itself. As the wall of our home sits approximately 17.5' from the lot line, and our home (a ranch which has no basement) sits on a concrete pad, cars will be parked 22.5' from the south wall of our house, with headlights shining in our bedroom windows. In addition, most likely because of the "sandwiching", the site plan seeks to place what appears to be a double bay dumpster extremely close to both our unfenced yard (which we use regularly throughout the spring, summer and fall) and our home. For the past 23 years we have had an unobstructed view of Ellicott Creek and the Ellicott Creek Trailway (bikepath). If this project is approved, we will have only an unobstructed view of the dumpster. We are also concerned about the potential impact of dumpster odors and the potential for rodent and pest infestation. Throughout the entire 23 years we have lived here, we have enjoyed the wildlife that regularly occupies these parcels. That wildlife includes the deer which miraculously seem to present us, each spring, with two new spotted fawns. However, it also includes the raccoon (anxiously awaiting the installation of the dumpsters) that we have observed in the tree on the property line, these are not the only potential significant adverse impacts on our property, but they are clearly indicative of the fact that this project is simple much too large for this site.

I would encourage all members of the Planning Board to personally visit the site to fully appreciate the concerns expressed.

II. <u>Specific Issues applicable to the Neighborhood:</u>

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

The proposed project is totally out of character and inconsistent with our neighborhood. It simply does not fit the site (see preceding section). The quality of life for the current residents on North Forest Road, will be adversely affected for numerous reasons. There are serious concerns over potential loss of property values; there are privacy concerns, traffic and traffic safety concerns, water issues and flooding concerns, erosion concerns, and soil and land subsidence concerns, among others.

WATER ISSUES – Over the years, the proposed site, as well as adjacent properties, have Experienced flooding issues from Ellicott Creek. During wet weather events, waters from the adjacent creek and diversion channel regularly flood portions of the proposed site, our premises, and the premises of neighbors to the north.

Prior to the construction of the Ellicott Creek diversion channel, the subject property had large depressions that used to flood regularly. Neighbors have told me that the property was actually used by local children for ice skating, and at some point a public berm was constructed along the creek in an effort to prevent the flooding. I have also been told that this berm material was later excavated and used by a prior owner of the subject property to fill the depressed areas that regularly flooded. This story may be substantiated by the following observation: on the property, there is a large old willow tree sitting about 5' deep in a rip rap well. Within that well are several plastic drain hoses, with clamps that appear to drain into the "well" area. This may be some indication of the possible depth of fill placed upon the subject property by prior owners. However, I have no idea what the composition of that fill is.

Attached to the petitioner's application for a variance is a copy of a letter from Earth Dimensions, Inc. related to a preliminary wetland investigation. That letter references an attached map which "depicts the limits of our investigation". The attached map (entitled "Erie County On-Line Mapping Application") purports to depict the subject property (2170 and 2160 North Forest Road). Please compare the configuration of the subject property shown upon that map with the configuration of the "same" property (2170 and 2160 North Forest Road) shown on the site plan. A comparison may substantiate the alleged prior flooding and the later use of fill should these questions be relevant to the question of site suitability for the proposed project.

It is my understanding that a pipe for drainage of surface water from the Asbury Point property was installed years ago, and ran under North Forest Road to what was once a culvert along the road adjoining the proposed site. Allegedly, a prior owner of the proposed site later had a 36" drainage pipe installed. That pipe bisected the proposed site and discharged the drainage water to the bank or bed of Ellicott Creek. I believe the discharge pipe itself is visible at the creek bank. However, I was unable to note any reference to that discharge system on the site plans or application documents. I have no knowledge as to whether there is any public record of this.

Based upon:

Past and current flooding issues;
The addition of ½ acre of impervious surface;
The non-use of pervious surfaces;

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Lack of information regarding proposed excavations;
Lack of information regarding storm water basins and their location with respect to the topography of adjacent lands;
The discharge of storm water to Ellicott Creek; and
concerns over storm water management generally,

We have serious concern that this project will have a significant adverse environmental impact on our property and that of our neighbors to the north.

ERROSION CONCERNS - We have personally observed substantial erosion of the bank of Ellicott Creek on the site of the subject property. When we acquired our property 23 years ago, the subject property, which adjoins ours, had a large concrete wall comprised of sections of concrete attached to metal supports mounted along the creek bank. The wall was along the peninsular-like portion of the western end of the property. Over the years, due to substantial erosion of the bed behind the wall, the entire wall has fallen, section by section, into Ellicott Creek. All that currently remains of the structure are a few of the metal supports.

At the opposite end of the subject property (at the Stahl Road intersection) sits the infamous "white house". Its driveway is a matter of inches from the eastern end of the subject property. The White house (a zombie property) is generally believed to be falling into Ellicott Creek.

In our mind, concern over erosion raises an issue as to the safety and appropriateness of a construction project of this magnitude.

FLOOD CONTROL EASEMENT - Our property (which adjoins the subject property) is subject to a Flood Control Easement held by, or of interest to NYSDEC, USACOE and the TOWN of AMHERST. We assume the adjoining upstream property is, or should be, also subject to such an easement. However, I did not see it directly addressed in the petitioner's Environmental Assessment Form.

Concerns over storm water and its management (see above) would seem to have a direct impact upon any Flood Control Easement applicable to the subject property, as well as to ours.

SEWERS - The petitioner's "Application to Reclassify" represents that there is adequate sanitary Sewer capacity for the proposed project. This may not be the case. We have learned that the proposed action is considered a Sanitary Sewer Extension by the NYSDEC, and a detailed sewer capacity analysis must be performed and submitted for review and approval. Further investigation is necessary to avoid potential substantial adverse environmental impacts upon the community.

PUBLIC WATER - Again, the "Application to Reclassify" represents that adequate public water

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

capacity exists. However, we can attest to the fact that, in the past, we and others in our block (North Forest Rd from Millersport Hwy to Stahl Rd) have experienced numerous interruptions in water service. These interruptions have occurred from broken pipes in our block, and have occurred principally during cold weather. Interruptions have been for long periods and have been extremely inconvenient. Ruptured pipes were the culprit and geysers with flooding of the street were common.

In August, 2016, the Town Board approved a measure to replace the water line from Stahl Road to Millersport Highway. To date, I do not believe that project has been completed. Further investigation is necessary to avoid potential adverse environmental impacts on the community.

TRAFFIC – Petition asserts that the proposed project will not result in a substantial increase in traffic above present levels. This is simply not true. Having lived on this block of North Forest for over 23 years, I am familiar with its unique problems. North Forest to Millersport Highway is a major route to the University of Buffalo. It is also the preferred route for many cars entering the Beechwood Complex on Stahl Road. It is also the route followed by large numbers of Amherst residents seeking to access the I-290 and I-990.

This block (between Millersport and Stahl) is a two way (one lane in each direction) residential street. It experiences the full impact of traffic going ***to*** the University in the morning and returning from it in the afternoon. Depending upon the time of day, the traffic can be backed up from Stahl to Millersport or from Millersport to Stahl.

As Stahl Road is the main access point for the Beechwood Complex, and ends at North Forest, traffic is also regularly backed up on Stahl Road, at the intersection. To complicate matters further, there is a serious bend on North Forest, right at the intersection. Between cars coming down North Forest and cars turning at Stahl, living on North Forest and being the first driveway from Stahl is a serious challenge. It makes it extremely difficult to find an opening in traffic long enough to enter or exit our driveway.

The proposed project seeks a curb cut for a driveway entrance onto the site. The proposed driveway is near our joint property line. It is, therefore, even closer to the Stahl Road intersection. The project allows for 36 parking places. Potentially, that makes 36 more cars attempting the same maneuvers as we must attempt and further obstructing our ability to enter and exit. This is a problem common to each of my neighbors.

It should be noted that "traffic concerns" are not limited solely to traffic flow and traffic visibility. A multi-family residential project such as this should consider the safety of pedestrians and cyclists. Due to the proximity to the University and to the Ellicott Creek Trailway (Bike Path), this stretch of North Forest Road is used regularly by both. There are no discrete bike paths along this section, and sidewalks are limited to the opposite side of North Forest. Additionally, it is questionable whether either could be practically installed along North Forest, south of the subject site, due to the proximity to the creek and its erosion issues in that area.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

SOIL ISSUES AND DEPTH TO BEDROCK – Over the years, there have been numerous efforts by individuals to acquire and build on the subject property. It is our understanding that most of the efforts involved proposed single family residences. Despite contractual agreements to purchase, none of these efforts materialized. We assume that some were discouraged because of the existence of floodplain/floodway issues. However, some failed as a result of depth to bedrock issues. Borings have been taken on a number of occasions and the results, which are unknown to us, are rumored to be unfavorable to construction due to the depth to bedrock. It should also be noted that we learned that when Asbury Point was constructed, it was necessary to drive an extraordinary number of I-beams into the ground, in places up to 40 to 50' in depth.

It is noted that the petitioner's EAF references the depth to bedrock as being "greater than 5 feet". It also identifies the soils on 100% of the site to be "cosad loamy fine sand" and 100% of the site to be poorly drained.

In light of the afore referenced information relating to prior flooding, the prior placement of fill, and existing erosion concerns, the possibility of depth to bedrock discrepancies simply reinforces our concerns relating to the integrity of the potential structure. We believe that a complete geo-technical investigation and inspection should be required. We have heard of instances of properties collapsing, in one case into a creek, within the Town of Amherst. We have no desire to see that occur next door.

CONCLUSION:

In a perfect world, the subject site would be a small neighborhood park and a continuation of the beautiful greenspace located directly across the creek from the site. It could contain a pedestrian bridge over Ellicott Creek, accessible by the general public seeking safer access to the Bike Trail, as well as the residents of Asbury Point, who, in the past, have casually strolled on this site. Possibly, a kayak launch point could serve this site as well. My wife and I, as adjoining neighbors would welcome such alternative uses. We do not oppose this proposal on the basis of change. However, the property is privately owned and we lack the power of Eminent Domain.

Based upon the foregoing considerations, we, Joseph Hausbeck and Rosemary Blando, strongly oppose approval of the petitioner's request. As 23 year residents of the site immediately adjoining the subject site, we are of the opinion that the proposed project will result in potentially significant adverse environmental impacts upon this community. Additionally, we are firmly of the belief that the applicant has failed to provide sufficient information to establish that there will be no impacts and, at the very least, a Draft Environmental Impact Statement should be required.

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Town of Amherst Planning Board

5583 Main Street

Williamsville, NY 14221

We, the undersigned, being residents of North Forest Rd. between Stahl Rd and Millersport Highway, hereby **OPPOSE** the request filed by the petitioner **Coromandel Estates Amherst, LLC**, to approve amendment # 73 of the Audubon New Community Development Plan to reclassify 2.35 acres, more or less, of land located at 2160 and 2170 North Forest Rd.

Joseph Lagumbay 2160 North Forest Rd.
Rodney Rhands 2180 North Forest Rd
Ann Beaber 2204 N. Forest Rd.
Donna J Beaber 2204 N. Forest Rd.
Ina Dennis Cummings 2220 N. Forest Rd.
Sterling Lawson 1881 N. Forest Rd
Joan Amico, 1936 North Forest, Amh NY 14221
Steve Amico, 1936 North Forest, Amh NY 14221

October 2020

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Town of Amherst Planning Board

5583 Main Street

Williamsville, NY 14221

We, the undersigned, being residents of North Forest Rd. between Stahl Rd and Millersport Highway, hereby **OPPOSE** the request filed by the petitioner **Coromandel Estates Amherst, LLC**, to approve amendment # 73 of the Audubon New Community Development Plan to reclassify 2.35 acres, more or less, of land located at 2160 and 2170 North Forest Rd.

George De Rosa
2220 North Forest Road, Williamsville, N.Y. 14221
Allen Miles
25 Stahl Rd, Getzville 14068 Allen Miles
[illegible]
[illegible] 2220 N. Forest Rd. 14221
Karen Macura 2230 N FOREST RD 14221

October 2020

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Z-2020-06
2160 & 2170 N. Forest Rd

Carrato, Amy

From: Joan Amico <jamico99@gmail.com>
Sent: Wednesday, October 14, 2020 7:15 AM
To: Carrato, Amy
Subject: Planning Board Meeting 10/15 - Amendment #73 of the Audubon New Community Development Plan.

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

My husband and I received notice of the proposed rezoning of residential property on North Forest Road and I would like to speak at the Planning Board meeting on October 15 about this rezoning.

Also, please share my comments below with the board:

This stretch of North Forest is primarily a residential area. It is not a commercial area and it should not be rezoned. It seems that over the last several years, long stretches of North Forest Road have been turned into apartment buildings and other commercial properties. Do we really need to build such structures alongside and embedded between single family homes? Would you want to live in-between commercial properties? Do we even need another apartment complex in this area?

The Town of Amherst should first and foremost make decisions that are best for the residents that live in their community. Please think about the residents, people like my husband and I, when deciding to rezone this and any property.

Kindly reply back to confirm receipt of this email.

Thank-you,

Joan and Steve Amico
1936 N Forest Rd, Williamsville, NY 14221

Attachment: Z-2020-06_TB letter_022221 (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Z-2020-06,
2160 and 2170 N. Forest

GINEERING DPC|DBA
GEOTECHNICAL
INEERING SERVICES

☒ CORPORATE/ BUFFALO OFFICE
5167 South Park Avenue
Hamburg, NY 14075
Phone: (716) 649-8110
Fax: (716) 649-8051

☐ ALBANY OFFICE
PO Box 2199
Ballston Spa, NY 12020

5 Knabner Road
Mechanicville, NY 12118
Phone: (518) 899-7491
Fax: (518) 899-7496

☐ CORTLAND OFFICE
60 Miller Street
Cortland, NY 13045
Phone: (607) 758-7182
Fax: (607) 758-7188

☐ ROCHESTER OFFICE
535 Summit Point Drive
Henrietta, NY 14467
Phone: (585) 359-2730
Fax: (585) 359-9668

September 17, 2020
Project No. WB-20-105
(SJB Project No. BE-20-105)

Postwork Capital

c/o Buffalo Automation
10236 Transit Road
East Amherst, New York
14051

Attn. Mr. Thiru Vikram, CEO

Re: Geotechnical Engineering Report
Proposed Elysium Apartment Complex
2160 North Forest Road
Town of Amherst, New York

Dear Mr. Vikram:

WMA Engineering DPC, dba Empire Geotechnical Engineering Services (Empire), is pleased to submit the enclosed Geotechnical Engineering Report for the above referenced project. We have also e-mailed you an electronic copy (pdf file format) of this report, for your use and for distribution. Please contact me should you have any questions or wish to discuss this report. Thank you for considering Empire for this work and we look forward to working with you through the completion of this project.

Sincerely,

WMA Engineering DPC, dba
Empire Geotechnical Engineering Services

Thomas R. Seider, P.E.
Geotechnical Engineer

RECEIVED
OCT 07 2020
TOWN OF AMHERST
PLANNING DEPT.

Enc.: Geotechnical Engineering Report

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

WMA ENGINEERING DPC|DBA
EMPIRE GEOTECHNICAL
ENGINEERING SERVICES

CORPORATE/
BUFFALO OFFICE
5167 South Park Avenue
Hamburg, NY 14075
Phone: (716) 649-8110
Fax: (716) 649-8051

ALBANY OFFICE
PO Box 2199
Ballston Spa, NY 12020

5 Knaibner Road
Mechanicville, NY 12118
Phone: (518) 899-7491
Fax: (518) 899-7496

CORTLAND OFFICE
60 Miller Street
Cortland, NY 13045
Phone: (607) 758-7182
Fax: (607) 758-7188

ROCHESTER OFFICE
535 Summit Point Drive
Henrietta, NY 14467
Phone: (585) 359-2730
Fax: (585) 359-9668

Geotechnical Engineering Report
Proposed Elysium Apartment Complex
2160 North Forest Road
Town of Amherst, New York

Prepared For:

Postwork Capital

c/o Buffalo Automation
10236 Transit Road
East Amherst, New York
14051

Prepared By:

WMA Engineering, DPC
dba Empire Geotechnical Engineering Services
5167 South Park Avenue
Hamburg, New York, 14075



9/17/20

Project No. WB-20-105
(SJB Project No. BE-20-105)
September 2020

A Woman Owned Firm

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

TABLE OF CONTENTS

1.00 INTRODUCTION 1

1.10 GENERAL 1

1.20 SITE AND PROJECT DESCRIPTION 1

2.00 SUBSURFACE EXPLORATIONS 2

2.10 JULY 2020 INVESTIGATION 2

2.20 PREVIOUS INVESTIGATIONS 3

3.00 SUBSURFACE CONDITIONS 3

3.10 GENERAL 3

3.20 FILL SOILS 4

3.30 INDIGENOUS SOILS 4

3.40 BEDROCK 5

3.50 GROUNDWATER 5

4.00 GEOTECHNICAL RECOMMENDATIONS 6

4.10 GENERAL CONSIDERATIONS AND RECOMMENDATIONS 6

4.20 DRIVEN PIPE PILES 8

4.30 HELICAL PILES 9

4.40 DRILLED PIERS 10

4.50 ELEVATOR PIT 10

4.60 SLAB-ON-GRADE FLOOR 11

4.60.1 Floor Slab with Thickened Subbase 11

4.60.2 Structural Floor Slab 12

4.70 SEISMIC DESIGN CONSIDERATIONS 12

4.80 PAVEMENT DESIGN AND CONSTRUCTION 13

4.80.1 Pavement Design 13

4.80.2 Pavement Drainage 14

4.80.3 Pavement Construction 14

4.90 SITE PREPARATION AND CONSTRUCTION 15

4.90.1 Construction Dewatering 15

4.90.2 Driven Pile Construction and Testing 15

4.90.3 Helical Pile Construction 16

4.90.4 Drilled Pier Foundation Construction 16

4.90.5 Excavation for Grade Beams and Pile Caps 17

4.90.6 Subgrade Preparation for Slab-on-Grade and Pavement Areas 17

5.00 CONCLUDING REMARKS 19

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

FIGURES

FIGURE 1 – SITE LOCATION PLAN

FIGURE 2 – SUBSURFACE EXPLORATION PLAN

APPENDICES

APPENDIX A – SUBSURFACE EXPLORATION LOGS

Recently Completed Test Borings July 2020 (B-1 through B-5)

APPENDIX B – SUBSURFACE EXPLORATION LOGS

Previously Completed Test Borings February 2020 (B-1) June 2014 (B-1)

APPENDIX C – FILL MATERIAL AND EARTHWORK RECOMMENDATIONS

APPENDIX C – GEOTECHNICAL REPORT LIMITATIONS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

1.00 INTRODUCTION

1.10 GENERAL

This report presents the results of a subsurface exploration program completed by SJB Services, Inc. (SJB), and a geotechnical engineering evaluation completed by WMA Engineering DPC, dba Empire Geotechnical Engineering Services (Empire), for the proposed Elysium Apartment Complex, planned off of North Forest Road, within the Town of Amherst, New York. Postwork Capital retained SJB and Empire to complete this work, which was done in general accordance with SJB's June 29th, 2020 proposal, that was authorized on July 2, 2020.

SJB, our affiliated subsurface exploration company, recently completed five test borings and installed a groundwater observation well at the site. Prior to this investigation, SJB and Empire completed two separate subsurface investigations and prepared geotechnical evaluation reports for projects that were planned at the site. These included a proposed house in July 2014 and a proposed garage type structure in March 2020. The previous investigations each included one test boring along with some geotechnical laboratory testing. Neither of the two projects were constructed. It is our understanding that Postwork Capital has received approval to use the data developed during the first two investigations, to supplement the findings from the recently completed investigation.

Based on the findings from the recent investigation, and the two previous investigations, Empire has prepared this report, which summarizes the subsurface conditions encountered, and presents geotechnical recommendations for design and construction of the foundations, slab-on-grade floor, and pavement areas, as well as the associated site preparation work for the proposed project.

1.20 SITE AND PROJECT DESCRIPTION

The project site is located along the south side of North Forest Road, immediately west of its intersection with Stahl Road (street address 2160 North Forest Road) within the Town of Amherst, New York. As shown on Figure 1, Ellicott Creek forms the southern boundary of the project site, resulting in an irregular triangular shaped parcel, with about 550 feet of frontage along North Forest Road. As shown on Figure 2, the ground surface at the site slopes downward towards Ellicott Creek, with surface elevations ranging from about 583 feet to 570 feet.

Based on a cursory review of older USGS mapping (www.historicaerials.com), it appears Ellicott Creek formerly extended farther to the north than its current location. As discussed in later sections of this report, the fill soils encountered within the test borings could be related to site filling within the limits of the former creek location.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

The proposed apartment building will be located within the northwest corner of the site, beyond the floodway boundary, and where the site grades are more gradual. Based on the information provided by Silvestri Architects, PC, the apartment building will consist of a three story wood framed structure with an at-grade floor near the current site grades. Other than an elevator pit, no below grade structures are planned. Asphalt pavement driveways and parking areas are planned around the building. Figure 2 provides additional details about the proposed development.

2.00 SUBSURFACE EXPLORATIONS

2.10 JULY 2020 INVESTIGATION

The most recent subsurface exploration program included:

- 3 test borings completed within the limits of the proposed apartment building, designated as B-1 through B-3;
- 1 test boring completed within the southwest portion of the site, within a proposed terraced seating area, designated as B-4; and
- 1 test boring to the east of the proposed apartment building, within a future sports court area, designated as B-5.

The test boring locations were staked in the field by SJB, using a hand held global positioning system (GPS) instrument. The approximate test boring locations are shown on Figure 2. Survey level measurements were used to determine the approximate ground surface elevation at the test boring locations, using the rim of a catch basin frame within North Forest Road as a benchmark. The approximate benchmark location is shown on Figure 2, and has a reported elevation of 580.70 feet.

The recent test borings B-1 through B-5 were completed by SJB between July 23rd and July 27th, 2020, using a Central Mine Equipment (CME) model 550x, all-terrain tire mounted drill rig. Hollow stem auger and split spoon sampling techniques were used to advance the test borings through the overburden soils. Split spoon samples and Standard Penetration Test (SPT) were taken continuously from the ground surface to a depth of 12 feet, and in intervals of five feet or less for the remaining depth of the test borings. The split spoon samples and SPTs were completed general accordance with *ASTM D1586 – "Standard Test Method for Penetration Test and Split-Barrel Sampling of Soils"*.

Test borings B-1 through B-4 were advanced through the overburden until encountering the top of apparent bedrock, as identified by auger refusal, at depths of about 22 feet to 27.2 feet. After encountering auger refusal within test borings B-1 and B-4, 8 to 9 feet of rock coring was completed using an NQ'2' size core barrel, in accordance with *ASTM D 2113 – "Standard Practice for Rock Core Drilling and Sampling of Rock for Site Investigation"*. Test boring B-5 was completed to a depth of 15 feet.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

A Geologist prepared the test boring logs based on visual observations of the recovered soil and rock core samples and a review of the driller's field notes. The soil samples were described based on a visual/manual estimation of the grain size distribution, along with characteristics such as color, relative density, consistency, moisture, etc. The rock cores were also described, including characteristics such as color, rock type, hardness, weathering, bedding thickness, core recovery and rock quality designation (RQD). The test boring logs for the recently completed test borings B-1 through B-5 are presented in Appendix A, along with general information and a key of terms and symbols used to prepare the logs.

A groundwater monitoring well was installed within completed test boring B-2. The well consists of two inch diameter PVC screen and riser pipe, extending from the bottom of the test boring to above the ground surface. The sand pack extends from the bottom of the test boring up to a depth of about 14 feet. A bentonite chip seal was installed above the sand pack, with the remainder of the test boring backfilled with soil cuttings. Additional details regarding the construction of the well are shown on the Monitoring Well Completion Record, included in Appendix A, following test boring log B-2.

2.20 PREVIOUS INVESTIGATIONS

As noted, two previous investigations were completed at the site by SJB and Empire, each including one test boring along with some geotechnical laboratory testing. Test boring B-1 completed in June 2014 was drilled within the limits of the proposed apartment building. Test boring B-1 completed in February 2020 was completed within the southwest corner of the site. The approximate location of these test borings are shown on Figure 2. The test boring logs from the previous investigations, with updated ground surface elevations, are included in Appendix B. Additional information regarding the previous investigations is included in: Empire's July 11, 2014 Subsurface Exploration and Geotechnical Evaluation Report, along with the August 15, 2014 Follow-Up Information letter; and the March 14, 2020 Subsurface Exploration and Geotechnical Evaluation Report.

3.00 SUBSURFACE CONDITIONS

3.10 GENERAL

The subsurface conditions described in the following sections are based on the recently completed test borings B-1 through B-5, and previously completed test borings from 2014 and early 2020. Beneath the topsoil, fill type soils were encountered which extended to depths of about 4 feet to 10 feet. Beneath the fill, the upper indigenous soils consisted of silty clay soils, often containing intermixed organics, which extended to depths of about 18 to 20 feet. The remaining soils consisted of compact to very compact gravels and sands, which extended to the top of Shale bedrock at depths of about 25 to 28 feet. The soil and bedrock stratigraphy encountered along with the groundwater conditions observed are described in more detail below and on the test boring logs in Appendix A and Appendix B.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

3.20 FILL SOILS

Beneath the topsoil, fill type soils were encountered which extended to depths of about 4 to 10 feet. It should be expected that the depth of the fill will vary between and away from the exploration locations, and will be dependent on the original site topography and former limits of Ellicott Creek, prior to site filling and grading. As noted, based on a review of older USGS mapping, it appears Ellicott Creek formerly extended farther to the north than its current location.

The fill soils generally consisted of a reworked mixture of silty clays and sands with varying amounts of gravel and trace to little amounts of organics. Exceptions include: a layer of organic clayey silts encountered from about 4 to 6 feet within the 2014 test boring B-1; a zone of concrete fragments and soils observed within the upper four feet at test boring B-2; and a zone of asphalt fragments and soils observed from about 2 feet to 6 feet within test boring B-5. Trace amounts of glass, slag, concrete, organics, and asphalt were often observed within the fill soils. The Standard Penetration Test (SPT) "N" values obtained within the fill soils ranged from of 5 to "sample spoon refusal" (i.e. more than 50 blows required to advance the sample spoon with six inches or less of penetration). The variable nature of the fill soils, along with the variable relative density/consistency as determined from the SPT "N" values, indicate the fill soils were likely installed in an uncontrolled, non-engineered manner.

3.30 INDIGENOUS SOILS

Beneath the fill soils, and extending to depths of about 18 to 20 feet, the upper indigenous soils consisted of a mixture of silty clays and sands, often containing trace to little amounts of organics. Exception include the 15 to 17 feet deep sample from test boring B-2 which consisted predominately of organics. The silty clays and sands with organic are classified as CL, SC-SM, and OL-CL group soils using the Unified Soil Classification System (USCS). These upper indigenous soils appear to be alluvial deposited soils from Ellicott Creek. The SPT "N" values obtained within these soils ranged from "weight of hammer" (i.e. only the weight of the hammer and rods required to advance the sample spoon) to 8, indicating these soils have a "very soft" to "medium" consistency. Laboratory testing from the first two investigations indicate these soils, at depths shallower than about 12 to 14 feet, had a medium to high plasticity, a moisture content ranging from about 40% to 55%, and an organic content of about 5% to 8%.

Beneath a depth of about 18 to 20 feet, and extending to the top of bedrock at about 25 to 28 feet, the remaining indigenous soils consisted of a mixture of gravels and sands with little to some amounts of silts and clays. These soils are classified as GC-GM and SM group soils using the USCS. The SPT "N" values obtained within these deeper soils ranged from 40 to "sample spoon refusal", indicting the deeper soils have a "compact" to "very compact" relative density.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

3.40 BEDROCK

Recently completed test borings B-1 through B-4, along with test boring B-1 from 2014 and test boring B-1 from early 2020 were drilled through the overburden soils until encountering the top of apparent bedrock, as identified by auger refusal conditions. Following auger refusal within recently completed test borings B-1 and B-4, 8 feet, and 9 feet of rock coring was completed, respectively. The following table summarizes the depth and elevation where the top of bedrock was encountered, as identified by rock coring (C) or auger refusal (AR). At test boring B-4, rock coring was started at 22.0 feet. However, the upper portion of the recovered core consisted of soil, with the top of shale rock starting at a depth of about 24.4 feet.

Approximate Depth and Elevation of Top of Bedrock

Test Boring	Approximate Ground Surface Elevation (feet)	Depth / Elevation of Top of Bedrock (feet)	
B-1	582.3	25.2 / 557.1	(C)
B-2	581.1	26.0 / 555.1	(AR)
B-3	579.5	26.5 / 553.0	(AR)
B-4	578.1	24.4 / 553.7	(C)
B-1 (2014)	581 +/-	26.0 / 555.0	(AR)
B-1 (Feb. 2020)	580.0	27.7 / 552.3	(AR)

The bedrock recovered from test borings B-1 and B-4 consisted of brown, medium hard, sound, laminated to thickly bedded, Shale bedrock. The core recoveries ranged from 66% to 100%. The rock quality designation (RQD) values for the first core runs were 21% and 47%, indicating the near surface bedrock has a "very poor" to "poor" rock mass quality. The RQD values for the second core runs were 81% and 85%, indicating the deeper bedrock has a "good" rock mass quality.

3.50 GROUNDWATER

Based on the information summarized below, a general groundwater condition at the time of our investigation appears to exist near a depth of about 10 to 11 feet, or approximate elevation 570 to 571 feet, which is near the water level within Ellicott Creek.

Water level measurements were made in the test borings following the completion of overburden drilling and sampling, and are presented on the test boring logs in Appendix A and Appendix B. At test boring B-3, the depth to water was about 21.5 feet below the ground surface. Within the remaining test borings, no water was observed. Based on the water levels measured within the observation well, as described below, it appears that

groundwater did not have sufficient time to fully accumulate and stabilize in the test holes within the time that had elapsed from the completion of drilling operations and the time of the measurements.

A groundwater observation well was installed within completed test boring B-2. SJB visited the site on August 6th, 2020, at which time the depth to water within the well was about 10.0 feet below the ground surface, correlating to approximate elevation 571 feet. Following the initial measurement, about 5 gallons of water was removed from the well, lowering the water level. SJB returned to the site on September 15th, 2020, at which time the depth to water within the well was about 11.1 feet below the surface, correlating to approximate elevation 570 feet. These depths generally correspond to the depths where the collected soil samples were described as "moist to wet" or "wet".

Some of the shallower samples of fill soils within test borings B-1 and B-5, along with some shallower samples of sandier indigenous soils within test boring B-3 were described as "moist to wet". These conditions could be representative of some perched or trapped groundwater within the more granular or looser fill and indigenous soils, which overlie less permeable indigenous soils. Perched groundwater conditions can be more prevalent following heavy or extended periods of precipitation and during seasonally wet periods. It should be expected that both permanent and perched groundwater conditions could vary with location and with changes in soil conditions, precipitation, seasonal conditions, and fluctuations of the water level within Ellicott Creek.

4.00 GEOTECHNICAL RECOMMENDATIONS

4.10 GENERAL CONSIDERATIONS AND RECOMMENDATIONS

The following general geotechnical considerations and recommendations are provided to assist with planning for the design and construction of the proposed apartment complex. More detailed recommendations are presented in the subsequent sections of this report.

1. Design and construction of the proposed building will be primarily impacted by: the fill soils that extend to depths of 4 to 10 feet; the underlying soft silty clay indigenous soils which also contain organics; and the apparent perched groundwater condition within some of the fill soils and shallower indigenous soils.

2. The fill soils and the underlying silty clay and organic indigenous soils are not suitable for supporting the proposed apartment building using a conventional shallow spread foundation design. These soils are highly compressible and can also subside with time due to decomposition of the organics, resulting in excessive amounts of settlement beneath spread foundations. In addition, the softer silty clay soils are considered marginal for support of spread foundations.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

3. Considering the issues associated with spread foundations, a deep foundation system is recommended for use at this site, which will transfer the building loads through the fill and softer indigenous soils and into the "compact" to "very compact" indigenous soils, first encountered about 18 to 20 feet below the surface. Suitable deep foundation options include: driven pipe piles; helical piles; and drilled, cast-in-place pier foundations (i.e. caissons or drilled shafts).

4. The deep foundation support options will generally eliminate the settlement risks discussed above for spread foundations. However, settlement risks will still remain with regard to the ground level floor, if designed as a conventional slab-on-grade. In order to eliminate all risks associated with a ground level floor constructed over the fill soils and softer indigenous / organic soils, the floor should be constructed as a structural floor supported by a deep foundation system. We understand, however, it may not be economically practical to use a structural floor slab.

   The Owner, therefore, could consider an approach of removing a portion of the existing fill and provide some additional Subbase Stone, along with a heavy duty stabilization geotextile and geo-grid reinforcement beneath the slab-on-grade construction. This will provide for a stiffer subgrade and reduce some of the differential settlement effects, if it were to occur. There are some uncertainties with this approach, such as the potential for some long-term differential settlement, resulting from unidentified zones of unsuitable fill soils or buried organics.

   If the Owner is willing accept these risks, then we would recommend the following be implemented as minimum requirements for constructing the slab-on-grade over the existing fill soils.

   - The existing fill subgrades should be thoroughly compacted and properly proof rolled, evaluated, and prepared in accordance with our recommendations provided in Section 4.90.6.
   - Any deleterious materials, such as organics, very soft soils, construction debris, etc., which are present within the fill soils at the bottom of the subgrade excavation, should be further undercut, removed, and replaced with additional Subbase Stone.
   - The slab-on-grade floor should be constructed over a minimum 24-inch thick layer of compacted Subbase Stone / Structural Fill, that is separated from the fill soils with a suitable stabilization/separation geotextile. The Structural Fill layer should also be reinforced with two separate layers of geo-grid.
   - Additional steel reinforcing within the floor slab should be considered to help further bridge and reduce the risks of any differential subsidence effects, should they occur.

5. The installation of new fill, necessary to raise the site grades within the proposed building will result in some settlement within the fill soils and softer zones of indigenous soils, which could induce some drown drag forces on the deep foundations. Accordingly, the amount of new fill installation should be limited and be completed at least 2 to 3 months prior to the installation of the deep foundations.

6. Excavations to construct the pile caps and elevator pit could encounter some perched groundwater. Appropriate dewatering measures should be implemented to allow for construction to proceed in the dry. Undercutting the subgrade soils by about 12 to 18 inches and replacing them with Structural Fill should be considered, to provide a firm and stable working surface for construction of the pile caps, grade beams, and elevator pit.

7. Based on the subsurface conditions encountered, the site can be classified as Seismic Site Class "D" in accordance with the criteria in the New York State Building Code.

4.20 DRIVEN PIPE PILES

A driven, closed end pipe pile, is recommended for use at the site due to its lager end bearing area, compared to an H-pile. The steel pipe pile should have a yield strength of at least 50 ksi, and should have a minimum wall thickness of 0.25 inches. A steel cap plate should be used to close the end of the pile. The perimeter of the cap plate should be flush with the outer surface of the pipe pile. Driving the pipe piles open ended is not recommended. Following driving and acceptance, the pipe pile should be filled with concrete or be capped, as determined by the Structural Engineer.

The pile foundations should be driven to practical refusal, into the "compact" to "very compact" gravel and sand soils, first encountered about 18 to 20 feet below the surface. A pipe pile driven to practical refusal can be designed for an allowable axial capacity equal to 25% of the pile yield strength or 12.5 kips per square inch (ksi), whichever is less, times the cross sectional area of the pile.

Based on the above design criteria, an 8.625 inch diameter pipe pile section (Grade 50 steel), with a wall thickness of 0.25 inches and a cross sectional area of 6.6 in^2, would provide an allowable axial compressive capacity of about 41 tons per pile. The pile, however, should be driven and tested for an ultimate capacity of 82 tons. The ultimate test capacity assumes a Factor of Safety of 2.0, as required by the Building Code of New York State.

Other pipe pile sections could also be used, based on current product availability, to obtain different allowable axial capacities, provided the same design criteria as outlined above is used.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Pile foundations driven to practical refusal within the "compact" to "very compact" gravel and sand soils, are expected to undergo insignificant total settlement, when designed and constructed in accordance with our recommendations. Driven piles should be spaced a minimum of 3 pile widths apart, or three feet, whichever is greater. At this spacing, no group reduction factor is considered necessary. All exterior pile caps and grade beams for driven pile foundations should be embedded a minimum of 4 feet below final exterior grades for frost protection.

At least 3 random piles should be dynamically tested to confirm that the pile capacity has been obtained with an adequate factor of safety (i.e. Factor of Safety of 2.0 or greater as required by the Building Code of New York State).

It is possible that obstructions could be encountered within the fill soils. Such obstructions will hinder and impact the installation of the driven piles, and therefore should be anticipated and addressed as appropriate by the pile driving contractor. Accordingly, some pre-excavation and removal of these materials may be necessary for the proper installation of the piles.

4.30 HELICAL PILES

Helical piles, often referred to as "screw piles", bearing within the "compact" to "very compact" gravel and sand soils, first encountered about 18 to 20 feet below the surface, can be used for supporting the proposed building. Helical piles consist of a steel plate formed into the shape of a helix (one pitch of a screw thread) attached to a steel shaft. Installation is accomplished by applying torque to the shaft and screwing the pile into the soil. During the installation, the torque is measured as a correlation to the design capacity.

We recommend a performance specification for the helical piles be developed (i.e. required compressive and uplift capacities). The helical pile installation contractor can then provide a suitable design and installation procedure. Variables will include the diameter of the helical plate, the use of multiple plates, embedment length, number of piles, grouting or no grouting, etc. A New York registered Professional Engineer should prepare the helical pile design.

Preliminarily, helical piles designed to bear at a depth of about 20 feet, can be designed based on an allowable end bearing capacity of 15 kips per square foot (psf). Accordingly, a 14 inch diameter helix (end area of 1.07 square feet) would be expected to develop an allowable axial capacity of about 16 kips per pile. The actual design, however, should be completed by the contractor based on the performance specification developed for the project. Exterior grade beams and pile caps should be embedded a minimum of 4 feet for frost protection.

Due to the potential for the accumulation of perched or trapped groundwater within the fill soils, and the potential flooding events, we recommend the design groundwater elevation be assumed to exist at the ground surface.

At least one load test should be completed for each helical pile type to confirm the design capacity has been obtained with an adequate factor of safety (i.e. Factor of Safety of 2.0 or greater). The load test data should be correlated to the installation torque to provide acceptance criteria for the production piles. Based on the testing results, the actual production helical pile lengths may vary and therefore such contingencies should be planned for in the installation contracts.

4.40 DRILLED PIERS

Drilled pier foundations, if used, should bear within the "compact" to "very compact" gravel and sand soils, first encountered about 18 to 20 feet below the surface. We recommend the drilled piers bear at least 2 to 3 feet into the gravel and sand soils. Therefore, the drilled piers should bear at an elevation of about 559 to 560 feet, in order to develop adequate end bearing capacity. All drilled pier foundation construction should be monitored by qualified geotechnical personnel, to ensure the drilled piers are bearing on suitable indigenous soil bearing subgrades.

The drilled pier foundations can be sized based on a maximum net allowable end bearing capacity of 15 kips per square foot. In all cases, a minimum pier diameter of 30 inches is recommended. The piers will need to be sized based on the actual column and wall loads as determined by the designer.

Drilled piers should be spaced no closer than 3 pier diameters, center to center. Exterior grade beams and pier caps for a drilled pier foundation system should be embedded a minimum of 4 feet for frost protection. It is estimated that drilled pier foundations sized and properly constructed in accordance with our recommendations above will undergo a total settlement of less than ½ inch.

4.50 ELEVATOR PIT

As noted, a general groundwater condition is expected near elevation 570 feet to 571 feet, or about 10 to 11 feet below the existing surface. However, due to the potential for the accumulation of perched or trapped groundwater within the fill soils, and the potential flooding events, we recommend the groundwater conditions be assumed to exist at the ground surface. Accordingly, the below grade elevator pit walls, should be constructed with perimeter foundation drains to intercept any groundwater that may tend to collect against the walls, and the walls should be properly damp proofed. As an alternative, the walls could be designed to resist full hydrostatic pressures acting on the structure walls and bottom slab, and be designed as a fully waterproofed structure.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

The elevator pit walls should be designed to resist "at rest" lateral earth pressures generated by the earth backfill and any temporary or permanent surcharge loads, based on the soil parameters below. These parameters are based on the wall backfill consisting of Structural Fill, as described in Appendix C. In addition, perimeter exterior foundation drains should be incorporated in the design where the walls are designed for relieved hydrostatic pressures (i.e. drained conditions).

Where a foundation drainage system is not used, the walls should be designed to resist the hydrostatic pressures as well as the lateral earth pressures acting the walls. In this case, the lateral earth pressure should be computed based on a submerged soil unit weight. In addition, the floor / bottom slab must be designed to resist the hydrostatic uplift pressure acting on it, and the depressed structure should also be fully water proofed.

Recommended Soil Parameters for Elevator Pit Wall Design

- Coefficient of "At-Rest" Lateral Earth Pressure – 0.47
- Angle of Internal Friction – 32 Degrees
- Moist Unit Weight of Soil – 140 pcf
- Submerged or Buoyant Unit Weight of Soil – 80 pcf
- Surcharge Load Lateral Coefficient – 0.50

4.60 SLAB-ON-GRADE FLOOR

4.60.1 Floor Slab with Thickened Subbase

As discussed in Section 4.10, the ground level floor can be constructed as a slab-on-grade over the existing fill soils, provided the Owner is willing to accept the risks associated with this option. These risks include the potential for some on-going, long-term settlement, and unpredictable differential settlement, because of the variable composition and density of the fill, and potentially other undetected areas of unsuitable fill soils (i.e. organics, wood, etc.).

The existing fill soil subgrades should be thoroughly compacted and properly prepared and evaluated in accordance with our recommendations in Section 4.906 prior to placement of the geotextile and Subbase Stone material. A minimum of 24 inches of Subbase Stone should be placed beneath the slab-on-grade floor. A suitable stabilization/separation geotextile, such as Mirafi 600X, should be placed over the prepared subgrades and a geo-grid reinforcement such as a TriAx TX160, should be placed over the geotextile, prior to installation of the first lift of Subbase Stone. An additional layer of geo-grid should be installed after the first 12-inches of Structural Fill has been installed.

The slab-on-grade floors can be designed using a modulus of subgrade reaction of 200 pounds per cubic inch at the top of the 24 inches of Subbase Stone. Additional steel reinforcing within the floor slab should be considered to help further bridge and reduce the risks of any differential subsidence effects, should they occur.

It is understood the finished floor grade will be established above the surrounding exterior grades. Therefore, the use of a moisture barrier does not appear warranted, unless otherwise recommended by the finished flooring manufacturer. It is recommended that the slab-on-grade be constructed such that it floats on the subbase and subgrades, and is not structurally connected to or resting directly on, perimeter walls or column footings, in order to limit differential settlement effects, unless the slab / wall or column interface is designed with sufficient reinforcement to bridge potential differential settlement effects at these interfaces.

4.60.2 Structural Floor Slab

As discussed in Section 4.10, the floor system could also be designed as a structural slab supported by the selected deep foundation system. Although potentially more costly, a structural floor slab will negate the settlement risks associated with constructing the floor over the fill soils.

If the floor is structurally supported, it is recommended a minimum of 6 inches Subbase Stone material be placed beneath the structural slab to provide a suitable working surface to construct the slab. It is understood the finished floor grade will be established above the surrounding exterior grades. Therefore, the use of a moisture barrier does not appear warranted, unless otherwise recommended by the finished flooring manufacturer.

We note that the above subbase stone thickness is not adequate for carrying construction vehicle loads. Therefore, it may be desirable for the Contractor to temporarily increase the Subbase Stone thickness within the building pad area to provide a suitable working surface to stage the construction, carry construction vehicle loads and protect the underlying subgrades. This will be particularly important if construction proceeds during seasonally wet periods. The additional subbase stone material could then be removed and re-graded in preparation for the actual floor construction and re-used as foundation backfill, pavement subbase, or as otherwise determined appropriate.

4.70 SEISMIC DESIGN CONSIDERATIONS

Based on the subsurface conditions encountered in the test borings, the project site can be classified as Seismic Site Class "D" in accordance with ASCE 7-16, Table 20.3-1, as referenced in the 2020 Building Code of New York State. Therefore, seismic design can be based on this seismic site classification.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

The spectral response accelerations at the project site were obtained by Empire using the SEAOC / OSHPD web site application https://seismicmaps.org/. Using the site location, the spectral response accelerations are 0.170g for the short period (0.2 second) response (S_S) and 0.045g for the one second response (S_1). For design purposes, these spectral response accelerations must be adjusted for the Seismic Site Class "D" soil profile determined for the project site.

Accordingly, the adjusted spectral response accelerations for Site Class "D" are as follows:

- Short Period Response (S_{MS}) - 0.272g
- 1 Second Period Response (S_{M1}) - 0.109g

The corresponding five percent damped design spectral response accelerations (S_{DS} and S_{D1}) are as follows:

- S_{DS} - 0.181g
- S_{D1} - 0.072g

4.80 PAVEMENT DESIGN AND CONSTRUCTION

4.80.1 Pavement Design

Pavement construction should include: removal of the existing topsoil and organic soils; excavation of the subgrade soils as necessary to establish the pavement profile grade; preparation of the exposed subgrades (i.e. drying, compaction and proof-rolling); installation of subgrade fill (i.e. Suitable Granular Fill), if necessary to raise site grades; and placement of the geotextile, pavement subbase course, and asphalt pavement.

Pavement design recommendations are provided for a Medium Duty Asphalt Concrete Pavement section. The pavement section recommended assumes that the subgrades will be prepared as described in Section 4.90.6.

Medium Duty Asphalt Concrete Pavement

- 1.5 inches - Top Course
- 3.0 inches - Binder Course
- 12 to 15 inches - Subbase Course*
- Geotextile

*It is recommended the subbase course thickness be increased to 15 inches in the entrance / exit areas, which will be subject to more frequent and heavier loads. Also, it may be necessary to increase the subbase thickness in some areas to improve subgrade conditions and to promote drainage to underdrains, as discussed below.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Materials for the above pavement structure components should consist of the following:

A. Asphalt Concrete Top Course - NYSDOT Standard Specifications, Hot Mix Asphalt, 9.5 F3 Top Course.

B. Asphalt Concrete Binder Course - NYSDOT Standard Specifications, Hot Mix Asphalt, 19 F9 Binder Course.

C. Subbase Course – Should comply with NYSDOT Standard Specifications, Item No. 304.12 - Type 2 Subbase, as described in Appendix C.

D. Geotextile - Woven polypropylene stabilization/separation geotextile (i.e., Mirafi 600X or approved suitable equivalent).

4.80.2 Pavement Drainage

The installation of underdrains or edge drains are recommended to drain the pavement subbase course within any low points, in order to limit the potential for frost action and improve pavement structure performance and design life. Alternatively, the pavement subbase course can also be allowed to daylight/drain to an adjacent perimeter drainage swale. This could be accomplished by raising the pavement grade. Drainage of the pavement subgrades can be achieved by grading the subgrade to a slope of at least 2 percent to allow drainage to the underdrains or drainage swale.

Underdrains, if used, should include a geotextile (i.e. Mirafi 160N or suitable equivalent), selected considering drainage and filtration, installed around drainage stone surrounding a slotted or perforated drain pipe. The drainage stone should be sized in accordance with the pipe slotting or perforations. A crushed aggregate (½-inch washed gravel or stone) is generally acceptable for slotted underdrain pipe. The underdrain pipes should be set in the bottom of the subbase layer, or preferably below the top of the soil subgrade elevation. The drainage stone and surrounding geotextile should extend above the underdrain pipe and into the subbase layer. Underdrain pipes should be connected to the site storm water drainage system.

4.80.3 Pavement Construction

Placement of the pavement Subbase course can proceed, following proper subgrade preparation and subgrade filling. Installation of adjacent geotextile panels should have minimum overlap of 12 to 18 inches. The Subbase Stone should be placed and compacted in accordance with the recommendations in Appendix C. Construction of the Asphalt Concrete Pavement should be performed in accordance with NYSDOT Standard Specification Section 400. The Binder and Top Course compaction / evaluation should comply with NYSDOT Standard Specifications – 80 Series Compaction procedures, as a minimum, or as otherwise required by the jurisdictional agency. In addition, placement of asphalt concrete courses should not be permitted on wet or snow covered surfaces or when the subgrade surface is less than 40° F.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

4.90 SITE PREPARATION AND CONSTRUCTION

4.90.1 Construction Dewatering

Construction dewatering will be required for surface water control and for excavations which encounter groundwater conditions. A general groundwater condition is expected near the water level within Ellicott Creek, which will not likely be encountered within the relatively shallow pile cap excavations, but will be encountered within any drilled pier excavations. As noted, there appears to be some shallower zones of perched or trapped groundwater within some of the fill soils and shallower zones of sandier indigenous soils, which could be encountered within the pile cap excavations, or excavations to construct the elevator pit.

Water should be diverted away from the work areas and should be prevented from accumulating on exposed subgrades. Exposed soil subgrades will be susceptible to strength degradation in the presence of excess moisture. It is anticipated that diversion berms and proper site grading will be sufficient to control surface water.

Groundwater conditions, when encountered, should be depressed at least 1 to 2 feet below the excavation bottom. It is anticipated that sump and pump methods of dewatering will be sufficient to control perched groundwater conditions, should it be encountered within the fill soils or sandier indigenous soils. Surface water and groundwater dewatering plans should include implementation of measures to control erosion, sedimentation and the migration of soil fines.

4.90.2 Driven Pile Construction and Testing

The pipe piles should be driven using a hammer producing a suitable energy to obtain the desired ultimate capacity, yet not overstress the pile. Pile stresses should not exceed 85% of the pile yield stress. The appropriate hammer and driving criteria should be determined by the pile installation contractor through the use of the wave equation, based on the actual pile hammer and cushions that will be used for the project. If the wave equation analysis indicates that the pile may be overstressed during driving then the contractor should select an alternate hammer/cushion arrangement, which will not overstress the pile.

At least three random piles, across the limits of the site, should be dynamically tested in accordance with *ASTM D 4945 – Standard Test Method for High Strain Dynamic Testing of Piles* to confirm the driving criteria and to evaluate that the allowable pile capacity has been obtained with an adequate factor of safety (i.e. Factor of Safety of 2.0 or greater). The dynamic testing should be performed prior to installation of the production piles. The test piles may be used as production piles provided the test data is acceptable. The results of the dynamic testing should include an evaluation to simulate static load testing.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

The wave equation results, pile installation records and the results of the dynamic testing should be evaluated to confirm the design capacity and to possibly refine the driving criteria and pile lengths if determined necessary. It should be understood that the pile capacity provided was estimated using conventional static analyses based on engineering interpretation of the conditions disclosed by the test borings. Variations in soil conditions may occur, which can impact the actual pile installation requirements. Therefore, it is recommended that the contract documents contain provisions to make adjustments in the actual pile lengths required, should the installation conditions and field testing dictate such changes.

A qualified individual should observe all pile driving and should prepare an individual pile driving report for each pile installed. The report should include, pile number and location, hammer and cushion types, pile size and material, installed length, blows per foot, unusual conditions encountered during driving, top of pile elevation following driving and notes on any necessary re-striking.

Installed piles should be monitored for potential heaving during installation of adjacent piles. Any piles which heave should be re-driven and reseated as appropriate. Plumbness of the piles should be maintained within 1% of the total length. Any misaligned or damaged piles should be replaced. Following driving the inside of the pipe pile should be inspected, before concreting or capping, to assure that no damage occurred during driving. Any damaged piles should be removed and replaced.

4.90.3 Helical Pile Construction

Helical piles should be installed by a qualified and experienced contractor. The helical piles should be installed in a smooth continuous manner, with sufficient pressure to advance the helical piles. Alignment of the helical piles should be maintained within 1% of the total length. At least one load test should be completed to determine the helical pile capacity has been obtained with an adequate factor of safety (i.e. Factor of Safety of 2.0 or greater).

A correlation, using the torque during installation and the load testing data should be used to confirm subsequent helical piles are installed to two times the allowable design load. A qualified individual should observe the helical pile installation and prepare a report summarizing the installation process, load testing results, torque during installation, length of pile, etc.

4.90.4 Drilled Pier Foundation Construction

The drilled pier foundation construction is expected to encounter groundwater conditions near a depth of about 10 feet. Shallower zones of perched groundwater within the fill soils could also be encountered. Dewatering should be implemented as necessary to lower the groundwater within the drilled pier excavation casing in order to observe the pier excavation bottom and evaluate the bearing subgrade surface, and to allow construction in-the-dry.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Alternatively, procedures for constructing the drilled piers below the groundwater elevation, can be implemented. However, there is less control during construction in-the-wet, and therefore, there may be greater risk associated with this construction procedure. If this method is used, the hole must be stabilized and the concrete must be placed in a manner that displaces slurry/water from the hole, such as a tremie method. It is recommended that the drilled piers be constructed only by a Contractor, who is qualified and experienced in such construction methods. In both cases the installation of temporary casing during drilling will be necessary to prevent the sloughing of the softer fill soils and indigenous soils into the excavations.

Initially, the excavation should extend to the proposed bearing grade. Loose soil should be removed from the bearing surface. The final bearing surface should be level or near level. Plumbness of the pier should be maintained within 1% of the total length. Casing removal during concrete placement should proceed in a manner that prevents or reduces to the extent possible, surrounding soil and water from protruding into the space that will be occupied by concrete. Qualified and experienced geotechnical personnel should monitor the drilled pier construction.

4.90.5 Excavation for Grade Beams and Pile Caps

Excavation for the pile caps and grade beams should be performed using a method, which reduces disturbance to the subgrade soils, such as a backhoe equipped with a smooth blade bucket. As noted, consideration should be given to undercutting the subgrade soils by about 12 to 18 inches and replacing them with Structural Fill, as described in Appendix C, to provide a firm and stable working surface.

Subgrades should be protected from precipitation and surface water. Water should not be allowed to accumulate on the soil subgrades and the subgrades should not be allowed to freeze, either prior to or after construction of foundations. If subgrades are not protected and degrade, they must be undercut/removed accordingly.

Excavations should be backfilled as soon as possible and prior to construction of the superstructure. It is recommended that the excavations be backfilled with a Structural Fill, as described in Appendix C.

4.90.6 Subgrade Preparation for Slab-on-Grade and Pavement Areas

The site preparation work should be performed during seasonally dry periods to minimize potential degradation of the subgrade soils and undercuts which may be required to establish a stable base for construction. It should be understood that the silty clay fill soils encountered at the site are sensitive and can degrade and lose strength when they are wet and disturbed by construction equipment traffic. Accordingly, efforts should be made to

maintain the subgrades in a dry and stable condition at all times, and minimize construction traffic directly over these soils. These efforts could include:

- Installation of drainage swales and underdrains (i.e. "French drains") to intercept and divert surface runoff and groundwater away from the construction areas;
- Proper grading and sloping of the subgrade and "sealing" of the surface with a smooth drum roller, at the end of each day or when rain is anticipated to promote runoff; and
- Restricting construction equipment traffic from traveling directly over the subgrade surfaces, especially when they are wet. Any subgrades, which become damaged, rutted or unstable should be undercut and repaired as necessary prior to placement of the overlying fill courses.

Existing trees, stumps, vegetation, topsoil, organic soils, soft or loose soils, and any other deleterious materials within the proposed slab-on-grade and pavement areas should be removed. Following stripping of the surface materials and any required excavation to the proposed subgrades, the exposed subgrades should be allowed to dry, as necessary, and then be thoroughly compacted/densified and then proof-rolled.

The subgrade compaction and proof-rolling should be performed prior to any required fill placement, using a vibratory smooth drum roller weighing at least 10 tons. The roller should be operated in the vibratory mode for compacting the subgrades and in the static mode for proof rolling. The roller should complete at least four passes over the exposed subgrades for the compaction/densification operation and at least two passes for the proof rolling evaluation.

The subgrade compaction and proof-rolling should be done under the guidance of, and observed by, a representative of Empire. Any areas, which appear wet, loose, soft, unstable or otherwise unsuitable, should be undercut. Over excavation, which may be required as the result of the proof-rolling, should be performed based on evaluation of the conditions by Empire. Resulting over-excavations should be backfilled with controlled Structural Fill. The placement of an initial lift of oversized stone fill material (i.e. "surge stone", "shot rock", etc.) encased in stabilization geotextile top and bottom, may be necessary in some cases to help stabilize the subgrades.

During construction, the Contractor should take precautions to limit construction traffic over the soil subgrades. Any subgrades, including existing soil subgrades or fill subgrades, which become damaged, rutted or unstable should be undercut and repaired as necessary prior to placement of the Subbase Stone.

Suitable Granular Fill, as described in Appendix C, can be used to raise the site grades beneath the Subbase Stone course for the slab-on-grade and pavement construction. The use of the on-site soils to raise site grades is not recommended as it is expected to be more difficult to obtain acceptable compaction and maintain stable fill subgrades (i.e. free of rutting and pumping conditions), due to its inherent finer grained composition and organic

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

content. Placement of subgrade fill (Suitable Granular Fill), to raise site grades, should be observed and tested by a construction materials testing company. It is recommended that utility trenches located within pavement areas be backfilled with controlled Structural Fill.

5.00 CONCLUDING REMARKS

This report was prepared to assist in the design and construction of the proposed Elysium Apartment Complex, planned at 2160 North Forest Road, within the Town of Amherst, New York. The report has been prepared for the exclusive use of Postwork Capital, Buffalo Automation, Silvestri Architects, PC, and other members of the project design team, for specific application to this site and this project only.

The site information and recommendations were prepared based on Empire's understanding of the proposed project, as described herein, and through the application of generally accepted soils and foundation engineering practices. Empire should be consulted with any questions regarding the interpretation of the findings of our work, and/or the geotechnical considerations and recommendations presented. In addition, the recommendations presented are provided as guidance to the designer and should not be considered a project specification. No warranties, expressed or implied are made by the conclusions, opinions, recommendations or services provided.

Empire should be informed of any changes to the planned project so that it may be determined if any modifications to the information presented in this report are necessary. Empire and / or its designated representative should also be retained to review final plans and specifications and to monitor the foundation and site work construction to verify that the recommendations were properly interpreted and implemented.

Additional information regarding the use and interpretation of this report is presented in Appendix D.

Respectfully Submitted:

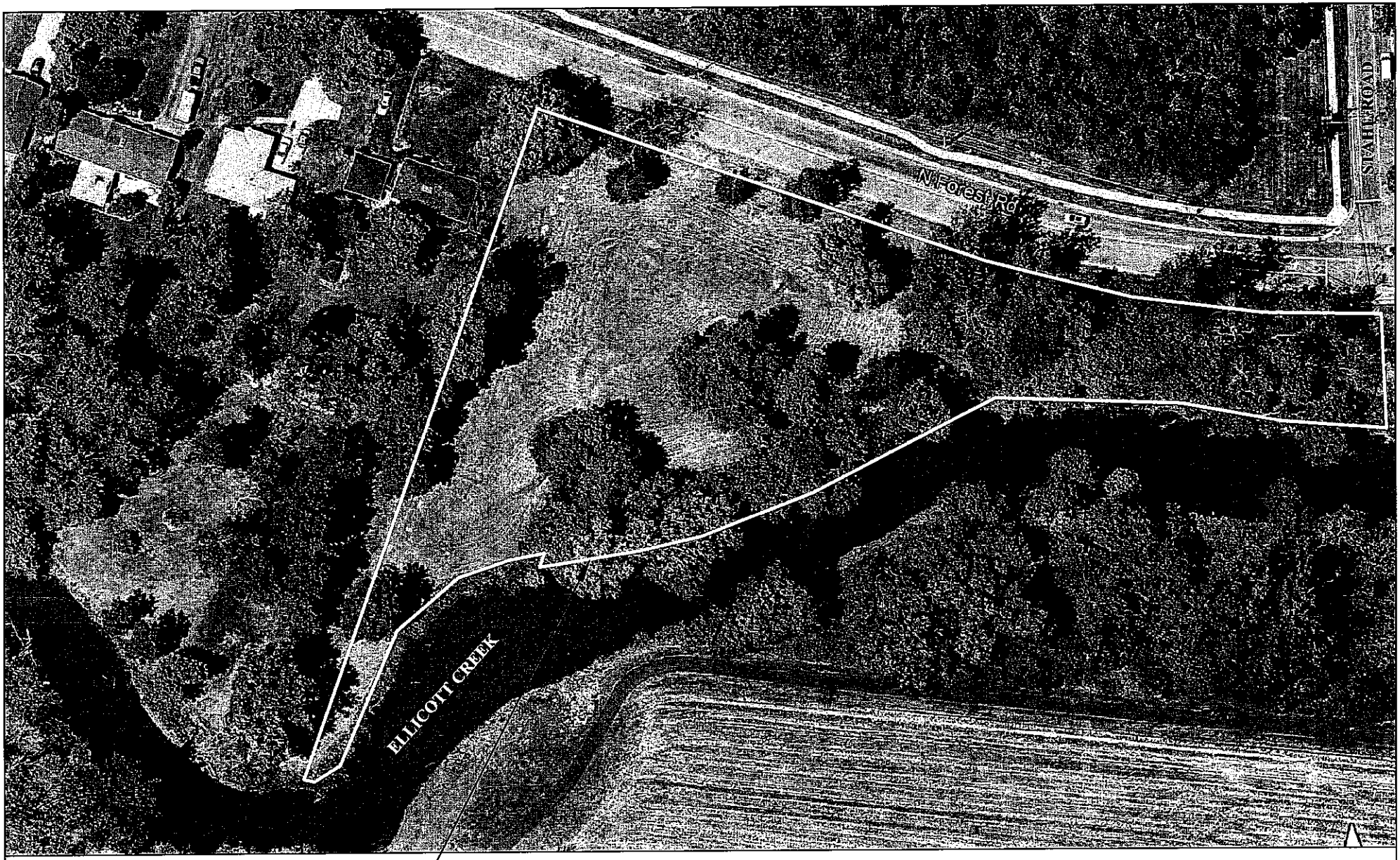
WMA Engineering DPC
dba Empire Geotechnical Engineering Services

Thomas R. Seider, P.E.
Senior Geotechnical Engineer

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

FIGURES



APPROXIMATE SITE LOCATION

WMA ENGINEERING DPC|DBA
EMPIRE GEOTECHNICAL
ENGINEERING SERVICES

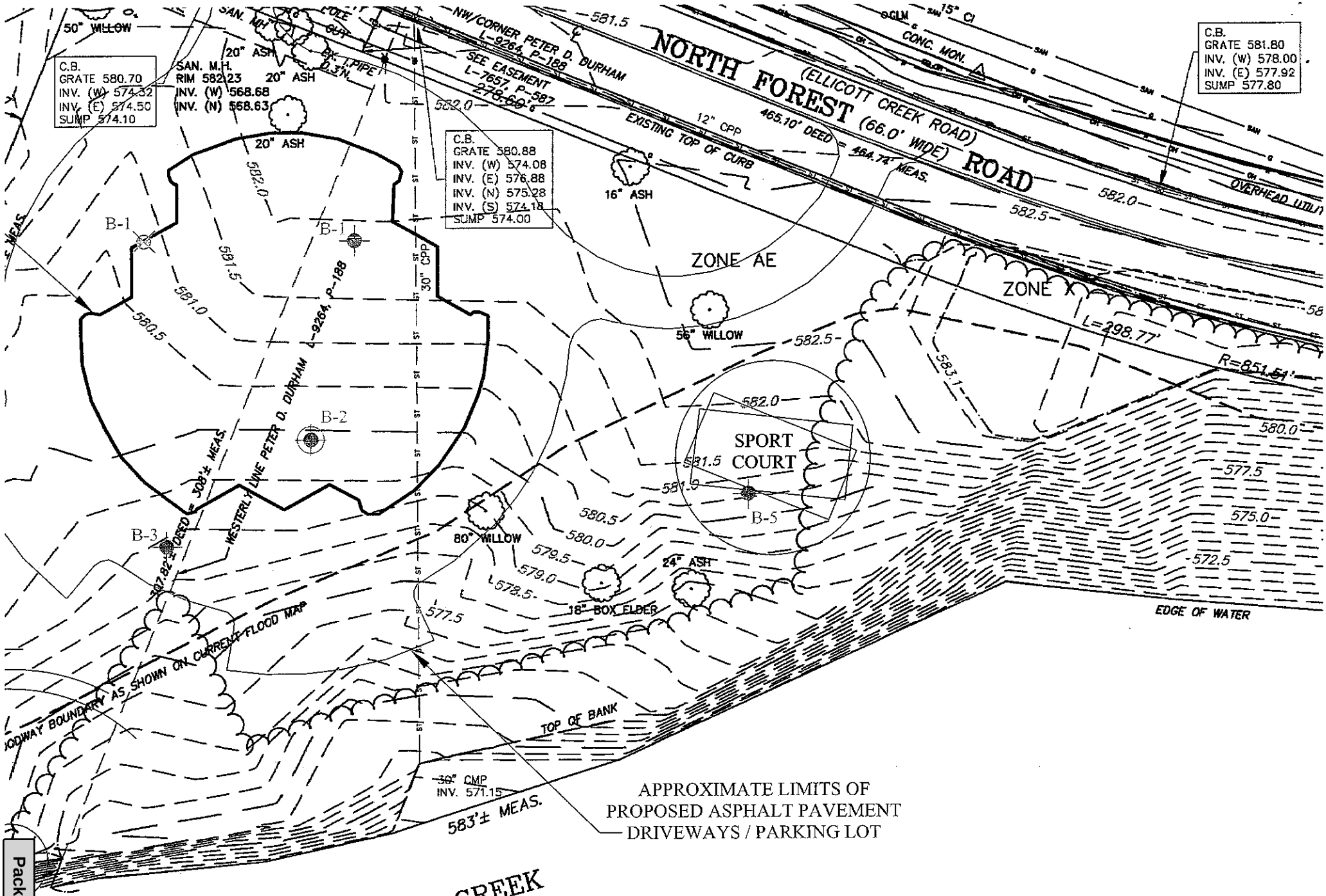
PROPOSED ELYSIUM APARTMENT COMPLEX
2160 NORTH FOREST ROAD
TOWN OF AMHERST, NEW YORK

DR BY: WMA	SCALE: NTS	PROJECT NO.: WB-20-105

NOTE:

SI

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)



NOTE:

B-1 INDICATES APPROXIMATE LOCATION AND DESIGNATION OF TEST BORING

FIGURE DEVELOPED FROM JUNE 24, 2014

N

PROPOSED ELEVS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

APPENDIX A

SUBSURFACE EXPLORATION LOGS

Recently Completed Test Borings
July 2020 (B-1 through B-5)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

GENERAL INFORMATION & KEY TO SUBSURFACE LOGS

The Subsurface Logs attached to this report present the observations and mechanical data collected by the driller at the site, supplemented by classification of the material removed from the borings as determined through visual identification by technicians in the laboratory. It is cautioned that the materials removed from the borings represent only a fraction of the total volume of the deposits at the site and may not necessarily be representative of the subsurface condition between adjacent borings or between the sampled intervals. The data presented of the Subsurface Logs together with the recovered samples provide a basi for evaluating the character of the subsurface conditions relative to the project. The evaluation must consider all the recorded details and their procedures to more accurately evaluate the subsurface conditions. Any evaluation of the contents of this report and recovered samples must be performed by qualified professionals. The following information defines some of the procedures and terms used of the Subsurface Logs to describe the conditions encountered, consistent with the numbered identifiers shown o the Key opposite this page.

1. The figures in the Depth column define the scale of the Subsurface Log.
2. The Samples column shows, graphically, the depth range from which a sample was recovered. See Table I for descriptions of the symbols used to represent the various types of samples.
3. The Sample No. is used for identification on sample containers and/or Laboratory Test Reports.
4. Blows on Sampler – shows the results of the "Penetration Test", recording the number of blows required to drive a split spoon sampler into the soil. The number of blows required for each six inches is recorded. The first 6 inches of penetration is considered seating drive. The number of blows required for the second and third 6 inches of penetration is termed the penetration resistance,
5. Blows on Casing – Shows the number of blows required to advance the casing a distance of 12 inches. The casing size, hammer weight, and length of drop are noted at the bottom of the Subsurface Log. If the casing is advanced by means other than driving, tl method of advancement will be indicated in the Notes column or under the Method of Investigation at the bottom of the Subsurfac Log. Alternatively, sample recovery may be shown in this column or other data consistent with the column heading.
6. All recovered soil samples are reviewed in the laboratory by an engineering technician, geologist, or geotechnical engineer, unless noted otherwise. Visual descriptions are made on the basis of a combination of the driller's field descriptions and noted observatio together with the sample as received in the laboratory. The method of visual classification is based primarily on the Unified Soil Classification System (ASTM D 2487) with regard to the particle size and plasticity (See Table No. II), and the Unified Soil Classification System group symbols for the soil types are sometimes included with the soil classification. Additionally, the relative portion, by weight, of two or more soil types is described for granular soils in accordance with "Suggested Methods of Test for Identification of Soils" by D.M. Burmister, ASTM Special Technical Publication 479, June 1970. (See Table No. III). Description o the relative soil density or consistency is based upon the penetration records as defined in Table No. IV. The description of the soil moisture is based upon the relative wetness of the soil as recovered and is described as dry, moist, wet, and saturated. Water introduced into the boring either naturally or during drilling may have affected the moisture condition of the recovered sample. Special terms are used as required to describe soil deposition in greater detail; several such terms are listed in Table V. When sampling gravelly soils with a standard two inch diameter split spoon, the true percentage of gravel is often not recovered due to tl relatively small sampler diameter. The presence of boulders and large gravel is sometimes, but not necessarily, detected by an evaluation of the casing and sampler blows or through the "action" of the drill rig as reported by the driller.
7. Rock description is based on review of the recovered rock core and the driller's notes. Frequently used rock classification terms a included in Table VI.
8. The stratification lines represent the approximate boundary between soil types and the transition may be gradual. Solid stratification lines delineate apparent changes in soil type, based upon review of recovered soil samples and the driller's notes. Dashed lines convey a lesser degree of certainty with respect to either a change in soil type or where such change may occur.
9. Miscellaneous observations and procedures noted by the driller are shown in this column, including water level observations. It is important to realize the reliability of the water level observations depends upon the soil type (water does not readily stabilize in a hole through fine grained soils), and that any drill water used to advance the boring may have influenced the observations. The ground water level will fluctuate seasonally, typically. One or more perched or trapped water levels may exist in the ground seasonally. All the available readings should be evaluated. If definite conclusions cannot be made, it is often prudent to examine th conditions more thoroughly through test pit excavations or groundwater observation wells.
10. The length of core run is defined as the length of penetration of the core barrel. Core recovery is the length of core recovered divided by the core run. The RQD (Rock Quality Designation) is the total length of pieces of NX core exceeding 4 inches divided b the core run. The size core barrel used is also noted in the Method of Investigation at the bottom of the Subsurface Log.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

DATE

STARTED _____

FINISHED _____

SHEET ____ OF ____

SJB SERVICES, INC. SUBSURFACE LOG

PROJ. No. _____

HOLE No. _____

SURF. ELEV. _____

G.W. DEPTH _____

PROJECT _____ LOCATION _____

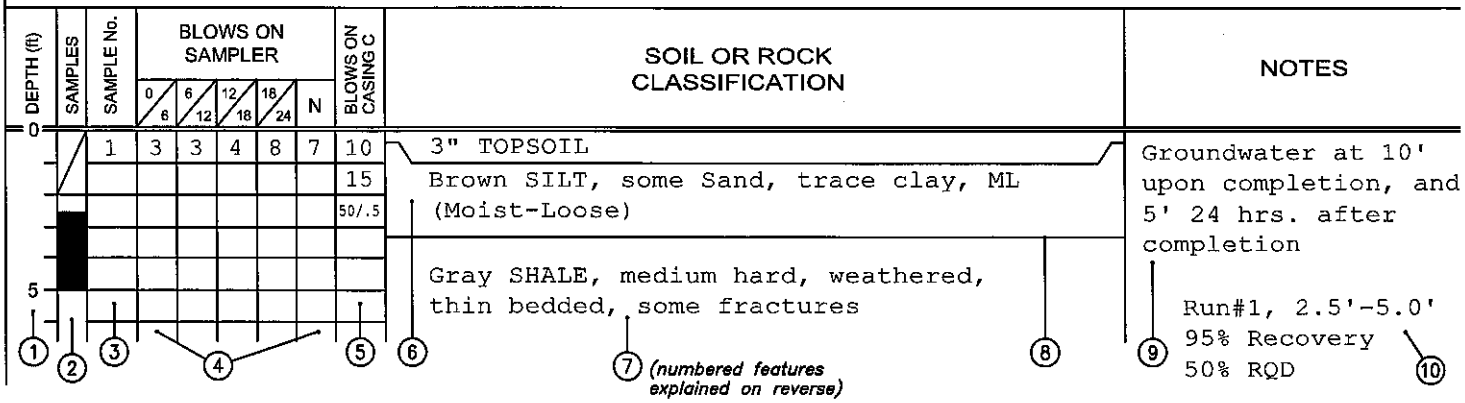


TABLE I

⁄	Split Spoon Sample
▮	Shelby Tube Sample
⊠	Geoprobe Macro-Core
▯	Auger or Test Pit Sample
■	Rock Core

TABLE II

Identification of soil type is made on basis of an estimate of particle sizes, and in the case of fine grained soils also on basis of plasticity.

Soil Type	Soil Particle Size	
Boulder	>12"	Coarse Grained (Granular)
Cobble	3" - 12"	
Gravel - Coarse	3" - 3/4"	
- Fine	3/4" - #4	
Sand - Coarse	#4 - #10	
- Medium	#10 - #40	
- Fine	#40 - #200	
Silt - Non Plastic (Granular) Clay - Plastic (Cohesive)	<#200	Fine Grained

TABLE III

The following terms are used in classifying soils consisting of mixtures of two or more soil types. The estimate is based on weight of total sample.

Term	Percent of Total Sample
"and"	35 - 50
"some"	20 - 35
"little"	10 - 20
"trace"	less than 10

(When sampling gravelly soils with a standard split spoon, the true percentage of gravel is often not recovered due to the relatively small sampler diameter.)

TABLE IV

The relative compactness or consistency is described in accordance with the following terms:

Granular Soils		Cohesive Soils	
Term	**Blows per Foot, N**	**Term**	**Blows per Foot, N**
Very Loose	0 - 4	Very Soft	0 - 2
Loose	4 - 10	Soft	2 - 4
Firm	10 - 30	Medium	4 - 8
Compact	30 - 50	Stiff	8 - 15
Very Compact	>50	Very Stiff	15 - 30
		Hard	>30

(Large particles in the soils will often significantly influence the blows per foot recorded during the penetration test)

TABLE V

Varved	Horizontal uniform layers or seams of soil(s).
Layer	Soil deposit more than 6" thick.
Seam	Soil deposit less than 6" thick.
Parting	Soil deposit less than 1/8" thick.
Laminated	Irregular, horizontal and angled seam and partings of soil(s).

TABLE VI

Rock Classification Term		Meaning
Hardness	- Soft	Scratched by fingernail
	- Medium Hard	Scratched easily by penknife
	- Hard	Scratched with difficulty by penknife
	- Very Hard	Cannot be scratched by penknife
Weathering	- Very Weathered	Judged from the relative amounts of disintegration, iron staining, core recovery, clay seams, etc.
	- Weathered	
	- Sound	

Rock Classification Term		Meaning	
Bedding	- Laminated	(<1")	Natural breaks in Rock Layers
	- Thin Bedded	(1" - 4")	
	- Bedded	(4" - 12")	
	- Thick Bedded	(12" - 36")	
	- Massive	(>36")	

(Fracturing refers to natural breaks in the rock oriented at some angle to the rock layers)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

DATE:
START 7/23/2020
FINISH 7/23/2020
SHEET 1 OF 1

SJB SERVICES, INC.
SUBSURFACE LOG

HOLE NO. B-1
SURF. ELEV 582.3'
G.W. DEPTH See Notes

PROJECT: PROPOSED ELYSIUM APARTMENT COMPLEX
PROJ. NO.: BE-20-105
LOCATION: 2160 NORTH FOREST ROAD
AMHERST, NY

DEPTH FT.	SMPL NO.	BLOWS ON SAMPLER 0/6	6/12	12/18	N	SOIL OR ROCK CLASSIFICATION	NOTES
	1	2	4			TOPSOIL	Driller noted topsoil at the surface
		6	8		10	Brown Silty CLAY, some fine Gravel, little f-c Sand, tr.organics (moist, FILL)	
	2	8	7			One piece of coarse GRAVEL (moist, FILL)	WOH = Weight of Hammer and Rods
		6	5		13		
5	3	3	3			Brown Silty CLAY, some f-c Sand, little fine Gravel, tr.slag, tr.organics (moist-wet, FILL)	
		3	2		6		
	4	3	3			Contains tr.gravel, tr.glass, no slag	Sample #4: Contains wood
		4	3		7		
	5	WOH	2			Dark Brown Silty CLAY, little f-m Sand, tr.organics (moist, medium, CL)	Sample #5: Exhibits an organic odor
10		2	3		4		
	6	1	1			Contains tr.sand (moist-wet, soft)	
		1	1		2		Sample #6: Contains wood
15	7	WOH	1			Contains little f-m Sand, little Organics	Sample #7: Exhibits an organic odor, contains wood
		2	1		3		
20	8	6	21			Brown fine GRAVEL, some f-c Sand, little Silty Clay (moist, v.compact, GC-GM)	REF = Sample Spoon Refusal
		35	50/0.2		56		Driller noted hard augering at 20' to 25'
25	9	50/0.2			REF		NQ '2' Size Rock Core
						Brown SHALE Rock, medium hard, sound, thickly bedded, both natural and mechanical fractures	RUN #1: 25.2' - 30.2' REC = 72% RQD = 47%
30						Becomes laminated to thickly bedded	RUN #2: 30.2' - 33.2' REC = 100% RQD = 81%
35						Boring Complete at 33.0'	No Free Standing Water encountered before coring
							Free Standing Water recorded at 1' after coring
40							

N = NO. BLOWS TO DRIVE 2-INCH SPOON 12-INCHES WITH A 140 LB. PIN WT. FALLING 30-INCHES PER BLOW

CLASSIFIED BY: Geologist

DRILLER: A. KOSKE
DRILL RIG TYPE : CME-550X

METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

DATE:
START 7/27/2020
FINISH 7/27/2020
SHEET 1 OF 1

SJB SERVICES, INC.
SUBSURFACE LOG

HOLE NO. B-2
SURF. ELEV 581.1'
G.W. DEPTH See Notes

PROJECT: PROPOSED ELYSIUM APARTMENT COMPLEX
PROJ. NO.: BE-20-105
LOCATION: 2160 NORTH FOREST ROAD
AMHERST, NY

DEPTH FT.	SMPL NO.	BLOWS ON SAMPLER 0/6	6/12	12/18	N	SOIL OR ROCK CLASSIFICATION	NOTES
	1	4	15			TOPSOIL	Driller noted topsoil at the surface
		21	19		36	Brown CONCRETE fragments, some Silty Clay, little f-c Sand (moist, FILL)	
	2	15	8				
		5	6		13	Contains little Silty Clay	Sample #1: Poor Recovery
5	3	2	2			Brown Silty CLAY, some f-c Sand, little fine Gravel,	Sample #2: Poor Recovery
		3	6		5	tr.organics (moist, FILL)	
	4	4	50/0.2		REF	Contains some fine Gravel, little f-c Sand, tr.concrete (moist-wet)	
	5	50/0			REF		Sample #5: No Recovery
10							
	6	2	2			Dark Brown Silty CLAY, little Organics, tr.sand	REF = Sample Spoon Refusal
		3	3		5	(moist-wet, medium, CL)	
15							
	7	1	2			Brown Organics, tr.sand (wet)	Sample #7: Poor Recovery, contains wood
		1	6		3		
20							
	8	31	40			Brown fine GRAVEL, some f-c Sand, little Silty Clay	
		45	50/0.4		85	(wet, v.compact, GC-GM)	
25							
	9	50	50/0.2		REF		
						Boring Complete with Auger Refusal at 26.0'	No Free Standing Water reading obtained at boring completion
30							2" PVC groundwater observation well installed within completed test boring. Refer to completion record for details.
35							
40							

N = NO. BLOWS TO DRIVE 2-INCH SPOON 12-INCHES WITH A 140 LB. PIN WT. FALLING 30-INCHES PER BLOW

CLASSIFIED BY: Geologist

DRILLER: R. STEINER

DRILL RIG TYPE : CME-550X

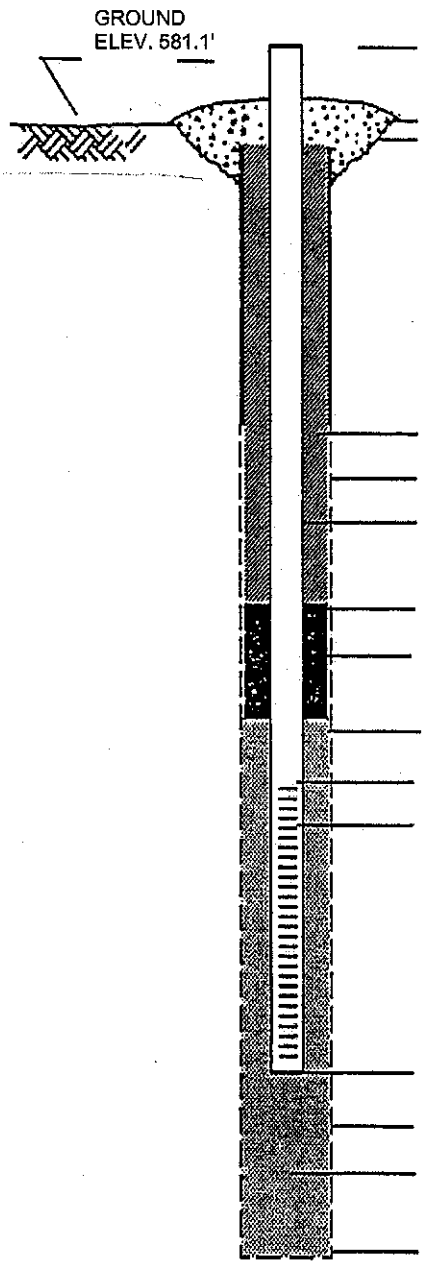
METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

MONITORING WELL COMPLETION RECORD

SJB SERVICES, INC.

WELL NUMBER: B-2	
PROJECT: Elysium Apartments	**DRILLING METHOD:** ASTM D-1586 USING HSA
PROJECT NUMBER: BE-20-105	**GEOLOGIST:** N/A
DRILLER: R. Steiner	**INSTALLATION DATE(S):** 7/27/2020



TYPE OF SURFACE SEAL:	SOIL
TYPE OF BACKFILL:	SOIL AUGER CUTTINGS
BOREHOLE DIAMETER:	7" ±
I.D. OF RISER PIPE:	2"
TYPE OF RISER PIPE:	PVC
DEPTH OF SEAL:	12'
TYPE OF SEAL:	BENTONITE CHIPS
DEPTH OF SAND PACK:	14'
DEPTH OF TOP OF SCREEN:	15.6'
TYPE OF SCREEN:	PVC
SLOT SIZE X LENGTH:	0.01' x 10'
I.D. OF SCREEN:	2"
TYPE OF SAND PACK:	No. 0 Silica Sand
DEPTH BOTTOM OF SCREEN:	25.6'
DEPTH BOTTOM OF SAND PACK:	26.0'
TYPE OF BACKFILL BELOW OBSERVATION WELL:	N/A
ELEVATION/ DEPTH OF HOLE:	26.0'

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

DATE:
START 7/24/2020
FINISH 7/24/2020
SHEET 1 OF 1

SJB SERVICES, INC.
SUBSURFACE LOG

HOLE NO. B-3
SURF. ELEV 579.5'
G.W. DEPTH See Notes

PROJECT: PROPOSED ELYSIUM APARTMENT COMPLEX
PROJ. NO.: BE-20-105
LOCATION: 2160 NORTH FOREST ROAD
AMHERST, NY

DEPTH FT.	SMPL NO.	BLOWS ON SAMPLER 0/6	6/12	12/18	N	SOIL OR ROCK CLASSIFICATION	NOTES
	1	5	6			TOPSOIL	Driller noted topsoil at the surface
		15	10		21	Brown Silty CLAY, some f-c Sand, tr.organics (moist, FILL)	
	2	8	8			Contains little fine Gravel	
		10	11		18		Sample #2: Poor Recovery
5	3	2	2			Dark Gray f-c SAND, little Silty Clay, tr.organics	
		3	4		5	(moist-wet, loose, SC-SM)	
	4	3	2			(wet)	Sample #4: Contains wood
		3	2		5		
	5	2	2			Contains some Silty Clay (v.loose)	Sample #5: Contains wood
10		1	1		3		
	6	WOH/1.0				Contains little Organics, little Silty Clay	WOH = Weight of Hammer and Rods
		WOH/1.0			WOH		
15							
	7	WOH/1.0				Brown Silty CLAY, some f-c Sand, little fine Gravel	
		3	5		3	(wet, soft, CL)	
							Driller noted hard augering at 18' to 26.5'
20							
	8	28	47			Brown fine Gravel, some f-c Sand, little Silty Clay	
		50/0.4			REF	(moist, v.compact, GC-GM)	REF = Sample Spoon Refusal
25							
	9	50/0.2			REF		Sample #9: No Recovery
						Boring Complete with Auger Refusal at 26.5'	Free Standing Water recorded at 21.5' at boring completion
30							
35							
40							

N = NO. BLOWS TO DRIVE 2-INCH SPOON 12-INCHES WITH A 140 LB. PIN WT. FALLING 30-INCHES PER BLOW

CLASSIFIED BY: Geologist

DRILLER: R. STEINER

DRILL RIG TYPE : CME-550X

METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

DATE:
START 7/23/2020
FINISH 7/23/2020
SHEET 1 OF 1

SJB SERVICES, INC.
SUBSURFACE LOG

HOLE NO. B-4
SURF. ELEV 578.1'
G.W. DEPTH See Notes

PROJECT: PROPOSED ELYSIUM APARTMENT COMPLEX
PROJ. NO.: BE-20-105
LOCATION: 2160 NORTH FOREST ROAD
AMHERST, NY

DEPTH FT.	SMPL NO.	BLOWS ON SAMPLER 0/6	6/12	12/18	N	SOIL OR ROCK CLASSIFICATION	NOTES
	1	1	2			TOPSOIL	Driller noted topsoil at the surface
		3	3		5	Brown Silty CLAY, some fine Gravel, little f-c Sand, tr.organics (moist, FILL)	
	2	2	5				
		10	50/0.2		15	Brown fine GRAVEL, some f-c Sand, little Concrete, little Silty Clay (moist, FILL)	
5	3	21	5				Sample #3: Contains wood
		3	3		8	Dark Brown Silty CLAY, tr.sand, tr.organics (moist, medium, CL)	
	4	4	2				Sample #4: Contains wood
		3	2		5	Contains little Organics, little f-c Sand (moist-wet) (soft)	
	5	1	1				Sample #5: Contains wood, Exhibits an organic odor
10		1	1		2		
	6	2	1			Brown Silty CLAY, little f-c Sand, tr.gravel (moist-wet, soft, CL)	
		1	2		2		
15							
	7	2	2			Contains some fine Gravel (moist, medium)	Driller noted hard augering at 18' to 22'
		4	7		6		
20							REF = Sample Spoon Refusal
	8	20	19			Brown fine GRAVEL, some f-c Sand, little Silty Clay (moist, compact, GC-GM)	
		21	25		40		NQ '2' Size Rock Core
	9	50/0			REF	22.0' to 24.4': Brown f-c GRAVEL, some f-c Sand, little Silty Clay (moist, GC-GM)	RUN #1: 22.0' - 27.0' REC = 66% RQD = 21%
25						Brown SHALE Rock, medium hard, sound, laminated to thickly bedded, both natural and mechanical fractures	
							RUN #2: 27.0' - 31.0' REC = 90% RQD = 85%
30							
						Boring Complete at 31.0'	No Free Standing Water encountered before coring
35							Free Standing Water recorded at 1' after coring
40							

N = NO. BLOWS TO DRIVE 2-INCH SPOON 12-INCHES WITH A 140 LB. PIN WT. FALLING 30-INCHES PER BLOW

CLASSIFIED BY: Geologist

DRILLER: A. KOSKE
DRILL RIG TYPE : CME-550X

METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

DATE:
START 7/24/2020
FINISH 7/24/2020
SHEET 1 OF 1

SJB SERVICES, INC.
SUBSURFACE LOG

HOLE NO. B-5
SURF. ELEV 582.0'
G.W. DEPTH See Notes

PROJECT: PROPOSED ELYSIUM APARTMENT COMPLEX
PROJ. NO.: BE-20-105
LOCATION: 2160 NORTH FOREST ROAD
AMHERST, NY

DEPTH FT.	SMPL NO.	BLOWS ON SAMPLER 0/6	6/12	12/18	N	SOIL OR ROCK CLASSIFICATION	NOTES
	1	1	4			TOPSOIL	Driller noted topsoil at the surface
		7	10		11	Brown Silty CLAY, some fine Gravel, little f-c Sand,	
	2	8	9			tr.organics (moist-wet, FILL)	
		10	12		19	Brown-Black ASPHALT fragments, little Silty Clay,	
5	3	7	10			little fine Gravel, tr.sand (moist, FILL)	
		15	16		25	Contains some fine Gravel, little f-c Sand, tr.silty clay	
	4	5	5			tr.organics	
		6	6		11	Dark Brown Silty CLAY, tr.sand, tr.organics (moist, stiff, CL)	
	5	1	2			Contains little f-m Sand (moist-wet, medium)	Sample #5: Contains wood
10		2	2		4		
	6	1	1			Brown-Gray f-m SAND, little Silty Clay, tr.organics	Samples #6 & #7: Contains wood
		2	1		3	(moist-wet, v.loose, SC-SM)	
	7	1	2			Contains tr.gravel, tr.shells	
15		2	3		4		
						Boring Complete at 15.0'	No Free Standing Water recorded at boring completion
20							
25							
30							
35							
40							

N = NO. BLOWS TO DRIVE 2-INCH SPOON 12-INCHES WITH A 140 LB. PIN WT. FALLING 30-INCHES PER BLOW

CLASSIFIED BY: Geologist

DRILLER: R. STEINER
DRILL RIG TYPE : CME-550X
METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

APPENDIX B

SUBSURFACE EXPLORATION LOGS

Previously Completed Test Borings
February 2020 (B-1)
June 2014 (B-1)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

DATE:
START 2/20/2020
FINISH 2/20/2020
SHEET 1 OF 1

SJB SERVICES, INC.
SUBSURFACE LOG

HOLE NO. B-1
SURF. ELEV 580.0'
G.W. DEPTH See Notes

PROJECT: PROPOSED NEW HOME
PROJ. NO.: BE-20-010
LOCATION: 2160-2170 NORTH FOREST
AMHERST, NY

DEPTH FT.	SMPL NO.	BLOWS ON SAMPLER 0/6	6/12	12/18	N	SOIL OR ROCK CLASSIFICATION	NOTES
	1	WOH	2			TOPSOIL	Driller noted Topsoil at the surface
		3	5		5	Brown Silty CLAY, tr.sand, tr.organics (moist, FILL)	
	2	6	3			Becomes Dark Brown to Brown, Contains tr.asphalt, tr.brick	
		2	3		5		
5	3	2	2			Brown Silty CLAY, tr.gravel, tr.sand (moist-wet, FILL)	
		3	3		5		
	4	4	4			Brown Silty CLAY, tr.gravel, tr.sand, tr.organics	
		3	3		7	(moist-wet, medium, CL / Possible FILL)	
	5	1	1			Dark Brown Silty CLAY, tr.sand, tr.organics	
10		1	1		2	(moist, v.soft, CL)	
	6	WOH	WOH			Becomes Dark Brown to Dark Gray, occasional moist-wet partings	WOH = Weight of Hammer and Rods
		WOH	WOH		WOH		
	7	WOH	WOH			Red Brown Silty CLAY, some f-c Sand	
		WOH	WOH		WOH	(moist-wet, v.soft, CL)	
15	8	WOH	WOH			Contains some f-c Gravel	
		2	3		2		
	9	7	8			Contains little f-c Gravel (v.stiff)	
		8	8		16		
	10	8	12			Contains some f-c Gravel (moist)	
20		12	13		24		
	11	15	24			Contains little f-c Sand (hard)	
		17	19		41		
							REF = Sample Spoon Refusal
25							
	12	27	50/0.4		REF	Brown f-c SAND, some Silt, little f-c Gravel (moist, v.compact, SM)	Sample #13: Poor Recovery, possible weathered bedrock
	13	50/0.2			REF	Brown fine GRAVEL, tr.sand (moist, v.compact, GP)	
30						Boring Complete with Auger Refusal at 27.7'	No Free Standing Water encountered at boring completion
35							
40							

N = NO. BLOWS TO DRIVE 2-INCH SPOON 12-INCHES WITH A 140 LB. PIN WT. FALLING 30-INCHES PER BLOW

CLASSIFIED BY: Geologist

DRILLER: S. WOLKIEWICZ JR.

DRILL RIG TYPE : CME-550X

METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

DATE
START 6/30/2014
FINISH 6/30/2014
SHEET 1 OF 1

SJB SERVICES, INC.
SUBSURFACE LOG

HOLE NO. B-1
SURF. ELEV 581' +/-
G.W. DEPTH See Notes

PROJECT: PROPOSED RESIDENTIAL HOME
PROJ. NO.: BE-14-109
LOCATION: 2160 NORTH FOREST ROAD
AMHERST, NY

DEPTH FT.	SMPL NO.	BLOWS ON SAMPLER 0/6	6/12	12/18	N	SOIL OR ROCK CLASSIFICATION	NOTES
	1	3	4			TOPSOIL	Driller notes approx. 6" Topsoil
		5	7		9	Red-Brown and Black Silty CLAY, tr.sand, tr.gravel (moist, FILL)	
	2	5	8				
		7	10		15	Brown-Gray and Black f-m SAND, some Silt, tr.gravel (moist, FILL)	
5	3	3	3				
		4	4		7	Black Organic Clayey SILT, little f-c Sand (moist, FILL)	
	4	2	2			Gray and Black Organic Silty CLAY, tr.peat (moist, medium, OL-CL)	
		3	4		5		
	5	2	3				
10		3	3		6		
	6	2	2				
		2	2		4		
	7	3	2				
		3	4		5		
15	8	WOH/1.5				Becomes Red-Brown (wet, v.soft)	WOH = Weight of Hammer and Rods
			1		WOH		
	9	1	1				
		1	1		2	Contains little f-c Sand, tr.gravel	REF = Sample Spoon Refusal
	10	31	50/0.3		REF	Red-Brown f-m SAND and Silt, tr.gravel (moist, SM)	
20							
	11	19	23				
		21	22		44	(compact)	
25							
	12	19	50/0.4		REF		
						Boring Complete with Sample Spoon Refusal at 25.9' and Auger Refusal at 26.0'	No Free Standing Water encountered at Boring Completion
30							
35							
40							

N = NO. BLOWS TO DRIVE 2-INCH SPOON 12-INCHES WITH A 140 LB. PIN WT. FALLING 30-INCHES PER BLOW

CLASSIFIED BY: Geologist

DRILLER: A. JAKUBCZAK

DRILL RIG TYPE : CME-550X

METHOD OF INVESTIGATION ASTM D-1586 USING HOLLOW STEM AUGERS

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

APPENDIX C

FILL MATERIAL AND EARTHWORK RECOMMENDATIONS

APPENDIX C

FILL MATERIAL AND EARTHWORK RECOMMENDATIONS

I. Material Recommendations

A. Structural Fill

Structural Fill should consist of a crusher run stone, free of clay, organics and friable or deleterious particles. As a minimum, the crusher run stone should meet the requirements of New York State Department of Transportation, Standard Specifications, Item 304.12 – Type 2 Subbase, with the following gradation requirements.

Sieve Size Distribution	Percent Finer by Weight
2 inch	100
¼ inch	25-60
No. 40	5-40
No. 200	0-10

B. Subbase Stone

The subbase stone course placed as the aggregate course beneath slab-on-grade and pavement construction should conform to the same material requirements as Structural Fill as stated above.

C. Suitable Granular Fill

Suitable soil material, well graded from coarse to fine and classified as GW, GP, GM, SW, SP or SM type soil using the Unified Soil Classification System (ASTM D-2487) and having no more than 85 percent by weight material passing the No. 4 sieve, no more than 20 percent by weight material passing the No. 200 sieve and which is generally free of particles greater than 6 inches, will be acceptable as Suitable Granular Fill. It should also be free of topsoil, asphalt, concrete rubble, wood, debris, clay and other deleterious materials.

Suitable Granular Fill can be used as foundation backfill and as subgrade fill to raise site grades beneath slab-on-grade and pavement construction. Material meeting the requirements of New York State Department of Transportation, Standard Specifications, Item 203.07 – Select Granular Fill, or Item 203.20 Select Granular Subgrade is acceptable for use as Suitable Granular Fill.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

II. Placement and Compaction Requirements

All controlled fill placed beneath foundations, slab-on-grade construction and pavement construction should be compacted to a minimum of 95 percent of the maximum dry density as measured by the modified Proctor test (ASTM D1557). Fill placed in non-loaded grass areas can be compacted to a minimum of 90 percent of the maximum dry density (ASTM D1557).

Placement of fill should not exceed a maximum loose lift thickness of 6 to 9 inches with the exception of subbase courses beneath slab on grade and pavement construction, which can be placed in a single lift not exceeding 15 inches. The loose lift thickness should be reduced in conjunction with the compaction equipment used so that the required density is attained.

Fill should have a moisture content within two percent of the optimum moisture content at the time of compaction. Subgrades should be properly drained and protected from moisture and frost. Placement of fill on frozen subgrades is not acceptable. It is recommended that all fill placement and compaction be monitored and tested on a full-time basis by a representative of Empire Geo-Services, Inc.

III. Quality Assurance Testing

The following minimum laboratory and field quality assurance testing frequencies are recommended to confirm fill material quality and post placement and compaction conditions. These minimum frequencies are based on generally uniform material properties and placement conditions. Should material properties vary or conditions at the time of placement vary (i.e. moisture content, placement and compaction, procedures or equipment, etc.) Then additional testing is recommended. Additional testing, which may be necessary, should be determined by qualified geotechnical personnel, based on evaluation of the actual fill material and construction conditions.

A. Laboratory Testing of Material Properties

- Moisture content (ASTM D-2216) - 1 test per 4,000 cubic yards or no less than 2 tests per each material type.
- Grain Size Analysis (ASTM D-422) - 1 test per 4,000 cubic yards or no less than 2 tests per each material type.
- Liquid and Plastic Limits (ASTM D-4318) 1 test per 4,000 cubic yards or no less than 2 tests per each material type. Liquid and Plastic Limit testing is necessary only if appropriate, based on material composition (i.e. clayey or silty soils).

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

- Modified Proctor Moisture Density Relationship (ASTM D-1557) 1 test per 4,000 cubic yards or no less than 1 test per each material type. A maximum/minimum density relationship (ASTM D-4253 and ASTM D-4254) may be an appropriate substitute for ASTM D-1557 depending on material gradation.

B. Field In-Place Moisture/Density Testing (ASTM D-3017 and ASTM D-2922)

- Backfilling along trenches and foundation walls - 1 test per 50 lineal feet per lift.
- Backfilling Isolated Excavations (i.e. column foundations, manholes, etc.) 1 test per lift.
- Filling in open areas for slab-on-grade construction - 1 test per 2,500 square feet per lift.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

APPENDIX D

GEOTECHNICAL REPORT LIMITATIONS

GEOTECHNICAL REPORT LIMITATIONS

WMA Engineering DPC / DBA Empire Geotechnical Engineering Services (Empire) has endeavored to meet the generally accepted standard of care for the services completed, and in doing so is obliged to advise the geotechnical report user of our report limitations. Empire believes that providing information about the report preparation and limitations is essential to help the user reduce geotechnical-related delays, cost over-runs, and other problems that can develop during the design and construction process. Empire would be pleased to answer any questions regarding the following limitations and use of our report to assist the user in assessing risks and planning for site development and construction.

PROJECT SPECIFIC FACTORS: The conclusions and recommendations provided in our geotechnical report were prepared based on project specific factors described in the report, such as size, loading, and intended use of structures; general configuration of structures, roadways, and parking lots; existing and proposed site grading; and any other pertinent project information. Changes to the project details may alter the factors considered in development of the report conclusions and recommendations. *Accordingly, Empire cannot accept responsibility for problems which may develop if we are not consulted regarding any changes to the project specific factors that were assumed during the report preparation.*

SUBSURFACE CONDITIONS: The site exploration investigated subsurface conditions only at discrete test locations. Empire has used judgement to infer subsurface conditions between the discrete test locations, and on this basis the conclusions and recommendations in our geotechnical report were developed. It should be understood that the overall subsurface conditions inferred by Empire may vary from those revealed during construction, and these variations may impact on the assumptions made in developing the report conclusions and recommendations. *For this reason, Empire should be retained during construction to confirm that conditions are as expected, and to refine our conclusions and recommendations in the event that conditions are encountered that were not disclosed during the site exploration program.*

USE OF GEOTECHNICAL REPORT: Unless indicated otherwise, our geotechnical report has been prepared for the use of our client for specific application to the site and project conditions described in the report. *Without consulting with Empire, our geotechnical report should not be applied by any party to other sites or for any uses other than those originally intended.*

CHANGES IN SITE CONDITIONS: Surface and subsurface conditions are subject to change at a project site subsequent to preparation of the geotechnical report. Changes may include, but are not limited to, floods, earthquakes, groundwater fluctuations, and construction activities at the site and/or adjoining properties. *Empire should be informed of any such changes to determine if additional investigative and/or evaluation work is warranted.*

MISINTERPRETATION OF REPORT: The conclusions and recommendations contained in our geotechnical report are subject to misinterpretation. *To limit this possibility, Empire should review project plans and specifications relative to geotechnical issues to confirm that the recommendations contained in our report have been properly interpreted and applied.*

Subsurface exploration logs and other report data are also subject to misinterpretation by others if they are separated from the geotechnical report. This often occurs when copies of logs are given to contractors during the bid preparation process. *To minimize the potential for misinterpretation, the subsurface logs should not be separated from our geotechnical report and the use of excerpted or incomplete portions of the report should be avoided.*

OTHER LIMITATIONS: Geotechnical engineering is less exact than other design disciplines, as it is based partly on judgement and opinion. For this reason, our geotechnical report may include clauses that identify the limits of Empire's responsibility, or that may describe other limitations specific to a project. These clauses are intended to help all parties recognize their responsibilities and to assist them in assessing risks and decision making. Empire would be pleased to discuss these clauses and to answer any questions that may arise.

Attachment: GeoTech report_2160 & 2170 N For (RES-2021-153 : 2160 & 2170 Request to Rezone and Amend the Audubon Development Plan)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
Initiated by: **Kathleen Cooper**
Co-Sponsored by:

DOC ID: 22854 **RESOLUTION 2021-154** **ADJOURNED**

Amendments to Chapter 44, Rental Unit Registration

The purpose of this Local Law shall be to amend Chapter 44-3(B) of the Code of the Town of Amherst with respect to exemptions for rental unit registrations in the Town of Amherst.

2/22/2021
A motion to adjourn to March 22nd was made by Supervisor Kulpa, Seconded by Deputy Supervisor Berger and unanimously approved 5-0.

3/22/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was opened at 7:02 PM.

Stan Sliwa, Town Attorney, presented.

Don Smith, N Long St. - question about the exact law the Board would approve

A motion to adjourn the public hearing until April 5th was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0.

4/5/2021
A motion to open the public hearing was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. The public hearing was opened at 7:36 PM.

Stan Sliwa, Town Attorney, presented.

There were no further speakers from the public, therefore Supervisor Kulpa moved to close the public hearing, seconded by Councilmember Bucki and unanimously approved 5-0. The public hearing was closed at 7:38 PM.

A motion to approve was made by Supervisor Kulpa, seconded by Councilmember Lavin and unanimously approved 5-0.

FINANCIAL IMPACT:

None for the purposes of this resolution.

RESULT:	**ADJOURNED [UNANIMOUS]**	**Next: 3/22/2021 7:00 PM**
MOVER:	Brian J. Kulpa, Supervisor	
SECONDER:	Jacqualine Berger, Deputy Supervisor	
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala	

LOCAL LAW NO. ___-2021

TOWN OF AMHERST

COUNTY OF ERIE, STATE OF NEW YORK

A Local Law Amending Chapter 44 Of The Code Of The Town of Amherst : Rental Unit Registration

Be it enacted by the Town Board of the Town of Amherst as follows:

Section 1. Title.

This Local Law shall be referred to as, "A Local Law Amending Chapter 44 of the Code of the Town of Amherst, Rental Unit Registration."

Section 2. Purpose

The purpose of this Local Law shall be to amend Chapter 44-3(B) of the Code of the Town of Amherst with respect to exemptions for rental unit registrations and issuance, denial and revocation of rental unit registrations and certificates in the Town of Amherst.

Section 3.

Chapter 44-3 of the Code of the Town of Amherst is hereby amended as follows:

§44-3 Rental Dwelling Unit Registration Required; exemptions

A. Registration required. No person shall allow to be occupied, or rent to another for occupancy, any dwelling unit unless the owner has first obtained either a short term rental dwelling unit registration certificate or a rental dwelling unit registration certificate as hereafter provided.

B. Exemptions.

Exemptions. The provisions of this Chapter shall not apply to owner-occupied properties containing two or fewer dwelling units and are not short-term rentals; properties granted an exception to these provisions by a majority vote of the Town Board; properties owned by a college or university for inhabitation by administrative officers and/or faculty free of charge; properties owned by a faith-based organization for use as a living quarters by

~~Strikethrough~~ = Deleted language; Underline = Added language

Attachment: AmendedLL.Exemptions.UnpaidTaxes (RES-2021-154 : Amendments to Chapter 44, Rental Unit Registration)

clergy free of charge; properties subject to the Erie County PHA Consortium Section 8 Renters Association; hotels; motels; properties located in MFR-4a, MFR-5, MFR-6 and MFR-7; hospitals; nursing homes; assisted living facilities; group homes or other dwelling units which offer or provide medical or nursing services if such units are subject to state or federal licensing or regulations concerning the safety of the users, patients or tenants.

Section 4.

Chapter 44-5 of the Code of the Town of Amherst is hereby amended as follows:

§44-5 Issuance or Denial of Rental Dwelling Unit Registration

The Town of Amherst shall issue a short term rental dwelling unit certificate or a rental dwelling unit certificate for such properties after satisfactory completion of the Town's inspection and assuring that all local property taxes on the rental unit are up to date. If upon completion of an inspection of a building and dwelling units therein the Commissioner finds noncompliance with the housing code, or that local property taxes are not up to date, the Commissioner shall issue a notice of violation in accordance with Section 44-14 of this Chapter for the correction of any violations of the housing code. Upon re-inspection, if the Commissioner finds noncompliance with the notice of violation the Commissioner shall deny a certificate or revoke any issued certificate in accordance with the procedure set forth in Section 44-14 of this Chapter. The Commissioner shall issue a written statement setting forth the reasons for the denial or revocation.

Section 5.

Chapter 44-9-A of the Code of the Town of Amherst is hereby amended as follows:

44-9 Revocation of Rental Dwelling Unit Registration Certificate

A. The terms and conditions of this section shall also apply to holders of short term rental dwelling unit certificates. A rental dwelling unit registration certificate issued pursuant to this chapter may be revoked by the Commissioner for any one or more of the following reasons:

(1) Fraud, misrepresentation or a false statement as to a material fact in the application.

(2) A finding that a rental dwelling unit registration was issued in error and not in accordance with applicable law.

~~Strikethrough~~ = Deleted language; Underline = Added language

Attachment: AmendedLL.ExemptionsUnpaidTaxes (RES-2021-154 : Amendments to Chapter 44, Rental Unit Registration)

(3) A violation of any of the provisions of this Chapter, including noncompliance with a notice of violation issued pursuant to §44-14.

(4) The Commissioner, or his/her designated representative, determines that the rental dwelling unit does not substantially conform with this chapter or the New York State Uniform Fire Prevention and Building Code.

(5) A finding by the Commissioner that the owner or other responsible person responsible for payment of property taxes of rental dwelling unit is in arrears on said property taxes.

Section 6. Effective Date

This Local Law shall take effect immediately and be filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and published pursuant to Sections 130 and 133 of the Town Law and Chapter 28 of the Code of the Town of Amherst.

Francina J. Spoth, Town Clerk
Town of Amherst
County of Erie, New York

Attachment: AmendedLL.ExemptionsUnpaidTaxes (RES-2021-154 : Amendments to Chapter 44, Rental Unit Registration)

~~Strikethrough~~ = Deleted language; Underline = Added language

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Councilmembers
Initiated by: **Jacqualine Berger**
Co-Sponsored by:

DOC ID: 22863 **RESOLUTION 2021-155** **ADOPTED**

Amherst Youth Board Appointment

WHEREAS, the Amherst Youth Board (Youth Board) is an organization offering varied services in support of children, youth and families living in the Town of Amherst. Chartered by the Amherst Town Board and New York State Executive Law, the agency is governed by a policy-making board of 23 citizen volunteers, comprising both adults and youth; and

WHEREAS, members are appointed by the Amherst Town Board for three-year terms and participate in decisions affecting programming, policies, funding and public relations for youth programs and services.

WHEREAS, the Youth Board also relies on the efforts and contributions of citizen volunteers in its programs. Many different volunteer opportunities are available, and may be tailored to individual needs; and

WHEREAS, Joshua Daniels has attended meetings and has expressed interest in serving on the Amherst Youth Board.

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Board appoints youth member Joshua Daniels to his first term to end December 31, 2022.

2/22/2021
Consent

FINANCIAL IMPACT:

None.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Deputy Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Councilmembers
Initiated by: **Deborah Bruch Bucki**
Co-Sponsored by:

DOC ID: 22908 **RESOLUTION 2021-156** **ADOPTED**

Appointment of 2021 Board of Assessment Review Temporary Members

WHEREAS, under New York State Statute the Town maintains a Board of Assessment Review (BAR) that consists of 5 permanent members who are each appointed for a five year term; and

WHEREAS, the Town also maintains temporary board members to assist in the BAR process. These members go through the same training as the permanent members but are appointed for one year term that run from March 1, 2021 thru September 30, 2021

WHEREAS, depending on needs, the Town usually requires 2-4 temporary members to assist in the BAR process; and

WHEREAS, the Assessor working with Howard Zubin, BAR Chairman, identified a total of 4 temporary members they would like the Town Board to consider for reappointment. All members were selected based on their experience in Real Estate Valuation, Real Estate Sales and are Amherst residents; and

WHEREAS, the names of the four (4) reappointment temporary members are Bret Llewellyn, William Heussler, Tom Halter and Dale Kadish; and

WHEREAS, all Temporary Member appointments will be required to attend the training session for new BAR members that is conducted by Erie County Real Property Tax Services; and

NOW THEREFORE BE IT RESOLVED that upon the recommendation of the Town Assessor, the Town Board kindly adopts this resolution approving appointment of the four (4) temporary members to the Board of Assessment Review for 2021.

2/22/2021
Consent

FINANCIAL IMPACT:

Assessments

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Deborah Bruch Bucki, Councilmember
SECONDER:	Brian J. Kulpa, Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Councilmembers
Initiated by: **Michael Szukala**
Co-Sponsored by:

DOC ID: 22841 **RESOLUTION 2021-157** **ADOPTED**

Amherst Recycling and Waste Appointment

WHEREAS, the mission of the Solid Waste Committee, whose name changed in 2011 to the Recycling & Waste Committee, is to advise the Town Board on all aspects of municipal solid waste affecting the Town of Amherst and to monitor and/or make recommendations regarding the Town's activities relating to environmental issues which affect or impact the residents of the Town of Amherst; and

WHEREAS, the Committee shall also investigate methods of recycling, waste stream reduction, household hazardous waste collection and consider new technologies for handling municipal solid waste; and

WHEREAS, the Committee shall be comprised of representatives from Engineering, Refuse Control, Highway, Compost, and the Wastewater Treatment Plant, as well as appointed residents from the Town of Amherst who have an interest in preserving the environmental quality of life in the Town; and

WHEREAS, the Committee shall strive to take an integrated approach to addressing waste management issues through educational opportunities while balancing the concerns of all of the stakeholders; and

WHEREAS, Town residents Eustace Mendez and Sashti Balasundaram have expressed interest in serving on the Recycling & Waste Committee.

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Board appoints Eustace Mendez and Sashti Balasundaram to the Recycling & Waste Committee for their first term to conclude December 31, 2023.

2/22/2021
Consent

FINANCIAL IMPACT:

None.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Szukala, Councilmember
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Councilmembers
Initiated by: **Michael Szukala**
Co-Sponsored by:

DOC ID: 22850 **RESOLUTION 2021-158** **ADOPTED**

Glen Park Joint Board Reappointments

WHEREAS, the Glen Park Joint Board (GPJB) oversees the maintenance and improvement of Glen Park, dedicated to fostering a clean, safe, and enjoyable environment through water quality, landscaping and nature education initiatives that enhance and improve the quality of life in both the Village of Williamsville, and the Town of Amherst, while protecting the historic character of the park, its natural beauty and its sense of community; and

WHEREAS, the GPJB shall consist of nine (9) members, five (5) appointed by the Williamsville Village Board and four (4) by the Amherst Town Board, which would be three (3) year terms to conclude on June 30 of the designated year; and

WHEREAS, members may be re-appointed, but in the event of a vacancy, the appointing board shall fill the remaining duration of the term; and

WHEREAS, two members' terms have concluded and would like to continue to serve on the GPJB, member Robert Kreiter and member Dave McIntyre.

NOW, THEREFORE, BE IT RESOLVED that the Amherst Town Board re-appoints Robert Kreiter and Dave McIntyre for a terms to conclude June 30, 2024.

2/22/2021
Consent

FINANCIAL IMPACT:

None.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Szukala, Councilmember
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22886 **RESOLUTION 2021-159** **ROLL CALL VOTE (ADOPTED)**

Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Police Department Radio System Upgrade and Portable-Mobile Radio Replacement - Phase 3**
2021-2026 C.I.P. - Project PO-04
Bond Resolution - $300,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR determination for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $300,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
Jeffrey S. Burroughs, PE, Town Engineer (*w/attachment*)
Brian J. Armstrong, Assistant Municipal Engineer (*w/attachment*)
John C. Askey, Chief of Police, Town of Amherst Police Department *(w/attachment)*

Thomas C. Barillari, Technical Services Officer, Town of Amherst Police Department *(w/attachment)*

2/22/2021

A motion to adopt the SEQR determination was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved 5-0. A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved via Roll Call vote 5-0.

FINANCIAL IMPACT:

Bond Resolution - $300,000

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Amherst
Town of Amherst Planning Department — Erie County, New York

Brian J. Kulpa
Supervisor

Daniel C. Howard, AICP
Planning Director

Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM — January 19, 2021

TO: Thomas Barillari, Technical Services Officer

FROM: Ellen M. Kost, AICP, Assistant Planning Director EMK

SUBJECT: SEQR Determination –
- Town-wide Centralized Security Improvements - 2021-2026 C.I.P # PO-05
- Police Department Radio System Upgrade and Portable-Mobile Radio Replacement Phase 3 - 2021-2026 C.I.P # PO-04

The Planning Department has reviewed the Map, Plan & Report for the subject projects and has determined them to be Type II actions under the provisions of SEQR according to Part 617.5. Therefore, no further environmental work is required.

Please contact our office if you have any questions.

X/Special Projects/SEQR Engineering/Type II Projects/Town-wide Centralized Security Imp. & Radio System Upgrade 2021

cc: John Askey, Police Chief
Stanley J. Sliwa, Esq., Town Attorney
Daryl Bramer, Comptroller
Daniel Howard, Planning Director

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7051 • Fax (716) 631-7153

Attachment: SEQR (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Amherst, in the

County of Erie, New York

February 22, 2021

* * *

A regular meeting of the Town Board of the Town of Amherst, in the County of Erie, New York, was held at the Town Hall, 5583 Main Street, Williamsville, New York, on February 22, 2021.

There were present:	Hon. Brian J. Kulpa, Supervisor; and
Board members:	Jacqualine Berger, Councilwoman Deborah Bruch Bucki Councilwoman Shawn Lavin, Councilman Michael R. Szukala, Councilman
There were absent:	
Also present:	Francina J. Spoth, Town Clerk

* * *

_____ offered the following resolution and moved its adoption:

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

BOND RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED FEBRUARY 22, 2021, AUTHORIZING POLICE DEPARTMENT RADIO SYSTEM UPGRADE AND PORTABLE-MOBILE RADIO REPLACEMENT-PHASE 3, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $300,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $300,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Amherst, in the County of Erie, New York (herein called the "Town"), is hereby authorized to undertake Police Department Radio System Upgrade and Portable-Mobile Radio Replacement-Phase 3, as described in the map, plan and report dated January 2021 and prepared by the Town Police Department (2021-2026 Capital Improvement Program Project P0-4). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $300,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $300,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of $300,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section Sections 11.00 a. 25 of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds, and any notes in anticipation thereof to mature in such year, and (b) the payment of interest to be due and payable in such year.

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "The Amherst Bee," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

TOWN OF AMHERST. NEW YORK

PLEASE TAKE NOTICE that on February 22, 2021, the Town Board of the Town of Amherst, in the County of Erie, New York, adopted a bond resolution entitled:

> "Bond Resolution of the Town of Amherst, New York, adopted February 22, 2021, authorizing Police Department Radio System Upgrade and Portable-Mobile Radio Replacement-Phase 3, stating the estimated maximum cost thereof is $300,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of $300,000 to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to undertake Police Department Radio System Upgrade and Portable-Mobile Radio Replacement-Phase 3, as described in the map, plan and report dated January 2021 and prepared by the Town of Amherst Police Department (2021-2026 Capital Improvement Program, Project PO-4); STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $300,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of $300,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of $300,000 pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds, and any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: February 22, 2021

FRANCINA J. SPOTH
Town Clerk

Section 2. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

The adoption of the foregoing resolution was seconded by _____and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

CERTIFICATE

I, FRANCINA J. SPOTH, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Amherst duly called and held on February 22, 2021, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this _day of February, 2021.

(SEAL)

_____
Town Clerk

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
:ss:
COUNTY OF ERIE)

FRANCINA J. SPOTH, being duly sworn, deposes and says:

That she is and at all times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of Amherst, State of New York;

That on _____, 2021, she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on February 22, 2021, a copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to the Town Law.

_____
Town Clerk

Subscribed and sworn to before me
this _____ day of February, 2021.

_____
Notary Public, State of New York

Attachment: CertBondReso (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

Town of Amherst
Police Department

Police Department Radio System Upgrade and Portable-Mobile Radio Replacement Phase 3

2021-2026 C.I.P # PO-04

Map, Plan & Report

January 2021

CONTENTS:

- Approved 2021 – 2026 CIP Project PO-4
- Proposed Scope of Improvements
- Financial Summary / Taxation Summary
- SEQR Determination

Attachment: MPR (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

Summary of Approved 2021-2026 Capital Improvement Program

Police Department — *Recommended Schedule (X $1,000)*

Project ID	Project Title/Description	2021	2022	2023	2024	2025	2026	Total Cost
PO-1	**Police Vehicles:** Funding for four additional police vehicles to replace older ones with maintenance issues. *(2019)*	155 LA	155 LA	155 LA	155 LA	155 LA	155 LA	$930,000
PO-2	**Bailey Ave Police Training Center Improvements:** Phase 1 – upgrade the bathroom facilities and install a backup generator. Phase 2 - creation of a live fire training house. *(2019)*	150 LA			800 LA			$950,000
PO-3	**Police Garage and Court Building Roof Improvements:** Replace and improve the existing roof systems at the Police Maintenance Garage, and Court Building. *(2019)*			216.5 LA				$216,500
PO-4	**Radio Infrastructure Replacement/ Upgrade:** Replace portable UHF police radios including GPS location server and associated programming equipment. *(2019)*	300 LA						$300,000
PO-5	**Town-wide Centralized Security Improvements:** Security and building improvements to Town buildings such as security camera upgrades, access control system improvements, physical barriers/fencing, and fixtures. *(2018)*	100 LA	100 LA	100 LA	100 LA	100 LA	100 LA	$600,000
PO-6	**Police HVAC System Improvements – Phase 5:** Last phase to replace the police firing range HVAC controls. *(2019)*		350 LA					$350,000
PO-7	**APD/Court Building Improvements:** Installation of awnings and a gradual replacement of the crawl space piping, building windows and window sills. *(2019)*			100 LA				$100,000
PO-8	**Police & Fire Emergency Communications Tower:** Co-locate up to 3 cellular carriers and police/fire antennas on a 300 ft. tower in North Amherst. *(2021)*				500 LA			$500,000

Key:

Funding Source
T - Tax
L – Bond
S – Surplus
RF – Recreation Fund
OF – Open Space Fund
F/S – Federal or State Aid
X – Private or Other Source

Funding Account
A – General Account
B – Part Town
C – Community Environment
D – Highway
E – Lighting
G – Sanitary Sewer District
H – Storm Drainage District
I – Water District
W – Water Pollution Control Facility
- Special District Number
NS – None Submitted

Attachment: MPR (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

INTRODUCTION / EXISTING CONDITIONS:

The Town of Amherst Police Department is a New York State Accredited agency comprised of 158 sworn officers and supported by over 60 full and part-time civilian employees. The mission of the department is to provide a high level of safety and police services for the 117,000 residents of Amherst, the largest suburb of Buffalo, located in upstate Western New York. Amherst police services are also provided for the Village of Williamsville, which is located within the town boundaries.

The department is currently made up of the following divisions and specialized units:

o Accident Investigation (Traffic) Unit
o Crime Lab
o Detective Bureau
o Family Offense Squad
o Narcotics Unit
o Patrol Division
o Safety Education
o Special Victims Unit
o Training/Accreditation Division
o Emergency Response Team
o Hostage Negotiation Team
o S.C.U.B.A. Team
o School Resource Officer
o Bicycle Patrol
o Honor Guard
o Technical Services
o Computer & Network Division

The Amherst Police Department operates the town's PSAP, which employs twenty-six full and part-time public safety dispatchers. All emergency, non-emergency and 9-1-1 calls are answered by the Police Department. Unfortunately, and after 10+ years of service, the current radio equipment (Radio Infrastructure) that the police departments officers use to communicate with dispatch along with and the primary emergency communication device (Portable Radio) has reached the end of its useful life after as certified replacement parts are no longer available and the system itself is unsupported by the manufacturer. This is the sole primary device (Portable radio) that all police officers use for emergency communications.

Attachment: MPR (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

PROPOSED SCOPE OF IMPROVEMENTS:

In an effort to provide safe, redundant, reliable emergency communications, the current radio infrastructure with be replaced (Radio Receivers/Transmitters, Voters and associated equipment). The system will seamlessly and completely integrate all of the existing legacy communication channels. This new equipment will enable Police personnel to utilize this equipment as the primary emergency radio communications platform. The equipment will allow Police Communications to become secure, using federally recognized P25 digital radio signals. Police will communicate with officers in the field and relay calls for service and support on a day to day basis, including investigative and emergency operations.

The radio infrastructure replacement will ensure safe and reliable emergency communications during emergency operations. The addition to securing communications, this will allow for a safer and more secure environment for future police operations.

Phase I was completed to include radio infrastructure replacement along with partial portable radios upgrades. Phase II and Phase III will be completed in 2021, to include the finalization of the scope of infrastructure and radio replacement.

TAX IMPACT:

Tax Impact		2021 CIP#:	PO-4 Radio Infrastructure Improvements		
4%					
10					
$300,000					
				($36,987.28)	
	1	$300,000	$ 12,000.00	$ (36,987.28)	$ 275,012.72
	2	$ 275,012.72	$ 11,000.51	$ (36,987.28)	$ 249,025.94
	3	$ 249,025.94	$ 9,961.04	$ (36,987.28)	$ 221,999.70
	4	$ 221,999.70	$ 8,879.99	$ (36,987.28)	$ 193,892.40
	5	$ 193,892.40	$ 7,755.70	$ (36,987.28)	$ 164,660.81
	6	$ 164,660.81	$ 6,586.43	$ (36,987.28)	$ 134,259.96
	7	$ 134,259.96	$ 5,370.40	$ (36,987.28)	$ 102,643.08
	8	$ 102,643.08	$ 4,105.72	$ (36,987.28)	$ 69,761.52
	9	$ 69,761.52	$ 2,790.46	$ (36,987.28)	$ 35,564.70
	10	$ 35,564.70	$ 1,422.59	$ (36,987.28)	$ (0.00)
		annual payment		$ (36,987.28)	
		Total cost over life		$ (369,872.83)	
	2021 General Fund assessed value			$10,649,110,379	
		cost per $1,000 AV		$ (0.0035)	
	est annual cost for $200,000 home			$ (0.6947)	

Attachment: MPR (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

SEQR Determination:

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, AICP
Planning Director

Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM January 19, 2021

TO: Thomas Barillari, Technical Services Officer

FROM: Ellen M. Kost, AICP, Assistant Planning Director

SUBJECT: SEQR Determination –
- Town-wide Centralized Security Improvements - 2021-2026 C.I.P # PO-05
- Police Department Radio System Upgrade and Portable-Mobile Radio Replacement Phase 3 - 2021-2026 C.I.P # PO-04

The Planning Department has reviewed the Map, Plan & Report for the subject projects and has determined them to be Type II actions under the provisions of SEQR according to Part 617.5. Therefore, no further environmental work is required.

Please contact our office if you have any questions.

X/Special Projects/SEQR Engineering/Type II Projects/Town-wide Centralized Security Imp. & Radio System Upgrade 2021

cc: John Askey, Police Chief
Stanley J. Sliwa, Esq., Town Attorney
Daryl Bramer, Comptroller
Daniel Howard, Planning Director

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7051 • Fax (716) 631-7153

Attachment: MPR (RES-2021-159 : Town of Amherst Police Department - Radio System Upgrades (Bond Resolution - $300,000))

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22887 **RESOLUTION 2021-160** **ROLL CALL VOTE (ADOPTED)**

Town-Wide Centralized Security Improvements (Bond Resolution - $100,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Town-wide Centralized Security Improvements**
2021-2026 C.I.P. - Project PO-05
Bond Resolution - $100,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR determination for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $100,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
Jeffrey S. Burroughs, PE, Town Engineer (*w/attachment*)
Brian J. Armstrong, Assistant Municipal Engineer (*w/attachment*)
John C. Askey, Chief of Police, Town of Amherst Police Department *(w/attachment)*

Thomas C. Barillari, Technical Services Officer, Town of Amherst Police Department *(w/attachment)*

2/22/2021

A motion to adopt the SEQR determination was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Councilmember Lavin and unanimously approved via Roll Call vote 5-0.

FINANCIAL IMPACT:

Bond Resolution - $100,000

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Shawn Lavin, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, AICP
Planning Director

Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM January 19, 2021

TO: Thomas Barillari, Technical Services Officer

FROM: Ellen M. Kost, AICP, Assistant Planning Director

SUBJECT: SEQR Determination –
- Town-wide Centralized Security Improvements - 2021-2026 C.I.P # PO-05
- Police Department Radio System Upgrade and Portable-Mobile Radio Replacement Phase 3 - 2021-2026 C.I.P # PO-04

The Planning Department has reviewed the Map, Plan & Report for the subject projects and has determined them to be Type II actions under the provisions of SEQR according to Part 617.5. Therefore, no further environmental work is required.

Please contact our office if you have any questions.

X/Special Projects/SEQR Engineering/Type II Projects/Town-wide Centralized Security Imp. & Radio System Upgrade 2021

cc: John Askey, Police Chief
Stanley J. Sliwa, Esq., Town Attorney
Daryl Bramer, Comptroller
Daniel Howard, Planning Director

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7051 • Fax (716) 631-7153

Attachment: SEQR (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Amherst, in the

County of Erie, New York

February 22, 2021

* * *

A regular meeting of the Town Board of the Town of Amherst, in the County of Erie, New York, was held at the Town Hall, 5583 Main Street, Williamsville, New York, on February 22, 2021.

There were present:	Hon. Brian J. Kulpa, Supervisor; and
Board members:	Jacqualine Berger, Councilwoman Deborah Bruch Bucki Councilwoman Shawn Lavin, Councilman Michael R. Szukala, Councilman
There were absent:	
Also present:	Francina J. Spoth, Town Clerk

* * *

_____ offered the following resolution and moved its adoption:

Attachment: CertBondReso (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

BOND RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED FEBRUARY 22, 2021, AUTHORIZING TOWN-WIDE CENTRALIZED SECURITY IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $100,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $100,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Amherst, in the County of Erie, New York (herein called the "Town"), is hereby authorized to undertake Town-wide centralized security improvements, as described in the map, plan and report dated January 2021 and prepared by the Town Police Department (2021-2026 Capital Improvement Program Project P0-5). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $100,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $100,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of $100,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Attachment: CertBondReso (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section Sections 11.00 a. 35 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds, and any notes in anticipation thereof to mature in such year, and (b) the payment of interest to be due and payable in such year.

Attachment: CertBondReso (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the

Attachment: CertBondReso (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

"Amherst Bee," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

The adoption of the foregoing resolution was seconded by _____and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

Attachment: CertBondReso (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

CERTIFICATE

I, FRANCINA J. SPOTH, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Amherst duly called and held on February 22, 2021, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this_day of February, 2021.

(SEAL)

_____
Town Clerk

Attachment: CertBondReso (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

Town of Amherst
Police Department

Town-wide Centralized Security Improvements

2021-2026 C.I.P

PO-05

Map, Plan & Report

January 2021

CONTENTS:

- Approved 2021 – 2026 CIP Project PO-5
- Proposed Scope of Improvements
- Financial Summary / Taxation Summary
- SEQR Determination

Attachment: MPR (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

Summary of Approved 2021-2026 Capital Improvement Program

Police Department — *Recommended Schedule (X $1,000)*

Project ID	Project Title/Description	2021	2022	2023	2024	2025	2026	Total Cost
PO-1	**Police Vehicles:** Funding for four additional police vehicles to replace older ones with maintenance issues. *(2019)*	155 LA	155 LA	155 LA	155 LA	155 LA	155 LA	**$930,000**
PO-2	**Bailey Ave Police Training Center Improvements:** Phase 1 – upgrade the bathroom facilities and install a backup generator. Phase 2 - creation of a live fire training house. *(2019)*	150 LA			800 LA			**$950,000**
PO-3	**Police Garage and Court Building Roof Improvements:** Replace and improve the existing roof systems at the Police Maintenance Garage, and Court Building. *(2019)*			216.5 LA				**$216,500**
PO-4	**Radio Infrastructure Replacement/ Upgrade:** Replace portable UHF police radios including GPS location server and associated programming equipment. *(2019)*	300 LA						**$300,000**
PO-5	**Town-wide Centralized Security Improvements:** Security and building improvements to Town buildings such as security camera upgrades, access control system improvements, physical barriers/fencing, and fixtures. *(2018)*	100 LA	100 LA	100 LA	100 LA	100 LA	100 LA	**$600,000**
PO-6	**Police HVAC System Improvements – Phase 5:** Last phase to replace the police firing range HVAC controls. *(2019)*		350 LA					**$350,000**
PO-7	**APD/Court Building Improvements:** Installation of awnings and a gradual replacement of the crawl space piping, building windows and window sills. *(2019)*			100 LA				**$100,000**
PO-8	**Police & Fire Emergency Communications Tower:** Co-locate up to 3 cellular carriers and police/fire antennas on a 300 ft. tower in North Amherst. *(2021)*				500 LA			**$500,000**

Key:

Funding Source
T - Tax
L – Bond
S – Surplus
RF – Recreation Fund
OF – Open Space Fund
F/S – Federal or State Aid
X – Private or Other Source

Funding Account
A – General Account
B – Part Town
C – Community Environment
D – Highway
E – Lighting
G – Sanitary Sewer District
H – Storm Drainage District
I – Water District
W – Water Pollution Control Facility
- Special District Number
NS – None Submitted

Attachment: MPR (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

TOWN OF AMHERST POLICE DEPARTMENT
Town-wide Centralized Security Improvements

PROPOSED SCOPE OF IMPROVEMENTS:

The Town of Amherst Police Department is chiefly responsible for providing adequate safety and security for the residential tax base as well as town employees while town-related business and activities are conducted at town-owned facilities. The scope of this project contains funding for additional safety and security measures as outlined by the Police department. These measures are anticipated to include the following measures and improvements.

Security Camera System Upgrades:

To date, the Police Department has developed a robust security camera system network made up of controls, communication facilities and the cameras themselves. To date, the system network is fully complete and functional but consists of only a small number of cameras. With intent to serve and protect more town-owned facilities, the fully scalable system needs to be expanded. In an effort to address the required expansion of the existing camera system, a number of improvements will be completed. A thorough analysis of each town-owned facility will be conducted in an effort to determine a priority list of need based on exposure and threat-level. Based on that priority, the existing system will be expanded with new cameras being installed at several town-owned facilities. As needed and in order to accommodate the new cameras, the cameras system network may also require improvements and/or upgrades. Ancillary building improvements will also be made as needed in an effort to accommodate these new cameras and/or network improvements.

The project will include the ability to maintain the installed infrastructure thru regular troubleshooting and repair contracts.

Access Control System Improvements:

The existing access control system employed by the Town of Amherst Police Department is currently in use within the Police Headquarters and Court Facilities. That system was designed as a scalable centralized system which could be expanded in an effort to provide safe, secure and reliable access control on a town-wide basis for numerous town-owned facilities. The system is largely key-fob based and provides for computer-controlled security of doors and barriers within town-owned facilities. That system will be expanded as-needed in an effort to broaden the scope of security over other town-owned facilities as dictated by a needs assessment to be conducted by the Police Department.

The project will include the ability to maintain the installed infrastructure thru regular troubleshooting and repair contracts.

Physical Security Barriers / Fencing and Fixture Improvements:

Based on a Police Department needs assessment, all town-owned facilities will be prioritized based on their need for additional physical barriers and/or fencing and/or fixture improvements. These barriers typical include fencing but may also include motorized gates and/or physical impediments. As needed and in most cases, these additional security measures will provide benefit by providing an additional layer of perimeter control over town-owned facilities.

The project will include the ability to maintain the installed infrastructure thru regular troubleshooting and repair contracts.

As per the above, the scope of this project will include a mix of equipment, hardware and software control replacements and improvements. The project scope described above will be designed, bid and constructed during 2021. The above project will be bonded against the Town of Amherst General Fund at a total project cost of $100,000.00, financed entirely with serial bonds. The above project is characterized as a replacement-in-kind project. The improvements provided within the scope of this project will have a minimum life cycle of 10 years.

Attachment: MPR (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

TOWN OF AMHERST POLICE DEPARTMENT
Town-wide Centralized Security Improvements

FINANCIAL SUMMARY:

Tax Impact		2021 CIP#:	PO-5 Town-Wide Centralized Security Improvements			
4%						
5						
$100,000						
					($22,462.71)	
	1	$100,000	$ 4,000.00	$	(22,462.71)	$ 81,537.29
	2	$ 81,537.29	$ 3,261.49	$	(22,462.71)	$ 62,336.07
	3	$ 62,336.07	$ 2,493.44	$	(22,462.71)	$ 42,366.80
	4	$ 42,366.80	$ 1,694.67	$	(22,462.71)	$ 21,598.76
	5	$ 21,598.76	$ 863.95	$	(22,462.71)	$ (0.00)
		annual payment		$	(22,462.71)	
		Total cost over life		$	(112,313.56)	
	2021 General Fund assessed value				$10,649,110,379	
		cost per $1,000 AV		$	(0.0021)	
	est annual cost for $200,000 home			$	(0.4219)	

Attachment: MPR (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

SEQR Determination:

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, AICP
Planning Director

Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM January 19, 2021

TO: Thomas Barillari, Technical Services Officer

FROM: Ellen M. Kost, AICP, Assistant Planning Director

SUBJECT: SEQR Determination –
- Town-wide Centralized Security Improvements - 2021-2026 C.I.P # PO-05
- Police Department Radio System Upgrade and Portable-Mobile Radio Replacement Phase 3 - 2021-2026 C.I.P # PO-04

The Planning Department has reviewed the Map, Plan & Report for the subject projects and has determined them to be Type II actions under the provisions of SEQR according to Part 617.5. Therefore, no further environmental work is required.

Please contact our office if you have any questions.

X/Special Projects/SEQR Engineering/Type II Projects/Town-wide Centralized Security Imp. & Radio System Upgrade 2021

cc: John Askey, Police Chief
Stanley J. Sliwa, Esq., Town Attorney
Daryl Bramer, Comptroller
Daniel Howard, Planning Director

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7051 • Fax (716) 631-7153

Attachment: MPR (RES-2021-160 : Town-Wide Centralized Security Improvements (Bond Resolution - $100,000))

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22888 **RESOLUTION 2021-161** **ROLL CALL VOTE (ADOPTED)**

Town of Amherst Police Department Vehicles (Bond Resolution - $155,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **2021 Police Department Vehicles**
2021-2026 C.I.P. - Project PO-1
Bond Resolution - $155,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached bond resolution authorizing the issuance of $155,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
John C. Askey, Chief of Police, Town of Amherst Police Department *(w/attachment)*
Thomas C. Barillari, Technical Services Officer, Town of Amherst Police Department *(w/attachment)*

2/22/2021
A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Councilmember Bucki and unanimously approved via Roll Call vote 5-0.

FINANCIAL IMPACT:

Bond Resolution - $155,000

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Amherst, in the

County of Erie, New York

February 22, 2021

* * *

A regular meeting of the Town Board of the Town of Amherst, in the County of Erie, New York, was held at the Town Hall, 5583 Main Street, Williamsville, New York, on February 22, 2021.

There were present:	Hon. Brian J. Kulpa, Supervisor; and
Board members:	Jacqualine Berger, Councilwoman Deborah Bruch Bucki Councilwoman Shawn Lavin, Councilman Michael R. Szukala, Councilman
There were absent:	
Also present:	Francina J. Spoth, Town Clerk

* * *

_____ offered the following resolution and moved its adoption:

Attachment: CertBondReso (RES-2021-161 : Town of Amherst Police Department Vehicles (Bond Resolution - $155,000))

BOND RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED FEBRUARY 22, 2021, AUTHORIZING ACQUISITION OF POLICE DEPARTMENT VEHICLES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $155,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $155,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Amherst, in the County of Erie, New York (herein called the "Town"), is hereby authorized to undertake acquisition of Police Department vehicles, as described in the memo dated January 28, 2021 and prepared by the Town Police Department (2021-2026 Capital Improvement Program Project P0-1). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $155,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $155,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of $155,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Attachment: CertBondReso (RES-2021-161 : Town of Amherst Police Department Vehicles (Bond Resolution - $155,000))

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section Sections 11.00 a. 77 of the Law, is three (3) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds, and any notes in anticipation thereof to mature in such year, and (b) the payment of interest to be due and payable in such year.

Attachment: CertBondReso (RES-2021-161 : Town of Amherst Police Department Vehicles (Bond Resolution - $155,000))

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the

Attachment: CertBondReso (RES-2021-161 : Town of Amherst Police Department Vehicles (Bond Resolution - $155,000))

"Amherst Bee," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

The adoption of the foregoing resolution was seconded by _____and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

Attachment: CertBondReso (RES-2021-161 : Town of Amherst Police Department Vehicles (Bond Resolution - $155,000))

CERTIFICATE

I, FRANCINA J. SPOTH, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Amherst duly called and held on February 22, 2021, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this_day of February, 2021.

(SEAL)

_____
Town Clerk

Attachment: CertBondReso (RES-2021-161 : Town of Amherst Police Department Vehicles (Bond Resolution - $155,000))

Amherst Police Department
Chief John C. Askey
500 John James Audubon Parkway
Amherst, New York 14228
716-689-1311
Fax 716-689-1310

TO: **Stanley J. Sliwa, Esq., Town Attorney**

FROM: **Melissa Lynch, Paralegal/Asst. to Chief of Police**
Thomas Barillari, Technical Services Officer

DATE: **January 28, 2021**

RE: **Requested Bond Project**
2021 Police Department Vehicles
2021-2026 C.I.P. Project # PO-1

The following is a list of vehicles that are scheduled to be purchased this year for the Police Department. The prices listed below are estimated costs based on prior year's costs for the purchase of comparable vehicles.

Item#	Quantity	Description	Unit Price	Total
1	6	2020 or Newer Ford Police Responder Hybrid Utility (LK-Dark Blue)	$39,000.00	$234,000.00
2	1	2020 or Newer Ford Police Responder Hybrid Utility (JS-Iconic Silver)	$40,500.00	$40,500.00
3	4	2020 or Newer Ford Utility Police Interceptor AWD (Non-Hybrid)	$36,000.00	$144,000.00
4	1	2020 or Newer Ford Utility Police Interceptor AWD (Non-Hybrid) EcoBoost	$40,000.00	$40,000.00

The Police Department will be purchasing a quantity of 5 vehicles from line item #1 and therefore are requesting a bond issuance of $155,000.00. Bond counsel legal fees in the amount of $775.00 will be subtracted from the total bond amount therefore allowing the use of $154,225.00 to purchase the outlined vehicles. The balance after the use of the bond funds will be taken out of the Amherst Police Operating Budget (A 3120 .2200).

Attachment: MPR PO-1 Police Vehicles (RES-2021-161 : Town of Amherst Police Department Vehicles (Bond Resolution - $155,000))

TAXATION SUMMARY

Total Bond Amount:	$155,000.00
Bond Term:	3 Years
Annual Tax Impacts:	$.0052 per $1,000 AV (General Fund)
Typical Property Taxation Impact:	$1.0490 per $200,000.00 Property

---

This is a requested General Fund bond action and thus does not require a public hearing. After your review, if this project is deemed acceptable, please forward this MPR to the Town Attorney's Office to generate and process all of the required documents. We kindly ask that this bond resolution be placed on the February 22, 2021 Town Board agenda.

Should you have any questions regarding this request, please feel free to contact us directly. Thank you.

MSL:hs
Enclosure
C: John C. Askey, Chief of Police

Attachment: MPR PO-1 Police Vehicles (RES-2021-161 : Town of Amherst Police Department Vehicles (Bond Resolution - $155,000))

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22889 **RESOLUTION 2021-162** **ROLL CALL VOTE (ADOPTED)**

Townwide Tree Planting and Restoration (Bond Resolution - $75,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Town-wide Tree Planting and Restoration Project**
2021-2026 C.I.P. - Project H-11
Bond Resolution - $75,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR determination for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $75,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
Jeffrey Szatkowski, Landscape Architect (*w/attachment*)

2/22/2021
A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved via Roll Call vote 5-0.

FINANCIAL IMPACT:

Bond Resolution - $75,000

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Director

Ellen M. Kost, AICP
Assistant Planning Dir

MEMORANDUM January 27, 2021

TO: Lynda J. Juul, Director of Finance

FROM: Ellen M. Kost, AICP, Assistant Planning Director

RE: SEQR Determination – Town-wide Tree Planting & Restoration

The Planning Department has reviewed the planting plan for the subject project and has determined it to be a Type II action under the provisions of SEQR according to Part 617.5. Therefore, no further environmental work is required.

Please contact our office if you have any questions.

X/Special Projects/SEQR Engineering/Type II Projects/Town-wide Tree Planting & Restoration

cc: Stanley J. Sliwa, Esq., Town Attorney
Daryl Bramer, Comptroller
Daniel Howard, Planning Director
Jeffrey Szatkowski, Landscape Architect

Attachment: MPR H-11 Town-Wide Tree Planting & Restoration - SEQR (RES-2021-162 : Townwide Tree Planting and Restoration (Bond

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Amherst, in the

County of Erie, New York

February 22, 2021

* * *

A regular meeting of the Town Board of the Town of Amherst, in the County of Erie, New York, was held at the Town Hall, 5583 Main Street, Williamsville, New York, on February 22, 2021.

There were present:	Hon. Brian J. Kulpa, Supervisor; and
Board members:	Jacqualine Berger, Councilwoman Deborah Bruch Bucki Councilwoman Shawn Lavin, Councilman Michael R. Szukala, Councilman
There were absent:	
Also present:	Francina J. Spoth, Town Clerk

* * *

_____ offered the following resolution and moved its adoption:

Attachment: CertBondReso (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution - $75,000))

BOND RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED FEBRUARY 22, 2021, AUTHORIZING TOWN-WIDE TREE PLANTING AND RESTORATION, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $75,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $75,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Amherst, in the County of Erie, New York (herein called the "Town"), is hereby authorized to undertake Town-wide tree planting and restoration as described in the map, plan and report dated January 2021 and prepared by the Town Planning Department (2021-2026 Capital Improvement Program Project H-11). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $75,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $75,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of $75,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Attachment: CertBondReso (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution - $75,000))

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section Sections 11.00 a. 57(1st) of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds, and any notes in anticipation thereof to mature in such year, and (b) the payment of interest to be due and payable in such year.

Attachment: CertBondReso (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution - $75,000))

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the

Attachment: CertBondReso (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution - $75,000))

"Amherst Bee," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

The adoption of the foregoing resolution was seconded by _____and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

Attachment: CertBondReso (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution - $75,000))

CERTIFICATE

I, FRANCINA J. SPOTH, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Amherst duly called and held on February 22, 2021, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this_day of February, 2021.

(SEAL)

_____

Town Clerk

Attachment: CertBondReso (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution - $75,000))

Town of Amherst

Highway Department

Town-wide Tree Planting & Restoration Project

2021– 2026 Capital Improvement Project H-11

January 2021

MAP, PLAN & REPORT

Contents:

• Background
• Project Description
• Location
• Project Improvements
• Project Justification
• Anticipated Project Schedule
• Financial Summary
• Project Cost Estimate
• Taxation Summary
• SEQR

Prepared by:
Town of Amherst Planning Department for the Supervisor's Office
5583 Main Street, Williamsville, NY 14221
(716) 631 – 7051

Attachment: MPR H-11 Town-Wide Tree Planting & Restoration (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution -

Background

The Town of Amherst is engaging in a Town-wide tree planting effort. Tree and shrub plantings will take place at Town owned facilities and in environmentally sensitive areas to be restored. The Town can provide the benefits of the urban tree canopy at parks, community centers, athletics fields, parks and trails. The Town of Amherst has been removing dead ash trees for years due to the emerald ash borer. The Town also seeks to provide a tree restoration plan in response to the resident's concerns. This project has been approved in the 2021-2026 CIP under project H-11.

Summary of Approved 2021-2026 Capital Improvement Program

Highway Department (cont'd) — ***Recommended Schedule (X $1,000)***

Project ID	*Project Title/Description*	*2021*	*2022*	*2023*	*2024*	*2025*	*2026*	*Total Cost*
H-10	**Tree Inventory – Phase 2:** Completing the Town tree inventory (started in 14226). All Town roads will be inventoried, possibly the county and state roads too, and collected into a geodatabase. *(2020)*		200 LA 75 X					**$275,000**
H-11	**Town-wide Tree Planting & Restoration:** Planting trees and shrubs in Town parks or rights-of-ways. *(2021)*	75 LA						**$75,000**
H-12	***Purchase of streetlight assets and conversion to LED.*** *NOTE: These costs are not included in the 2021 CIP total. An audit of existing streetlights is currently being undertaken. The project will only move forward if cost savings are shown upon completion of the audit, and would be an Energy Performance Contract. Funding for future bond payments would come from expenditure savings in the A and E funds, and would not create any additional expenditures. (2021)*	*8,100 LA* *18,900 LE*						***$27,000,000***
H-13	***Adding LED streetlights in various neighborhoods in Town and along Sweet Home Road.*** *NOTE: These costs are not included in the 2021 CIP total. This project would only move forward in conjunction with H-12, and costs may be offset by that project. (2021)*	*400 LA* *100 X* *900 LE*						***$1,400,000***

Project Description

The Town-wide tree planting initiative will involve different types of tree plantings, depending on the existing conditions or resident's concerns. Areas near buildings, playgrounds, parks and athletics fields will utilize nursery-stock type plantings. These trees and shrubs will provide shade and aesthetic characteristics near playgrounds, athletic fields and parking areas. Areas in rights-of-way, vegetated areas, and along roads and trails may consist of smaller plant stock. This smaller plant stock will be bare root or other smaller container. The purpose of the seedling or bare root planting is to help restore the tree canopy or improve the environmentally sensitive areas. Seed mixes can be used to supplement plantings and/or covered areas of disturbance. The equipment used for the nursery stock plantings will be mechanical and other construction-type vehicles. The seedling and bare root plantings will utilize hand tools and hand carts in sensitive locations.

Location

The Town-wide tree planting initiative will be located at Town owned facilities, parks, community centers, athletic fields, memorials, along trails and on Town-owned public property or right-of-way. One of the initial project sites to be restored will take place on Youngs Road between Sheridan Drive and Maple Road.

Attachment: MPR H-11 Town-Wide Tree Planting & Restoration (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution -

Attachment: MPR H-11 Town-Wide Tree Planting & Restoration (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution -

Project Improvements

The project components include.

- Trees, shrubs and groundcovers planted in Town public spaces (parks, athletic fields, community centers, trails, memorials and open spaces)
- Remediation of disturbed areas
- Restoration of environmentally sensitive areas or spaces with a significant loss of vegetation
- The plant material includes deciduous, coniferous, herbaceous and seed mixes in a variety of sizes and species
- Other materials include topsoil, mulch, fencing/protective fencing and watering bags for trees.
- Preliminary site assessment, survey and /or delineate existing wetlands on site to identify constraints
- Removal of existing debris on site
- Use of mechanical and hand tools to plant smaller plant stock

Project Justification

The project will provide the benefits of the urban tree canopy on Town owned property. The first phase of the tree inventory has taken place and the Town is in the process of creating a Tree Board. With the funds from this project, the Town will identify areas that have the potential for tree or shrubs. The funding will allow the Town to plant in these designated locations to add to the overall urban tree canopy.

The initial phase along Youngs Road is related to the Town Board resolution 2019-539, which authorized funding to remove and remediate dead ash trees. The trees have been removed and the proposed planting is part of the remediation phase. In response to the neighborhood concerns, the Town created a remediation plan. The Town Board authorized a consultant to prepare a planting plan and provide environmental services in resolution 2020-909.

Anticipated Project Schedule

Bond Action: February 2021
Bidding: February 2021
Construction: March 2021 – May 2021
Maintenance period within the contract to take place into 2022

Financial Summary

The Town of Amherst appropriated funds to cover the local shares in the approved 2021-2026 Capital Improvement Program under Project H-11. The funds have been identified as a General Account Bond with a minimum useful life of 5 years.

Estimated Construction Costs	$74,625
Legal/Administrative	$375
Total Amount to be Bonded	**$75,000**

Taxation Summary:

Total Bond Amount	$75,000.00
Bond Term	5 Years
Annual Tax Impact	$0.0016 per $1,000 AV (General Fund Bond)
Typical Property Taxation Impact	$0.3164 per $200,000 property

Attachment: MPR H-11 Town-Wide Tree Planting & Restoration (RES-2021-162 : Townwide Tree Planting and Restoration (Bond Resolution -

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22890 **RESOLUTION 2021-163** **ROLL CALL VOTE (ADOPTED)**

Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Town Road Pavement and Curbing Improvements**
2021-2026 C.I.P. - Project H-1
Bond Resolution - $1,750,000.00

Kindly take the following action with respect to the above bond request:

(1) Adopt the attached SEQR determination for the above project as determined by the Town of Amherst Planning Department; and

(2) Adopt the attached bond resolution authorizing the issuance of $1,750,000.00 in serial bonds for the above-referenced Town improvement.

The adoption of the bond resolution does ***not*** require a public hearing to be held because the improvement is a Town improvement not involving a special district.

Also attached is the Map Plan and Report which provides further detail on the scope of the project.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(w/attachment, **Agenda Item - February 22nd, 2021**)
Daryl C. Bramer, Comptroller *(w/attachment)*
Lynda Juul, Director of Finance *(w/attachment)*
Dan Howard, Director of Planning *(w/attachment)*
Ellen M. Kost, Assistant Director of Planning *(w/attachment)*
Jeffrey S. Burroughs, PE, Town Engineer (*w/attachment*)
Brian J. Armstrong, Assistant Municipal Engineer (*w/attachment*)
Patrick G. Lucey, Highway Superintendent (*w/attachment*)

2/22/2021

A motion to adopt the SEQR determination was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved 5-0. A motion to approve the Bond resolution was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and unanimously approved via Roll Call vote 5-0.

FINANCIAL IMPACT:

Bond Resolution - $1,750,000

RESULT:	**ROLL CALL VOTE (ADOPTED) [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, AICP
Planning Director

Ellen M. Kost, AICP
Assistant Planning Director

MEMORANDUM February 1, 2021

TO: Brian J. Armstrong, EIT, Assistant Municipal Engineer

FROM: Ellen M. Kost, AICP, Assistant Planning Director

RE: SEQR Determination – Town Road Paving and Curbing Improvements
TOA Project No. 2021.010

The Planning Department has reviewed the Map, Plan & Report for the subject project and has determined it to be a Type II action under the provisions of SEQR according to Part 617.5. Therefore, no further environmental work is required.

Please contact our office if you have any questions.

X/Special Projects/SEQR Engineering/Type II Projects/Town Road Paving & Curbing Imp 2021

cc: Jeffrey Burroughs, PE, Town Engineer
Stanley J. Sliwa, Esq., Town Attorney
Daryl Bramer, Comptroller
Daniel Howard, Planning Director

5583 Main Street • Williamsville • New York • 14221 • (716) 631-7051 • Fax (716) 631-7153

Attachment: SEQR (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Amherst, in the

County of Erie, New York

February 22, 2021

* * *

A regular meeting of the Town Board of the Town of Amherst, in the County of Erie, New York, was held at the Town Hall, 5583 Main Street, Williamsville, New York, on February 22, 2021.

There were present:	Hon. Brian J. Kulpa, Supervisor; and
Board members:	Jacqualine Berger, Councilwoman Deborah Bruch Bucki Councilwoman Shawn Lavin, Councilman Michael R. Szukala, Councilman
There were absent:	
Also present:	Francina J. Spoth, Town Clerk

* * *

_____ offered the following resolution and moved its adoption:

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

BOND RESOLUTION OF THE TOWN OF AMHERST, NEW YORK, ADOPTED FEBRUARY 22, 2021, AUTHORIZING IMPROVMENTS TO VARIOUS TOWN ROADS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,750,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $1,750,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF AMHERST, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Amherst, in the County of Erie, New York (herein called the "Town"), is hereby authorized to undertake improvements to various Town roads, as described in the map, plan and report dated January 2021 and prepared by the Town of Amherst Engineering Department (2021-2026 Capital Improvement Program, Project H-1). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $1,750,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $1,750,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of $1,750,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section Sections 11.00 a. 20 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds, and any notes in anticipation thereof to mature in such year, and (b) the payment of interest to be due and payable in such year.

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "The Amherst Bee," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

TOWN OF AMHERST. NEW YORK

PLEASE TAKE NOTICE that on February 22, 2021, the Town Board of the Town of Amherst, in the County of Erie, New York, adopted a bond resolution entitled:

> "Bond Resolution of the Town of Amherst, New York, adopted February 22, 2021, authorizing improvements to various Town roads, stating the estimated maximum cost thereof is $1,750,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of $1,750,000 to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to undertake improvements to various Town roads, as described in the map, plan and report dated January 2021 and prepared by the Town of Amherst Engineering Department (2021-2026 Capital Improvement Program, Project H-1); STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $1,750,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of $1,750,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of $1,750,000 pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds, and any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

DATED: February 22, 2021

FRANCINA J. SPOTH
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

The adoption of the foregoing resolution was seconded by _____and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

****

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

CERTIFICATE

I, FRANCINA J. SPOTH, Town Clerk of the Town of Amherst, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Amherst duly called and held on February 22, 2021, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Amherst this _day of February, 2021.

(SEAL)

_____
Town Clerk

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
:ss:
COUNTY OF ERIE)

FRANCINA J. SPOTH, being duly sworn, deposes and says:

That she is and at all times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of Amherst, State of New York;

That on _____, 2021, she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on February 22, 2021, a copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to the Town Law.

_____
Town Clerk

Subscribed and sworn to before me
this _____ day of February, 2021.

_____
Notary Public, State of New York

Attachment: CertBondReso (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

Town of Amherst
Highway Department

Town Road Pavement and Curbing Improvements

2021-2026 C.I.P. Project H-1

Town of Amherst Project # 2021.010

Map, Plan & Report

January 2021

CONTENTS:

- Approved 2021 – 2026 CIP Project H-1
- Introductions / Existing Conditions
- Proposed Scope of Improvements
- Proposed Improvement Locations
- Financial / Taxation Summary
- SEQR Determination – Type II Action

Prepared by
Town of Amherst Engineering Department
1100 North Forest Rd.
Williamsville, NY 14221
(716) 631-7154

Attachment: Map Plan Report - Final (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

TOWN OF AMHERST
HIGHWAY DEPARTMENT
Town Road Pavement and Curbing Improvements

Summary of Approved 2021-2026 Capital Improvement Program

Highway Department *Recommended Schedule (X $1,000)*

Project ID	Project Title/Description	2021	2022	2023	2024	2025	2026	Total Cost
H-1	**Paving:** Repave various Town roads. *(2012)*	1,750 LD	1,750 LD	2,250 LD	2,250 LD	2,250 LD	2,250 LD	$12,500,000
H-2	**Gas Pump Repairs:** Repairs to the Town gas pump to be incompliance with EPA/DEC Regulations per a notice of violation. *(2021)*	550 LD						$550,000
H-3	**Highway Vehicles & Equipment:** Replacement of various vehicles and equipment. *(2018)*	750 LD	750 LA	750 LA	750 LA	750 LA	750 LA	$4,500,000
H-4	**Highway Building Improvements:** A new storage facility in 2021 due to the possible loss of the Parks Building at 450 Maple Road to store equipment and to make the salt brining operation functional. Work in 2022 would include repaneling offices, replacing office ceilings, and erection of a new Signal Shop. *(2017)*		819.8 LA	147.9 LA				$967,700
H-5	**Various Signal Upgrades:** Install/upgrade signals at intersections as warranted and upgrade signal controllers to meet the latest NYSDOT specifications. *(2018)*				115 LA	115 LA	115 LA	$345,000
H-6	**Traffic Signal Replacement:** Replace the Town-owned traffic signal at intersections of Dodge Road, Sweet Home Road, Commerce Drive and at JJ Audubon Pkwy and North Forest Road. *(2018)*	100 LA	200 LA					$300,000
H-7	**Town-wide Road Striping:** Striping of Town roads. *(2020)*		120 LD	120 LD	200 LD	200 LD	200 LD	$840,000
H-8	**Town-wide Guide Rail Replacement:** Replace guide rails that are in disrepair. *(2017)*			50 LD	50 LD	50 LD	50 LD	$200,000
H-9	**Town-wide Curbing Replacement:** Replacement of Town curbs as needed based on complaints received. *(2020)*			50 LD	50 LD	50 LD	50 LD	$200,000

Key:

Funding Source
T - Tax
L – Bond
S – Surplus
RF – Recreation Fund
OF – Open Space Fund
F/S – Federal or State Aid
X – Private or Other Source

Funding Account
A – General Account
B – Part Town
C – Community Environment
D – Highway
E – Lighting
G – Sanitary Sewer District
H – Storm Drainage District
I – Water District
W – Water Pollution Control Facility
- Special District Number
NS – None Submitted

INTRODUCTION / EXISTING CONDITIONS:

Within its boundaries, the Town of Amherst owns approximately 376 linear miles of asphalt roadways. The Town Highway Department is responsible for the continuous maintenance of all Town-owned roads. Due to budget restraints, town roads are maintained on an as-needed basis. Road maintenance can vary from preventative measures such as patching and crack-filling to reparative measures such as milling and repavement to full-depth reconstruction.

Attachment: Map Plan Report - Final (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

PROPOSED SCOPE OF IMPROVEMENTS:

In order to address the ongoing deterioration of existing town-owned roads, numerous pavement improvements are planned for the 2021 construction season. The planned improvements outlined within the following list of Proposed Improvement Locations will address the current highest priority (worst condition) roadways. All of the planned improvements will include a full-width milling and repavement of as many of the listed town-owned streets and/or roadways as funding permits, however roads may also be added or deleted, as priorities may change prior to or during construction. Roadway striping, curbing and ADA ramp improvements will also be completed within the project limit areas as required. All of the planned improvements of these improved roadways will have a minimum useful life of 15 years.

The improvements outlined herein will begin during the 2021 construction season and be completed in 2022. The above project will be bonded against the Town of Amherst Highway District Fund at a *total project cost* of $1,750,000.00, financed entirely with serial bonds. The above improvements are characterized as a replacement-in-kind project.

PROPOSED IMPROVEMENT LOCATIONS:

STREET/ROAD	FROM	TO
Greenwood Dr.	New Rd.	Dead End
Yale Ave.	Niagara Falls Blvd.	Meadow Lea
Hunters Lane	Bridle Path	Exeter Rd.
Saratoga Rd.	Harlem Rd.	Washington Hwy.
Grant Rd.	Bentham Pkwy E.	Kingsgate Rd.
Richfield Rd	Main St.	Dead End
Carriage Hill East	Carriage Hill West	West Klein Rd.
Fairways Blvd.	Frankhauser Rd.	Lynn Lea
Scott Dr.	Richfield Rd.	Townline (ML)
Meyer Rd.	N. Bailey Ave.	Niagara Falls Blvd.
Lynn Lea	Sunrise Blvd.	Fairways Blvd.
Carriage Hill West	West Klein Rd.	Carriage Circle
East Royal Pkwy.	Royal Pkwy.	Pierpont Ave.
King Place Ave.	S. Forest Rd.	West Royal Pkwy.
Quantico Ct.	Youngs Rd.	Culpepper Rd.
Sagewood Terr.	Maple Rd.	Shetland Dr.
Segsbury Rd.	Craigmore Dr.	End of Court
Landings Dr.	N. French Rd.	Campbell Blvd.
Longmeadow Rd.	Niagara Falls Blvd.	Bailey Ave.
Rockdale Dr.	North Brier Rd.	House 130
Schoelles Rd.	Campbell Blvd.	Hopkins Rd.
Manning Dr.	Longmeadow Rd.	Lamont Rd.
Onley Dr.	Hendricks Blvd.	Crosby Blvd.
Bissell Dr.	Hendricks Blvd.	Garland Dr.
Garland Dr.	Eggert Rd.	Crosby Blvd.
Fairchild Dr.	Hendricks Blvd.	Garland Dr.
Grandview Dr.	Vine Lane	Cascade Dr.

Attachment: Map Plan Report - Final (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

Kingsview Rd.	Bramble Ct.	Homewood Ct.
Oakridge Dr.	Klein Rd.	Kingsview Rd.
Briar Row	Park Club Ln.	Dawnbrook Ln.
The Paddock	Troy Del Way	Briarhurst Rd.
Chestnut Hill South	Klein Rd.	Kings Trail
Shadow Wood Dr.	Wellingwood Ct.	Wood Acres Dr.
Joanie Ln.	Lynette Ln.	Nancy Ln.
Nancy Ln.	Lynette Ln.	Dead End
Millbrook Ct.	Frankhauser Rd.	Park Forest Dr.
Colony Ct.	Greenbrier Rd.	End of Ct.
Colony Ct North	Greenbrier Rd.	Dead End
Youngs Rd.	Klein Rd.	Dauphin Dr.
Rosedale Blvd.	Crosby Blvd.	Grover Cleveland Hwy.
Wood Acres Dr.	House 314	Casey Rd.
Renaissance Dr.	Covent Garden Ln.	Via Foresta Ln.
N. Long St.	Reist St.	House 198
Renaissance Dr.	Ayer Rd.	Covent Garden Ln.

FINANCIAL SUMMARY:

Estimated Construction Costs	$ 1,741,000
Legal / Administrative	9,000
Total Amount to be Bonded	**$ 1,750,000**

TAXATION SUMMARY:

Total Bond Amount:	$1,750,000
Bond Term:	15 Years
Annual Tax Impacts:	$0.0155 per $1,000 AV (Highway District)
Typical Property Taxation Impact:	$3.09 per $200,000 property

Attachment: Map Plan Report - Final (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa
Supervisor

Daniel C. Howard, A
Planning Director

Ellen M. Kost, AICP
Assistant Planning Dir

MEMORANDUM February 1, 2021

TO: Brian J. Armstrong, EIT, Assistant Municipal Engineer

FROM: Ellen M. Kost, AICP, Assistant Planning Director

RE: SEQR Determination – Town Road Paving and Curbing Improvements
TOA Project No. 2021.010

The Planning Department has reviewed the Map, Plan & Report for the subject project and has determined it to be a Type II action under the provisions of SEQR according to Part 617.5. Therefore, no further environmental work is required.

Please contact our office if you have any questions.

X/Special Projects/SEQR Engineering/Type II Projects/Town Road Paving & Curbing Imp 2021

cc: Jeffrey Burroughs, PE, Town Engineer
Stanley J. Sliwa, Esq., Town Attorney
Daryl Bramer, Comptroller
Daniel Howard, Planning Director

Attachment: Map Plan Report - Final (RES-2021-163 : Town Road Paving and Curbing Improvements (Bond Resolution - $1,750,000))

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22873 **RESOLUTION 2021-164** **ADOPTED**

Lease of 1040 Tonawanda Creek Road (DeVantier)

AGENDA ITEM - FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 9, 2021**

RE: **Lease of 1040 Tonawanda Creek Road**
Melvin De Vantier and Gail R. De Vantier
Adopt Resolution Approving Lease Subject
To Permissive Referendum (CRS#2392)

Mr. and Mrs. DeVantier are requesting renewal of the attached lease for the 2021 calendar year for the above property. They have sent a check in the amount of $800.00 in consideration of this request. Once the lease is approved, the check will be forwarded to Daryl C. Bramer, Town Comptroller.

Therefore, kindly adopt a resolution authorizing the Supervisor to execute the attached lease subject to permissive referendum.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(*w/attachment,* **Agenda Item : February 22nd, 2021**)
Daryl C. Bramer, Town Comptroller (*w/attachment)*
Lynda Juul, Director of Finance (*w/attachment)*

2/22/2021
Consent

FINANCIAL IMPACT:

Revenue - $800.00 - A0001.02410

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

L E A S E

THIS AGREEMENT made as of the _____ day of _____, 2021, between the Town of Amherst, a municipal corporation with its principal office for the transaction of business located at 5583 Main Street, Williamsville, New York 14221, hereinafter referred to as Lessor, and Melvin De Vantier, residing at 2761 Niagara Falls Boulevard, Niagara Falls, New York, 14304, hereinafter referred to as Lessee.

W I T N E S S E T H

That Lessor has leased real property commonly referred to as 1040 Tonawanda Creek Road consisting of approximately 40 acres situate on the west side of Tonawanda Creek Road, being tax account number 14.00-1-2, for the purpose of raising various crops, subject to the terms and conditions set forth below:

1. Lease Term: This lease is for a period of one (1) year, commencing the 1st day of January, 2021 and ending on the 31st day of December, 2021.

2. Permissive Referendum: In accordance with Article 7 of the Town Law of the State of New York, this Lease is being approved subject to permissive referendum.

3. Use: Lessee is hereby authorized to seed, cultivate, raise, and harvest farm crops.

4. Restrictions: Lessee shall not remove any soil from premises nor construct ditches or culverts except for the usual cultivated rows and immediate drainage purposes for the site. Upon the removal of the crops raised, the property shall be left in substantially the same condition as at the commencement of this Lease.

5. Indemnity: Lessee hereby covenants and agrees to indemnify and hold harmless the Lessor from all liability charges, expenses (including counsel fees) arising out of use of said premises as herein provided. Lessee will also provide Lessor with liability insurance coverage in the minimum amount of $1,000,000.00.

6. Consideration: Lessee shall pay to the Lessor the sum of $800.00 in consideration for this Lease.

Attachment: 2021LeaseTonaCrk (RES-2021-164 : Lease of 1040 Tonawanda Creek Road (DeVantier) (CRS #2392))

7. Fertilizer, Pesticides and Insecticides: Lessee shall use only such fertilizers, pesticides, insecticides or other chemicals as are permitted by governmental regulation for farming purposes. No chemicals which shall be deemed to be hazardous or toxic or otherwise restricted in use shall be utilized on said premises.

IN WITNESS WHEREOF, the parties have executed this Lease on the day and year first above set forth.

TOWN OF AMHERST

BY: _____
BRIAN J. KULPA, Supervisor

BY: _____
MELVIN DE VANTIER

Attachment: 2021LeaseTonaCrk (RES-2021-164 : Lease of 1040 Tonawanda Creek Road (DeVantier) (CRS #2392))

STATE OF NEW YORK)
VILLAGE OF WILLIAMSVILLE)ss:
COUNTY OF ERIE)

On the _____ day of _____, 2021, before me personally appeared Brian J. Kulpa, who being by me duly sworn, did depose and say that he resides in the Village of Williamsville, New York, that he is the Supervisor of the Town of Amherst, New York, the corporation described herein and which executed the foregoing instrument, that he knows the seal of the said corporation, that it was so affixed by order of the Town Board and that he signed his name thereto by like order.

_____
Notary Public

STATE OF NEW YORK)
TOWN OF _____)ss:
COUNTY OF _____)

On the _____day of _____, 2021, before me, the subscriber, personally appeared Melvin De Vantier, to me known and known to me to be the same person described in and who executed the within instrument and he acknowledged to me that he executed the same.

_____
Notary Public

Attachment: 2021LeaseTonaCrk (RES-2021-164 : Lease of 1040 Tonawanda Creek Road (DeVantier) (CRS #2392))

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22883 **RESOLUTION 2021-165** **ADOPTED**

Authorization for Payment to Jeffrey E. Marion, Esq., Special Counsel to Town Attorney's Office

AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq. Town Attorney**

DATE: **February 11, 2021**

RE: **Authorization For Payment To Jeffrey E. Marion, Esq., Special Counsel To Town Attorney's Office, For Services Rendered In 2020**

Kindly adopt a resolution authorizing payment in the amount of $507.50 to Jeffrey E. Marion, Esq., Special Counsel to the Town Attorney's Office, for services rendered from October 2nd, 2020 through and including December 18th, 2020. The amount has already been encumbered and will be paid for out of A1420.4090.

Thank you.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(*w/attachment,* **Agenda Item - February 22, 2021**)
Daryl C. Bramer, Comptroller (*w/attachment)*
Lynda Juul, Director of Finance (*w/attachment)*

2/22/2021
Consent

FINANCIAL IMPACT:

$507.50 - A1420..4090 (previously encumbered).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22884 **RESOLUTION 2021-166** **ADOPTED**

Agreement with Jeffrey E. Marion, Esq., Special Counsel to Town Attorney's Office (CRS #2405)

AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq. Town Attorney**

DATE: **February 11, 2021**

RE: **Special Counsel To Town Attorney's Office (CRS #2405)**
Term of Agreement - 1.1.2021-12.31.2022

Kindly adopt the following resolution with respect to the above matter:

RESOLVED, the Supervisor is hereby authorized to sign an Agreement between the Town of Amherst and Jeffrey E. Marion, Esq. to act as Special Counsel to the Town Attorney's Office for opioid related matters and opioid litigation, subject to successful completion of the Contract Routing System. The consulting fees under this agreement are $175.00 per hour not to exceed $3,500.00 per calendar year.

SJS:nmb
Attachment
c: Kathy Cooper, Deputy Town Clerk
(*w/attachment,* **Agenda Item - February 22, 2021**)
Daryl C. Bramer, Comptroller (*w/attachment)*
Lynda Juul, Director of Finance (*w/attachment)*

2/22/2021
Consent

FINANCIAL IMPACT:

$175.00/hr. NTE $3,500 per calendar year paid from A1420.4090. Term of Agreement is 1.1.2021-12.31.2022.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
(716) 631-7030
FAX (716) 631-7101
www.amherst.ny.us

Stanley J. Sliwa
Town Attorney

Nicole M. Burroughs
Senior Paralegal

Joanne A. Schultz
Sr. Deputy Town Attorney

Ann Demopoulos
Deputy Town Attorney

Ann Nichols
Town Prosecutor

February ___, 2021

Jeffrey E. Marion, Esq.
271 Stevenson Boulevard
Amherst, New York 14226

Re: Providing Special Counsel Services To Town of Amherst
Opioid Related Matters/Litigation

Dear Mr. Marion:

Thank you for agreeing to provide the Town of Amherst (the "Town") with assistance as Special Counsel in the handling of legal matters involving opioid related matters and opioid litigation. This letter will confirm our understanding of the terms of the engagement.

Your purpose is to assist the Town in providing special counsel services to the Town of Amherst in matters concerning opioid related matters and opioid litigation. You shall be available to answer any questions that may arise with respect to the legal department that involve these matters.

The terms of your engagement are for the period from January 1, 2021 through and including December 31, 2022. Your rate will be $175.00 per hour in an amount not to exceed $3,500.00 per calendar year. You shall bill the Town on a monthly basis.

I, Jeffrey E. Marion, Esq., agree to the terms and conditions set forth above.

_____
Jeffrey E. Marion, Esq.

DATED: _____

_____
Brian J. Kulpa, Supervisor

DATED: _____

Attachment: TwnBrd2.22.21JEMSpecialCounselAgreement (RES-2021-166 : Agreement with Jeffrey E. Marion, Esq., Special Counsel to Town

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Stanley J. Sliwa**
Co-Sponsored by:

DOC ID: 22885 **RESOLUTION 2021-167** **ADOPTED**

Commendation and Payment Authorization to Sarah Internicola

AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **Stanley J. Sliwa, Esq., Town Attorney**

DATE: **February 11, 2021**

RE: **Commendation and Payment Authorization To Sarah Internicola**

Kindly adopt the following resolution with respect to the above matter:

WHEREAS, the Town of Amherst is in the process of determining whether to sell a portion of the Audubon Golf Course located at 450-500 Maple Road to Mensch Capitol Partners, LLC (Mensch); and

WHEREAS, as part of its due diligence, in relation thereto, Mensch conducted a limited Phase II environmental site assessment, which was prepared by C&S Engineers, Inc. on November 20, 2020; and

WHEREAS, the Phase II environmental site assessment reflected that the Audubon Golf Course (Audubon) contained certain contaminates as a result of the use of pesticides, fungicides and herbicides at that facility; and

WHEREAS, since the Town of Amherst has been self-insured since 1986, it was imperative for the Town to identify its prior insurance carriers as well as those entities that the Town purchased pesticides, fungicides and herbicides from during this time period; and

WHEREAS, the Town utilized the services of Sarah Internicola as an intern to review Town Board minutes for the year 1962 through and including 1986 in order to acquire the necessary information;

NOW THEREFORE BE IT RESOLVED that the Town Board present the attached Commendation to Sarah Internicola for the services she performed;

BE IT FURTHER RESOLVED that the Town Board award her a stipend of Two Hundred Fifty Dollars ($250.00) to be paid for from account A1420.4090.

Thank you.
SJS:nmb

Attachment
c: Kathy Cooper, Deputy Town Clerk
(*w/attachment,* **Agenda Item - February 22, 2021**)
Daryl C. Bramer, Comptroller (*w/attachment*)
Lynda Juul, Director of Finance (*w/attachment*)

2/22/2021
Consent

FINANCIAL IMPACT:

$250.00 to be paid from A1420.4090.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Commendation

The Town of Amherst hereby Commends

Sarah Internicola

for her dedication to the Town of Amherst Department of Law

For assisting the Town Law Department in locating information relating to its acquisition and maintenance of Audubon Golf Course from 1962 to 1986, as well as locating information identifying the Town's liability carriers during that period. The contribution to the Town is deeply appreciated.

The Town of Amherst thanks you. We do hereby extend our best wishes for your continued success, which positively impacts the Town of Amherst.

Seal

Brian J. Kulpa, Supervisor

Jacqueline G. Berger, Deputy Supervisor

Stanley J. Sliwa, Esq., Amherst Town Attorney

Deborah Bruch Bucki RN, PhD., Councilmember

Shawn A. Lavin, Councilmember

Michael R. Szukala, Councilmember

February 22, 2021

Attachment: Sarah-02112021111834 (RES-2021-167 : Commendation and Payment Authorization to Sarah Internicola)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Joanne A. Schultz**
Co-Sponsored by:

DOC ID: 22916 **RESOLUTION 2021-168** **ADOPTED**

Settlement of Article 7 Tax Certiorari - KeyBank 3920 Main Street

Kindly adopt a resolution approving the settlement below for the following Article 7 Tax Certiorari case filed in Erie County entitled:

KeyBank 3920 Main Street v. Town of Amherst et al.

Index #808969/2015,
Index #807808/2016,
Index #808750/2017.

3920 Main Street SBL#79.26-2-15.

This settlement is retrospective. The petitioner vacated the building in 2017.

The real property tax assessment for 2015/2016 is set at (8,764,000 FMV) AV 8,501,000;
The real property tax assessment for 2016/2017 is set at (8,764,000 FMV) AV 7,975,000; and,
The real property tax assessment for 2017/2018 is set at (8,764,000 FMV) AV 8,764,000.

The Senior Deputy Attorney, Assessors Office and Town Clerk are authorized and directed to take all necessary steps to implement this resolution.

2/22/2021
Consent

FINANCIAL IMPACT:

Assessment - Refund $12,471.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Attorney
Initiated by: **Joanne A. Schultz**
Co-Sponsored by:

DOC ID: 22927 **RESOLUTION 2021-169** **ADOPTED**

Settlement of Article 7 Tax Certiorari - Tonawanda Properties, LLC

Kindly adopt a resolution approving the settlement below for the following Article 7 Tax Certiorari case filed in Erie County entitled:

Tonawanda Properties, LLC. v. Town of Amherst et al.

767 Wehrle Drive - SBL #80.16-6-11

Index # 809712/2017
811319/2018
808934/2019
806900/2020

Current AV/FMV - $ 860,000 AV**.**

18/19, 19/20, 20/21 is set at 840,000 AV.

RPTL 727 applies.

The Senior Deputy Attorney, Assessors Office and Town Clerk are authorized and directed to take all necessary steps to implement this resolution.

2/22/2021
Consent

FINANCIAL IMPACT:

Assessment

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
Initiated by: **Kathleen Cooper**
Co-Sponsored by:

DOC ID: 22919 **RESOLUTION 2021-170** **ADOPTED**

Snow Plow Permits

Terra-Care Landscaping #0315
Richard Kelver
853 Robin Road
Amherst, NY 14228-1038

Jay's Landscaping Inc. #0316-#0319
Jason Kochan
297 MacArthur Drive
Williamsville, NY 14221

Marino Const. Inc #0320-#0321
9190 Hillview Drive
Clarence, NY 14031

Dore Landscape Associates, Inc. #0322-#0325
Edward Dore
5911 Fisk Avenue
Lockport, NY 14094

2/22/2021
Consent

FINANCIAL IMPACT:

Income to the Town.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Building/Building Maintenance
Initiated by: **Mark S. Berke**
Co-Sponsored by:

DOC ID: 22878 **RESOLUTION 2021-171** **ADOPTED**

Fire Inspection - 2 Week Education Program

Request Town Board approval to send 1 Fire Inspector to attend a 10 day training in Montour Falls, NY for a Fire inspector 1 and Fire Inspector 2 program. The use of 1 town vehicle will be used for travel.

2/22/2021
Consent

FINANCIAL IMPACT:

B3620 4120 $427.68

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Fire Inspection – 2 Week Education Program

Request town board approval to send 1 Fire Inspector to attend a 10 day training in Montour Falls, NY for a Fire Inspector 1 and Fire Inspector 2 program. The use of 1 town vehicle will be used for travel.

The NYS Office of Fire Prevention and Control (OFPC) is offering the program at the New York State Academy of Fire Science on June 7-18, 2021 at 600 College Ave, Montour Falls NY 14865. This is 2 classes that are 5 days for each course. These courses are designed to follow the National Fire Protection Association 1031 Fire Inspector I and Fire Inspector II standard. The program will cover various codes and standards in order to develop a working knowledge of their application in the inspection process. Topics addressed in this course include the fire inspector's responsibilities and role in code enforcement, general fire prevention practices, inspection competencies, life safety considerations and enforcement, fire safety principles and requirements related to hazardous materials, special hazards of electrical, heating, and cooking equipment and systems, and fire protection systems and equipment. Each course includes an exam for National Certification.

FINANCIAL IMPACT:
Funding provided in the following Accounts:

- B3620 4120 in the amount of $427.68

Attachment: Fire Inspection I and II (RES-2021-171 : Fire Inspection - 2 Week Education Program)

TRAVEL REQUEST FORM

NAME	DEPARTMENT
	BUILDING

Requests approval to travel on behalf of the Town as follows:

Destination and Purpose of Trip			
Departure Date	Return Date	Destination	Purpose/Justification
6/13/2021	6/18/2021	600 College Ave, Montour Falls 14865	Fire Inspector II

Estimated Cost ($)		
Transportation		
Mileage	Will use a town vehicle to commute to the training	$0
Tolls	$5.42 each way (to & from) for 1 vehicle	$10.84
Local Transport		$0
Plane/Bus/Rail		$0
Lodging	Included in Registration Fee @ x room(s)	$0
Meals	1 day per diem	$55.00
Registration/Conference Fees	FEE WAIVED	$0
Other (describe)	Fuel Reimbursement	$40.00
	Total	$ 105.84

Approval by: Mark S. Berke 2.9.21

Department Head — Date

Town Board Approval (when required)

Town Clerk — Date

☐ If checked, a trip report must be submitted to the Town Clerk by: _____ Date

Attachment: Fire Inspection I and II (RES-2021-171 : Fire Inspection - 2 Week Education Program)

Name	Employee ID No. 8508	Department Building Dept	Phone No. 716-631-7078

Expenses

Date						Total
Mileage: ____ Miles @ ____ =						
Tolls/Parking						
Local Transport (Bus/Taxi)						
Registration/Conference Fee						
Plane / Rail / Bus						
Lodging						
Meals						
Telephone / Fax						
Other (describe)						
Total						

Destination and Purpose of Trip

Departure Date	Return Date	Destination	Business Conducted

I hereby certify that I have expended the above itemized amounts for business purposes of the Town of Amherst

SIGNATURE _____ DATE _____ PRINT NAME _____

Approved by:

SIGNATURE _____ DATE _____ PRINT NAME _____
DEPARTMENT HEAD

Attachment: Fire Inspection I and II (RES-2021-171 : Fire Inspection - 2 Week Education Program)

TRAVEL REQUEST FORM

NAME	DEPARTMENT
	BUILDING

Requests approval to travel on behalf of the Town as follows:

Destination and Purpose of Trip			
Departure Date	Return Date	Destination	Purpose/Justification
6/6/2021	6/11/2021	600 College Ave, Montour Falls 14865	Fire Inspector I

Estimated Cost ($)		
Transportation		
Mileage	Will use a town vehicle to commute to the training	$0
Tolls	$5.42 each way (to & from) for 1 vehicle	$10.84
Local Transport		$0
Plane/Bus/Rail		$0
Lodging	Included in Registration Fee @ x room(s)	$0
Meals	1 day per diem	$55.00
Registration/Conference Fees	1 course @ $191.00/course // Registration Fee $25.00	$216.00
Other (describe)	Fuel Reimbursement	$40.00
	Total	$ 321.84

Approval by: Mark S. Berke

Mark Berke 2.9.21

Department Head Date

Town Board Approval (when required)

Town Clerk Date

☐ If checked, a trip report must be submitted to the Town Clerk by: _____
Date

Attachment: Fire Inspection I and II (RES-2021-171 : Fire Inspection - 2 Week Education Program)

Name	Employee ID No. 8508	Department Building Dept	Phone No. 716-631-7078

Expenses

Date						Total
Mileage: _____ Miles @ _____ =						
Tolls/Parking						
Local Transport (Bus/Taxi)						
Registration/Conference Fee						
Plane / Rail / Bus						
Lodging						
Meals						
Telephone / Fax						
Other (describe)						
Total						

Destination and Purpose of Trip

Departure Date	Return Date	Destination	Business Conducted

I hereby certify that I have expended the above itemized amounts for business purposes of the Town of Amherst

SIGNATURE _____ DATE _____ PRINT NAME _____

Approved by:

SIGNATURE DEPARTMENT HEAD _____ DATE _____ PRINT NAME _____

C:\Users\parnellb\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\9D2HFISA\Fire Inspector I_Travel Request Form_2021.doc 1/12/21

Attachment: Fire Inspection I and II (RES-2021-171 : Fire Inspection - 2 Week Education Program)

NEW YORK STATE | Homeland Security and Emergency Services | Fire Prevention and Control | Academy of Fire Science

EOSB - 1220 (8/19)

Fire Academy Registration Form

Personal Information

NAME (Last, First, MI)

TRAINING ID # OR LAST 4 DIGITS OF SOCIAL SECURITY #
NY0039264

HOME ADDRESS (Street, PO Box)
83 Newgate Rd

CITY: Amherst | STATE: NY | ZIP: 14226

☐ CHECK IF NEW ADDRESS ☑ MALE ☐ FEMALE

☐ CHECK IF 16 OR 17 YEARS OF AGE

DAYTIME PHONE: (716) 310-4881
EVENING PHONE: (716) 310-4881
FAX #
E-MAIL ADDRESS: dmastrella@amherst.ny.us

Sponsoring Organization

FIRE DEPARTMENT ID #: 15804
COUNTY: Erie

SPONSORING ORGANIZATION
Town of Amherst

STREET ADDRESS, PO BOX
5583 Main St

CITY: Amherst | STATE: NY | ZIP: 14221

FD PHONE#: (716) 631-7800
FD E-MAIL or FAX: 716-631-7192

NAME/TITLE - HEAD OF THE SPONSORING AGENCY
Mark S Berke / Commissioner of Building

SIGNATURE - HEAD OF THE SPONSORING AGENCY (REQUIRED)

_____ Date _____

NOTE: The signature of the sponsoring agency authorized representative on this registration form indicates compliance with the information on the Training Authorization Letter (EOSB-1654), including attestation of medical clearance as per OSHA 1910.134 to use a respirator for those courses that require the use of SCBA. 16 or 17 year old students must also submit a Training Authorization Letter signed by a parent or guardian to participate in training at the Fire Academy.

Course Information:

COURSE TITLE: Fire Inspector I

COURSE CODE #: 01-14-0046 DATES: 6/7-11

Course Registration -

NOTE: Payment MUST Accompany Registration

Registration Fee is MANDATORY AND NONREFUNDABLE

☑ NYS Resident - $25 ☐ Out-of State - $50

☐ Materials Fee (if applicable) payable upon arrival
See course description (may not include required text book)

☐ Prerequisite Proof (if applicable)
Must accompany registration

☐ Training Authorization Letter
Must accompany registrations of 16 and 17 year old students

Academy Meals & Lodging - payable upon arrival

☑ Resident – includes all meals & lodging
☐ Commuter – includes breakfast & lunch
☐ Commuter dinner - $9/day (optional)

Registration, Material, Meals & Lodging Fees:

Registration Fee (include w/registration)	$ 25
Materials Fee (if applicable – payable upon arrival)	$ 0
Meals & Lodging Fee (payable upon arrival)	$ 191
Optional commuter dinner(s)	$
Total enclosed:	$ 25
Balance due upon arrival:	$ 191

Reasonable lodging/dietary request:

Share room with:

Payment Method

Make checks, money orders & vouchers payable to:
Academy of Fire Science

☐ Check ☐ Money Order
☐ Signed Voucher ☑ Purchase Order

☐ VISA ☐ MasterCard ☐ Discover Total Charge: $_____

Card # ☐☐☐☐ ☐☐☐☐ ☐☐☐☐ ☐☐☐☐

Expiration Date ☐☐/☐☐ Security Code ☐☐☐

Signature_____

Please review the application to make certain it is complete and the required payment and prerequisite proof are enclosed. Incomplete forms will be returned. This form is on the web at www.dhses.ny.gov/ofpc
EMAIL (AcademyRegistrationMF@dhses.ny.gov), FAX, OR MAIL APPLICATION TO FIRE ACADEMY ONLY

Academy of Fire Science • 600 College Ave • Montour Falls, NY 14865-9634 | Phone: (607) 535-7136; Fax: (607) 535-4841

NOTE: While we urge registration as early as possible, the absolute deadline for all Academy course registrations is 7 days before the course start date. Fire Officer 3 has a 21 day registration deadline. If your complete registration is not received by this deadline, you will not be placed in the course. Call the Academy for further information.

Attachment: Fire Inspection I and II (RES-2021-171 : Fire Inspection - 2 Week Education Program)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Central Alarm
Initiated by: **Stephen Matisz**
Co-Sponsored by:

DOC ID: 22909 **RESOLUTION 2021-172** **ADOPTED**

Contract for Fire Dispatch Service with Tn. of Clarence CRS #2413

Request the Supervisor sign an agreement with the Town of Clarence for the Town of Amherst to provide Fire Dispatch Services.

2/22/2021
Consent

FINANCIAL IMPACT:

Approx. $281,000 annually in revenue

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

TOWN OFCLARENCE

One Town Place
Clarence, NY 14031

(716) 741-8935

Fax: (716) 741-4715

Lawrence M. Meckler
Town Attorney/Prosecutor
lmeckler@clarence.ny.us

Steven B. Bengart
Deputy Town Attorney/Prosecutor
sbengart@clarence.ny.us

Cynthia M. Rosel, Paralegal
crosel@clarence.ny.us

Wednesday, October 28, 2020

Stephen W. Matisz
Supervising Fire Dispatcher
Town of Amherst Central Alarm Office
500 John James Audubon Parkway
Amherst, NY 14228

Re: Central Alarm Contract between Town of Amherst and Town of Clarence

Dear Mr. Matisz:

Enclosed please find the following regarding the Central Alarm Contract:

- Two (2) original Central Alarm Contracts between the Town of Amherst and the Town of Clarence that have been signed by Supervisor Casilio
- Town Clerk's Certified Resolution regarding same

Please have a completely executed **original** returned to the undersigned when it is available.

Thank you for your courtesy in this matter.

Very truly yours,

Cynthia M. Rosel

Cynthia M. Rosel
Paralegal

/cmr
Enclosures

Attachment: 2021 Clarence Contract (RES-2021-172 : Contract for Fire Dispatch with Tn. of Clarence CRS# 2413)

AGREEMENT

THIS AGREEMENT made this 23RD day of October, 2020 between the TOWN OF AMHERST, a municipal corporation with its principal office at 5583 Main Street, Williamsville, Erie County, New York 14221, and the TOWN OF CLARENCE, a municipal corporation with its principal office at One Town Place, Clarence, Erie County, New York 14031.

WITNESSETH

WHEREAS, the Town of Amherst has established a Central Fire Alarm system pursuant to Section 64 of the Town Law and has purchased and maintained equipment and personnel to dispatch fire and emergency relief squad calls, and

WHEREAS, the Town of Clarence is desirous of continuing the services of the Town of Amherst's Central Fire Alarm system.

NOW, THEREFORE, in consideration of the covenants and promises hereinafter set forth, the parties agree as follows:

FIRST: The Town of Amherst shall provide the necessary equipment and personnel for the dispatching of fire and emergency relief squad calls for the Central Fire Alarm system of the Town of Clarence.

SECOND: The Town of Amherst shall make available to the Town of Clarence its present equipment and personnel to provide a Central Fire Alarm system for the Town of Clarence. The services are to be provided to the Town of Amherst.

THIRD: The Town of Clarence and/or its fire districts and/or its fire companies, as the case may be, shall provide and maintain all necessary equipment to connect with the present facilities of the Town of Amherst Central Fire Alarm system and to

Attachment: 2021 Clarence Contract (RES-2021-172 : Contract for Fire Dispatch with Tn. of Clarence CRS# 2413)

thereafter maintain same. All future expansion of equipment or services within the Town of Clarence shall be paid for by the Town of Clarence.

FOURTH: All personnel necessary for the operation of the Central Fire Alarm office shall be employees of the Town of Amherst and subject to its jurisdiction and control.

FIFTH: This agreement shall take effect at 12:00 a.m., January 1, 2021, and shall terminate at 11:59 p.m. on December 31, 2025.

SIXTH: The Town of Clarence shall pay to the Town of Amherst a yearly rental for the services herein specified on the first day of July of each year and every year during the term of this agreement upon the submission of a proper voucher executed by the Town of Amherst in the amount of 19% of the Town of Amherst's total expense for the prior year, for the operation and maintenance of the Central Fire Alarm office. (Personal services, fringe benefits, contractual expenses and the cost of fixed assets that are acquired and utilized in the performance of the services herein). The Town of Amherst will provide reasonable advanced notice of any major capital expenditures.

SEVENTH: Either party, during the term of this agreement, shall have the right and option to cancel this agreement, by giving written notice thereof, to the other party on or before the 1st day of September, which cancellation shall become effective January 1st thereafter.

EIGHTH: The Town of Clarence shall have the option to renew this agreement for an additional term of five (5) years. The rental consideration, however, shall be negotiated between the parties.

Attachment: 2021 Clarence Contract (RES-2021-172 : Contract for Fire Dispatch with Tn. of Clarence CRS# 2413)

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this agreement to be signed by their duly authorized officers the day and year first above written.

TOWN OF CLARENCE

BY:_____
Patrick Casilio, Supervisor

TOWN OF AMHERST

BY:_____
Brian J. Kulpa, Supervisor

Attachment: 2021 Clarence Contract (RES-2021-172 : Contract for Fire Dispatch with Tn. of Clarence CRS# 2413)

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

On this 23RD day of OCTOBER in the year 2020, before me, the undersigned, personally appeared Patrick Casilio, Supervisor of the Town of Clarence, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual(s) or the person(s) upon behalf of which the individual acted, executed the instrument.

Cynthia M. Rosel
NOTARY PUBLIC

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

On this _____ day of _____ in the year 2020, before me, the undersigned, personally appeared Brian J. Kulpa, Supervisor of the Town of Amherst, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual(s) or the person(s) upon behalf of which the individual acted, executed the instrument.

_____
NOTARY PUBLIC

Attachment: 2021 Clarence Contract (RES-2021-172 : Contract for Fire Dispatch with Tn. of Clarence CRS# 2413)

Town of Clarence

STATE OF NEW YORK
COUNTY OF ERIE SS.
TOWN OF CLARENCE

I, Nancy C. Metzger, Town Clerk of the Town of Clarence, Erie County, New York, do hereby certify that at an adjourned work session of the Town Board of the aforesaid town, on the 14th day of October 2020 at the Clarence Town Hall, One Town Place, Clarence, New York, the following resolution was adopted, every member present voting therefore, to wit:

Motion by Councilman DiCostanzo, seconded by Councilman Greene to authorize the Supervisor to sign the Central Alarm Contract between the Town of Amherst and the Town of Clarence to provide a Central Fire Alarm system for the Town of Clarence for a term of five years from January 1, 2021 to December 31, 2025, subject to review and approval by the Town Attorney. Upon roll call – Ayes: All; Noes: None. Motion carried.

I do further certify that I have compared the foregoing with the original minutes of the adjourned regular meeting of the Town Board of said Town held on the 14th day of October 2020 and that the foregoing is a true and correct transcript from said original minutes and the whole thereof, and that the resolutions duly adopted by the said Town Board are on file in my office.

I do further certify that the following members of the Town Board were present at such meeting, with each member voting therefore, as follows:

Patrick Casilio, Supervisor	(Aye)
Peter T. DiCostanzo, Councilman	(Aye)
Robert A. Geiger, Councilman	(Aye)
Christopher D. Greene, Councilman	(Aye)
J. Paul Shear, Councilman	(Aye)

and being all the persons constituting said Town Board of the Town of Clarence, Erie County, New York.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town of Clarence, Erie County, New York, on this 21st day of October 2020.

Nancy C. Metzger
Town Clerk, Town of Clarence, New York

Attachment: 2021 Clarence Contract (RES-2021-172 : Contract for Fire Dispatch with Tn. of Clarence CRS# 2413)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Central Alarm
Initiated by: **Stephen Matisz**
Co-Sponsored by:

DOC ID: 22911 **RESOLUTION 2021-173** **ADOPTED**

Contract for Fire Dispatch Service with Tn. of Newstead CRS #2414

Request the Supervisor sign an agreement with the Town of Newstead for the Town of Amherst to provide Fire Dispatch Services.

2/22/2021
Consent

FINANCIAL IMPACT:

Approx. $89,000 annually in revenue

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

TOWN OF NEWSTEAD

P.O. Box 227 5 Clarence Center Rd. Akron, NY 14001

Supervisor: **(716) 542-1231** • Town Court: **(716) 542-4575** • Town Clerk: **(716) 542-4573**
Assessor/Code Enforcement: **(716) 542-4574** • Fax: **(716) 542-3702**
Calls for Hearing Impaired: **1-800-662-1220**

December 15, 2020

Town of Amherst
Attn: Supervisor Brian Kulpa
5583 Main St
Williamsville, NY 14221

Dear Supervisor Kulpa,

Enclosed please find 2 original signed contracts between the Town of Amherst and the Town of Newstead to continue Central Fire Alarm services for the town beginning on January 1, 2021 and commencing through 12/31/2025.

Please sign both originals and return 1 to me in the enclosed postage paid envelope at your earliest convenience.

If you have any questions regarding this matter, please contact me at (716) 542-4573, option 2, or Supervisor David Cummings at (716) 542-4573, option 5. We look forward to our continued relationship for the next 5 years.

Sincerely,

Dawn D. Izydorczak, RMC
Town Clerk

Enclosures

Attachment: 2021 Newstead Contract (RES-2021-173 : Contract for Fire Dispatch with Tn. of Newstead CRS# 2414)

AGREEMENT

THIS AGREEMENT made this 14TH day of December 2020, between the TOWN OF AMHERST, a municipal corporation with its principal office at 5583 Main Street, Williamsville, Erie County, New York 14221, and the TOWN OF NEWSTEAD, a municipal corporation with its principal office at 5 Clarence Center Road, Akron, Erie County, New York 14001.

WITNESSETH

WHEREAS, the Town of Amherst has established a Central Fire Alarm system pursuant to Section 64 of the Town Law and has purchased and maintained equipment and personnel to dispatch fire and emergency relief squad calls, and

WHEREAS, the Town of Newstead is desirous of continuing the services of the Town of Amherst's Central Fire Alarm system.

NOW, THEREFORE, in consideration of the covenants and promises hereinafter set forth, the parties agree as follows:

FIRST: The Town of Amherst shall provide the necessary equipment and personnel for the dispatching of fire and emergency relief squad calls for the Central Fire Alarm system of the Town of Newstead.

SECOND: The Town of Amherst shall make available to the Town of Newstead its present equipment and personnel to provide a Central Fire Alarm system for the Town of Newstead. The services are to be provided to the Town of Amherst.

Attachment: 2021 Newstead Contract (RES-2021-173 : Contract for Fire Dispatch with Tn. of Newstead CRS# 2414)

THIRD: The Town of Newstead and/or its fire districts and/or its fire companies, as the case may be, shall provide and maintain all necessary equipment to connect with the present facilities of the Town of Amherst Central Fire Alarm system and to thereafter maintain same. All future expansion of equipment or services within the Town of Newstead shall be paid for by the Town of Newstead.

FOURTH: All personnel necessary for the operation of the Central Fire Alarm office shall be employees of the Town of Amherst and subject to its jurisdiction and control.

FIFTH: This agreement shall take effect at 12:00 a.m., January 1, 2021, and shall terminate at 11:59 p.m. on December 31, 2025.

SIXTH: The Town of Newstead shall pay to the Town of Amherst a yearly rental for the services herein specified on the first day of July of each year and every year during the term of this agreement upon the submission of a proper voucher executed by the Town of Amherst in the amount of 3/5 of 10% of the Town of Amherst's total expense for the prior year, for the operation and maintenance of the Central Fire Alarm office. (Personal services, fringe benefits, contractual expenses and the cost of fixed assets that are acquired and utilized in the performance of the services herein). The Town of Amherst will provide reasonable advanced notice of any major capital expenditures.

SEVENTH: Either party, during the term of this agreement, shall have the right and option to cancel this agreement, by giving written notice thereof, to the other party on or before the 1st day of September, which cancellation shall become effective January 1st thereafter.

Attachment: 2021 Newstead Contract (RES-2021-173 : Contract for Fire Dispatch with Tn. of Newstead CRS# 2414)

EIGHTH: The Town of Newstead shall have the option to renew this agreement for an additional term of five (5) years. The rental consideration, however, shall be negotiated between the parties.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this agreement to be signed by their duly authorized officers the day and year first above written.

TOWN OF NEWSTEAD

BY: David L Cummings
David L. Cummings, Supervisor

TOWN OF AMHERST

BY:_____
Brian J. Kulpa, Supervisor

Attachment: 2021 Newstead Contract (RES-2021-173 : Contract for Fire Dispatch with Tn. of Newstead CRS# 2414)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Comptroller
Initiated by: **Daryl Bramer**
Co-Sponsored by:

DOC ID: 22905 **RESOLUTION 2021-174** **ADOPTED**

Budget Transfers and Amendments

For February 22, 2021 Town Board Agenda

To: Town Board
From: Office of Town Comptroller
Date: 2/17/2021
Re: Various Department Budget Transfers / Amendments

I have received the following request(s) requiring budget transfers and / or amendments. Based on my review, I ask that the Town Board approve the following list;

BUDGET TRANSFERS - 2021

From:	***To:***
A7140.1000 Recreation - Personal Services $33,261.80	A7140.4110 Contractual $33,261.80
N2037.4000 CDBG ADA Sidewalk Ramps $800.00	N2021.4000 CDBG Housing Rehab $800.00

BUDGET AMENDMENTS - 2021

INCREASE:	***INCREASE:***
N2048.02785 Cheektowaga Home Rental - PI $17,668.80	N2048.4000 Contractual $17,668.80
N2049.02785 Cheektowaga Home Admin - PI $1,963.20	N2049.4003 Admin Fee $1,963.20
To recognize Community Development program income from 91 Susan Drive, Cheektowaga.	
N2023.02785 CDBG & VG - PI $14,837.14	N2023.4000 Contractual $14,837.14
N2025.02785 CDBG Admin - PI $3,709.28	N2025.1000 Personal Services $3,445.68
	N2025.8030 FICA $263.60
To recognize Community Development program income from 154 Countryside Lane, Williamsville.	
N2048.02785 Cheektowaga Home Rental Sub.-PI $84,024	N2048.4000 Contractual $84,024
N2049.02785 Cheektowaga Home Admin. - PI $9,336	N2049.4003 Admin. Fee $9,336
To recognize Community Development program income from 288 Boll Street, Cheektowaga.	
N2023.02785 CDBG & VG - PI $4,653.20	N2023.4000 Contractual $4,653.20
N2025.02785 CDBG Admin - PI $1,163.30	N2025.1000 Personal Services $1,080.63
	N2025.8030 FICA $82.67
To recognize Community Development program income from 1240 Youngs Road. Unit E, Williamsville.	
N2044.02785 Cheektowaga Home- PI $6,169.50	N2044.4000 Contractual $6,169.50
N2049.02785 Cheektowaga Home Admin - PI $685.50	N2049.4003 Admin Fee $685.50
To recognize Community Development program income from 48 Trudy Lane, Cheektowaga.	
N2045.02785 Cheektowaga Rehab- PI $399.92	N2045.4000 Contractual $399.92
To recognize Community Development program income from 125 Leonard Post, Cheektowaga.	
N2044.02785 Cheektowaga Home- PI $4,500.00	N2044.4000 Contractual $4,500.00
N2049.02785 Cheektowaga Home Admin - PI $500.00	N2049.4003 Admin Fee $500.00
To recognize Community Development program income from 185 Beale Drive, Cheektowaga	

N2023.02785 CDBG & VG - PI $170.00 N2023.4000 Contractual $170.00
To recognize Community Development program income from 169 Hillcrest Drive, Amherst

N2023.02785 CDBG & VG - PI $16,780.20 N2023.4000 Contractual $16,780.20
N2025.02785 CDBG Admin - PI $4,195.05 N2025.1000 Personal Services $3,896.94
N2025.8030 FICA $298.11
To recognize Community Development program income from 149 Brookdale Drive, Williamsville.

N2023.02785 CDBG & VG - PI $11,618.60 N2023.4000 Contractual $11,618.60
N2025.02785 CDBG Admin - PI $2,904.65 N2025.1000 Personal Services $2,698.24
N2025.8030 FICA $206.41
To recognize Community Development program income from 110 Mona Drive, Amherst.

DECREASE: ***DECREASE:***

N0001.20080 CDBG Income 20/21 $95.00 N2021.4000 CDBG Rehab $95.00
N0001.20081 Amherst Home 20/21 $210.00 N2040.4000 Amherst Home Rehab $158.00
N2054.4000 Amherst Program Delivery $52.00

To decrease budgets for contracts #2387 & #2388.

2/22/2021
Consent

FINANCIAL IMPACT:

N/A

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Comptroller
Initiated by: **Daryl Bramer**
Co-Sponsored by:

DOC ID: 22913 **RESOLUTION 2021-175** **ADOPTED**

2020 Budget Transfers and Amendments

BUDGET TRANSFERS - 2020

From: ***To:***

A1620.4300 Building Maint. - R&M Other $1,262.04 A1620.9000 Interfund Transfers $1,262.04
To transfers funds into KP1911 Town Hall Generator.

BUDGET AMENDMENTS - 2020

INCREASE: ***INCREASE:***

KP1911.05031 Interfund Transfer $1,262.04 KP1911.4972 Construction $1,262.04
To record budget amendment for Interfund transfer from Building Maintenance into KP1911 Town Hall Generator.

2/22/2021
Consent

FINANCIAL IMPACT:

Transfer of funds from Building Maintenance A1620 into KP1911 Town Hall Generator, $1,262.04.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by:

DOC ID: 22815 **RESOLUTION 2021-176** **ADOPTED**

Award Bid #2020035 - Allen Bradley Products - CRS #2380

WHEREAS, the Contract Compliance and Administration Department received bids on January 7, 2021 for Bid 2020035, Allen Bradley Products; and

WHEREAS, the bid process resulted in responses from two (2) vendors, as per the attached bid tabulation form;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Rexel, Inc.; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Rexel, Inc.

2/22/2021
Consent

FINANCIAL IMPACT:

Town Wide - Various Accounts - Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Bid #2020035 Allen Bradley Products									
	Low Bidder		Vendor Name:	Rexel			Wats International		
Item #	QTY	U/M		% Discount	Discount Amount	Total Price	% Discount	Discount Amount	Total Price
1	$20,000	%	Percentage discount from Allen Bradley Published List Price.	17%	$3,400	$16,600.00	Bid packet did not contain a price page.		
NOTES:									
Wats International: Bid rejected because Wats International did not include a price sheet in the bid packet.									

Attachment: Bid Tab 2020035 Allen Bradley Products (RES-2021-176 : Award Bid #2020035 - Allen

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by:

DOC ID: 22869 **RESOLUTION 2021-177** **ADOPTED**

Extension of Town Wide Asbestos & Lead Surveys Contract - CRS #2402 (Orig. CRS/CMS #1370/1661)

WHEREAS, RFP #201905 for Town Wide Asbestos and Lead Surveys was awarded to AMD Environmental Consultants, Inc. on April 15, 2019; and

WHEREAS, the RFP allows for two (2) two-year extensions at the same terms and conditions as the original contract; and

WHEREAS, the Contract Compliance and Administration Department is requesting approval for the first two-year contract extension;

NOW, THEREFORE, BE IT RESOLVED, the Town Board approves a contract extension with a term of April 17, 2021 to April 16, 2023; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract extension with AMD Environmental Consultants, Inc.

2/22/2021
Consent

FINANCIAL IMPACT:

Town Wide - Various Accounts - Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Contract Compliance
Initiated by: **Lynda Juul**
Co-Sponsored by:

DOC ID: 22907 **RESOLUTION 2021-178** **ADOPTED**

Award Bid #2021002 - 1.25" High Pressure Sewer Cleaning Hose Assembly - CRS #2416

WHEREAS, the Contract Compliance and Administration Department received bids on February 11, 2021 for Bid 2021002, 1.25" High Pressure Sewer Cleaning Hose Assembly; and

WHEREAS, the bid process resulted in responses from three (3) vendors, as per the attached bid tabulation form; and

WHEREAS, the Sewer Maintenance Dept. has a need for this equipment as soon as possible;

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Joe Johnson Equipment, LLC; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Joe Johnson Equipment, LLC, subject to successful completion of the contract routing process.

2/22/2021
Consent

FINANCIAL IMPACT:

Town Wide; Various Accounts; Amount TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Bid #2021002 1.25" High Pressure Sewer Cleaning Hose Assembly

		Low Bidder							
			Vendor Name:	Peerless Mill Supply		Joe Johnson		Holzberg Communications	
Item #	QTY	U/M		Unit Price	Total	Unit Price	Total	Unit Price	Total
1	1	EA	1 ¼" ID x 500' High Pressure Sewer Cleaning Hose Assembly	$3,064.50	$3,064.50	$2,473.33	$2,473.33	$3,179.99	$3,179.99

NOTES:

Holzberg Communications bid was not opened at the bid opening as it was delivered late.

The bid was sent via FedEx Priority overnight and should have been received by 10:30 AM, therefore, this bid has been accepted and recorded.

Attachment: Bid Tab 2021002 1.25 inch Sewer Hose (RES-2021-178 : Award Bid #2021002 - 1.25" High

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22915 **RESOLUTION 2021-179** **ADOPTED**

NYS Department of Health Environmental Laboratory Approval CRS 2400

We are requesting the Town Board authorize the Supervisor to sign the attached New York State Environmental Laboratory Approval Program Certification of Compliance for the WPCF Laboratory.

This request has successfully completed the contract review process.

Thank you.

2/22/2021
Consent

FINANCIAL IMPACT:

n/a

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

New York State Department of Health
Environmental Laboratory Approval Program
Application for Renewal of Approval for 2021-2022 Permit Year
Complete, sign and return by March 1, 2021

Certification of Compliance

Data as of Monday, February 8, 2021

10037 AMHERST (T) WPCF

Has any corporate shareholder or technical director ever had charges of administrative violations of local, state or federal laws, rules and regulations sustained against himself/herself?

_____ Yes _X_ No

If yes, please provide details on a separate sheet and attach to this form.

Has any corporate shareholder or technical director ever been convicted of any crime or offense related to the furnishing of or billing for environmental laboratory services or environmental remediation services or sample collection related thereto, which is considered an offense involving theft, fraud, or offering a false instrument?

_____ Yes _X_ No

If yes, please provide details on a separate sheet and attach to this form.

The undersigned understand and acknowledge that the laboratory is required to be in continual compliance with New York State's Environmental Laboratory Approval Program (ELAP) standards and is subject to the penalty provisions of the Program. I understand that under Section 55-2.6 of 10 NYCRR, a Certificate of Approval may be revoked, suspended, or denied if any fact is misrepresented in this application, including failure to notify ELAP regarding changes in ownership. Changes in any of the information in this application must be reported to ELAP immediately. I also understand that additional penalties may apply if I misrepresent, conceal, or fail to disclose facts or information regarding initial or continuing eligibility for a Certificate or Approval, including conviction of any crime related to the provision of or billing for laboratory services, omission or misrepresentation of material facts related to the operation of an environmental laboratory, or the concealment of ownership or controlling interest. I further understand that offering a false instrument constitutes a crime under the Penal Law of the State of New York.

It is certified that: the laboratory will operate in accordance with Section 502 of the Public Health Law; the owner or technical director will monitor and document the use of approved methods; records will be maintained as prescribed in the ELAP Quality Systems Standard; and the owner or technical director will notify ELAP if the laboratory is found to be in violation of any federal, state, or local law by the federal, state or local agency enforcing that law; laboratory staff will permit authorized department employees to conduct announced or unannounced on-site assessments and investigations and will allow copies of any laboratory records to be taken by authorized department employees; the laboratory management will notify any other states in which the laboratory is accredited if the laboratory's New York ELAP accreditation is revoked or suspended in whole or in part; and the laboratory management will similarly notify the New York ELAP if the laboratory's accreditation is revoked or suspended in whole or in part by any other state accrediting authority.

Under the New York State Workers' Compensation Law, businesses applying for permits or licenses issued by the State must hold workers' compensation and disability benefits coverage or document their qualifying for an exception. Information regarding this requirement and the process for submitting proof of enrollment can be found in the *New York State Workers' Compensation Board Employers Handbook – A Guide to the Workers' Compensation System for the New York State Business Owner*, available at
http://www.wcb.state.ny.us/content/main/Employers/EmployerHandbook.pdf

By signing as owner I hereby certify that I am the owner of the laboratory named in this application and that there are no misrepresentations in my answers to the questions on this application. By signing as the owner representative, I attest that I am authorized to sign on behalf of the owner named in this application.

Legal Name of Laboratory Owner(s):
TOWN OF AMHERST
5583 Main Street

WILLIAMSVILLE, NY 14221

Signature of Owner	Name of Owner (printed)	Date
Signature of Owner Representative	Name / Title of Owner Representative (printed)	Date
William D. Moore	William D. Moore	2/8/20
Signature of Lead Technical Director	Name of Lead Technical Director (printed)	Date
William D. Moore	William D. Moore	2/8/21
Signature of Quality Assurance Officer	Name of Quality Assurance Officer (printed)	Date

Attachment: NYS DOH Laboratory Approval Program (RES-2021-179 : NYS Department of Health Environmental Laboratory Approval)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22917 **RESOLUTION 2021-180** **ADOPTED**

Inter-Municipal Agreement Between Erie County and the Town of Amherst for Canalway Trail & Hopkins Road Trail Safety Enhancements CRS ID #2410

The Town of Amherst has obtained Canal Corps and OPRHP funding for various barrier installations along the Canalway (Tonawanda Creek) and Hopkins Road trails. The Canalway Trail & Hopkins Road Trail Safety Enhancements project is in the design phase moving toward construction in the summer of 2021. The proposed guide rail as part of this project is located within Erie County right-of-way along both Tonawanda Creek Road and Hopkins Road. As such, an Inter-Municipal Agreement (IMA) with Erie County is necessary for the Town to make improvements between the Town's pathway and County highways.

We respectfully request Town Board approval authorizing the Town Supervisor to execute the attached Inter-Municipal Agreement with Erie County for work associated with the above referenced project.

There is no cost to the Town of Amherst associated with execution of the IMA. Erie County is responsible for filing the agreement at the Erie County Clerk's office. This request has successfully passed the contract review process. Thank you for considering this request.

2/22/2021
Consent

FINANCIAL IMPACT:

N/A

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

INTER MUNICIPAL AGREEMENT
Canalway Trail & Hopkins Road Trail Safety Enhancements
PIN 5762.63

THIS INTER MUNICIPAL AGREEMENT ("Agreement"), dated this _____ day of _____, 2021 by and between the **Town of Amherst,** a New York State municipal corporation with its principal office for the transaction of business at _____ (hereinafter referred to as "Town") and the **County of Erie**, a New York State municipal corporation with its principal office for the transaction of business at 95 Franklin Street, Buffalo, New York 14202 (hereinafter referred to as "County").

WHEREAS, the Town has been approved as a project application sponsor of a Consolidated Funding Application (CFA) with funding through the New York State Canal Corporation and New York State Parks Recreation & Historic Preservation (OPRHP) for purposes of the Town's Canalway Trail & Hopkins Road Trail Safety Enhancements Project ("Project"); and

WHEREAS, the Town is seeking permission from the County and the County hereby grants permission to the Town to access the aforementioned County-owned property for the Project; and

WHEREAS, the Town has agreed to provide 100% of the non-federal (local) sponsor's share of the funding including, but not limited to, any cost overruns and/or unforeseen expenses; and

WHEREAS, the Erie County Legislature approved the this Agreement on _____ under COMM. _____ ; and

WHEREAS, the Town's Board has agreed to and approved this Agreement on _____.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the County and Town (collectively the "Parties") agree as follows:

Article 1 Project Description

The underlying Project consists of the design, construction and maintenance of transportation facilities (hereinafter collectively referred to as "Improvements")located within portions of the County's right-of-way located on CR2, Tonawanda Creek Road and CR 87, Hopkins Road, more particularly described on the map, which is attached hereto and made a part hereof as **Exhibit A**.

The proposed Improvements shall be limited to the following:

1. Access to the lands on CR 2 adjacent to the Canalway Trail, and as noted in plans entitled Canalway Trail & Hopkins Trail Safety Enhancements, PIN 5762.36, for the purposes of completing construction of Improvements (*in this case, guide rail and off-street trail improvements*) shown on the plan for public use; and

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

2. Access to the lands on CR 87 adjacent to the Hopkins Road Trail, and as noted in the highway plans, for the purposes of completing construction of Improvements (*in this case, guide rail, bollard removal, and off-street trail improvements*) shown on the plan for public use; and

3. Site restoration and turf re-establishment along both CR 2 and CR 87 to restore any areas adjacent to the Improvements that may be disturbed during construction.

Article 2 Scope of Work

The Town shall be solely responsible for all costs associated with the design and construction of the Project. The Town will be the sole owner of the Improvements and responsible for any and all future ownership and maintenance costs and responsibilities.

The Town shall provide the County with two (2) complete sets of contract documents prior to the commencement of construction and all amendments as issued. The Town shall provide the County with a complete set of as-built drawings within three (3) months after final acceptance of the Project. All documents shall be provided in AutoCAD format.

In the event that any of the Parties to this Agreement wish to make future Improvements to the Project, an Amendment to this Agreement shall be made detailing the terms of such Improvements.

The proposed work by the Town is scheduled to occur between the months of April 2021 and July 2021. The Town will inform the County's Commissioner of Public Works thirty (30) days prior to commencing work and/or in the event that the schedule changes.

Article 3 Term

The underlying Improvements are expected to have a useful life of ten (10) years from the expected date of completion, July 2021, and this Agreement will therefore have a ten (10) year term to coincide with a useful life of the Improvements.

Article 4 Indemnification and Insurance

The Town, the Town's contractors and designees, shall indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the performance or failure to perform hereunder by the Town or third parties under the direction or control of the Town; and to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto.

As part of its obligation to indemnify, defend and hold harmless the County, its officers, agents and employees, as set forth above, the Town, the Town's contractors and designees, agree to obtain and maintain in full force and effect, for the term of this Agreement, insurance coverage, naming the County of Erie as an additional insured, as described in **Exhibit B: County of Erie**

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

Standard Insurance Certificate and Instructions, Classification A, which is attached hereto and incorporated herein.

Article 5 Notice

All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail postage pre-paid, or delivered by hand or overnight courier, as set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt. Notices shall be sent to the following:

To the COUNTY: Commissioner of Public Works
County of Erie
95 Franklin Street
Buffalo, New York 14202

With copy to: Erie County Attorney
95 Franklin Street, Rm. 1634
Buffalo, New York 14202

To Town: Town Engineer
Town of Amherst
1100 North Forest Road
Williamsville, New York 14221

With copy to: Town Attorney
Town of Amherst
5583 Main Street
Williamsville, New York 14221

Or at any such other address or such other person as the Parties may designate.

Article 6 Severability

If any provision of this Agreement proves to be illegal, invalid or unenforceable, the remainder of this Agreement will not be affected by such finding, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

Article 7 Governing Law

This Agreement shall be governed by and constructed in accordance with the law of the State of New York.

This Agreement will be recorded in the Erie County Clerk's office, by the project sponsor, with illustration or mapping,

Article 8 Entire Agreement

This Agreement and the Exhibits attached hereto constitute the sole and complete agreement and understanding of the Parties with respect to the rights granted herein and supersede all prior written or oral agreements and understandings with respect to the rights granted herein.

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

Article 9 Amendment

This Agreement shall not be changed, amended or altered in any way except in writing and executed by all Parties.

Article 10 Assignment

No Party shall assign this Agreement without prior written consent of all other Parties.

Article 11 Counterparts

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which shall together constitute but one and the same instrument.

Article 12 Independent Contractor

It is mutually understood and agreed by the Parties that an independent contractor relationship be hereby established under the terms of this Agreement and that the Town and any employees of the Town are not, nor shall they be deemed to be, employees of the County. Similarly, the County and any employees of the County are not, nor shall they be deemed to be, employees of the Town.

Article 13 Executive Order No. 13 (2014)

The Town shall comply with Erie County Executive Order 13 (2014) and agrees to complete the Certificate collectively attached hereto as **Exhibit C** and made a part hereof. The Town shall make such records available, upon request, to the County's Division of Equal Employment Opportunity for review. The County shall have the right, upon reasonable notice and at reasonable times, to inspect the books and records of the Town, its offices and facilities, for the purpose of verifying information supplied in the Erie County Equal Pay Certification and for any other purpose reasonably related to confirming the Agency's compliance with Erie County Executive Order 13 (2014). Notwithstanding the termination provisions contained herein, violation of the provisions of Executive Order 13 (2014) , may constitute grounds for the immediate termination of this Agreement and may constitute grounds for determining that the Town is not qualified to participate in future County contracts.

[The remainder of this page is intentionally left blank and signature pages to follow.]

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed by their duly authorized officers and/or agents as of the day and year first set forth above.

COUNTY OF ERIE

By: _____
Name: Mark C. Poloncarz/Maria Whyte
Title: County Executive/Deputy CE
Date:

TOWN OF AMHERST

By: _____
Name: Brian J. Kulpa
Title: Town Supervisor
Date:

APPROVED AS TO CONTENT

By: _____
Name: William E. Geary, Jr.
Title: Commissioner of Public Works

APPROVED AS TO FORM

By: _____
Name: Kristen M. Walder
Title: Assistant County Attorney
Document No.: _____
Date: _____

DRAFT

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

EXHIBIT A

PROJECT DESCRIPTION

DRAFT

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

DRAFT

EXHIBIT B

ERIE COUNTY INSURANCE REQUIREMENTS

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

INSTRUCTIONS FOR COUNTY OF ERIE STANDARD INSURANCE CERTIFICATE

I. Insurance shall be procured and certificates delivered before commencement of work or delivery of merchandise or equipment.

II. CERTIFICATES OF INSURANCE

A. Shall be made to the "County of Erie, 95 Franklin St, Buffalo NY, 14202"

B. Coverage must comply with all specifications of the contract.

C. Must be executed by an insurance company, agency or broker, which is licensed by the Insurance Department of the State of New York. If executed by a broker, notarized copy of authorization to bind or certify coverage must be attached.

III. Forward the completed certificate to: County of Erie, (Department or Division) responsible for entering into the agreement for construction, purchase, lease or service.

IV. Minimum coverage with limits are as follows:

Vendor Classification	A Construction and Maintenance	B Purchase or Lease of Merchandise or Equipment	C Professional Services	D Property Leased To Others Or Use Of Facilities Or Grounds	E Concession-aires Services	F Livery Services	G All Purpc Public Entity Con
Commercial Gen. Liab.	$1,000,000 per occ.	$1,000,000 CSL	$1,000,000 CSL	$1,000,000	$1,000,000 CSL	$1,000,000	$1,000,000
General Aggregate	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$2,000,(
Products Completed Operations Liability	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$2,000,(
Blanket Broad Form Contractual Liability	INCLUDE						
Contractual Liability		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUI
Broad Form P.D.	INCLUDE						
X.C.U. (explosion, collapse, Underground)	INCLUDE						
Liquor Law				INCLUDE	INCLUDE		
Auto Liab.	$1,000,000 CSL		$1,000,000 CSL	$1,000,000 CSL	$1,000,000 CSL	$1,000,000 CSL	$1,000,000
Owned	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUI
Hired	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUI
Non-Owned	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUI
Excess/Umbrella Liab.	$5,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$5,000,000	$1,000,(
Worker's Compensation & Employer's Liability	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTC
Disability Benefits	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTC
Professional Liability			$5,000,000				
Erie County, To Be Named Additional Insured	Gen. Liab., Auto Liab., & Excess	Broad Form Vendors May Be Required	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Liab., & Ex

V. Construction contracts require excess Umbrella Liability limits of $5,000,000.

VI Coverage must be provided on a primary-noncontributory bases.

VII. Designated Construction Project General Aggregate Limit Per Project Endorsement CG 25 03 is required.

VIII. In the event the concessionaire is required to have a N.Y.S. license to dispense alcoholic beverages an endorsement for liquor liability is required.

IX. Waiver of Subrogation: Required on all lines unless noted

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

X. Transportation of people in buses, vans or station wagons requires $5,000,000 excess liability.

XI. Workers Compensation: State Workers' Compensation/Disability Benefits Law.
Use Applicable Certificates Below:

Workers Compensation Forms

CE-200	Exemption
C105.2	Commercial Insurer
SI-12	Self Insurer
GSI-105.2	Group Self Insured
U-26.3	New York State Insurance Fund

DBL (Disability Benefits Law) Forms

CE-200	Exemption
DB-120.1	Insurers
DB-155	Self Insured

XII. The "ACORD" form certificate may be used in place of the County of Erie Standard Insurance Certificate, provided that all of the above referenced requirements are incorporated into the "ACORD" form certificate.

DRAFT

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

EXHIBIT C

ERIE COUNTY EQUAL PAY CERTIFICATION

DRAFT

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

Erie County Equal Pay Certification

In order to comply with Executive Order 13 dated November 6, 2014, we hereby certify that we are in compliance with federal law, including the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, Federal Executive Order 11246 of September 24, 1965 and New York State Labor Law Section 194 (together "Equal Pay Law"). The average compensation for female employees is not consistently below the average compensation for male employees, taking into account mitigating factors. We understand that this certification is a material component of this contract. Violation of the provisions of Executive Order 13, which is attached hereto and made a part hereof, can constitute grounds for the immediate termination of this contract and may constitute grounds for determining that a bidder is not qualified to participate in future county contracts.

We have evaluated wages and benefits to ensure compliance with the Federal Equal Pay Law.

_____
Signature

Verification

STATE OF _____)
COUNTY OF _____) SS:

A)

_____, being duly sworn, states he or she is the owner of (or a partner in) _____, and is making the foregoing Certification and that the statements and representations made in the Certification are true to his or her own knowledge.

B)

_____, being duly sworn, states that he or she is the
(Name of Corporate Officer)
_____, of _____,
(Title of Corporate Officer) (Name of Corporation)

the enterprise making the foregoing Certification, that he or she has read the Certification and knows its contents, that the statements and representations made in the Certification are true to his or her own knowledge, and that the Certification is made at the direction of the Board of Directors of the Corporation.

Sworn to before me this _____ Day of _____, 20____

_____
Notary Public

Attachment: Intermunicipal Agreement (RES-2021-180 : Inter-Municipal Agreement)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22918 **RESOLUTION 2021-181** **ADOPTED**

Out-Of-District Agreement Between Town of Cheektowaga And the Town of Amherst Central Amherst Little League; 400 Wehrle Drive CRS No. 2415

The Town of Amherst has obtained Erie County funding towards the construction of a new restroom/concessions building and picnic shelter at the above facility to replace the temporary mobile restroom trailer that has been in use at this facility for 10+ years. As the design phase is moving forward towards construction during 2021, it is required that the new building be connected to the Cheektowaga sanitary sewer system, located on the south side of Wehrle Drive. As such, an Out-of-District Agreement is necessary for the Town to service the new restroom/concessions.

We respectfully request Town Board approval authorizing the Town Supervisor to sign the attached Out-of-District Agreement with the Town of Cheektowaga to accommodate connection to their system. Please note that this request is contingent upon successful completion of the contract review process.

As the flow from the facility is anticipated to be negligible, there is no cost associated with the execution of the above Agreement. The term of this Agreement shall be for 10 years from execution and shall be automatically extended if not renewed or cancelled. As stipulated by the County to obtain their funding, this executed Agreement will also be transmitted to them.

Thank you for considering this request.

2/22/2021
Consent

FINANCIAL IMPACT:

N/A

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

AGREEMENT

Made this _____ day of _____, 2021, by and between the Town of Amherst, a municipal corporation of the State of New York having its principal offices at 5583 Main Street, Williamsville, New York 14221, and owner of the Central Amherst Little League (CALL) Restroom/Concession facility to be constructed on the property located at 400 Wehrle Drive, Eggertsville, NY 14226 (hereinafter referred to as "Amherst").

and

The Town of Cheektowaga, a municipal corporation of the State of New York, having its principal offices at 3301 Broadway Street, Cheektowaga, New York, 14227 on behalf of the Town Consolidated Sewer District—(hereinafter referred to as "Cheektowaga").

WITNESSETH:

WHEREAS, Cheektowaga has constructed and presently operates a wastewater sewage network serving the residents of the Town of Cheektowaga~~,~~ and portions of the Town of Amherst-and

WHEREAS, Cheektowaga has constructed a wastewater lift station facility commonly referred to as the Roycroft Pump Station situated at 489 Roycroft Boulevard, which facility conveys the Wehrle Drive Trunk Sewer wastewater flows to Cheektowaga's Main Pump Station situated at 171 Central Boulevard, which facility further conveys the subject wastewater flows to the Buffalo Sewer Authority for treatment; and

WHEREAS, said Roycroft Pump Station and Main Pump Station have been constructed pursuant to the Pure Waters Act of 1965 and the Federal Water Pollution Control Act and amendments of 1972 whereby compliance with Federal regulations regarding user charges and industrial cost recovery are required by all municipalities and entities serviced by the facility.

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

NOW THEREFORE IN CONSIDERATION OF THE MUTUAL COVENTS AND PROMISES CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

I. CONNECTION

A. Connection Continued

Cheektowaga hereby permits Amherst the right to connect the CALL Restroom/Concession Facility under mutual agreement with its owner(s) into the Cheektowaga sewage facilities. Such connection(s) are for the purpose of conveying sewage via Cheektowaga sanitary sewage facilities for treatment at the Buffalo Sewer Authority Wastewater Treatment Plant (Treatment Agency),

B. Approvals of Connection

Such connections shall be made in conformance with plans, ~~and~~ specifications and standard construction practices, as reviewed and approved by Cheektowaga's Town Engineer and Sewer Maintenance Department General Crew Chief, prepared at the sole expense of Amherst.

C. Limitation on Discharge

The use and right herein provided shall be limited to the discharge of sanitary sewage. The infiltration and inflow of surface runoff and groundwater from the service area of Amherst as herein provided, ~~and~~ shall not extend to the discharge at any time, into the facilities of Cheektowaga

II. Amherst – SERVICE AREA

A. Service Area Defined

The service area of the Restroom/Concession Facility tributary to Cheektowaga is the area as outlined on the map attached hereto, and incorporated herein, as Figure A.

B. Notifications Required for Changes to the Service Area Connection

Amherst shall notify Cheektowaga in writing, at least (90) ninety-days prior to taking any action to modify the service area connection.

C. Notifications Required for Changes to the Service Area

Changes to the use and/or expansion of the Service Area shall be subject to review and approval by the Town Engineer of Cheektowaga. Amherst shall notify Cheektowaga in writing, at least (90) ninety-days prior of any such proposed changes to the use and/or expansion of the Service Area.

III. CHEEKTOWAGA DISTRICT – SERVICES

A. Maintenance of Trunk System

Cheektowaga shall provide all services relating to the maintenance of its trunk system for conveyance of CALL Restroom/Concession Facility sewage to the Roycroft Pump Station, which facility conveys the Wehrle Drive Trunk Sewer wastewater flows to the Cheektowaga Main Pump Station for further conveyance to the Buffalo Sewer Authority for treatment., in a manner acceptable to State and Federal regulatory authorities.

B. Reports to State and Federal Authorities

Cheektowaga shall forward to State and Federal regulatory authorities, all required reports concerning flow and rehabilitations as are necessary, including any which are necessary to be provided by Amherst.

C. Hold Harmless

Cheektowaga shall be solely responsible and liable for the operation and maintenance of its sewage conveyance ~~and treatment~~ facilities, and shall hold Amherst harmless for any cost of liability arising from such operation and maintenance except as is expressly provided herein.

IV. AMHERST – GENERAL PROVISIONS

A. Sewage Discharge

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

Amherst shall in no event discharge sewage to Cheektowaga's system of a quantity or quality in violation or contravention of the Town of Cheektowaga's or any other Federal or State or other applicable regulations or requirements.

B. Hold Harmless

Amherst shall be solely responsible and liable for the operation and maintenance of its own and tributary sewage facilities and shall hold harmless Cheektowaga for any cost or liability arising from such operation.

C. Maintenance of Connection and Flow Measurement

Amherst shall maintain all connections to Cheektowaga's system, exclusive of Cheektowaga's connecting manhole, including check-valving to protect Amherst's system and facility. Upon written request from Cheektowaga for volumetric flow rates during peak periods, Amherst agrees to provide flow monitoring for a sufficient period of time to collect a representative sample of such data per industry standards.

D. Inspections

Cheektowaga may enter upon those facilities of Amherst, tributary to Cheektowaga for the purpose of inspection of infiltration and inflow prevention, and like activities. Such inspections shall be made after providing a minimum of one (1) working days' notice, when possible. Amherst and/or CALL personnel may accompany any Cheektowaga inspection personnel.

E. High Flow Events

The projected volume of sewage flow generated by the Amherst's CALL Restroom/Concession Facility is expected to be sufficiently small that it can be entirely contained for 72 hours within the system and piping leading to Cheektowaga's host manhole for the subject service connection. Accordingly, only backflow protection is required.

F. Pre-Treatment Implementation

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

1. Amherst certifies that there are presently and shall be no categorical or industrial use tributary to the Amherst system.
2. Amherst shall be responsible for compliance by all users of the Amherst system with all pertinent local, State and Federal laws and regulations. Cheektowaga, under its NYSDEC Order on Consent , shall have paramount responsibility and jurisdiction, as defined within this agreement for compliance by all users with all such laws and regulations.

G. Pre-treatment Program Administration and Coordination

1. Random monitoring of the Amherst parcel may be performed by Cheektowaga to determine compliance or non-compliance with discharge limits and prohibitions. Cheektowaga shall give reasonable notice to Amherst prior to performing such activities. Amherst and/or CALL representatives may accompany Cheektowaga personnel. In addition, USEPA, and NYSDEC representatives bearing proper credentials and identification, shall also be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and review and copying of records, analytical data and charts related to wastewater discharge monitoring, and shall be given access at any time during normal working hours to all Cheektowaga pre-treatment program operation and enforcement file records for purpose of review and copying.
2. Amherst and Cheektowaga herein shall jointly implement any other procedural requirements as set forth in 40CFR 403 and not specifically addressed.

H. Pre-Treatment Program Remedies

1. In the event Cheektowaga incurs any fines, penalties or other costs for violation of its NYSDEC Order on Consent, which is related to discharges within Amherst, Amherst shall reimburse Cheektowaga for such fines, penalties or other costs.

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

2. In the event that any discharge from the Amherst parcel is determined by Cheektowaga to present an imminent endangerment to the public health or welfare, Cheektowaga is empowered, after giving verbal notice to Amherst, to immediately enter upon any premises within the Amherst system for the purpose of locating and effectively halting such discharge. Also, Cheektowaga is empowered, after giving formal notice to Amherst to enter upon the premises in Amherst for the purpose of halting or preventing any discharge which, in the opinion of Cheektowaga, presents an imminent endangerment to the environment or which threatens to interfere with the operation of Cheektowaga's Roycroft Pump Station, Main Pump Station and/or the Buffalo Sewer Authority's Sewage Treatment Plant. Amherst shall have the opportunity to respond to the notice before any such action is taken.
3. In the event of any sewage treatment plant interference or any other sewage facility problem related to wastewater discharges, Amherst shall allow Cheektowaga to conduct sampling and inspection to identify the cause and source of the problem.
4. Amherst shall indemnify and reimburse Cheektowaga for costs and damages to the Cheektowaga sewage conveyance system or treatment agency's plant or disruption of treatment processes or operations caused by a discharge violation within the Amherst system.
5. Failure, on the part of Amherst, to comply with any provision of this agreement shall be subject to the remedies set forth in Cheektowaga Sewer Use Ordinance.

V. FEDERAL AND STATE PROVISIONS

It is understood and agreed that the parties to this agreement and all actions and operations performed pursuant to the terms hereof are subject to all

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

Federal and New York State rules, regulations, directives, and orders, concerning the collection, transportation, conveyance, treatment, and disposal of sewage, including, but not limited to, the construction, operation and maintenance of sewage facilities, now in effect, or herein adopted. This agreement and the actions and operations performed pursuant to its terms shall be modified from time to time as required in order to conform at all times with all Federal and New York State requirements and shall be binding on both parties hereto.

VI. TERM OF AGREEMENT

A. Effective Date and Term of This Agreement

1. The effective date of this agreement shall be at the time of connection and utilization.
2. The term of this agreement shall be for a period of ten (10) years from its effective date, unless either party thereto shall have notified the other party of its desire to cancel the same upon one year's notice, in writing, after the agreement shall have been in effect for a period of two (2) years.
3. Upon the failure of either party to renew this agreement or to invoke the cancellation clause of this agreement, it shall be automatically extended from month to month until renewed or notification to cancel as set forth above.

VII. DISAGREEMENT

Should any disagreements arise out of the terms, conditions or implementation of this agreement from time to time, the Cheektowaga Town Engineer and Amherst Town Engineer or his/her designee shall resolve the same. If such disagreements should fail to be resolved by the parties, the same shall be submitted for arbitration in accordance with the rules of the American Arbitration Association.

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

The Arbitration panel shall consist of three (3) members – one to be selected by Amherst, one to be selected by Cheektowaga, and the two arbitrators shall select the third. The decision of the arbitrators shall be binding upon all parties to this agreement.

VIII. INSPECTION OF RECORDS

Either party hereto shall have access, during normal business hours, to records of cost and expense of construction and operation of the other party and to any other records pertaining to the performance of this agreement.

(This space intentionally left blank)

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

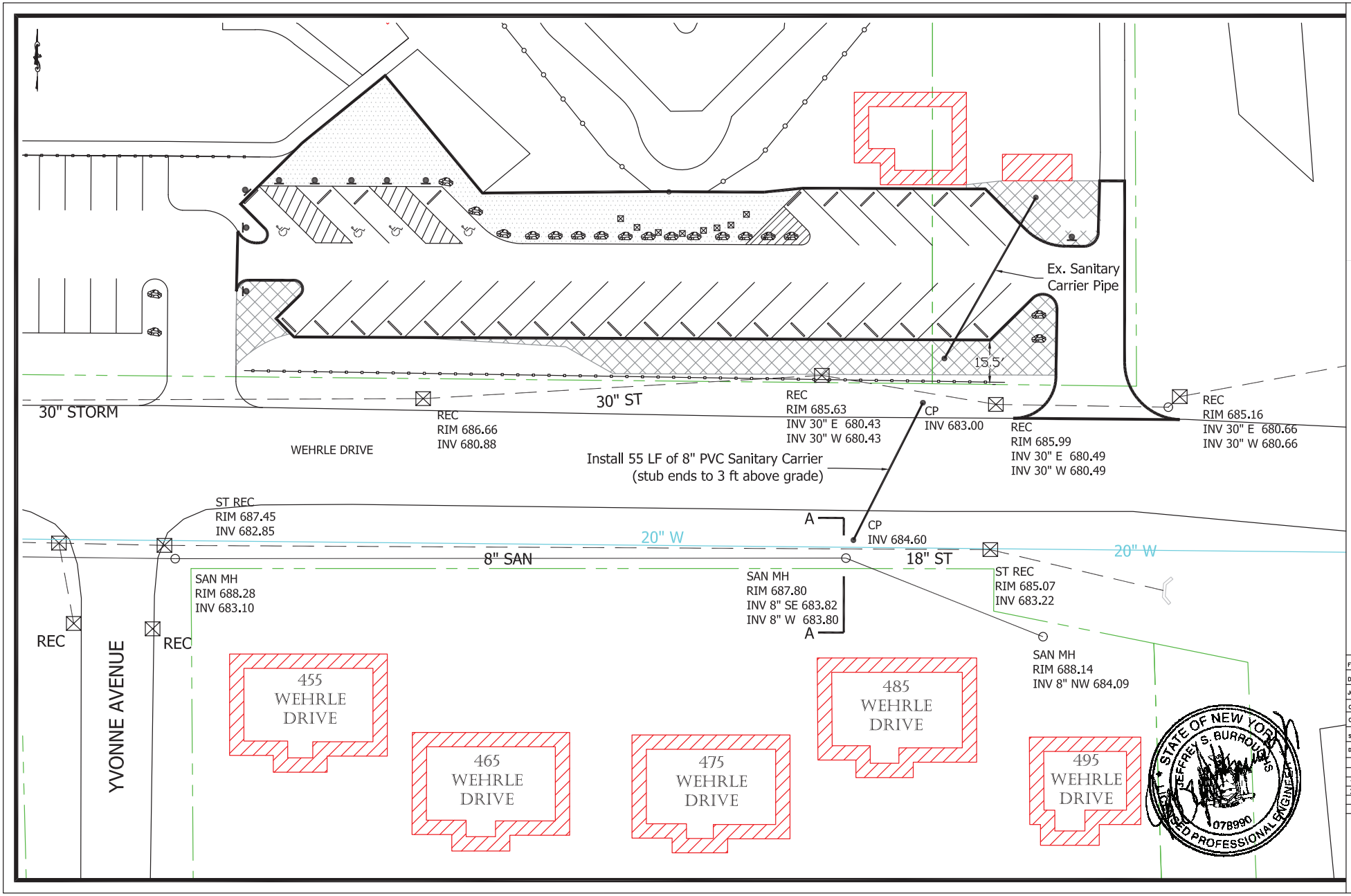
IN WITNESS WHEREOF, the respective parties hereto set their hands and seal the day and year first above written.

CHEEKTOWAGA TOWN BOARD Acting as Commissioners of Cheektowaga's Consolidated Sewer District	Town of Amherst
_____	_____
Name – Town Supervisor	Brian J. Kulpa, Town Supervisor
_____	
Name – Council Member	
_____	
Name – Council Member	
_____	
Name – Council Member	
_____	
Name – Council Member	
_____	
Name – Council Member	
_____	
Name – Council Member	
_____	_____
John Dudziak, Esq. – Town Attorney Town Attorney	Stanley Sliwa, Esq. –

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

Attachment: Final Amherst Agreement PTB Review 2-10-21 SJS review BA review LJ revie..._ (RES-2021-181 : Out-Of-District Agreement)

Figure A



TOWN OF AMHERST
BRIAN ANDRZEJEWSKI, P.E.
ENGINEERING DEPARTMENT
1100 N. FOREST RD.
WILLIAMSVILLE, NY 14221

CENTRAL AMHERST LITTLE LEAGUE

SANITARY SERVICE CARRIER PIPE INSTALLATION

FIELD CREW:	CPS/SKG
DRAWN BY:	BJA
JOB NO.	84-127C
CHECKED BY:	BJA
CHECKED BY:	
SCALE:	1" = 30'
DATE:	7/10/19

REVISIONS

	BY	DATE
1	BJA	9/01/20
2	BJA	10/28/20

DWG. NO.

SA

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22920 **RESOLUTION 2021-182** **ADOPTED**

Emergency Procurement of Blackmer Pump Parts

The Engineering Department, WPCF Division is requesting that the Town Board approve an emergency purchase made on February 4, 2021. The WPCF was notified that Blackmer Pump is eliminating its vortex line of pumps on Friday February 05, 2021 and that repair parts would no longer be available after this date. Since the WPCF has (8) of these vortex pumps in operation, it was decided to be in the best interest of the Town of Amherst WPCF to order and stock enough parts to allow us to get a couple more years of service from our existing pumps. The WPCF working with the Contract Compliance, Attorneys and Supervisors Office made this "sole source" emergency purchase with Corrosion Products Inc. in the amount of $36,780.00 plus freight.

Funds for this request are available in G9916-2600

Thank you for considering this request.

2/22/2021
Consent

FINANCIAL IMPACT:

G9916-2600; $36,780.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Town of Amherst
Emergency Purchase Documentation Form

This form is to be completed for all emergency purchases made that contravene the Town's Purchasing Policy. You must contact the Supervisor (or Deputy Supervisor in the Supervisors absence) to obtain his/her approval prior to making the purchase. This form must be completed and submitted to the Town Board at the first work session following the Emergency purchase. A copy should also be submitted to the Town Attorney and Contract Compliance & Administration Department.

An exception to the competitive bidding requirements exists for emergency situations (GML §103[4]). There are three basic statutory criteria to be met in order to fall within this exception. These are that (1) the situation arises out of an accident or other unforeseen occurrence or condition; (2) the circumstances affect public buildings, public property, or life, health, safety or property of the political subdivision's residents; and (3) the situation requires immediate action which cannot await competitive bidding.

Generally, there must be a present, immediate and existing condition which is creating an imminent threat or danger and which requires such immediate action that a further delay to comply with competitive bidding requirements is so detrimental to the public interest that it overcomes the strong public policy in favor of bidding. Further, because the emergency must arrive out of an accident or unforeseen occurrence, it is doubtful a local government may invoke the emergency exception in a situation which the result of inaction or dilatory behavior on the part of local officials and which, therefore, could have been foreseen in time to advertise for bids.

Even when a governing board passes a resolution that a public emergency exists, the public interest dictates that purchases are made at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practical under the circumstances.

1. Date of Emergency Purchase: 2-4-2021
2. Date you received approval from the Supervisor: _____
3. Date of Town Board work session where Board is notified: 2-22-2021
4. Amount of Emergency Purchase. Please provide a detailed listing of items purchased and the cost of each (attach additional detail if necessary): 36,780.00 PLUS FREIGHT, PRICING SUMMARY ATTACHED.
5. Is there adequate funding in your current operating budget to cover this purchase? YES
   Identify budget Org/Object: G9916-2600
6. Please describe the circumstances that resulted in the need to make an emergency purchase without following the Town's Purchasing Policy: BLACKMER PUMP IS DISCONTINUING THIS LINE OF PUMPS & PARTS AS OF 2-5-2021
7. Please describe what steps were taken to ensure the lowest cost for the Emergency Purchase. If none, please explain why your department was prevented from doing so: 3 QUOTE RECEIVED, PRICING SUMMARY ATTACHED
8. ~~Department Head~~ Signature: _____ Date: 2/4/21
   BC Town Supervisor

CC: Town Board, Town Attorney, Contract Compliance & Administration

For Contract Compliance & Administration Use Only	
Date of Town Board Resolution:	Emergency Purchase Tracking/Res #:

Attachment: Emergency Purchase - Corrosion Products (RES-2021-182 : Emergency Procurement of Blackmer Pump Parts)

TOWN OF AMHERST

VOUCHER

PO NO: 2211006[illegible]

Date: 02/04/2021

This number must appear on all packages and invoices

WATER POLLUTION CONTROL FACILITY
455 TONAWANDA CREEK ROAD
AMHERST, NEW YORK 14228
(716) 691-9771 FAX: (716) 691-4496
Federal ID# 16-6002157

Fund/Dept/Dist.	Object		Amount
G9916	2600		$ 36,780.00
		TOTAL	**$ 36,780.00**

Supplier: 001063

Corrosion Products & Equipment, Inc.
110 Elmgrove Park
Rochester, NY 14624

☐ **Check box if partial payment (P.O. will remain open)**

Quantity	Description	Unit Price	Amount
2	BLK099122 CASING ASSEMBLY VORTEX 4X4-12,	$ 6,020.00	$ 12,040.00
1	BLK090032 IMPELLER ASSEMBLY VORTEX 4X4-1	$ 4,950.00	$ 4,950.00
2	BLK090032 IMPELLER ASSEMBLY VORTEX 4X4-1	$ 4,950.00	$ 9,900.00
1	BLK090032 IMPELLER ASSEMBLY VORTEX 4X4-1	$ 4,950.00	$ 4,950.00
2	BLK099130 SUCTION COVER ASSEMBLY VORTEX	$ 2,470.00	$ 4,940.00
		TOTAL	**$ 36,780.00**

Due Date: _____ **Invoices:** **SALES TAX EXEMPT**

☐ **Separate Check Required**

Invoices must be rendered on attached form (voucher) furnished by the Town of Amherst and must be properly signed. The town will not be responsible for merchandise delivered without a receipt signature.

Received by _____

Date Received _____

All purchase contracts involving an aggregate expenditure of more than $20,000 and all contracts for public works for more than $35,000 must be competitively bid.

PURCHASE AUTHORIZATION _____

Department Head or Director of Purchasing

DEPARTMENT APPROVAL

The above services or materials where rendered or furnished to The municipality on the dates stated and the changes are correct.

_____ _____

Date **Authorized Signature**

COMPTROLLERS OFFICE

_____ _____

Date **Authorized Official**

Audited by: _____ **Contract: N/A** **Bids Received Y / N**

Date: _____ **TB Res. No:** **Town Board Approval Y / N**

TB Res. Date: 1/4/21

Attachment: Emergency Purchase - Corrosion Products (RES-2021-182 : Emergency Procurement of Blackmer Pump Parts)

a DOVER company

January 7, 2021

RE: Blackmer Sole Source Authorization – Corrosion Products & Equipment, Inc. (CPE)

To whom it may concern:

Thank you for your interest in the Blackmer product offering. CPE has been the authorized Blackmer distributor in upstate NY since 2000. CPE is the authorized Blackmer System One centrifugal pump & Blackmer rotary vane distributor of new units, parts and is also a certified factory authorized service center covering the upstate NY primary market area.

Please don't hesitate to contact us if any further questions or comments should exist. On behalf of Blackmer and our distributor, CPE, we greatly appreciate your continued business and we look forward to working with you again in the future.

Sincerely,

Tom Zuckett

Thomas J. Zuckett

PSG Area 1250 Manager

(330) 351-5334

tom.zuckett@psgdover.com

GLOBAL BRA

ALMATEC

BLACKMER

EBSRAY

FLUID DYNAM

GRISWOLD

MAAG INDUSTRIAL PU

MOUVEX

NEPTUNE

QUATTRO FLO

REDSCREW

WILDEN

Attachment: Emergency Purchase - Corrosion Products (RES-2021-182 : Emergency Procurement of Blackmer Pump Parts)

Where Innovation Flows

Pricing Summary / February 4, 2021

Blackmer Pump Parts

Item #	Qty.	Description	CPE Unit Cost	CPE Total Cost	Koester Unit Cost	Koester Total Cost	Applied Unit Cost	Applied Total Cost
1	2	BLK099122 Casing Vortex 4X4-12 Ductile Iron	$ 6,020.00	$12,040.00	$ 8,772.00	$17,544.00	$ 8,013.54	$16,027.08
2	4	BLK090032 Vortex Impeller Assembly 4X4-12 CD4MCu	$ 4,950.00	$19,800.00	$ 7,215.00	$28,860.00	$ 6,590.94	$26,363.76
3	2	BLK099130 Vortex Suction Cover Assembly 4X4-12 Ductile 150#FF	$ 2,470.00	$ 4,940.00	$ 3,600.00	$ 7,200.00	$ 3,288.93	$ 6,577.86
		Totals	$13,440.00	$36,780.00	$19,587.00	$53,604.00	$17,893.41	$48,968.70

CPE is our Sole Source Supplier as stated by Blackmer

Applied and Koester can purchase through CPE and supply us.

Applied currently has an executed contract in place with the TOA

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22922 **RESOLUTION 2021-183** **ADOPTED**

Travel Request Rockwell Automation Level Zero Training Course

The Engineering Department is requesting approval to send one (1) employee to attend the Rockwell Automation Level Zero Training Course which is tentatively scheduled to be held at the Millennium Buffalo hotel in Cheektowaga, NY in March 2021. At this time, we are also asking for mileage reimbursement should a Town vehicle not be available for the employee to take.

The total cost for the employee is estimated to be $668.01 which includes registration and possible mileage reimbursement.

Funding for this request is available in accounts G9916-4040 and G9916-4850.

Thank you for considering this request.

2/22/2021
Consent

FINANCIAL IMPACT:

G9916-4040 & G9916-4850; $668.01

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

TRAVEL EXPENSE APPROVAL / REIMBURSEMENT FORM

☐ $250 or LESS and under 75 miles — Department Head Approval ONLY Required

☒ $250 + or greater than 75 miles — Department Head AND Town Board Approval Required

Revised 2/12/2020

NAME	Employee #	Department	Phone Number
[redacted]	[redacted]	Eng. - Plant # 16	716-691-9771

Destination and Purpose of Trip

Date of Departure	Date of Return	Destination	Purpose/Justification
3/22/21	3/22/21	Tentatively: Millennium Buffalo Buffalo, NY	Rockwell Automation Level Zero training course

Expenses	Estimated	Budget A/C #	Actual
Transportation:			
Mileage 13 @ ~~$0.575~~ $0.56	$7.28	G9916-4040	
Tolls			
Parking			
Local Transportation (bus/taxi)			
Plane/Rail/Bus			
Lodging:			
# nights @ $			
Meals:			
IRS Per Diem Per Day: $			
1st & Last Day of Travel @ 75%			
# Breakfasts @ $			
# Lunches @ $	Included	G9916-4040	
# Dinners @ $			
# Incidentals @ $			
Registration/Conference Fee	$600.00	G9916-4850	
Other			
Subtotal	$607.28		N/A
Contingency - 10% of subtotal or $200	$60.728		N/A
TOTAL	$668.01		

Request Approved By:

Department Head Signature

Date

Town Board :

Town Board Resolution & Date

I hereby certify that I have expended the above itemized amounts for business purposes for the Town of Amherst. Required receipts are attached.

Employee Signature — Date

Print Employee Name

Reimbursement Approved By:

Department Head Signature — Date

Complete Shaded Area
For Expense Reimbursement

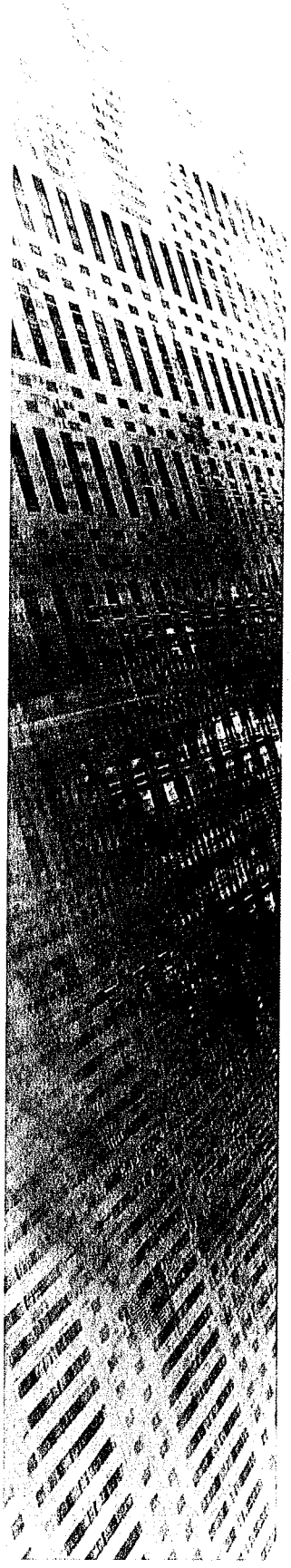
Attachment: Rockwell Training Reimbursement Form & Info (RES-2021-183 : Travel Request)

REXEL

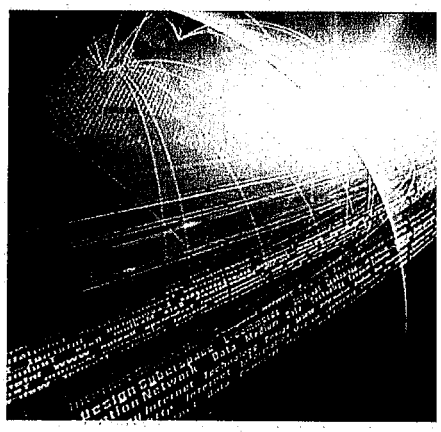
Rockwell Automation

Level 0 Training Hardware

PLC & HMI Fundamentals



Logix 5000 Hardware, PanelView, & Factory Talk



When (one day sessions): (8:30am-4pm)
February 9th, 10th, 11th, and 12th

Cost: $600 per person
(lunch included)

Where: Millennium Hotel: 2040 Walden Ave Cheektowaga, NY 14225

Agenda:

Section 1: Logix PLC 5000 Controllers:

- Logix 5000 Hardware Platform – Common to ControlLogix and CompactLogix
- Ethernet/IP Communication
- Programmable Controller Basics Presentation
- Logix 5000 Versions
- Logix Hardware Considerations and Tips Presentation
- Intro to programming Logix 5000 & Commissioning a Program (Demo lab)

Section 2: HMI and Visualization:

- Intro FactoryTalk Software Suite and Virtualization Overview
- PanelView Plus 6 and PanelView 7 Features
- View ME Tips and Best Practices (Hands on Demo)

NOTE: To register contact eric.leffler@rexelusa.com or (716) 327-6804

PANDUIT Stratus

Authorized Distributor

REXEL

Attachment: Rockwell Training Reimbursement Form & Info (RES-2021-183 : Travel Request)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22923 **RESOLUTION 2021-184** **ADOPTED**

WPCF Sludge Storage Building Plumbing Contract Change Order No. 1 CRS No. 2411

We are requesting the Town Board approve the above referenced Change Order No. 1, which calls for a $6,286.00 increase in the contract price. The project's revised contract price will be $145,536.00. This Change Order will cover the costs associated with the Contractor installing a new ¾" water service to Building 52. This service will be connected to the new water line that was installed on this project.

This request is pending successful completion of the contract review process.

May we have your approval to award Mollenberg-Betz the above referenced Change Order? Thank you for considering this request.

2/22/2021
Consent

FINANCIAL IMPACT:

KP1721-4972; $6,286.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Change Order

PROJECT: *(Name, address and Project File No.)*

CHANGE ORDER: **# 1**

DATE: 1-27-21

WPCF: Sludge Storage Building – Plumbing Contract

Project No. **2017.002A**

TO CONTRACTOR: *(Name and address)*

Mollenberg-Betz, Inc.
300 Scott Street
Buffalo, NY 14204

The Contract is changed as follows:

(*Include, where applicable, any undisputed amount attributable to previously executed construction Change Directives*)

1. Install new ¾" water service to Building 52.

All other terms and conditions remain the same.

The original (Contract Sum) (~~Guaranteed Maximum Price~~) was	$ 139,250.00
The net change by previously authorized Change Orders	$ 0.00
The (Contract Sum) (~~Guaranteed Maximum Price~~) prior to this Change Order was	$ 139,250.00
The (Contract Sum) (~~Guaranteed Maximum Price~~) will be (increased) (~~decreased~~) (~~unchanged~~) by this Change Order in the amount of	$ 6,286.00
The new (Contract Sum) (~~Guaranteed Maximum Price~~) including this Change Order will be	$ 145,536.00
The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by	( ) days
The date of Substantial Completion as of the date of this Change Order therefore is	Unchanged

(Note: This change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive).

NOT VALID UNTIL SIGNED BY THE ENGINEER, CONTRACTOR AND OWNER.

DiDonato Associates Engineering and Architecture, P.C.	Mollenberg-Betz, Inc.	Town of Amherst
ENGINEER (*Firm name*)	CONTRACTOR (*Firm name*)	OWNER (*Firm name*)
689 Main Street Buffalo, NY 14203	300 Scott Street Buffalo, NY 14204	5583 Main Street Williamsville, NY 14221
ADDRESS	ADDRESS	ADDRESS
BY (*Signature*)	BY (*Signature*)	BY (*Signature*)
(*Typed name*)	(*Typed name*)	Brian J. Kulpa (*Typed name*)
DATE	DATE	DATE

Attachment: Change Order #1 Form - Mollenberg Betz (#2017.002A - PC) (RES-2021-184 : WPCF Sludge Storage Building Plumbing Contract

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22924 **RESOLUTION 2021-185** **ADOPTED**

Amherst Police Training Center Shooting Range - Change Order No. 2 CRS No. 2404

We are requesting the Town Board to consider approval of the attached Change Order, which calls for a $21,206.76 increase in the contract amount. This Change Order will cover the costs of additional work and materials associated with additional structural modifications to support the shooting range ceiling baffles as well as rooftop ducting. This change order also provides for a relocated skylight as well as additional work and materials associated with anchoring and flashing mechanical roof curbs.

Funds for this change order are available from this project's capital account KP2009.4972.

This request has successfully completed the contract review process.

Thank you for considering this request.

2/22/2021
Consent

FINANCIAL IMPACT:

KP2009-4972; $21,206.76

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

AIA® Document G701™ – 2017

Change Order

PROJECT:	CONTRACT INFORMATION:	CHANGE ORDER INFORMATION:
Police Training Center Shooting Range Project #2018.036A	*Contract For: Town of Amherst*	Change Order Number: GC01 Date: 02/11/21
OWNER: *Town of Amherst*	**ARCHITECT:** *The LiRo Group*	**CONTRACTOR:** *RB Mac Construction Co. Inc*

The Contract is changed as follows:

5. *Delete roof ladder and increase size of roof hatch to fit existing skylight*
6. *Increase unistrut sizing to provide additional support for ceiling baffles*
7. *Provide roof blocking and secure air handling equipment roof curbs to building structure*
8. *Cut and Patch roof and install three (3) additional roof duct supports.*

The original Contract Sum was	$ 1,729,900.00
The net change by previously authorized Change Orders	$ 20,785.00
The Contract Sum prior to this Change Order was	$ 1,750,685.00
The Contract Sum will be increased by this Change Order in the amount of	$ 21,206.76
The new Contract Sum, including this Change Order, will be	$ 1,771,891.76
The Contract Time will be unchanged) by	(0) days. The
new date of Substantial Completion will be	

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

ARCHITECT *(The LiRo Group)*	CONTRACTOR *(RB Mac)*	OWNER *(Town of Amherst)*
SIGNATURE	SIGNATURE	SIGNATURE
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
DATE	DATE	DATE

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA Document G701™ – 2017. Copyright © 1979, 1987, 2000, 2001 and 2017 by The American Institute of Architects. **All rights reserved.** **WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law.** Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Cont Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org.

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

LiRo Engineers, Inc.
A LiRo Group Company
690 Delaware Avenue, Buffalo, NY 14209 Telephone 716.882.5476 Facsimile 716.882.9640 www.liro.com

February 11, 2021

Mr. Brian Armstrong, EIT
Assistant Municipal Engineer
Town of Amherst Engineering Department
1100 N Forest Road
Williamsville, NY 14221

RE: RB Mach CO#5

Mr. Armstrong,

LiRo Engineers, Inc. (LiRo) has reviewed the attached change order and is recommending approval for the credited lump sump amount of $174.00. The change order is to accommodate relocating the roof hatch to an area with an existing ladder to the roof, installation of a larger roof hatch in place of an existing sky light, and the removal of the specified access ladder.

Sincerely,
LiRo Engineers, Inc.



Christopher Abramo, PE
Senior Project Manager

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

RB Mac Construction Co. Inc.

Amherst Police Center Shoo
Range #2018.036A

Description of Change: Per the direction given by Liro Group & The Town of Amherst, delete roof ladder and increase size of roof hatch to fit existing skylight opening.

CONTRACTOR PROPOSAL

Date: 01/14/21 **RB Mac Change Prop. No.: 08** **Proj. No. 20-AmhStgRng-192**

Contractor Name	RB Mac Construction Co., Inc.	Date: 01/14/21	
Address	6688 Lincoln Ave. Lockport, NY 14095	Issue No.: N/A	
Telephone No.	716-433-2495	RFP No.: GC-05 CREDIT ROOF LADDER	

SECTION A: CONTRACTOR WORK			Round Totals to Nearest Dollar	
1	Total Contractor Labor:	4 Hrs @ $85	$0.00	
2	Total Material:		$0.00	
3	Equipment:		$0.00	
4	Equipment Pick Up & Return		$0.00	
5	Project Management	.5 Hr @ $90/hr.	$45.00	
6	Supervision	.5 Hr @ $85.00	$42.50	
7	SUBTOTAL	(Total lines 1 thru 6)	$87.50	
8	Contractor's combined O&P		$13.13	
9	Total Premium Labor		$0.00	
10	CONTRACTOR TOTAL	(Total lines 5,6, & &7)	$100.63	

SECTION B: SUBCONTRACTOR WORK			Round Totals to Nearest Dollar	
9	Name of Subcontractors:			
A.	Miller Welding		($650.00)	
B.	Murray Roofing		$375.00	
C.			$0.00	
E.			$0.00	
F.			$0.00	
10	TOTAL SUBCONTRACTORS PROPOSALS	(Total lines A thru F)	($275.00)	
11	Contractor's Override on Subs' Proposals			
	11a. 10% of Subcontractor			
	11b.			
	11c.			
12	Total Premium Portion of Subcontractor Labor			
13	SUBCONTRACTOR TOTAL	13	($275.00)	
SECTION C: 14	Bonds	14	$0.00	
SECTION D:	CONTRACTOR REQUESTED TOTAL		$100.63	
15	AMOUNT REQUESTED (Total lines 8,13 & 14)	15	($174.00)	

Contractor's Signature — Date: 01/14/21

Larissa McKenna
Print Name of Authorized Representative

Project Manager
Print Title

Project Architect: SEI Design

Project Architect's Signature

Section E: *COMMENTS*

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

LiRo Engineers, Inc.
A LiRo Group Company
690 Delaware Avenue, Buffalo, NY 14209 Telephone 716.882.5476 Facsimile 716.882.9640 www.liro.com

February 11, 2021

Mr. Brian Armstrong, EIT
Assistant Municipal Engineer
Town of Amherst Engineering Department
1100 N Forest Road
Williamsville, NY 14221

RE: RB Mach CO#6

Mr. Armstrong,

LiRo Engineers, Inc. (LiRo) has reviewed the attached change order and is recommending approval for the added lump sump amount of $8882.00. The change order is to accommodate increasing the structural capacity of the unistrut support system for the ceiling baffles..

Sincerely,
LiRo Engineers, Inc.



Christopher Abramo, PE
Senior Project Manager

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

RB Mac Construction Co. Inc.

Amherst Police Center Shoo
Range #2018.036A

Description of Change: Per the direction given by Liro Group & the Engineer, provide materials and labor to increase unistrut from the specifie 1-5/8"x1-5/8" to back-to-back 1-5/8".

CONTRACTOR PROPOSAL

Date: 01/14/21 **RB Mac Change Prop. No.: 09** **Proj. No. 20-AmhStgRng-192**

Contractor Name	RB Mac Construction Co., Inc.	Date: 01/14/21	
Address	6688 Lincoln Ave. Lockport, NY 14095	Issue No.: N/A	
Telephone No.	716-433-2495	RFP No.: GC-06 UNISTRUT	

SECTION A: CONTRACTOR WORK			Round Totals to Nearest Dollar	
1	Total Contractor Labor:	16Hrs @ $85	$1,360.00	
2	Total Material:		$5,963.50	
3	Equipment:		$0.00	
4	Equipment Pick Up & Return		$0.00	
5	Project Management	1 Hr @ $90/hr.	$90.00	
6	Supervision	1 Hr @ $85.00	$85.00	
7	SUBTOTAL	(Total lines 1 thru 6)	$7,498.50	
8	Contractor's combined O&P		$1,124.78	
9	Total Premium Labor		$0.00	
10	CONTRACTOR TOTAL	(Total lines 5,6, & &7)	$8,623.28	

SECTION B: SUBCONTRACTOR WORK			Round Totals to Nearest Dollar	
9	Name of Subcontractors:			
A.			$0.00	
B.			$0.00	
C.			$0.00	
E.			$0.00	
F.			$0.00	
10	TOTAL SUBCONTRACTORS PROPOSALS	(Total lines A thru F)	$0.00	
11	Contractor's Override on Subs' Proposals			
	11a. 10% of Subcontractor			
	11b.			
	11c.			
12	Total Premium Portion of Subcontractor Labor			
13	SUBCONTRACTOR TOTAL	13	$0.00	
SECTION C: 14	Bonds	14	$258.70	
SECTION D:	CONTRACTOR REQUESTED TOTAL		$8,623.28	
15	AMOUNT REQUESTED (Total lines 8,13 & 14)	15	$8,882.00	

Contractor's Signature — Date: 01/14/21

Larissa McKenna
Print Name of Authorized Representative

Project Manager
Print Title

Project Architect: SEI Design

Project Architect's Signature

Section E: *COMMENTS*

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

LiRo Engineers, Inc.
A LiRo Group Company
690 Delaware Avenue, Buffalo, NY 14209 Telephone 716.882.5476 Facsimile 716.882.9640 www.liro.com

February 11, 2021

Mr. Brian Armstrong, EIT
Assistant Municipal Engineer
Town of Amherst Engineering Department
1100 N Forest Road
Williamsville, NY 14221

RE: RB Mach CO#7

Mr. Armstrong,

LiRo Engineers, Inc. (LiRo) has reviewed the attached change order and is recommending approval for the added lump sump amount of $8484.59. The change order is to accommodate the installation of blocking associated with the ductwork roof supports and the air handling equipment roof curbs. Additionally the change order is to accommodate the fastening of the air handling roof curbs to the building structure.

Sincerely,
LiRo Engineers, Inc.



Christopher Abramo, PE
Senior Project Manager

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

RB Mac Construction Co. Inc.

Amherst Police Center Shooting Range #2018.036A

Description of Change: Per the direction given by Liro Group & the Owner, provide and install roof curb blocking and anchoring not shown on plans.

CONTRACTOR PROPOSAL

Date: 01/15/21 **RB Mac Change Prop. No.: 10 (REV2) Proj. No. 20-AmhStgRng-192**

Contractor Name	RB Mac Construction Co., Inc.	Date: 01/15/21	
Address	6688 Lincoln Ave. Lockport, NY 14095	Issue No.: N/A	
Telephone No.	716-433-2495	RFP No.: GC-07 ROOF BLOCKING	

				Round Totals to Nearest Dollar	Notes
SECTION A: CONTRACTOR WORK					
1	Total Contractor Labor:			$3,755.00	
2	Total Material:			$1,034.10	
3	Equipment:			$0.00	
4	Equipment Pick Up & Return			$0.00	
5	Project Management	1 Hr @ $90/hr.		$90.00	
6	Supervision	2 Hr @ $85.00		$170.00	
7	SUBTOTAL	(Total lines 1 thru 6)		$5,049.10	
8	Contractor's combined O&P			$757.37	
9	Total Premium Labor			$0.00	
10	CONTRACTOR TOTAL	(Total lines 5,6, & &7)		$5,806.47	
SECTION B: SUBCONTRACTOR WORK					
9	Name of Subcontractors:			Round Totals to Nearest Dollar	
A.	Murray Roofing			$2,431.00	
B.				$0.00	
C.				$0.00	
E.				$0.00	
F.				$0.00	
10	TOTAL SUBCONTRACTORS PROPOSALS	(Total lines A thru F)		$2,431.00	
11	Contractor's Override on Subs' Proposals				
	11a. 10% of Subcontractor				
	11b.				
	11c.				
12	Total Premium Portion of Subcontractor Labor				
13	SUBCONTRACTOR TOTAL		13	$2,431.00	
SECTION C: 14	Bonds		14	$247.12	
SECTION D:	CONTRACTOR REQUESTED TOTAL			$5,806.47	
15	AMOUNT REQUESTED	(Total lines 8,13 & 14)	15	$8,484.59	

Contractor's Signature Date: 02/11/21

Larissa McKenna

Print Name of Authorized Representative

Project Manager

Print Title

Project Architect: SEI Design

Project Architect's Signature

Section E: *COMMENTS*

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

LiRo Engineers, Inc.
A LiRo Group Company
690 Delaware Avenue, Buffalo, NY 14209 Telephone 716.882.5476 Facsimile 716.882.9640 www.liro.com

February 11, 2021

Mr. Brian Armstrong, EIT
Assistant Municipal Engineer
Town of Amherst Engineering Department
1100 N Forest Road
Williamsville, NY 14221

RE: RB Mach CO#8

Mr. Armstrong,

LiRo Engineers, Inc. (LiRo) has reviewed the attached change order and is recommending approval for the added lump sump amount of $4014.17. The change order is to accommodate the cutting and patching of the roof to accommodate the installation of three (3) additional duct supports.

Sincerely,
LiRo Engineers, Inc.



Christopher Abramo, PE
Senior Project Manager

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

RB Mac Construction Co. Inc.

Amherst Police Center Shoo
Range #2018.036A

Description of Change: Per the direction given by Liro Group & the Owner, cut open the roof and remove EPDM & built-up roof to install wood blocking, patch roof and flash (3) additional roof curbs.

CONTRACTOR PROPOSAL

Date: 02/04/21 **RB Mac Change Prop. No.: 11** **Proj. No. 20-AmhStgRng-192**

Contractor Name	RB Mac Construction Co., Inc.	Date: 02/04/21	
Address	6688 Lincoln Ave. Lockport, NY 14095	Issue No.: N/A	
Telephone No.	716-433-2495	RFP No.: GC-08 (3) ADDN'L ROOF CURBS	

SECTION A: CONTRACTOR WORK			Round Totals to Nearest Dollar	
1	Total Contractor Labor:		$0.00	
2	Total Material:		$0.00	
3	Equipment:		$0.00	
4	Equipment Pick Up & Return		$0.00	
5	Project Management	1 Hr @ $90/hr.	$90.00	
6	Supervision	1 Hr @ $85.00	$85.00	
7	SUBTOTAL	(Total lines 1 thru 6)	$175.00	
8	Contractor's combined O&P		$26.25	
9	Total Premium Labor		$0.00	
10	CONTRACTOR TOTAL	(Total lines 5,6, & &7)	$201.25	

SECTION B: SUBCONTRACTOR WORK			Round Totals to Nearest Dollar	
9	Name of Subcontractors:			
A.	Murray Roofing		$3,360.00	
B.			$0.00	
C.			$0.00	
E.			$0.00	
F.			$0.00	
10	TOTAL SUBCONTRACTORS PROPOSALS	(Total lines A thru F)	$3,360.00	
11	Contractor's Override on Subs' Proposals			
	11a. 10% of Subcontractor		$336.00	
	11b.			
	11c.			
12	Total Premium Portion of Subcontractor Labor			
13	SUBCONTRACTOR TOTAL	13	$3,696.00	
SECTION C: 14	Bonds	14	$116.92	
SECTION D:	CONTRACTOR REQUESTED TOTAL		$201.25	
15	AMOUNT REQUESTED (Total lines 8,13 & 14)	15	$4,014.17	

Contractor's Signature — Date: 02/04/21

Larissa McKenna
Print Name of Authorized Representative

Project Manager
Print Title

Project Architect: SEI Design

Project Architect's Signature

Section E: *COMMENTS*

Attachment: Change Order 2 Docs for Agenda (RES-2021-185 : Amherst Police Training Center Shooting Range - Change Order No. 2)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22926 **RESOLUTION 2021-186** **ADOPTED**

Postage Meter Lease Renewal for Engineering Department CRS No. 2417

We are requesting Town Board approval and permission for the Supervisor to sign the attached renewal agreement for the postage meter rental with Quadient Leasing USA, Inc. The cost for rental is $39.99 monthly for 39 months ($1,559.61). This agreement will be effective from the date we activate the IS-280 iMeter.

Funding for this request is available in account A1440-4110. This request is pending successful completion of the contract review process. Thank you for considering this request.

2/22/2021
Consent

FINANCIAL IMPACT:

A1440-4110; $1,559.61

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Quadient Leasing Product Lease Agreement



IS-280 iMeter™ Mailing Solution

Payment Information

Billing Frequency: ☒ Quarterly ☐ Annually	
Number of Months: 39	Monthly Payment: $39.99
NeoShip web access address correction web tracking electronic Delivery Confirmation™, electronic Signature Confirmation™ ☑	Included Promotions: IS280 5lb, 1 Account, neoShip, Thermal Label Printer

Billing Information

Company Name (Full legal name): TOWN OF AMHERST DEPT OF ENGINEERING		
Email Address: jkoch@amherst.ny.us		
Mailing Address: 1100 N Forest Rd		
City: WILLIAMSVILLE	State: NY	Zip Code: 14221
Contact Name: JASON KOCH		
Phone Number: (716) 631-7154	Fax Number:	
Purchase Order #:		
Tax Exempt? (Exemption Certificate is required if Yes) ☐ Yes ☒ No		

ACH Direct Debit (For lease payments only)

Bank Name:	
Bank Contact Name:	Bank Routing Number:
****Please attach a blank voided check. A deposit slip will NOT be accepted.****	

Services Provided

☑ **Unlimited Meter Resets**	• No Meter Reset Charges • Only pay for what you download!
☑ **Quadient Postage Funding® Payment Service**	• Instant access up to $700 postage – without having to prepay! • Receive a monthly invoice for postage • Online access to account information, statements, & payments
☑ **Rate Change Protection**	• USPS® Rate Updates included • Accurate postage prevents returned mail and wasted money • Online Updates – no chips
☑ **Maintenance**	• Depot Service

Installation Information (if different than billing)

Company Name (Full legal name):		
DBA:		
Installation Address (No PO Boxes):		
City:	State:	Zip Code + 4:
County:		
Contact Name:	Email Address:	
Phone Number:	Fax Number:	

☒ Use my existing POC Account Number: 71988179

Postage Payment Option: ☒ Quadient Postage Funding® ☐ Prepay ☐ PostageNow™ ACH

For Internal Use Only

Previous Lease Number:	New Lease Number:	Customer Number (CSN): 40521852
Owning Branch/Dealer Number:	Owning Branch/Dealer Name: 6410 - Lineage - Buffalo	
Account Manager:	**Marketing Codes:** Please see attached worksheet	
Date Submitted:	Date Sent: **2/10/2021**	Replaces Meter S/N 13816138

This document consists of a Product Lease Agreement with Quadient Leasing USA, Inc.; and a Postage Meter Rental Agreement, Maintenance Agreement and an Online Services and Software Agreement with Quadient, Inc.; and a Postage Funding Account Agreement with Quadient Finance USA, Inc. Your signature constitutes an offer to enter into such agreements, and acknowledges that you have received, read, and agree to all applicable terms and conditions (version Commercial-Equipment-Lease-Terms-USPS-Direct-V1-2020), which are also available at www.quadient.com/Commercial-Equipment-Lease-Terms-USPS-Direct-V1-2020, and that you are authorized to sign the agreements on behalf of the customer identified above. The agreements will become binding on the companies identified above only after an authorized individual accepts your offer by signing below, or when the equipment is shipped to you. Existing customers who currently fund the Postage account by ACH Debit will not be converted to a Postage Funding Account unless initialed here: ☐

Authorized Signature _____ Date Accepted _____

Print Name and Title _____

Quadient Leasing USA Authorization _____ Date Accepted _____ Offer valid until

quadient Leasing

Fax Completed Form To:

203-301-2644

Carol Peters
478 Wheelers Farms Road
PH: 203-301-3915 Ext.
Fax: 203-301-2644
Email: c.peters@quadient.com

2/10/2021 Manager Approval

Rev. 2020.02

Attachment: Quadient Lease Agreement (RES-2021-186 : Postage Meter Lease Renewal for Engineering Department)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Finance
Initiated by: **Lynda Juul**
Co-Sponsored by:

DOC ID: 22904 **RESOLUTION 2021-187** **ADOPTED**

Revised Budget Calendar - Fiscal Year 2022

WHEREAS, the Fiscal Year 2022 Budget Calendar was adopted at the Reorganization meeting in January; and

WHEREAS, the Calendar has been modified to allow for the proper time frame for budget modification by the Town Board, which converts the Tentative Budget to the Preliminary Budget, in accordance with New York State General Municipal Law;

NOW, THEREFORE, BE IT RESOLVED, the Revised Budget Calendar for the 2022 Fiscal Year is hereby adopted.

2/22/2021
Consent

FINANCIAL IMPACT:

N/A

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Town of Amherst
Budget Calendar - Fiscal Year 2022
Revised February 22, 2021

DESCRIPTION	Comptroller's Office to send to Departments by:	Departments to return to Comptroller's Office by:	Other Dates/Comments
Town Board adopts Budget Calendar (Annual Reorganization Meeting in January)			January 4
Budget Worksheets for Lighting, Drainage, Sewer, Fire and Water Districts sent via inter-office mail to Engineering and Highway (Benefit Basis Budgets)	April 15	May 15	
Budget Worksheets for General, Part Town, Community Environment & Highway sent via inter-office mail to Department Heads (Operating Funds)	May 1	May 31	
Payroll sheets completed by Comptroller's Office and submitted to HR for review	May 1	May 21	
Payroll sheets emailed by Comptroller's Office to departments for review	May 21	May 31	
Appointments with Department Heads to discuss Benefit Basis Budget & Operating Budget Requests			June 1-30
Review of Benefit Basis Budgets and Operating Budgets by Budget Officer (Supervisor), Director of Finance, and Comptroller			July 1-31
Setting of Elected Officers' Salaries by Town Board Resolution (First September TB Meeting)			September 13
Budget Officer files Benefit Basis (Special District) Budgets with Town Clerk *(No later than September 15)*			September 15

NOTE: ***Italics indicates legal requirement.*** **Any date that falls on a weekend or holiday reverts to the prior workday.**

Attachment: 2022 BUDGET CALENDAR - REVISED 2-22-2021 (RES-2021-187 : Revised Budget Calendar - Fiscal Year 2022)

DESCRIPTION	Comptroller's Office to send to Departments by:	Departments to return to Comptroller's Office by:	Other Dates/Comments
Files for added tax bill items given to Assessor/IT ✓ Sidewalks ✓ Delinquent ECWA ✓ Delinquent Village water ✓ Code violations ✓ Omitted tax			September 30
Budget Officer files Operating Budgets with Town Clerk (Tentative Budget), including Proposed Capital Improvement Plan (CIP) *(No later than September 30)*			September 30
Tentative Budget submitted to Town Board; Copies placed on file in Town Libraries *(At regular or special meeting of the Town Board, No later than October 5)*			October 4
Review of Tentative Budget by Town Board; Preliminary Budget filed with Town Clerk (if TB makes changes to Tentative Budget; otherwise Tentative budget becomes Preliminary Budget) *(Prior to publication of legal notice for PH)*			October 4-18
Town Clerk to publish Notice of Public Hearing on Preliminary Budget including Elected Officials' Salaries *(Must be published 5 days prior to PH)*			October 20
Hearing on Preliminary Budget (*PH to be held on or before the Thursday following the general election, and may not be adjourned beyond November 15)*			October 25
Fire District Budgets to be submitted to Budget Officer *(No later than November 7)*			November 7
Budget to be Adopted *(No later than November 20)*			November 8

NOTE: ***Italics indicates legal requirement.*** **Any date that falls on a weekend or holiday reverts to the prior workday.**

Attachment: 2022 BUDGET CALENDAR - REVISED 2-22-2021 (RES-2021-187 : Revised Budget Calendar - Fiscal Year 2022)

DESCRIPTION	Comptroller's Office to send to Departments by:	Departments to return to Comptroller's Office by:	Other Dates/Comments
Summary Pages for Sewer, Drainage and Water given to Assessor to calculate rates (Assessor)			ASAP
Assessment files for the 2022 County/Town Tax Extension must be ready for transmission to Real Property These files must include the unpaid Town charges. Signed letter of authorization must be sent to have amounts included.			Week of Nov 1
Town budgets shall be certified to the County at least one week prior to the last Tuesday in November. (This includes special district rates calculated by Assessor)			No later than November 23
Budget Officer/Comptroller assists IT in making adopted budget available on Town web site			December 15
County sends reports for final approval. Town to reconcile and approve (See levy reconciliation worksheet for codes to exclude from totals to reconcile to Town amount to raise)			Mid-Late December
Budget Officer/Comptroller to approve and confirm to County			2 days after receipt
County to print tax bills			Approx. 3 days after final approval received by County (Town errors or failure to meet deadlines will cause delays)
Town Clerk to receive tax bills & process for mailing.			As soon as available

NOTE: ***Italics indicates legal requirement.*** **Any date that falls on a weekend or holiday reverts to the prior workday.**

Attachment: 2022 BUDGET CALENDAR - REVISED 2-22-2021 (RES-2021-187 : Revised Budget Calendar - Fiscal Year 2022)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Finance
Initiated by: **Lynda Juul**
Co-Sponsored by:

DOC ID: 22910 **RESOLUTION 2021-188** **ADOPTED**

Approve CRS #2391 - Indemnification Agreement for Participation in Amherst Market at Gateway Park - Jordan Buell / Equitable Advisors

WHEREAS, the Amherst Market at Gateway Park is being held during the month of February and Jordan Buell / Equitable Advisors wishes to participate as a non-sales vendor on February 27, 2021;

NOW, THEREFORE, BE IT RESOLVED, the Indemnification Agreement with Jordan Buell / Equitable Advisors is hereby approved and the Supervisor is authorized to sign the agreement; and

BE IT FURTHER RESOLVED, should the location of the market change, the Supervisor is authorized to sign a revised Hold Harmless reflecting a change in location only, and any revised paperwork shall be uploaded into the CRS record.

2/22/2021
Consent

FINANCIAL IMPACT:

N/A

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

TOWN OF AMHERST

ERIE COUNTY, NEW YORK

5583 MAIN STREET
WILLIAMSVILLE, NEW YORK 14221
PHONE: 716-631-7013
FAX 716-631-7036
www.amherst.ny.us

BRIAN J. KULPA
Supervisor
716-631-7032

JACQUALINE G. BERGER
Deputy Supervisor/ Councilmember

Councilmembers:
DEBORAH BRUCH BUCKI RN, PhD
SHAWN A. LAVIN
MICHAEL SZUKALA

Jordan Buell
Equitable Advisors
350 Essjay, Suite 300
Williamsville, NY 14221

January 22, 2021

Dear Mr. Buell:
This is your agreement for your participation in the Town of Amherst Market at Gateway Park on February 27th, 2021, as an independent contractor/non-sales vendor. Please provide a name and cell phone number so that our event staff can contact you in case of any last minute changes:
716 270 3930.

Jordan Buell, d.b.a. Equitable Advisors agrees to indemnify and hold the Town of Amherst harmless for any charges, damages, or liability resulting directly or indirectly from the negligence or culpable conduct of the business or artist its agents and/or employees, and to release the Town of Amherst and its employees, agents, districts, commissions, and boards from liability arising from the participation of the above described event.

AGREEMENT:
DATE: 2/27/2021
TIME: 9am-4pm
LOCATION: Gateway Park, 159 Niagara Falls Blvd, Amherst, NY

Agreed to and approved by:

Jordan Buell
Print Name

1/27/2021
Date

Signature

Financial Advisor

Attachment: DOC021721 (RES-2021-188 : Approve CRS #2391- Indemnification Agreement - Jordan Buell / Equitable Advisors)

Title

Town of Amherst:

Brian J. Kulpa, Supervisor

Date

Attachment: DOC021721 (RES-2021-188 : Approve CRS #2391- Indemnification Agreement - Jordan Buell / Equitable Advisors)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Highway
Initiated by: **Stephen Bryan**
Co-Sponsored by:

DOC ID: 22861 **RESOLUTION 2021-189** **ADOPTED**

Contract Extension - Good Riddance Pest Control LLC - CRS #2386

WHEREAS, BID # 2018053 Highway Department Rodent Control allows for the contract to be extended for a period of two (2) years at the same terms and conditions; and

WHEREAS, the Highway Department is requesting approval for the extension of the contract under Resolution 2019-69; and

NOW, THEREFORE, BE IT RESOLVED, the contract extension term will be dated from approval date through February 2, 2023; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the two year contract extension with Good Riddance Pest Control LLC, 1941 Harlem Road, Buffalo, NY 14212 subject to the contract routing system and the approval of the Town Attorney.

2/22/2021
Consent

FINANCIAL IMPACT:

TOWN WIDE

VARIOUS ACCOUNTS

AMOUNT;TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

AGREEMENT

Let this document stand as an Agreement between GOOD RIDDANCE PEST CONTROL, LLC. and the Town of Amherst permitting the Town of Amherst to participate in the purchase of rodent control services extension:

Good Riddance Pest Control, LLC., 1941 Harlem Road, Buffalo, New York 14212
BID # 2018053
from 2/4/2019 through 2/3/2021 AND EXTENDED TO 2/2/2023.

for rodent control services per Town of Amherst BID # 2018053 tab.

Agreed to and Accepted by:

GOOD RIDDANCE PEST CONTROL, LLC.

By: H. Palczewski
Signature

H. Palczewski
Print Name

Owner
Title

Date: 4/19/21

Agreed to and Accepted by:

TOWN OF AMHERST

By: _____
Brian J. Kulpa
Supervisor

Date: _____

COPY

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

= Low Bidder

Bid #2018053 Rodent Control

Item #	U/M	Vendor Name:	Good Riddance Total Price	Rentokill Total Price
1	EA	Residential Service per address Includes all required bait stations.	$62.75	$250.00
2	EA	Town Building Service per address Includes all required bait stations	$71.00	$85.00

NOTES:
Rentokil, North America, Inc. Noted under Item #1: 3 Part Service
and under Item #2: 1 Part Service

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

Addendum to Contract VENDOR ON SITE Minor

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Vendors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Vendor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Vendor its officers, agents, sub-Vendors, and/or employees as well as the negligence, active or passive, of the Vendor, its officers, agents, sub-Vendors, and/or employees.

4. Vendor shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Vendor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Vendor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate.

(c) Vendor shall furnish the above insurances, including sub-Vendors' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Vendor shall ensure all its sub-Vendors, if any, have obtained all the above insurances and shall also assure that any policy procured by any sub-Vendor or sub-sub-Vendor shall name the Town as an additional insured on a primary and non-contributory basis.

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of Section 109 of the General Municipal Law, the Vendor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Vendor shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Vendor, in accordance with its status as an independent Vendor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules,

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

Good Riddance Pest Control LLC
Print Name of Company

By: H. Palczewski
Signature

H. Palczewski
Printed name

Date: 1/19/21

Agreed to and Accepted by:

Town of Amherst

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New Yor provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities l of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). T list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility unde Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seek to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must cert at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibit entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive informati that a person is in violation of the above-referenced certification, the Town will offer the person opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in t investment which is in violation of the Act within 90 days after the determination of such violation, th the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeki compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an enti that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue responsibility review with respect to any entity that is awarded a Contract/Lease and appears on t prohibited entities list after Contract/Lease award.

Company Name: Good Riddance Pest Control LLC

Signature: Holly Palczewski

Print Name: Holly Palczewski

Title: Owner

Date: 1/19/21

PATRICK JOSEPH DIPALMA
NOTARY PUBLIC STATE OF NEW YORK
ERIE
LIC. #01DI6379014
COMM. EXP. 08/06/2022

Sworn To Before Me This
19th Day of January 2021

Notary Public

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

CERTIFICATE OF LIABILITY INSURANCE

05/01/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	**CONTACT NAME:** Natalie Sterns
InsureOne Insurance Services America LLC	**PHONE (A/C, No, Ext):** (716) 402-8244 **FAX (A/C, No):** (716) 215-0
DBA The Keller Group	**E-MAIL ADDRESS:** natalie.sterns@kellerinsure.com
2706 Pine Avenue	**INSURER(S) AFFORDING COVERAGE**
Niagara Falls NY 14301	**INSURER A:** Scottsdale Insurance Company
INSURED	**INSURER B:** Preferred Mutual Insurance Company
Good Riddance Pest Control, LLC.	**INSURER C:**
1941 Harlem Road	**INSURER D:**
	INSURER E:
Buffalo NY 14212	**INSURER F:**

COVERAGES **CERTIFICATE NUMBER:** CL205116886 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC OTHER:	Y		CPS7100295	05/01/2020	05/01/2021	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 3,000,000
							PRODUCTS - COMP/OP AGG	$ 3,000,000
								$
B	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [X] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY			PCA0100720242	05/01/2020	05/01/2021	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
A	[X] UMBRELLA LIAB [X] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [X] DED [ ] RETENTION $ 10,000			XBS0123060	05/01/2020	05/01/2021	EACH OCCURRENCE	$ 1,000,000
							AGGREGATE	$ 1,000,000
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					[ ] PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Town of Amherst is included as Additional Insured under the General Liability Policy on a Primary and Non Contributory Basis as required by written contract.

CERTIFICATE HOLDER

Town of Amherst
5583 Main Street
Williamsville NY 14221

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFOR THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

NYSIF
New York State Insurance Fund

225 OAK STREET, BUFFALO, NEW YORK 14203-1685
| nysif.com

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE (RENEWED)

^^^^^^ 271347547
GOOD RIDDANCE PEST CONTROL LLC
P.O. BOX 120
ELMA NY 14059

SCAN TO VALIDATE
AND SUBSCRIBE

POLICYHOLDER	CERTIFICATE HOLDER
GOOD RIDDANCE PEST CONTROL LLC P.O. BOX 120 ELMA NY 14059	TOWN OF AMHERST 5583 MAIN STREET WILLIAMSVILLE NY 14221

POLICY NUMBER	CERTIFICATE NUMBER	POLICY PERIOD	DATE
B2090 664-0	4748	12/29/2020 TO 12/29/2021	1/18/2021

THIS IS TO CERTIFY THAT THE POLICYHOLDER NAMED ABOVE IS INSURED WITH THE NEW YORK STATE INSURANCE FUND UNDER POLICY NO. 2090 664-0, COVERING THE ENTIRE OBLIGATION OF THIS POLICYHOLDER FOR WORKERS' COMPENSATION UNDER THE NEW YORK WORKERS' COMPENSATION LAW WITH RESPECT TO ALL OPERATIONS IN THE STATE OF NEW YORK, EXCEPT AS INDICATED BELOW, AND, WITH RESPECT TO OPERATIONS OUTSIDE OF NEW YORK, TO THE POLICYHOLDER'S REGULAR NEW YORK STATE EMPLOYEES ONLY.

IF YOU WISH TO RECEIVE NOTIFICATIONS REGARDING SAID POLICY, INCLUDING ANY NOTIFICATION OF CANCELLATIONS, OR TO VALIDATE THIS CERTIFICATE, VISIT OUR WEBSITE AT HTTPS://WWW.NYSIF.COM/CERT/CERTVAL.ASP. THE NEW YORK STATE INSURANCE FUND IS NOT LIABLE IN THE EVENT OF FAILURE TO GIVE SUCH NOTIFICATIONS.

THIS POLICY DOES NOT COVER THE SOLE PROPRIETOR, PARTNERS AND/OR MEMBERS OF A LIMITED LIABILITY COMPANY.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS NOR INSURANCE COVERAGE UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY.

NEW YORK STATE INSURANCE FUN

DIRECTOR,INSURANCE FUND UNDERWRITING

VALIDATION NUMBER: 546623468

U-26.3

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF INSURANCE COVERAGE
DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only)
GOOD RIDDANCE PEST CONTROL LLC
PO BOX 120
ELMA, NY 14059-0120

1b. Business Telephone Number of Insured
(716) 824-2847

Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)*

1c. Federal Employer Identification Number of Insured or Social Security Number
271347547

2. Name and Address of Entity Requesting Proof of Coverage
(Entity Being Listed as the Certificate Holder)
TOWN OF AMHERST
5583 MAIN STREET
WILLIAMSVILLE, NY 14221

3a. Name of Insurance Carrier
New York State Insurance Fund (NYSIF)

3b. Policy Number of Entity Listed in Box "1a"
DBL 5930 28 - 5

3c. Policy effective period
04/21/2020 to 04/21/2022

4. Policy provides the following benefits:
- [x] A. Both disability and paid family leave benefits
- [ ] B. Disability benefits only
- [ ] C. Paid family leave benefits only

5. Policy covers:
- [x] A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law
- [ ] B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 1/20/2021 By Melissa Jensen
(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (866) 697-4332 Name and Title **Melissa Jensen, Director of Disability Insurance Unit**

IMPORTANT: If Box 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier,this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed _____ By _____
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: *Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agei of those insurance carriers are authorized to issue Form DB-120.1.* ***Insurance brokers are NOT authorized to issue this form.***

DB-120.1 (10-17)

Certificate Number 627599

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

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

Jeffery C Zeplowitz
Town Clerk

Meeting: 01/07/19 07:00 PM
Department: Contract Compliance
Initiated by: **Lawrence Graner**
Co-Sponsored by:

DOC ID: 19736 **RESOLUTION 2019-69** **ADOPTED**

Award Bid #2018053 Rodent Control CRS #1156

WHEREAS, the Contract Compliance and Administration Department received bids on December 13, 2018 for Bid #2018053 - Rodent Control; and

WHEREAS, the bid process resulted in responses from two (2) vendors, as per the attached bid tabulation form.

THEREFORE BE IT RESOLVED, the Town Board authorizes the Contract Compliance and Administration Department to award this bid to Good Riddance Pest Control, LLC, 1941 Harlem Road, Buffalo, NY 14212; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to sign the contract with Good Riddance Pest Control, LLC.

FINANCIAL IMPACT:

Town Wide

Various Accounts

Amount: TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Councilmember
AYES:	Kulpa, Spoth, Bucki, Berger, Lavin

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

CONTRACT

This agreement is hereby acknowledged and performance of this Contract will be undertaken in accordance with the specifications and pricing on which the below mentioned bid dated December 10, 2018 was submitted. I hereby state that I have authority to execute this document on behalf of Good Riddance Pest Control, LLC.

Name of Bid: **Rodent Control**
Vendor Name: **Good Riddance Pest Control, LLC**
1941 Harlem Road
Buffalo, New York 14212

Town Board Approval: January 7, 2019
Town Board Resolution #: 2019-69 2/3/2021

Authority for execution on behalf of the Town of Amherst: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board, at a meeting thereof held on January 7, 2019, Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town of Amherst. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of the Town of Amherst.

Agreed to and Accepted by:

Good Riddance Pest Control, LLC

By: H. Palczewski
Signature

H. Palczewski
Printed name

Owner
Title

Date: 2/2/19

Agreed to and Accepted by:

Town of Amherst

By:
Brian J. Kulpa,
Supervisor

Date: 2/4/19

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

= Low Bidder

Bid #2018053 Rodent Control

Item #	U/M	Vendor Name:	Good Riddance Total Price	Rentokill Total Price
1	EA	Residential Service per address Includes all required bait stations.	$62.75	$250.00
2	EA	Town Building Service per address Includes all required bait stations	$71.00	$85.00

NOTES:
Rentokil, North America, Inc. Noted under Item #1: 3 Part Service
and under Item #2: 1 Part Service

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

The Town of Amherst is interested in securing bids from qualified contractors wishing to provide basic rodent control services to the residential properties, Town buildings, and storm sewers in the Town of Amherst. This service is in addition to the services provided by the Erie County Health Department. There is no guarantee of quantity to be purchased expressed or implied in this contract. Purchases shall be made by the Town of Amherst on an as-needed basis. No additional charges will be considered.

CONTRACT TERM:

The Town of Amherst is awarding a two-year term contract from the date of contract execution. This contract may be extended for not more than two successive periods of equal length at the same bid price upon the mutual agreement of the successful respondent and the Town of Amherst.

-2-
-24EF

BID RESULTS

Bid results cannot be given over the phone. All requests for bid results should be submitted via e-mail to: Khalton@amherst.ny.us

INTERPRETATION OF DOCUMENTS

All questions about the meaning or intent of the specifications must be submitted via email to kraner@amherst.ny.us with a copy to khalton@amherst.ny.us. Please include Bid #2018053 Rodent Control in the e-mail subject line. Replies will be issued by Addenda and emailed to all parties recorded as having received the proposal documents. Questions received within 5 days of the bid opening will not be responded to.

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

TOWN OF AMHERST
AMHERST, NEW YORK 14221

Town of Amherst

Contract Compliance & Administration Department

INVITATION TO BID # 2018053

Rodent Control

Bids, as stated below, will be received and publicly opened by the Contract Compliance & Administration Department in accordance with the attached specifications. FAX / electronically submitted bids will not be accepted.

Bid Instructions:

- **Four (4) copies of the proposal are required.**
- **All four (4) bid packets may be placed in one sealed envelope.**
- **In each of the four (4) bid packets being submitted, EACH page requiring a signature, must be an original signature, and must be signed in BLUE INK.**
- **If you are submitting bids for more than one job, please put in separate envelopes, marked with the Bid number.**

Please submit to:

Town of Amherst
Contract Compliance & Administration – 2nd Floor
5583 Main Street
Williamsville, New York 14221

NOTE: Lower left hand corner of envelope MUST indicate the following:

BID NUMBER: 2018053

OPENING DATE December 13, 2018 TIME: 12:15 PM

FOR: Rodent Control

NAME OF BIDDER: _____

If you are submitting other Invitations to Bid, each bid must be enclosed in a separate envelope. Following EXHIBITS are attached to and made a part of the bid specifications, and part of any agreement entered into pursuant to this Invitation to Bid:

X	EXHIBIT "A" - Assignment of Public Contracts
N/A	EXHIBIT "D" - Bid Bond (Formal Bid) 5%
X	EXHIBIT "F" - Agreement Addendum
X	EXHIBIT "G" - Non-Collusive Bidding Certification
X	EXHIBIT "I" - Certification of Compliance with the Iran Divestment Act
X	EXHIBIT "W" - Prevailing Wage Schedule

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

NOTICE TO BIDDERS

Town of Amherst
Contract Compliance & Administration Department

Bid #2018053
Rodent Control

Sealed proposals for the above mentioned project in the Town of Amherst, NY will be received by the Contract Compliance & Administration Office in the Municipal Building, Williamsville, NY 14221 on or before 12:XX PM local time on Date, 2018.

Specifications may be obtained via e-mail to khelton@amherst.ny.us or examined at the Contract Compliance & Administration Office of the Town of Amherst between the hours of 8:00 AM and 4:00 PM through Date, 2018, excluding Saturdays, Sundays and Holidays.

By Order of the Town Board
Town of Amherst, New York

Lawrence K. Graner
Director of Contract Compliance & Administration

Date: Date, 2018

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

Bryan, Steve

From: The Staff At Good Riddance Pest Control <goodriddancepc@gmail.com>
Sent: Thursday, January 14, 2021 2:30 PM
To: Bryan, Steve
Subject: Re: Town of Amherst Renewal

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

On Thu, Jan 14, 2021 at 2:28 PM Bryan, Steve <sbryan@amherst.ny.us> wrote:

Hi Holly: Happy New Year! The current contract with the Town of Amherst expires on 02/03/2021.

If you are willing to hold the prices the same (see attached) we can extend for another 2 years.

If not, we will need to place a new bid out! If the extension works, please let me know and I will prepare the paperwork.

We appreciate your service and hope we can just extend! Steve Bryan, Town of Amherst Highway,

ContractsHi Brian, yes we will continue to keep the price is the same for the town of Amherst. Thanks for reaching out to us.

Attachment: GOOD RIDDANCE PEST (RES-2021-189 : Contract Extension-GOOD RIDDANCE PEST CONTROL LLC.-CRS#2386)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Highway
Initiated by: **Stephen Bryan**
Co-Sponsored by:

DOC ID: 22867 **RESOLUTION 2021-190** **ADOPTED**

Contract-Davis Ulmer Fire Sprinkler System Inspection, Monitoring, Testing and Repairs-21-22; CRS #2401

Authorize the Supervisor to sign an agreement between the Town of Amherst, Highway Department and Davis-Ulmer Inc., One Commerce Drive, Amherst, NY 14228-2395.

Agreement includes fire sprinkler system inspection, monitoring, testing and minor repairs (time and material) for the periods of 2/1/2021 through 1/31/2022:

> Monthly fire system monitoring - $42.00 times 12 equals $504.00;
> Quarterly sprinkler inspection and testing-4 times $294.00 equals $1,176.00;
> Annual alarm and antifreeze inspection-$617.00; and
> time and materials for minor repairs.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign and enter into such contract. This contract is subject to the contract routing system (CRS) and the approval of the Town Attorney.

2/22/2021
Consent

FINANCIAL IMPACT:

A5132 : 4220 Inspection $2,297.00

Plus miscellanous TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

DAVIS-ULMER
FIRE PROTECTION

• Sprinklers • Suppression • Fire Alarm • Security

Inspection Agreement

Effective, **(January 20, 2021)** and subject to all terms, conditions, and limitations specified in this Agreement, **Town of Amherst Highway Dept** ("Customer") hereby engages Davis-Ulmer Sprinkler Company, Inc. ("Company") to perform inspection services at the premises specified in Section I below (the "Property"), and Company agrees to perform such services subject to all terms, conditions and limitations specified in this Agreement and as outlined in Section II.

SECTION I – CUSTOMER & PROPERTY INFORMATION

Property:	**Town of Amherst Highway Dept**	**Bill To:**	**Same**
Address:	1042 N Forest Rd	**Address**	
City	Amherst, NY 14221		
Phone:	716-631-7117	**Phone**:	
Fax:	716-631-7265	**Fax**:	
E-Mail:	s.bryan@amherst.ny.us	**E-Mail**:	

Property Owner (If different from Customer):

If Customer is not the owner of the Property (i) Customer represents, warrants and covenants to Company that Customer is authorized by the owner to enter into this Agreement and allow Company to access the Property and perform the services described below, and (ii) Customer authorizes Company to communicate the results of any inspection directly to the owner.

SECTION II – INSPECTION

Customer engages Company-to perform a
☐ single ☐ monthly ☐ quarterly ☐ semi-annual ☐ annual ☒ **other (see frequencies below)**
inspection(s) of the automatic fire protection and/or alarm/security equipment installed on or within the Property.

Inspect & test five (5) wet pipe sprinkler systems, quarterly
Inspect & test one (1) antifreeze loop, annually
Inspect & test one (1) fire alarm system, annually

Per Scopes(s) of Work attached. Actual inspection date(s) will be determined by Company. The use of a lift, if required, will be at additional cost.

24-hour system monitoring, @ $42.00 per month to be invoiced annually @ $504.00 separate invoice for monitoring. Phone line/internet service, if required, is not included and must be supplied by customer. See Page 3.

SECTION III – TERM, INSPECTION FEE, AND PAYMENT

The term of this Agreement shall be for a period of **one (1) year.** ***February 1, 2021 through January 31, 2022***

Customer agrees to pay the **total annual sum** of **$2297.00**
Customer will be invoiced as follows:
After each quarterly sprinkler inspection, the sum of **$294.00**
After each annual fire alarm inspection, the sum of **$617.00**
System monitoring, the sum of **$504.00**

Specified fee does not include any applicable sales or other tax. Customer is responsible for all applicable taxes.

Company will issue an invoice promptly upon completion of each inspection. Customer will pay each invoice in full, without any setoff or deduction whatsoever, no later than 30 days after receipt of invoice. Any amounts past due will be subject to a finance charge equal to the lesser of 1.5% per month or the maximum legal rate. Customer agrees to reimburse Company for all costs of collection, including attorneys' fees.

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

SECTION IV - OTHER TERMS AND LIMITATIONS

1. This Agreement is for inspection services only. If Customer wants Company to make any repairs, alterations or replacements as a result of the inspection services performed pursuant to this Agreement, such work and the additional compensation to Company must be specified in a separate written agreement between Company and Customer.
2. Any additional system equipment added to the Property after the date of this Agreement or not otherwise specified in Section II of this Agreement is not included in the inspection services to be provided pursuant to this Agreement. Inclusion of any such other equipment will require execution of an amendment to this agreement and adjustment of the inspection fee.
3. The inspection services provided by Company pursuant to this Agreement are limited to an evaluation of the functionality of the equipment identified in Section II above. The Scope(s) of Work incorporated into this Agreement do not include observation of design or engineering deficiencies with any fire protection system. Company will not evaluate or express any opinion as to whether the design and/or installation of the system are suitable for the Property or the operations at the Property.
4. Company's inspection is limited to a visual inspection of external readily accessible parts of the system and will not include every component including but not limited to sprinkler heads, pipe, fittings, hangers, pull stations, smoke detectors, conduit wire or other parts of the system being inspected. Customer understands and agrees that if the business is one that consists of multiple buildings or buildings with multiple rooms, including but not limited to hotels, motels, nursing and personal care homes, hospitals, apartment buildings, dormitories, office buildings and similar occupancies, the scope of work provided by Company does not include inspecting every sprinkler in every room for damage or obstructions, loading or any other deficiency. It is the Customer's responsibility to monitor conditions that would affect the operation of a sprinkler in event of a fire. It is also the responsibility of the Customer to notify Company if they feel a condition exists that may impact sprinkler operation. THEREFORE, BY CONDUCTING ITS INSPECTION UNDER THIS AGREEMENT, COMPANY DOES NOT GUARANTEE OR WARRANT THE CONDITION OR OPERATION OF EVERY PIPE, SPRINKLER HEAD OR OTHER PART OF THE FIRE PROTECTION AND/OR FIRE ALARM/SECURITY SYSTEM ON THE PROPERTY.
5. AS A MATERIAL INDUCEMENT FOR COMPANY TO PROVIDE THE SERVICES SPECIFIED IN THIS AGREEMENT AT THE INSPECTION FEE QUOTED IN THIS AGREEMENT, CUSTOMER AGREES THAT COMPANY'S LIABILITY TO CUSTOMER AND ALL THIRD PARTIES WITH RESPECT TO ANY CLAIM UNDER THIS AGREEMENT, OR ARISING FROM THE SERVICES FURNISHED BY COMPANY, SHALL BE LIMITED TO THE LESSER OF $1000.00 OR THE TOTAL CONSIDERATION ACTUALLY RECEIVED BY COMPANY UNDER THIS AGREEMENT. THE FOREGOING LIMITATION SHALL APPLY TO ALL CLAIMS REGARDLESS OF THE NATURE THEREOF, INCLUDING CLAIMS ASSERTED AS A BREACH OF CONTRACT, A BREACH OF WARRANTY, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE. IN NO EVENT SHALL COMPANY BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, INDIRECT OR PUNITIVE DAMAGES, OR DAMAGES FOR LOST PROFITS. If Customer desires Company to accept an increased limit of liability for the services provided under this Agreement, Company will provide an alternate inspection fee quote reflecting such increased limit, provided, however, that the increased limit shall be effective only upon Company's and Customer's execution of a replacement agreement confirming the same and Customer's payment of the alternate fee.
6. The Company is not responsible for any damages due to: (1) incompatibility of materials within a CPVC piping system, or (2) corrosion, or deterioration of piping due to Customer's water supply, atmospheric conditions, soil quality, or any other condition at Customer's facility that adversely affects the integrity of the fire protection system
7. Company, following each inspection, will provide to Customer a written "Report of Inspection" ("Report"). If required and/or with prior written authorization, Company will provide copies of the Report to the local or state authority having jurisdiction on behalf of Customer. If requested by Customer, a copy of the Report will also be forwarded to Customer's insurance company. The Report and recommendations, if any, by Company are only advisory in nature and are intended to assist Customer in reducing the possibility of loss to the Property by indicating obvious defects or impairments to the system(s) which were discovered by Company's inspection and which should receive prompt attention.
8. Customer agrees to obtain and shall be solely responsible to maintain property and casualty insurance for the Property, all contents therein, and operations performed within or around the Property. No insurance company, insurer or bonding company or their successors or assigns shall have any right of subrogation or otherwise against Company arising out of this Agreement or the services provided by Company pursuant to this Agreement.
9. Customer agrees to indemnify, defend and hold harmless Company, its agents, and employees from and against any and all claims, demands, suits, liabilities, damages, judgments, losses and expenses (including, without limitation, attorneys' fees) which may be asserted against or incurred by Company by any third party arising out of or related to this Agreement or the services provided by Company pursuant to this Agreement.

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

10. Company will make every reasonable effort to prevent the discharge of water into or onto areas of landscaping decorative pavement, etc., at the Property, however it is Customer's responsibility to provide sufficient and readily accessible means to accept the full flow of water that may be required by tests as determined by the type of inspection and to take measures to eliminate the formation of ice in any area where a slip and fall hazard could occur.
11. This Agreement may not be assigned by Customer without the written consent of Company.
12. This Agreement may be signed in counterparts; a signed facsimile, photocopy, and/or electronic mail of this Agreement shall be as binding on both parties just as though this Agreement were executed in its original, pre-printed form.
13. This Agreement constitutes the entire Agreement between Company and Customer regarding the subject matter hereof and supersedes all prior agreements and understandings relating thereto. Although Customer for its convenience or in furtherance of its internal procedures may issue to Company a purchase order, order acknowledgement or similar form in connection with the services provided by Company pursuant to this Agreement, no term or condition in any such form that is different from or in addition to the terms set forth in this Agreement shall be applicable, and all such different or additional terms shall be ineffective and void. This Agreement cannot be amended or modified except by a writing signed by Customer and Company.
14. Customer acknowledges Company is relying upon the accuracy of the information regarding Customer and the Property set forth in Sections I of this Agreement. Customer represents that all such information is complete and accurate as of the date on which this Agreement is signed by Customer. Customer will promptly advise Company in writing of any change to such information.
15. For multiple year agreements, acceptance of this agreement allows for a maximum of **5%** increase per year for rising operating costs. If an increase of more the 5% is necessary, Company will notify Customer in writing.
16. Davis-Ulmer, for formal bid documents, is not a Disadvantaged Business Enterprise. Furthermore, no DBE, MWBE or other minority program participation goals or requirements are included or inferred. Should this project involve DBE, MWBE or other minority program participation goals or requirements please advise in writing regarding the specific nature of those goals or requirements and specifically how they impact Davis-Ulmer.
17. Terms and Conditions
    Performance of the work listed above constitutes acceptance of the following terms and conditions:
    https://www.davisulmer.com/terms.php
18. Other inclusions, exclusions, or attachments (if any): **NOTICE: THIS PROPOSAL IS CONTINGENT ON A LACK OF IMPACT BY THE CORONAVIRUS NATIONAL EMERGENCY.** Given the existence of the coronavirus pandemic, Company will use its best efforts to staff and supply this project to meet the scheduled completion date. However, Company reserves its right to seek an excusable extension of time if Company or its subcontractors and suppliers are unable to perform due to the illness or its impact, supply shortages or governmental restraints on business, travel and/or assembly. To the extent that the project is suspended pursuant to the terms of the proposed Company, we intend to seek additional costs associated with the suspension.

MONITORING AGREEMENT

This Monitoring Agreement ("Agreement") is entered into between ***Davis Ulmer Sprinkler Co*** ("Service Provider" or "SP") and Customer for the provision of the monitoring service described below (the "Service"). This Agreement does not include furnishing, installing, maintaining, repairing, replacing, testing or inspecting any equipment, nor does it include any design, construction, alteration, improvement, repair, maintenance, testing or inspection of the Premises (the "Excluded Services"), all of which, if desired, shall be provided pursuant to a separate work order (or other agreement) executed by the Customer and SP. SP shall have no responsibility whatsoever to provide any Excluded Services without a separate work order approved in writing by Customer and SP.

1. Multiple Premises. If this box ☐ is checked, then this Agreement covers the above Premises and each additional location listed on Exhibit A attached hereto (the Premises and each additional location listed on Exhibit A are collectively referred to as the "Premises").

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

2. Monitoring Service to be Provided:

☒ ***Fire***	☒ ***Radio Communicator/Transmitter***
☐ Elevator	☐ I.P. Communicator/Transmitter
☐ Video	☐ UDACT (POTS) Universal Communicator/Transmitter
☐ Hold-Up Panic	☐ Cellular Communicator/Transmitter
☐ Critical Condition	☐ N/A Customer Owner Eqpt./Programming
☐ Burglary/ Security	☐ Other:_____

Upon receipt of a signal from Customer's equipment, SP's sole responsibility shall be to use commercially reasonable efforts to notify the Customer and the applicable authority in accordance with standard monitoring procedures. SP is not responsible if, for any reason, a signal is not received from Customer's equipment.

3. Annual Service Fee: The Annual Service Fee is ***$504.00***. Customer agrees that SP may increase the Annual Service Fee any time after the first twelve months of the Term upon 30 days prior written notice to Customer.

4. Payment for Services: Customer agrees to pay the Annual Service Fee as follows:

☒ ***Annually, payable on or before the Start Date.***

☐ Semi-Annually, 1/2 payable on or before the Start Date, and 1/2 payable on or before the six-month anniversary of the Start Date.

☐ Quarterly, 1/4 payable on or before the Start Date, and 1/4 payable on or before the three, six and nine month anniversaries of the Start Date.

If Customer fails to pay the Annual Service Fee as and when due, SP may discontinue the Service upon 30 days prior written notice to Customer. Customer shall pay for all costs of collection, including attorneys' fees.

5. Term: This Agreement shall remain in force and effect for an initial term of ***12*** months from the Start Date.

6. Limitation of Liability; No Warranty: Customer agrees that SP is not an insurer and that no insurance is offered by SP herein. SP is not responsible for any loss or damage caused by or in any way relating to defects or deficiencies in the system equipment or for delays in response time or non-response of police, fire or other authorities. SP makes no representation or warranty that Customer's equipment is free of defects or that Customer's equipment will provide the detection for which it is intended. SP is not assuming any responsibility for any losses which may occur even if due to SP's negligence or failure to perform its obligations under this Agreement. If, notwithstanding the above, there should arise any liability on the part of SP as a result of its negligence or failure to perform, the total liability, in the aggregate, of SP and its officers, directors, employees, agents and parent, shall not exceed $250 in the aggregate. It is intended that this limitation shall apply, to the fullest extent permitted by law, to any and all liability or cause of action however alleged or arising, and Customer agrees to accept this amount as liquidated damages, and not as a penalty, in compete satisfaction, discharge and release of SP's liability hereunder. If Customer desires to increase this liquidated damage amount, a rider signed by the parties will be attached to this Agreement. SP HEREBY DISCLAIMS ALL REPRESENTATIONS AND WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

7. Indemnification; Insurance: To the fullest extent permitted by law, Customer agrees to defend, indemnify and hold harmless SP and its officers, directors, employees, agents and parent from and against

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

all third-party claims, suits, losses, damages and expenses, including without limitation attorneys' fees which may be asserted against or incurred by SP arising out of or resulting from the performance or non-performance of the Service, including, without limitation, the active or passive negligence of SP or its officers, directors, employees, agents or parent. Customer shall maintain general liability insurance covering the Premises under which SP shall be named as an additional insured and which shall insure Customer's indemnification obligations hereunder. Customer also shall maintain a policy of property insurance, on a replacement cost basis, covering all risks of loss due to fire, theft, burglary and other casualties, which policy shall waive subrogation as against SP. Said policies shall be primary and non-contributory.

8. Loss of Service/Suspension: SP may suspend Service at any time and for any reason, provided, however, SP will notify Customer if SP suspends Service for more than 24 hours. There shall be no refund, offset or reduction in the Annual Service Fee for any suspension of Service by SP not exceeding 10 days. SP shall not be liable for loss or damages caused by delays or interruptions in Service.

9. False Alarms. SP shall not be responsible for any fee, charge or assessment imposed by any government authority or other person in connection with any false alarms at the Premises.

10. Customer Obligations.

a. Customer shall pay any and all federal, state and local taxes, fees or charges which are imposed upon the Service to be provided herein.

b. Customer shall provide and maintain during the Term, at Customer's sole cost and expense, any required electrical power or communication transmission services to the Premises, including but not limited to telephone service, cellular network, IP communication and/or radio communication. SP shall not be responsible for any loss of communication services or electrical power.

c. Customer retains the sole responsibility for the life and safety of all persons occupying the Premises and for protecting against losses to Customer's property located within or adjacent to the Premises.

11. Assignment. This Agreement may be assigned by Customer to any subsequent occupant of the Premises, so long as SP receives advance written notice of such assignment, and the assignee assumes the obligations of Customer under this Agreement. SP may assign this Agreement at any time provided Customer is notified in writing within ten (10) days following such assignment.

12. Miscellaneous: This Agreement constitutes the entire agreement with respect to the Service. This Agreement is governed by the law of the state where the Premises is located. All disputes shall be governed by binding arbitration administered by the American Arbitration Association, pursuant to its Commercial Arbitration Rules and Mediation Procedures. The parties consent to the joinder of other parties in any such arbitration and to the consolidation of other arbitration proceedings provided there are common questions of law of fact. Any action against SP must be commenced within one (1) year from last date of Service. If any provision in this Agreement is unenforceable, that provision will be limited or eliminated only to the extent reasonably necessary so that this Agreement shall otherwise remain enforceable. Customer authorizes SP to convey information regarding the Premises and Customer's equipment to the applicable authorities.

13. Davis-Ulmer Enterprise is not a Disadvantaged Business Enterprise. Furthermore, no DBE participation goals or requirements are included or inferred. Should this project involve DBE goals or requirements please advise in writing regarding the specific nature of those goals or requirements and specifically how they impact Davis-Ulmer Enterprise.

14. Authority to Sign. The undersigned represents and warrants to SP that the undersigned has the express authority to bind the Customer to receive and pay for the Service.

61089347_5.docx

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

EXHIBIT A

MULTIPLE PREMISES

Customer Name	Premises Address	Contact Person/Tel. Number	Account Number
1.			
2.			
3.			
4.			

SECTION V: THIRD PARTY AUTHORIZATION

Customer requests and authorizes Company to provide the following designated third parties with the Report information outlined below:

SECTION VI: ACCEPTANCE AND SIGNATURE

Customer:	*Town of Amherst Highway Dept*	*Davis-Ulmer Sprinkler Company, Inc.*	
SIGNATURE:	_____	SIGNATURE:	[signature]
NAME:	_____	NAME:	Stephanie Wlosinski
TITLE:	_____	TITLE:	Inspection Manager
DATE:	_____	DATE:	1/20/2021

By signing above, Customer acknowledges that it has reviewed, understands and agrees to all terms and conditions of this Agreement including, without limitation, the Scope(s) of Work furnished by Company with this Agreement.

The inspection fee quoted is for acceptance within thirty (30) days from Company's presentation of this Agreement to Customer. If not accepted by Customer within such 30-day period, Company will be pleased to submit a revised quotation. Agreement is not binding on Company until credit approval for Customer is issued by Company.

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

Davis-Ulmer
1 Commerce Drive
Amherst, NY 14228
716.691.3200

DAVIS-ULMER FIRE PROTECTION

HOURLY SERVICE TECHNICIAN RATES
(Per Man)

Valid through 12/31/2021

Description	Rates
Straight Time Monday Through Friday 7:00am – 3:30pm (Excludes Holidays)	$ 125.00 per hour
Over Time 1.5 Monday through Friday 3:30pm-7:00am & ALL Day Saturday (Excludes Holidays)	$ 187.50 per hour
Over Time 2.0 Sunday & Holidays	$ 250.00 per hour
Truck Delivery w/ Driver	$ 135.00 per delivery
Shop Fabrication	$ 85.00 per hour
Office Admin / PM	$ 95.00 per hour
Vehicle/Tools/Fuel	$ 90.00 per call out

Labor rates are based on NET 30 payment terms.
If payment exceeds 30 days revised rates will be provided.

Town of Amherst (All Sites)
5583 Main Street
Williamsville, NY 14221

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

DAVIS-ULMER FIRE PROTECTION · BEACH LAKE SPRINKLER FIRE PROTECTION SERVICES · Ellis · ISLANDFIRE LIFE SAFETY CO. · RELIANCE FIRE PROTECTION · Rich FIRE PROTECTION · W & M Fire Protection Services

Automatic Debit Terms and Conditions

I authorize **Davis-Ulmer Fire Protection** to automatically charge my debit card or credit card account each ☐ monthly ☐ quarterly ☐ semi-annually ☐ annually in the amount that is due/invoiced in this agreement to **Davis-Ulmer Fire Protection**. If I am signing up for automatic payments using a credit card, **Davis-Ulmer Fire Protection** will accept Visa, MasterCard, Discover, or American Express.

My authorization applies to the bank account or credit card on file, as well as any updates or changes to that information that I provide to **Davis-Ulmer Fire Protection**. My auto pay authority will remain in effect until I notify **Davis-Ulmer Fire Protection** to cancel it, at least thirty (30) days prior to the date of my next scheduled monthly/quarterly/semi-annually/annually performed services. If my cancellation request is submitted after this time, the cancellation will not take effect until the following scheduled service date.

You agree to be bound by any rules your financial institution requires for pre-authorized electronic funds transfers and/or that your debit or credit card issuer requires for pre-authorized debit or credit card transactions. You are responsible for all fees charged by your financial institution associated with the pre-authorized payment option. **Davis-Ulmer Fire Protection** SHALL BEAR NO LIABILITY OR RESPONSIBILITY FOR ANY LOSSES OF ANY KIND THAT YOU MAY INCUR AS A RESULT OF A PAYMENT MADE FOR ANY DELAY IN THE ACTUAL DATE ON WHICH YOUR ACCOUNT IS DEBITED OR YOUR CREDIT CARD IS CHARGED.

These terms do not in any way terminate, amend or modify other terms, agreements or policies that apply to any **Davis-Ulmer Fire Protection** services you receive or other agreements you may have with **Davis-Ulmer Fire Protection.**

Initial Here	

CREDIT CARD INFORMATION

Name as appears on card:		
Card Holder's Address:		
Card Holder's Zip Code:		
Send Authorization to the Attention of:		
Phone#:		
Email Address:		
Please Check One ☐MC * ☐VISA * ☐AMX	CV#	Expiration Date:
Credit Card #:		

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

DAVIS-ULMER

Quarterly

INSPECTION / TESTING OF WET PIPE FIRE SPRINKLER SYSTEM

The State Fire Code requires you to inspect, test, and maintain fire protection systems in an operative condition. All inspection, testing and maintenance records are required to be kept on file at the premises. Any questions concerning regulatory requirements for fire protection systems should be directed to your municipal code enforcement authority. Davis-Ulmer will notify you in writing of any condition or deficiency discovered requiring correction or repair. Any authorized repair/maintenance work will be performed either as quoted or on a time and material basis.

SCOPE OF WORK

- (**Annually**) Attempt to visually inspect all known portions of system for exterior condition of sprinklers, piping, and hangers from floor level only.
- (**Quarterly**) Attempt to visually inspect all known valves, hydraulic placards, gauges, fire department connection from floor level only.
- (**Annually**) Operate all known control valves, and seal valves in proper position.
- (**Annually**) Attempt to visually verify proper sprinkler orientation, temperature rating, and obvious obstruction from floor level only.
- (**Annually**) Verify appropriate quantities and types of sprinkler heads and wrenches in cabinet.
- (**Quarterly**) Verify operation of audible alarms and water flow alarms to building Fire Alarm Panel and remote monitoring facility (if equipped).
- (**Quarterly**) Perform main drain flow test and record static and residual pressures (weather permitting).
- (**Annually**) Sample test anti-freeze solution for specific gravity and freezing point (if equipped).
- (**Semi-Annually**) Verify operation of valve supervisory switches to building Fire Alarm Panel and remote monitoring facility (if equipped).
- (**Quarterly**) Affix inspection tags, date, and initial.
- Furnish completed inspection/test forms.

Excluded Work:

- Visual inspection of systems or portions of in inaccessible spaces.
- Any and all NFPA, State, and local requirements in excess of above stated.

Licensed by the NYS Dept of State
Rev.2/7/19

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

DAVIS-ULMER

Annual

INSPECTION / TESTING OF ANTI-FREEZE SYSTEM

The State Fire Code requires you to inspect, test, and maintain fire protection systems in an operative condition. All inspection, testing and maintenance records are required to be kept on file at the premises. Any questions concerning regulatory requirements for fire protection systems should be directed to your municipal code enforcement authority. Davis-Ulmer will notify you in writing of any condition or deficiency discovered requiring correction or repair. Any authorized repair/maintenance work will be performed either as quoted or on a time and material basis.

SCOPE OF WORK

- (Annually) Attempt to visually inspect all known portions of system for exterior condition of sprinklers, piping, hangers, valves, gauges, and fire department connection from floor level only.
- (Annually) Operate all known control valves and seal valves in proper position.
- (Annually) Attempt to visually verify proper sprinkler orientation, temperature rating, and obvious obstructions from floor level only.
- (Annually) Verify appropriate quantities and types of sprinkler heads and wrenches in cabinet.
- (Annually) Verify operation of water flow alarm to building Fire Alarm Panel and remote monitoring facility (if equipped).
- (Annually) Perform main drain flow test and record static and residual pressures (weather permitting).
- (Annually) Verify operation of valve supervisory switches to building Fire Alarm Panel and remote monitoring facility (if equipped).
- (Annually) Sample test anti-freeze solution for specific gravity and freezing point.
- (Annually) Affix inspection tags, date, and initial.
- Furnish completed inspection/test forms.

Excluded Work:

- Visual inspection of systems or portions of in inaccessible spaces.
- Replenishing or replacement of Anti-freeze solution.
- Any and all NFPA, State, and local requirements in excess of above stated.

Licensed by the NYS Dept of State

Rev. 08-30-10

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

DAVIS-ULMER

INSPECTION / TESTING OF AUTOMATIC FIRE DETECTION SYSTEM

SCOPE OF WORK

The Fire Code of New York State requires you to test, inspect and maintain fire protection systems in an operative condition in accordance with the original installation standards. The Fire Code also requires you to keep on file at the premises all inspection, testing and maintenance records. Any questions concerning regulatory requirements for fire protection systems should be directed to your municipal code enforcement authority.

Davis-Ulmer will notify you in writing of any condition or deficiency discovered which warrants correction or repair. Any authorized work will be performed either as quoted or on a time and material basis.

Examples of work we will perform include, but are not limited to:

- Check fire alarm control unit, power supply, lamps, indicators, batteries and fuses.
- Check operation of fire alarm initiating devices (except valve tamper and sprinkler flow switches*).
- Check operation of fire alarm notification appliances.
- Duct detectors will be tested with simulated smoke when possible, otherwise test stations will be utilized if available.
- Confirm receipt of fire alarm, trouble and supervisory signals to your supervising station.
- Furnish completed electronic inspection forms to you.
- Advise in writing of any required or recommended work.

* This testing is normally performed by the maintainer of the fire sprinkler system.

Excluded Work:

- Design work.
- Inspection of fire alarm equipment located in inaccessible or concealed spaces.
- Evaluation of specific hazards.
- Repair or modification of any equipment.
- Sensitivity testing of detectors - this can be done at an additional charge.
- Magnehelic testing of duct detectors – this can be done at an additional charge.
- Any and all NFPA, State, and Local requirements in excess of above stated.

Licensed by the NYS Dept of State
Rev. 2/7/19

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

Davis-Ulmer
1 Commerce Drive
Amherst, NY 14228
716.691.3200

DAVIS-ULMER FIRE PROTECTION

HOURLY SERVICE TECHNICIAN RATES (Per Man)

Valid through 12/31/2021

Description	Rates
Straight Time Monday Through Friday 7:00am – 3:30pm (Excludes Holidays)	$ 125.00 per hour
Over Time 1.5 Monday through Friday 3:30pm-7:00am & ALL Day Saturday (Excludes Holidays)	$ 187.50 per hour
Over Time 2.0 Sunday & Holidays	$ 250.00 per hour
Truck Delivery w/ Driver	$ 135.00 per delivery
Shop Fabrication	$ 85.00 per hour
Office Admin / PM	$ 95.00 per hour
Vehicle/Tools/Fuel	$ 90.00 per call out

Labor rates are based on NET 30 payment terms.
If payment exceeds 30 days revised rates will be provided.

Town of Amherst (All Sites)
5583 Main Street
Williamsville, NY 14221

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

DAVIS-ULMER FIRE PROTECTION · BEACH LAKE SPRINKLER FIRE PROTECTION SERVICES · Ellis · ISLANDFIRE LIFE SAFETY CO. · RELIANCE FIRE PROTECTION · Rich FIRE PROTECTION · W & M Fire Protection Services

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

Addendum to Contract VENDOR ON SITE Major

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Vendors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Vendor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Vendor its officers, agents, sub-Vendors, and/or employees as well as the negligence, active or passive, of the Vendor, its officers, agents, sub-Vendors, and/or employees.

4. Vendor shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Vendor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Vendor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate. Umbrella coverage shall be in an amount of at least $5,000,000.00.

(c) Vendor shall furnish the above insurances, including sub-Vendors' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Vendor shall ensure all its sub-Vendors, if any, have obtained all the above insurances and shall also assure that any policy procured by any sub-Vendor or sub-sub-Vendor shall name the Town as an additional insured on a primary and non-contributory basis.

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of Section 109 of the General Municipal Law, the Vendor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Vendor shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Vendor, in accordance with its status as an independent Vendor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules,

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

Davis Ulmer Fire Protection
Print Name of Company

By: _____
Signature

Stephanie Wosinski
Printed name

Date: 2/2/2021

Agreed to and Accepted by:

Town of Amherst

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Revised 12.30.19 SJS

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under t Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities lis of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Th list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will n utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seekin to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certi at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibite entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive informatio that a person is in violation of the above-referenced certification, the Town will offer the person a opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in th investment which is in violation of the Act within 90 days after the determination of such violation, the the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seekin compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entit that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: Davis Ulmer Fire Protection

Signature: [signature]

Print Name: Stephanie Wlosinski

Title: Inspection Manager

Date: 2/2/2021

MICHELLE R. KRZYWICKI
NOTARY PUBLIC-STATE OF NEW YORK
No. 01KR6287262
Qualified in Erie County
My Commission Expires August 05, 20 21

Sworn To Before Me This
2 Day of February 20 21
[signature]
Notary Public

Revised 4.2017

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

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

Francina J. Spoth
Town Clerk

Meeting: 02/24/20 07:00 PM
Department: Highway
Initiated by: **Stephen Bryan**
Co-Sponsored by:

DOC ID: 21625 **RESOLUTION 2020-247** **ADOPTED**

Contract-Davis Ulmer Fire Sprinkler System Inspection, Monitoring, Testing and Repairs-~~20-21~~ 2021-2022; CRS #~~1862~~

Authorize the Supervisor to sign an agreement between the Town of Amherst, Highway Department and Davis-Ulmer Inc., One Commerce Drive, Amherst, NY 14228-2395.

Agreement includes fire sprinkler system inspection, monitoring, testing and minor repairs (time and material) for the periods of 2/1/202~~0~~1 through 1/31/202~~1~~2:

monthly fire sytem monitoring-$42.00 times 12 equals $504.00;
Quarterly sprinkler inspection and testing-4 times $~~280.~~00 equals $~~1,120.00~~ 1,176.00
Annual alarm and antifreeze inspection-$~~588~~.00; and 294.00
time and material for minor repairs. 617.00

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign and enter into such contract. This contract has completed the CRS # 1862 Contract Routing System and approval of the Town Attorney.

Thank you for your consideration!

2/24/2020
Consent

FINANCIAL IMPACT:

A5132 : 4220-~~Annual~~ Inspection $~~504.00~~ 2297.00 N
plus ~~and~~ miscellanous TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

CERTIFICATE OF LIABILITY INSURANCE

DA 9/8/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLI BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORI REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endor If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statemen this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER M & T Insurance Agency, Inc 285 Delaware Avenue, Suite 4000 Buffalo NY 14202	CONTACT NAME: PHONE (A/C, No, Ext): 716-853-7960 FAX (A/C, No): 855-595-4605 E-MAIL ADDRESS: CLSERVICING@mtb.com
INSURED PUMPDOC-01 The Pump Doctor 2706 Hemlock Road Eden NY 14057	INSURER(S) AFFORDING COVERAGE — NAI INSURER A : Beazley Ins Co Inc — 375 INSURER B : NGM Insurance Co — 147 INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** 804180199 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PER INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH T CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TER EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC OTHER:	Y	Y	ENC 0000363-03	9/6/2020	9/6/2021	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$ 1,000,000 $ 300,000 $ 25,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $
B	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY X HIRED AUTOS ONLY SCHEDULED AUTOS X NON-OWNED AUTOS ONLY	Y	Y	B2U0388T	9/6/2020	9/6/2021	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$ 1,000,000 $ $ $ $
A	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED RETENTION $			ENX0000080-03	9/6/2020	9/6/2021	EACH OCCURRENCE AGGREGATE $	$ 5,000,000 $ 5,000,000 $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBEREXCLUDED? Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
A A	Pollution-Claims Made Professional-Claims Made			ENC 0000363-03 ENC 0000363-03	9/6/2020 9/6/2020	9/6/2021 9/6/2021	Limit Per Claim Limit Per Claim Aggregate-both lines	1,000,000 $1,000,000 $2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Blanket Contractual Liability applies under General Liability form.

Town of Amherst is included as additional insured on a primary and non-contributory basis under the General Liability and Auto Liability if required by writter contract. Waiver of subrogation applies in favor of Town of Amherst under the General Liability and Auto Liability if required by written contract.

CERTIFICATE HOLDER

Town of Amherst
5583 Main St.
Williamsville NY 14221

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFO THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Kyle Samuel

© 1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

NYSIF
New York State Insurance Fund

225 OAK STREET, BUFFALO, NEW YORK 14203-1685
| nysif.com

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

^ ^ ^ ^ ^ ^ 300495732

M & T INSURANCE AGENCY INC
285 DELAWARE AVE SUITE 4000
BUFFALO NY 14202

SCAN TO VALIDATE
AND SUBSCRIBE

POLICYHOLDER	CERTIFICATE HOLDER
THE PUMP DOCTOR INC 2706 HEMLOCK RD EDEN NY 14057	TOWN OF AMHERST 5583 MAIN STREET WILLIAMSVILLE NY 14221

POLICY NUMBER	CERTIFICATE NUMBER	POLICY PERIOD	DATE
B 928 247-6	722684	12/22/2020 TO 12/22/2021	12/18/2020

THIS IS TO CERTIFY THAT THE POLICYHOLDER NAMED ABOVE IS INSURED WITH THE NEW YORK STATE INSURANCE FUND UNDER POLICY NO. 928 247-6, COVERING THE ENTIRE OBLIGATION OF THIS POLICYHOLDER FOR WORKERS' COMPENSATION UNDER THE NEW YORK WORKERS' COMPENSATION LAW WITH RESPECT TO ALL OPERATIONS IN THE STATE OF NEW YORK, EXCEPT AS INDICATED BELOW, AND, WITH RESPECT TO OPERATIONS OUTSIDE OF NEW YORK, TO THE POLICYHOLDER'S REGULAR NEW YORK STATE EMPLOYEES ONLY.

IF YOU WISH TO RECEIVE NOTIFICATIONS REGARDING SAID POLICY, INCLUDING ANY NOTIFICATION OF CANCELLATIONS, OR TO VALIDATE THIS CERTIFICATE, VISIT OUR WEBSITE AT HTTPS://WWW.NYSIF.COM/CERT/CERTVAL.ASP. THE NEW YORK STATE INSURANCE FUND IS NOT LIABLE IN THE EVENT OF FAILURE TO GIVE SUCH NOTIFICATIONS.

THIS POLICY DOES NOT COVER CLAIMS OR SUITS THAT ARISE FROM BODILY INJURY SUFFERED BY THE OFFICERS OF THE INSURED CORPORATION.

BENJAMIN W APPLETON - PRESIDENT
1 OF 1 - THE PUMP DOCTOR INC

THE POLICY INCLUDES A WAIVER OF SUBROGATION ENDORSEMENT UNDER WHICH NYSIF AGREES TO WAIVE ITS RIGHT OF SUBROGATION TO BRING AN ACTION AGAINST THE CERTIFICATE HOLDER TO RECOVER AMOUNTS WE PAID IN WORKERS' COMPENSATION AND/OR MEDICAL BENEFITS TO OR ON BEHALF OF AN EMPLOYEE OF OUR INSURED IN THE EVENT THAT, PRIOR TO THE DATE OF THE ACCIDENT, THE CERTIFICATE HOLDER HAS ENTERED INTO A WRITTEN CONTRACT WITH OUR INSURED THAT REQUIRES THAT SUCH RIGHT OF SUBROGATION BE WAIVED.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS NOR INSURANCE COVERAGE UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY.

NEW YORK STATE INSURANCE FUND

DIRECTOR, INSURANCE FUND UNDERWRITING

VALIDATION NUMBER: 334984197

00000000000088770604

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF INSURANCE COVERAGE
DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only) THE PUMP DOCTOR INC 2706 HEMLOCK RD. EDEN, NY 14057	1b. Business Telephone Number of Insured (716) 941-6321
Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)*	1c. Federal Employer Identification Number of Insured or Social Security Number 300495732
2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) TOWN OF AMHERST 5583 MAIN STREET WILLIAMSVILLE, NY 14221	3a. Name of Insurance Carrier **New York State Insurance Fund (NYSIF)** 3b. Policy Number of Entity Listed in Box "1a" DBL 3149 93 - 8 3c. Policy effective period 07/01/2020 to 07/01/2021

4. Policy provides the following benefits:
- ☒ A. Both disability and paid family leave benefits
- ☐ B. Disability benefits only
- ☐ C. Paid family leave benefits only

5. Policy covers:
- ☒ A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law
- ☐ B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 10/5/2020 By Melissa Jensen

(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (866) 697-4332 Name and Title **Melissa Jensen, Director of Disability Insurance Unit**

IMPORTANT: If Box 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier,this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed _____ By _____

(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: *Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agei of those insurance carriers are authorized to issue Form DB-120.1.* ***Insurance brokers are NOT authorized to issue this form.***

DB-120.1 (10-17)

Certificate Number 615661

Attachment: DAVIS-ULMER (RES-2021-190 : Contract-Davis Ulmer Fire Sprinkler System Inspection,Monitoring,Testing and Repairs-21-22;

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by: **Supervisor Brian J. Kulpa**

DOC ID: 22879 **RESOLUTION 2021-191** **ADOPTED**

Recreation Attendant - PT/Youth & Recreation

Recreation Attendant - PT/Youth & Recreation, Effective February 23, 2021, Temporary, $12.50 ph, Step 1 for Clare Purcell.

Due to reduced availability of current part-time staff.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 22892 **RESOLUTION 2021-192** **ADOPTED**

Senior Account Clerk - Highway Department

Please appoint a Senior Account Clerk to the Highway Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective February 23, 2021 at an annual salary of $45,307, Grade 6, Step G for Elizabeth Scott.

This is a promotion for an employee currently serving as Account Clerk Typist.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 22912 **RESOLUTION 2021-193** **ADOPTED**

Police Dispatcher - PT/Police

Police Dispatcher - PT/Police, Effective February 23, 2021, Temporary, $14.92 ph, Step 1 for Samantha Williams.

Contingent upon completing all pre-employment requirements.

Replacing an employee who became full-time.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Human Resources
Initiated by: **Robert McCarthy**
Co-Sponsored by:

DOC ID: 22921 **RESOLUTION 2021-194** **ADOPTED**

Detective - Police Department

Please appoint a Detective to the Police Department. Permanent, from list, pending satisfactory completion of a probationary term as set forth in the Civil Service Rule XIII. Effective February 23, 2021 at an annual salary of $93,139 for Jonathan Hall.

This appointment fills a vacancy from a retirement and is a promotion for an employee serving as Police Officer.

2/22/2021
Consent

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Human Resources
Initiated by: **Pam DeVillier**
Co-Sponsored by:

DOC ID: 22925 A **RESOLUTION 2021-195** **WITHDRAWN**

Wastewater Treatment Plant Operator "A" - Engineering Dept.

Please appoint a Wastewater Treatment Plant Operator "A" to the Engineering Department. Provisional, pending satisfactory completion of a Civil Service Examination. Effective February 23, 2021 at a hourly rate of $23.54, Job Group V, Step 1.

Six (6) month Residency Waiver is requested.

This appointment fills a vacancy due to a retirement.

RESULT:	**WITHDRAWN**

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Planning
Initiated by: **Dan Howard**
Co-Sponsored by:

DOC ID: 22901 **RESOLUTION 2021-196** **ADOPTED**

To Authorize the Town Supervisor to Amend the Agreement with Amherst Senior Transportation Services, Inc. (ASTS) for the Purchase of One Vehicle CRS #2407

WHEREAS, (ASTS) and the Town had an agreement dated November 19, 2018 to utilize Community Development Block Grant funds (CDBG) awarded for the purchase vehicles to transport seniors in Amherst, and

WHEREAS, on August 19, 2019 the original agreement dated November 19, 2018 was amended requiring the 2016 & 2017 CDBG awards totaling $18,000 to be expended through December 31, 2019, and the 2018 CDBG award of $8,000 to be expended by December 31, 2020; and

WHEREAS, the 2016 & 2017 awards were expended within the required time frame, however the 2018 funds were not spent by the December 31, 2020 deadline and the agreement has since expired; and

WHEREAS, Community Development is recommending the Town Supervisor, by request of the Amherst Town Board, execute an amendment extending the agreement for four months for ASTS to utilize their remaining CDBG award of $8,000 for the purchase of one vehicle; now therefore be it

RESOLVED, that the Town Board of the Town of Amherst hereby authorizes the Town Supervisor, subject to the satisfactory completion of the contract routing process, to amend the agreement with (ASTS) through a no-cost time extension until April 30, 2021.

2/22/2021
Consent

FINANCIAL IMPACT:

Adoption of the proposed resolution involves services that are funded under the Town's Community Development Program. The funds are not supported by local tax revenues and therefore have no monetary consideration and will have no impact on the Town Budget or tax rate.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Extended Agreement with Amherst Senior Transportation Services, Inc. (ASTS)

THIS AGREEMENT, made and entered into as of the ___ day of _____, 2021 by and between the Town of Amherst, a domestic municipal corporation having its principal place of business at Amherst Town Hall, 5583 Main Street, Williamsville, NY 14221 (hereinafter referred to as the Town) and Amherst Senior Transportation Services Inc. with principal offices located at 370 John James Audubon Parkway, Amherst, NY 14228 (hereinafter referred to as ASTS).

WITNESSETH

WHEREAS, ASTS and the Town had an original contract dated November 19, 2018 to use Community Development Block Grant funds (CDBG) to purchase vehicles to transport seniors in Amherst, and

WHEREAS, such vehicles are an eligible use of Community Development Block Grant funds, and

WHEREAS, the current contract extension of August 5, 2019 stated that the 2016 & 2017 funds of $18,000 would be spent by December 31, 2019 and the 2018 funds of $8,000 would be spent by December 31, 2020, and

WHEREAS, the 2016 & 2017 funds were spent by December 31, 2019, but the 2018 funds of $8,000 have not been spent. However, ASTS has ordered a vehicle and it should be delivered in the month of January 2021, and

WHEREAS, the Town Supervisor, by requested action of the Town Board of the Town of Amherst, on February 22, 2021 will execute a contract extension for ASTS to utilize the 2018 CDBG funding totaling $8,000 for the purchase of one vehicle; and

NOW THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. The Town agrees to pay ASTS not more than eight thousand and 00/100 dollars ($8,000.00) during the period of January 1, 2021 through April 30, 2021 for the purchase of one vehicle.

2. ASTS shall submit to the Town payment vouchers and invoices, as described in Exhibit "B" of the original contract. Said invoices will be in a format acceptable to the Town with the invoices for the period covering January 1, 2021 through April 30, 2021 to be submitted no later than January 10, 2022. Upon review and approval of the aforementioned vouchers and report forms by the Town, the Town shall process and subsequently issue funds totaling the approved amount. The sum of all vouchers submitted to the Town by ASTS shall not exceed $8,000.00

Attachment: Amended_signed_contract_2.11.21 (RES-2021-196 : Amendment to the ASTS Contract)

Extended Agreement with Amherst Senior Transportation Services, Inc.

3. This Agreement or any right, title or interest herein shall not be assigned, transferred, conveyed, sublet or otherwise disposed of without the prior written consent of the Town.

4. This Agreement and attachments thereto contains the entire agreement between the parties hereto, and there are no understandings, agreements or representations, express or implied, not specified herein respecting this Agreement; and no change or modification of this Agreement shall be valid unless the same shall be in writing and signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first written above.

TOWN OF AMHERST

By: _____
Brian J. Kulpa, Supervisor

AMHERST SENIOR TRANSPORTATION SERVICES, INC.

By: _____
Steven D. Szubinski, Board President

State of New York)
County of Erie)

On this _____ day of _____, in the year 2021, before me, the undersigned, a notary public in and for said state, personally appeared Brian J. Kulpa, Supervisor, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

State of New York)
County of Erie)

On this 8 day of February, in the year 2021, before me, the undersigned, a notary public in and for said state, personally appeared Steve Szubinski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

TAMMY JACOBS
NOTARY PUBLIC, STATE OF NEW YORK
CERTIFICATE FILED IN Erie CO.
COMMISSION EXPIRES 03/30/2022

Tammy Jacobs
Notary Public

Attachment: Amended_signed_contract_2.11.21 (RES-2021-196 : Amendment to the ASTS Contract)

Addendum to Contract

Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision conflict with the clauses in this Article the provisions in this Article are to be enforceable and the conflicting provision shall be considered null and void.

No rules, requirements or customs of any society or association of professional Contractors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

Contractor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising from the negligence, active or passive, of Contractor, its officers, agents, subcontractors, and/or employees.

Contractor shall not commence work under this Agreement until it has obtained all insurance required under this paragraph and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Contractor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Contractor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows:

General and Professional (if applicable) Liability insurance in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate.

Contractor shall ensure all its subcontractors, if any, have obtained all the above insurances.

Contractor shall furnish the above insurances, including subcontractors' insurances, to the Town and shall also name the Town as a primary additional insured in said policies.

(c) Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible and no later than three (3) days after the date of such accident.

No Assignment: In accordance with the provisions of section 109 of the General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Contractor shall, among other

Attachment: Amended_signed_contract_2.11.21 (RES-2021-196 : Amendment to the ASTS Contract)

things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law section 220-e and Executive Law sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law section 222-a.
(e) Preference in employment of persons required by Labor Law section 222.
(f) Eight-hour workday as required by Labor Law section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

The Contractor, in accordance with its status as an independent Contractor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

This Agreement shall be governed by, and interpreted according to the laws of the State of New York. Any and all legal action necessary to enforce the Agreement will be held in Erie County, New York.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:	Agreed to and Accepted by:
Amherst Senior Transportation Services, Inc. Print Name of Company	Town of Amherst
By: _____ Signature, Board President	By: _____ Brian J. Kulpa, Supervisor
Steve Szubinski Printed name	Brian J. Kulpa Printed name
Date: 2/8/21	Date: _____

Attachment: Amended_signed_contract_2.11.21 (RES-2021-196 : Amendment to the ASTS Contract)

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: Amherst Senior Transportation Services, Inc.

Signature: [signature]

Print Name: Steven D. Szubinski

Title: Board President

Date: 2/8/2021

TAMMY JACOBS
NOTARY PUBLIC, STATE OF NEW YORK
CERTIFICATE FILED ~~NIAGARA~~ Erie CO.
COMMISSION EXPIRES 03/30/2022

Sworn To Before Me This

8 Day of February, 2021

Tammy Jacobs
Notary Public

Revised 4.2017

Attachment: Amended_signed_contract_2.11.21 (RES-2021-196 : Amendment to the ASTS Contract)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa,
Supervisor
Daniel C. Howard, AICP
Planning Director
Ellen M. Kost, AICP
Assistant Planning Director

February 16, 2021

Agenda of February 22, 2021

Honorable Town Board
Town of Amherst
5583 Main Street
Williamsville, New York 14221

Subject: No-Cost/Time Extension of Agreement with Amherst Senior Transportation Services, Inc. (ASTS)

Honorable Board Members:

The Town of Amherst and Amherst Senior Transportation Services, Inc. (ASTS) had an agreement to utilize three years of awarded CDBG funding to purchase vehicles in 2016 ($8,000), 2017 ($10,000), & 2018 ($8,000) for a total of $26,000, by December 31, 2020. The vehicles were to replace or expand their fleet serving Amherst seniors.

Due to certain circumstances, ASTS was not able to spend all of the funds within the time frame stipulated in the agreement. The 2016 and 2017 CDBG awarded funds were spent on-time in accordance with that agreement. However, the 2018 CDBG award of $8,000, which had an expenditure deadline of December 31, 2020, was not expended due to delay of a special-order vehicle ordered in November 2020. Unfortunately the special-order vehicle was delivered in February 2021 beyond the agreement's effective period.

Amherst Community Development is respectfully requesting an amendment extending the term of the original agreement to allow ASTS to spend the remaining $8,000.00 by April 30, 2021.

A draft resolution is attached for your consideration. Thank you.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

X:\Community Development\New Structure\CONTRACTS and SUBRECIPIENTS\ASTS\TB_Letter_Amendment_2.22.21.docx

Attachment: ASTS extension TB Letter Corrected (RES-2021-196 : Amendment to the ASTS Contract)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Planning
Initiated by: **Dan Howard**
Co-Sponsored by:

DOC ID: 22902 **RESOLUTION 2021-197** **ADOPTED**

To Authorize the Supervisor to Sign the Revised HUD 2020 Community Development Block Grant Contract (CDBG) CRS #2387

WHEREAS, the Town has approved and submitted an Action Plan delineating the use of Community Development Block Grant funds (CDBG) for Fiscal Year 2020 (April 1, 2020 to March 31, 2021) to address housing and community development needs identified in the 5-Year Consolidated Plan; and

WHEREAS, the US Department of Housing and Urban Development (HUD) has approved the Town's 2020 Annual Action Plan and budget; and

WHEREAS, the Town was informed that the CDBG allocation was decreased by $95.00, from $623,151 to $623,056; and

WHEREAS, the CDBG housing rehabilitation program will absorb the decrease; now therefore, be it

RESOLVED that the Amherst Town Board hereby authorizes the Supervisor, as official representative of the Town in submitting the Action Plan and amendments thereto, all understandings and assurances contained therein, to execute the revised CDBG contract with the Department of Housing and Urban Development subject to satisfactory completion of the contract routing system.

2/22/2021
Consent

FINANCIAL IMPACT:

Adoption of the proposed resolution involves no local monetary consideration and will have no impact on the Town Budget or tax rate. The contract represents inflow of funds to Community Development.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Funding Approval/Agreement

Title I of the Housing and Community Development Act (Public Law 930383)
HI-00515R of 20515R

U.S. Department of Housing and Urban Development
Office of Community Planning and Development
Community Development Block Grant Program

OMB Approval No. 2506-0193
exp 5/31/201

12.P.2.a

1. Name of Grantee (as shown in item 5 of Standard Form 424)	3a. Grantee's 9-digit Tax ID Number	3b. Grantee's 9-digit DUNS Number
Amherst Town	166002157	030212336
2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) 5583 Main Street Williamsville, NY 14221-0000	4. Date use of funds may begin (mm/dd/yyyy) 04/01/2020	
	5a. Project/Grant No. 1 B-20-MC-36-0010	6a. Amount Approved $623,056
	5b. Project/Grant No. 2	6b. Amount Approved

Grant Agreement: This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

U.S. Department of Housing and Urban Development (By Name)		Grantee Name (Contractual Organization)	
William O'Connell		Amherst Town (Town of Amherst)	
Title CPD Director		Title Supervisor, Town of Amherst, NY	
Signature Digitally signed by: WILLIAM O'CONNELL DN: CN = WILLIAM O'CONNELL C = US O = U.S. Government OU = Department of Housing and Urban Development	Date (mm/dd/yyyy) 05/21/2020	Signature	Date (mm/dd/yyyy)

7. Category of Title I Assistance for this Funding Action:	8. Special Conditions (check one)	9a. Date HUD Received Submission (mm/dd/yyyy)	10. check one
Entitlement, Sec 106(b)	☐ None ☒ Attached	9b. Date Grantee Notified (mm/dd/yyyy) 05/21/2020 9c. Date of Start of Program Year (04/01/2020)	☐ a. Orig. Funding Approval ☒ b. Amendment Amendment Number

11. Amount of Community Development Block Grant

	FY (2020)	FY (2019)	
a. Funds Reserved for this Grantee	**$623,126**	**$ 25**	
b. Funds now being Approved	**$623,031**		
c. Reservation to be Cancelled (11a minus 11b)	**-$ 95**		

12a. Amount of Loan Guarantee Commitment now being Approved
N/A

Loan Guarantee Acceptance Provisions for Designated Agencies:
The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.

12b. Name and complete Address of Public Agency

12c. Name of Authorized Official for Designated Public Agency

Title

Signature

HUD Accounting use Only

Batch	TAC	Program	Y	A	Reg	Area	Document No.	Project Number	Category	Amount	Effective Date (mm/dd/yyyy)	F
	153 176											
			Y					Project Number		Amount		
			Y					Project Number		Amount		

Date Entered PAS (mm/dd/yyyy)	Date Entered LOCCS (mm/dd/yyyy)	Batch Number	Transaction Code	Entered By	Verified By

86 9/10162 PoA CD 2 BFY 0 BFY4 2020 RO 0206 EC1 Appro 1162 $25
86 0/20162 PoA CD 3 BFY 0 BFY4 2020 RO 0206 EC1 Appro 1162 $623126

Attachment: GA_Amherst FY20 Allocation Corrected CDBG agmnt (RES-2021-197 : Revised 2020 HUD CDBG Grant Contract)

Attachment: GA_Amherst FY20 Allocation Corrected CDBG agmnt (RES-2021-197 : Revised 2020 HUD CDBG Grant Contract)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa, Supe r
Daniel C. Howard, Planning Direct
Ellen M. Kost, A Assistant Planning D or

February 1, 2021

Agenda of February 22, 2021

Honorable Town Board
5583 Main Street
Williamsville, NY 14221

Subject: Authorization for the Supervisor to sign the revised HUD Contract for the FY 2020 Community Development Block Grant Funds (CDBG)

Dear Councilmembers:

The 2020 Annual Action Plan and budget for the use of Community Development Block Grant (CDBG) and HOME Investment Partnership Grant (HOME) funds in the Town was adopted at the Town Board meeting of February 3, 2020 (res #2020-199) and submitted to the US Department of Housing and Urban Development (HUD) in April 2020. The Town was recently informed that the CDBG allocation was decreased by $95.00. The original CDBG allocation was $623,151 and is now $623,056. The decrease will be absorbed by the CDBG housing rehabilitation program.

A proposed resolution authorizing the Supervisor to sign the revised HUD 2020 CDBG grant agreement is attached for your consideration.

Thank you for your assistance with this matter.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

X:\Community Development\New Structure\ANNUAL PLAN\Data 2020\Revised_TB_CDBG_contractltr._2.22.21.docx

Attachment: CDBG Grant Agreement 2020 #2 TB Ltr - Signed (RES-2021-197 : Revised 2020 HUD CDBG Grant Contract)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Planning
Initiated by: **Dan Howard**
Co-Sponsored by:

DOC ID: 22903 **RESOLUTION 2021-198** **ADOPTED**

To Authorize the Supervisor to Sign the Revised HUD 2020 HOME Investment Partnerships Program Contract (HOME) CRS #2388

WHEREAS, the Town has approved and submitted an Action Plan delineating the use of Home Investment Partnerships Program funds (HOME) for Fiscal Year 2020 (April 1, 2020 to March 31, 2021) to address housing and community development needs identified in the 5-Year Consolidated Plan; and

WHEREAS, the US Department of Housing and Urban Development (HUD) has approved the Town's 2020 Action Plan and budget; and,

WHEREAS, the Amherst-Cheektowaga-Tonawanda HOME Consortium was informed that the HOME allocation was decreased by $210.00, from $938,950 to $938,740; and

WHEREAS, the HOME housing rehabilitation program and HOME administration will absorb the decrease; now, therefore, be it

RESOLVED, that the Amherst Town Board hereby authorizes the Supervisor, as official representative of the Town in submitting the Action Plan and amendments thereto, and all understandings and assurances contained therein, to execute the revised HOME contract with the Department of Housing and Urban Development subject to satisfactory completion of the contract routing system.

2/22/2021
Consent

FINANCIAL IMPACT:

Adoption of the proposed resolution involves no local monetary consideration and will have no impact on the Town Budget or tax rate. The contract represents inflow of funds to Community Development.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Funding Approval and HOME Investment Partnerships Agreement

Title II of the National Affordable Housing Act

U.S. Department of Housing and Urban Deve
Office of Community Planning and Deve

12.P.3.a

1. Participant Name and Address	2. Grant Number	
Town Of Amherst	**M20-DC360511**	
5583 Main Street	3a Tax Identification Number 166002157	3b. Unique Entity Identifier (formerly DUNS) 030212336
Williamsville, NY 14221-0000	4. Appropriation Number 860/30205	5. FY (yyyy) 2020

6. Previous Obligation (Enter "0" for initial FY allocation)		$938,950
a. Formula Funds	$938,950	
b. Community Housing Development Org. (CHDO) Competitive		
7. Current Transaction (+ or -)		- $210
a. Formula Funds	- $210	
1. CHDO (For deobligations only)	$	
2. Non- CHDO (For deobligations only)	- $210	
b. CHDO Competitive Reallocation or Deobligation	$	
8. Revised Obligation		$938,740
a. Formula Funds	**$938,740**	
b. CHDO Competitive Reallocation	$	

9. Special Conditions (check applicable box)

☒ Not applicable ☐ Attached

10. **Date of Obligation (HUD Official's Date of Signature)**

5/20/2020

11. Indirect Cost Rate*

Administering Agency/Dept.	Indirect Cost Rate	Direct Cost Base
___	___%	
___	___%	
___	___%	
___	___%	

12. Period of Performance

5/20/2020- 09/01/2028

* If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414), and the direct cost base to which the rate will be applied. Do not include cost rates for subrecipients.

This Agreement between the Department of Housing and Urban Development (HUD) and the Participating Jurisdiction/Entity is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.). The Participating Jurisdiction's /Entity's approved Consolidated Plan submission/Application and the HUD regulations at 24 CFR Part 92 (as is now in effect and as may be amended from time to time) and this HOME Investment Partnership Agreement, form HUD-40093, including any special conditions, constitute part of this Agreement. Subject to the provisions of this Agreement, HUD will make the funds for the Fiscal Year specified, available to the Participating Jurisdiction/Entity upon execution of this Agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this Agreement upon execution of an amendment by HUD, without the Participating Jurisdiction's execution of the amendment or other consent. HUD's payment of funds under this Agreement is subject to the Participating Jurisdiction's/Entity's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502. To the extent authorized by HUD regulations at 24 CFR Part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Participating Jurisdiction/Entity without the Participating Jurisdiction's/Entity's execution of the amendment or other consent. The Participating Jurisdiction/Entity agrees that funds invested in affordable housing under 24 CFR Part 92 are repayable when the housing no longer qualifies as affordable housing. Repayment shall be made as specified in 24 CFR Part 92. The Participating Jurisdiction agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58.

The Grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Universal Numbering System and System for Award Management (SAM) requirements in Appendix A to 2 CFR part 25, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.

The Period of Performance for the funding assistance shall begin on the date specified in item 12 and shall end on September 1st of the 5th fiscal year after the expiration of the period of availability for obligation. Funds remaining in the account will be cancelled and thereafter not available for obligation or expenditure for any purpose. Per 31 U.S.C. 1552. The grantee shall not incur any obligations to be paid with such assistance after the end of the Period of Performance.

13. For the U.S. Department of HUD (Name and Title of Authorized Official)	14. Signature	15. Date
William T. O'Connell, CPD Director	Digitally signed by: WILLIAM O'CONNELL DN: CN = WILLIAM O'CONNELL C = US O = U.S. Government OU = Department of Housing and Urban Development X	05/20/2020
16. For the Participating Jurisdiction/Entity (Name and Title of Authorized Official)	17. Signature	18. Date
Brian J. Kulpa, Supervisor, Town of Amherst, NY	X	/ /

19. Check one:

☐ Initial Agreement ☒ **Amendment # 1**

20. Funding Information: *HOME* *FO 0206*

Source of Funds	Appropriation Code	PAS Code	Amount
2020	860/30205	HMF (H)	$931,334
2017	867/00205	HMF (C)	$7,406

Attachment: GA_Amherst FY20 Allocation Corrected HOME agmnt (RES-2021-198 : Revised HUD 2020 HOME Grant Contract)

General Instructions: This Agreement is used for one of three purposes: 1) the initial Agreement between HUD and the Participating Jurisdiction (PJ) that obligates HOME formula funds; 2) the initial Agreement between HUD and the PJ/entity that obligates Community Housing Development Organization (CHDO) competitive reallocation funds; 3) the amendment to the Agreement that deobligates an amount of a PJ/entity's HOME funds previously obligated because of a reduction by HUD.

For all initial Agreements - make four copies of this Agreement (HUD-40093) and have them signed as originals by the appropriate HUD official, who is usually the Community Planning and Development (CPD) Director in the Field Office. One copy should be held by the Field Office for informational purposes. Three copies should be sent to the jurisdiction (or entity) for signature. The jurisdiction (or entity) should sign all copies and keep one for its records and return two signed as originals to the HUD Field Office. The HUD Field Office should send one copy to the CFO National Accounting Center for recording the contract and keep one copy for the Field Office files.

For amendments to the Agreement that deobligate funds because of a reduction by HUD - after notification from the Headquarters' Office of Affordable Housing (OAHP) to proceed, make **four** copies of this Agreement (HUD-40093) and have them signed as originals by the appropriate HUD official, who is usually the CPD Director in the Field Office. **It is not** necessary to have the jurisdiction sign the form. The Field Office should send one copy to the jurisdiction (or entity) for its records. Send one copy to the CFO National Accounting Center to initiate the deobligation. Send one copy to Headquarters, OAHP, Financial and Information Services Division via email so that Headquarters can track the deobligation. Keep one copy for the Field Office files.

1. **Participant Name and Address.** Enter the participating jurisdiction's (or entity's) name and address as shown in Box 4 of Standard Form 424.

2. **Grant Number.** Enter the applicable grant number assigned by the HUD for the PJ/entity that corresponds to the fiscal year source of funds for this transaction.

3a. **Tax Identification Number. Enter the Tax (Employer).** Identification Number (TIN) shown in Box 8b of Standard Form 424. For jurisdictions (or entities) that are already participating in the HOME Program, this must be the TIN associated with the jurisdiction (or entity) for the HOME Program.

3b. **Unique Entity Identifier.** The identifier required for SAM registration to uniquely identify business entities shown in Box 8c of Standard Form 424 (formerly known as DUNS). For jurisdictions (or entities) that are already participating in the HOME Program, this must be the Unique Entity Identifier associated with the jurisdiction (or entity) for the HOME Program.

4. **Appropriation Number.** Enter the Appropriation Number from the HUD-185 sub-assigning funds for the Fiscal Year source of funds for this transaction.

5. **Fiscal Year (FY).** Indicate the fiscal year (yyyy) source of funds for this transaction. Only funds from this fiscal year are to be included in this transaction. NOTE: For Amendments to an agreement, a separate form must be completed for each FY's funds.

6. **Previous Obligation.** Enter the total amount of funds that have been previously obligated for this participant for this FY source of funds.
   a. **Formula Funds.** Enter the total amount of formula funds previously obligated to the participant. If this is the funding approval form for the participant's initial allocation for the fiscal year, the amount will be "0". If this is a funding approval form for reallocating or deobligating funds, enter the amount from Box 7 of the previously submitted form HUD-40093 for the FY identified in Box 5.

Attachment: GA_Amherst FY20 Allocation Corrected HOME agmnt (RES-2021-198 : Revised HUD 2020 HOME Grant Contract)

b. Community Housing Development Organization (CHDO) Competitive Reallocation. Enter the amount of funds previously obligated to the PJ/entity by competition for CHDOs. If this is a funding approval form for reallocating or deobligating funds previously allocated by competition for CHDOs, enter the amount from Box 7 of the previously submitted form HUD-40093 for the FY identified in Box 5.

7. **Current Transaction.** Enter the total amount of funds for this action. Indicate a deobligation either by placing parentheses around the amount deobligated or a minus sign before the amount deobligated.
   a. **Formula Funds.** Of the amount indicated in Box 7, indicate the amount that is for formula funds. If this is a formula fund deobligation, show the distribution of that amount of funds in Box 7a.1 CHDO funds and/or Box 7a.2 non-CHDO funds.
      1. **CHDO.** Of the amount indicated in Box 7a, indicate the amount that is CHDO funds. If none, enter "0." Note: If this is a CHDO competitive reallocation, enter the amount in 7b.
      2. **Non-CHDO.** Of the amount indicated in Box 7a, indicate the amount that is Non-CHDO funds. If none, enter "0.

   b. **CHDO Competitive Reallocation or Deobligation.** Of the amount indicated in Box 7, indicate the amount that is reallocated or deobligated from the CHDO competition funds.

8. **Revised Obligation.** Enter the total amount of funds available to the jurisdiction (or entity) after this transaction (Box 6 plus/minus Box 7).
   a. **Formula Funds.** Enter the total amount of formula funds available to the participating jurisdiction after this transaction (Box 6a plus/minus Box 7a).
   b. **CHDO Competitive Reallocation.** Enter the total amount of funds available to the PJ/entity as a competitive reallocation for CHDOs after this transaction (Box 6b plus/minus Box 7b).

9. **Special Conditions.** If applicable, check the box and attach any special conditions that are part of the Agreement.

10. **Date of Obligation.** The date of obligation is the **Date of the HUD Authorized Official's signature** (Box 15) This field is **not** required if the Agreement is being amended for a deobligation because of a reduction by HUD.

11. **Indirect Cost Rate.** If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414(f)), and the direct cost base to which the rate will be applied (for example, Modified Total Direct Costs (MTCD)). The Recipient also shall provide HUD with a revised schedule if changes occur, and shall become incorporated herein. If there are more than four agencies/departments carrying out activities with the Funding Assistance, attach a list with the additional agencies/departments that will carry out activities with the Funding Assistance. Do not include indirect cost rates for subrecipients.

12. **Period of Performance.** Performance begins on the **Date of the HUD Authorized Official's signature** (Box 15) and ends on September 1st of the 5th fiscal year after the expiration of the period of availability for obligation.

13. **For the U.S. Department of HUD (Name and Title of Authorized Official).** Enter the name and title of the HUD official who is authorized to sign the Agreement on behalf of HUD. This is usually the Field Office CPD Director.

14. **Signature**. The authorized HUD official signs the Agreement here.

15. **Date.** Enter the date the authorized HUD official signed the form. In the case of initial agreements, this date must be the same date as the notification date to headquarters in GMP-R to begin the Congressional release process. This is also the same date as the **Date of Obligation** (Box 10).

16. **For the Participating Jurisdiction/Entity (Name and Title of Authorized Office).** Enter the name and title of the official authorized to sign on behalf of the participating jurisdiction/entity. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD.

17. **Signature of PJ/Entity Official.** The PJ/entity official signs the Agreement here. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD.

Attachment: GA_Amherst FY20 Allocation Corrected HOME agmnt (RES-2021-198 : Revised HUD 2020 HOME Grant Contract)

18. Date. Enter the date the PJ/Entity official signs the Agreement. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD.

19. Type of Agreement. Check either Initial Agreement or Amendment #. If an amendment, indicate the amendment number.

20. Funding Information. For each source year of funding, enter the following information: Source of Funds, Appropriation Code, PAS Code, and amount.

Attachment: GA_Amherst FY20 Allocation Corrected HOME agmnt (RES-2021-198 : Revised HUD 2020 HOME Grant Contract)

Amherst

Town of Amherst Planning Department *Erie County, New York*

Brian J. Kulpa,
Supervisor

Daniel C. Howard, AICP
Planning Director

Ellen M. Kost, AICP
Assistant Planning Director

February 1, 2021

Agenda of February 22, 2021

Honorable Town Board
5583 Main Street
Williamsville, NY 14221

Subject: Authorization for the Supervisor to sign the revised HUD Contract for the FY 2020 Home Investment Partnerships Program Grant funds (HOME)

Dear Councilmembers:

The 2020 Annual Action Plan and budget for the use of Community Development Block Grant (CDBG) and HOME Investment Partnership Grant (HOME) funds in the Town was adopted at the Town Board meeting of February 3, 2020 (res #2020-199) and submitted to the US Department of Housing and Urban Development (HUD) in February 2020. The Amherst-Cheektowaga-Tonawanda HOME Consortium was recently informed that the HOME allocation was decreased by $210.00. The original HOME allocation was $938,950 and is now $938,740. The decrease will be absorbed by the HOME housing rehabilitation program and the HOME administration budget line.

A proposed resolution authorizing the Supervisor to sign the revised HUD 2020 HOME grant agreement is attached for your consideration.

Thank you for your assistance with this matter.

Very truly yours,

Daniel C. Howard, AICP
Planning Director

X:\Community Development\New Structure\ANNUAL PLAN\Data 2020\Revised_HOME_TB_contractltr._2.22.21.docx

Attachment: HOME Grant Agreement 2020 #2 TB Ltr - Signed (RES-2021-198 : Revised HUD 2020 HOME Grant Contract)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Police
Initiated by: **John Askey**
Co-Sponsored by:

DOC ID: 22881 **RESOLUTION 2021-199** **ADOPTED**

Training Request Taser Instructor Certification Course

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Training Request**
Taser Instructor Certification Course

Kindly adopt a Resolution authorizing three (3) Officers to attend a certification course with regard to the above matter. This course is being held in Rochester, New York on March 4, 2021. The cost for this course is $1,125.00.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
Consent

FINANCIAL IMPACT:

A 3121 .4120: $1,125.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

TRAVEL EXPENSE APPROVAL/REIMBURSEMENT FORM

☐ $250 or LESS and under 75 miles Department Head Approval ONLY Required *REVISED 01/01/2018*

☑ $250 + or greater than 75 miles Department Head AND Town Board Approval Required

NAME	Employee #	Department	Phone Number
		Police	716-689-1311

Destination and Purpose of Trip

Date of Departure	Date of Return	Destination	Purpose/Justification
3/4/2021	3/4/2021	Greece, PD Rochester, NY	Taser Instructor Certification Course - teach others in the safe, effective, and efficient use of less-lethal TASER, operational features and functions, as well as medical and tactical considerations

Expenses	Estimated	Budget A/C #	Actual
Transportation:			
Mileage @ $0.545			
Tolls			
Parking			
Local Transportation (bus/taxi)			
Plane/Rail/Bus			
Lodging:			
# nights @ $			
Meals:			
IRS Per Diem Per Day: $			
1st & Last Day of Travel @ 75%			
# Breakfasts @ $			
# Lunches @ $			
# Dinners @ $			
# Incidentals @ $			
Registration/Conference Fee	3@ $375= $1125		
Other			
Subtotal			N/A
Contingency - 10% of subtotal or $200			N/A
TOTAL	$1125		

Request Approved By:

Chief John Ashe

Department Head Signature

2/8/21

Date

I hereby certify that I have expended the above itemized amounts for business purposes for the Town of Amherst. Required receipts are attached.

Employee Signature Date

Print Employee Name

Reimbursement Approved By:

Department Head Signature Date

Complete Shaded Area
For Expense Reimbursement

Town Board :

Town Board Resolution & Date

X:\Forms\Travel Expense Reimbursement Form 4.7.17

Attachment: TaserTrainingRequest2.22.2021 (RES-2021-199 : Training Request: Taser Instruction)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Police
Initiated by: **John Askey**
Co-Sponsored by:

DOC ID: 22895 **RESOLUTION 2021-200** **ADOPTED**

Training Request Supervising the Field Training Officer (FTO) Program

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Training Request**
Supervising the Field Training Officer (FTO) Program

Kindly adopt a Resolution authorizing three (3) Officers to attend a training course with regard to the above matter. This course is being held locally from April 21, 2021-April 22, 2021. The cost for this course is $753.30.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
Consent

FINANCIAL IMPACT:

A 3121 .4120: $753.30

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

TRAVEL EXPENSE APPROVAL/REIMBURSEMENT FORM

☐ $250 or LESS and under 75 miles Department Head Approval ONLY Required *REVISED 01/01/2018*

☑ $250 + or greater than 75 miles Department Head AND Town Board Approval Required

NAME	Employee #	Department	Phone Number
[redacted]		Police	(716)689-1311

Destination and Purpose of Trip

Date of Departure	Date of Return	Destination	Purpose/Justification
4/21/21	4/22/21	ECLETA - Supervising the FTO Prgoram	This course will assist agencies in the development and management of their FTO program. Attendees will discuss the duties of a field training manager; selection and retention of the FTO; accountability with under-performing FTO's; legal/liability concerns and reviewing the Daily Observation Reports. Attendees look into their organizational future with a discussion on Generational Leadership and the recommendations on the Field Training process made by the Task Force for 21st Century Policing.

Expenses	Estimated	Budget A/C #	Actual
Transportation:			
Mileage @ $0.545			
Tolls			
Parking			
Local Transportation (bus/taxi)			
Plane/Rail/Bus			
Lodging:			
# nights @ $			
Meals:			
IRS Per Diem Per Day: $			
1st & Last Day of Travel @ 75%			
# Breakfasts @ $			
# Lunches @ $			
# Dinners @ $			
# Incidentals @ $			
Registration/Conference Fee	3 @ $251.10	A3121.4120	
Other			
Subtotal			N/A
Contingency - 10% of subtotal or $200			N/A
TOTAL	$753.30		

Request Approved By:

Chief John Closter

Department Head Signature

2/16/21

Date

I hereby certify that I have expended the above itemized amounts for business purposes for the Town of Amherst. Required receipts are attached.

Employee Signature Date

Print Employee Name

Reimbursement Approved By:

Department Head Signature Date

Complete Shaded Area
For Expense Reimbursement

Town Board :

Town Board Resolution & Date

X:\Forms\Travel Expense Reimbursement Form 4.7.17

Attachment: TravelRequestSupervisingtheFTOProgram2.22.21 (RES-2021-200 : Training Request: Supervising the FTO Program)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Police
Initiated by: **John Askey**
Co-Sponsored by:

DOC ID: 22896 **RESOLUTION 2021-201** **ADOPTED**

Training Request The Adaptive Field Training Officer (FTO) Program

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Training Request**
The Adaptive Field Training Officer (FTO) Program

Kindly adopt a Resolution authorizing three (3) Officers to attend a training course with regard to the above matter. This course is being held locally from April 19, 2021-April 20, 2021. The cost for this course is $753.30.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
Consent

FINANCIAL IMPACT:

A 3121 .4120: $753.30

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

TRAVEL EXPENSE APPROVAL/REIMBURSEMENT FORM

☐ $250 or LESS and under 75 miles Department Head Approval ONLY Required *REVISED 01/01/2018*

☑ $250 + or greater than 75 miles Department Head AND Town Board Approval Required

NAME	Employee #	Department	Phone Number
		Police	(716)689-1368

Destination and Purpose of Trip

Date of Departure	Date of Return	Destination	Purpose/Justification
4/19/21	4/20/21	ECLETA-The Adaptive FTO	Train FTO officers in legal/ethical decision making model, develop critical thinking skills, cognitive coaching strategy for developing trainee retention/learning, teach FTO to be more empathetic & recognize deescalation before need arises

Expenses	Estimated	Budget A/C #	Actual
Transportation:			
Mileage @ $0.545			
Tolls			
Parking			
Local Transportation (bus/taxi)			
Plane/Rail/Bus			
Lodging:			
# nights @ $			
Meals:			
IRS Per Diem Per Day: $			
1st & Last Day of Travel @ 75%			
# Breakfasts @ $			
# Lunches @ $			
# Dinners @ $			
# Incidentals @ $			
Registration/Conference Fee	3 @ $251.10	A 3121.4120	
Other			
Subtotal			N/A
Contingency - 10% of subtotal or $200			N/A
TOTAL	$753.30		

Request Approved By:

Chief Jack C. Pfeil

Department Head Signature

2/16/21

Date

Town Board :

Town Board Resolution & Date

I hereby certify that I have expended the above itemized amounts for business purposes for the Town of Amherst. Required receipts are attached.

Employee Signature Date

Print Employee Name

Reimbursement Approved By:

Department Head Signature Date

Complete Shaded Area
For Expense Reimbursement

X:\Forms\Travel Expense Reimbursement Form 4.7.17

Attachment: TravelRequestTheAdaptiveFTO2.22.21 (RES-2021-201 : Training Request : the Adaptive FTO)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Police
Initiated by: **John Askey**
Co-Sponsored by:

DOC ID: 22894 **RESOLUTION 2021-202** **ADOPTED**

Lawn Treatments for Amherst Police Department (CRS #2403) Turf Tec of WNY, Inc.

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Lawn Treatments for Amherst Police Department (CRS #2403) Turf Tec of WNY, Inc.**

Kindly adopt a Resolution authorizing the Supervisor to enter into and execute the above entitled contract with the Turf Tec of WNY, Inc. (CRS #2403). This contract has successfully completed the Contract Routing Process.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
A motion to approve was made by Supervisor Kulpa, seconded by Deputy Supervisor Berger and approved via Roll Call vote 4-1 (nay, Bucki).

FINANCIAL IMPACT:

A 3120 .4220: $568.65

RESULT:	**ADOPTED [4 TO 1]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Jacqualine Berger, Deputy Supervisor
AYES:	Kulpa, Berger, Lavin, Szukala
NAYS:	Bucki

Turf Tec of W.N.Y., Inc.

5096 Lockport Rd. Lockport, NY 14094

(716)625-8990

Billing Address

Town of Amherst Police Dept.
500 John James Audubon Pkwy
Amherst NY 14228

5%

Service Address

Customer number: 7886

Town of Amherst Police Dept.
500 John James Audubon Pkwy
Amherst NY 14228

01/14/21

02/28/21

38 YEARS SERVICING W.N.Y. PROPERTIES!!!

TURF TEC would like to thank you for allowing us to service your property last year and we look forward to seeing you again in 2021. Below is the pricing and dates for the 2021 season along with additional services that we recommend for your property. At the bottom, please check one of the payment boxes and any additional services you would like us to provide.

PLEASE SIGN AND RETURN THE BOTTOM PORTION BY February 28, 2021 TO ACTIVATE SERVICE.
Your signature authorizes the below services plus any additional services checked and waives notification of exact dating of service unless you advise us otherwise. Should you have any questions, please call our office.

Thank you,
Michael Molloy, owner
NYS Cert. Applic. #C9-237684

www.turftec-wny.com
D.E.C. Reg. #06290

	Price	Prepay Price
Lawn-Spring (04/01-05/19)*	$113.73	$108.04
Lawn-Early Sum. (5/20-7/06)*	$113.73	$108.04
Lawn- Summer (7/07-8/23)*	$113.73	$108.04
Lawn-Fall (8/24-10/11)*	$113.73	$108.04
Lawn-Late Fall (10/12-11/28)*	$113.73	$108.04

Total Service Amount	$	568.65
After 5% Prepay Discount	$	540.20
You Save	$	28.45

Additional Services Recommended for your Property.

	Regular price	Prepay price
Prev.Grub Cont'l (8/15-9/24)*	$135.25	$128.49
Crane Fly (10/01-11/11)*	$207.75	$197.36

☐ ***Yes!*** I wish to prepay for scheduled services:

Enclosed is my check **$540.20** ***OR***
$_____ for scheduled and extra services.

Please Check Services Desired:	Price
☐ Prev.Grub Cont'l (8/15-9/24)*	$128.49
☐ Crane Fly (10/01-11/11)*	$197.36

540.20

$28.45

☐ ***Yes!*** Please bill me as services are performed including extra services checked above

Billing Address
Town of Amherst Police Dept.
500 John James Audubon Pkwy
Amherst NY 14228

Customer number:
7886

Signature required to renew service: _____

02/28/21

Turf Tec of W.N.Y., Inc.
5096 Lockport Rd.
Lockport, NY 14094

Charge my: ☐ AMERICAN EXPRESS ☐ DISCOVER ☐ MasterCard ☐ VISA

Card #:_____

Exp: _____/_____ Security Code:_____

Signature:_____

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: Turf Tec of WNY, Inc.

Signature: [signature]

Print Name: Lauren Molloy

Title: Secretary

Date: 2/5/21

Sworn To Before Me This

5 Day of February, 2021

[signature]

Notary Public

TERRI M MACKEY
Notary Public - State of New York
NO. 01MA6066955
Qualified in Niagara County
My Commission Expires 11/26/2021

Revised 4.2017

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

Addendum to Contract Minor Exposure

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Contractors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Contractor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Contractor its officers, agents, subcontractors, and/or employees as well as the negligence, active or passive, of the Contractor, its officers, agents, subcontractors, and/or employees.

4. Contractor shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Contractor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Contractor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate

(c) Contractor shall furnish the above insurances, including subcontractors' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Contractor shall ensure all its subcontractors, if any, have obtained all the above insurances and shall also assure that any policy procured by any subcontractor or sub-subcontractor shall name the Town as an additional insured on a primary and non-contributory basis.

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of section 109 of the General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Contractor shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Contractor, in accordance with its status as an independent Contractor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules, regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

Turf Tec of WNY, Inc.
Print Name of Company

By: _____
Signature

Lauren Molloy, Secretary
Printed name

Date: 2/5/21

State of New York
County of Niagara
Subscribed and Sworn to before me
this 5 day of February 2021
Terri M. Mackey
Notary Public

TERRI M MACKEY
Notary Public - State of New York
NO. 01MA6066955
Qualified in Niagara County
My Commission Expires 11/26/2021

Agreed to and Accepted by:

Town of Amherst

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Revised 12.30..19

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

CERTIFICATE OF LIABILITY INSURANCE

DATE (M 01/04/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Barbara Schubring	
Emerling, Floss, Murphy & Associates, LLC. 9092 Main Street Clarence NY 14031	PHONE (A/C, No, Ext): (716) 631-0190	FAX (A/C, No): (716) 631-0198
	E-MAIL ADDRESS: Bschubring@emsinsurance.com	

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
TURF TEC OF WNY INC PO BOX 758 EAST AMHERST NY 14051-0758	INSURER A : Selective Insurance Co of America	12572
	INSURER B : Selective Insurance	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** CL211406827 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR [X] Contractual GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC [ ] OTHER:	Y		S 2262052	01/01/2021	01/01/2022	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 500,000 $ 15,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [X] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY			S 2262052	01/01/2021	01/01/2022	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
A	[X] UMBRELLA LIAB [X] OCCUR EXCESS LIAB [ ] CLAIMS-MADE DED [X] RETENTION $ 10,000			S 2262052	01/01/2021	01/01/2022	EACH OCCURRENCE AGGREGATE	$ 5,000,000 $ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N: N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		WC 9081187	01/01/2021	01/01/2022	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 100,000 $ 100,000 $ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Town of Amherst is included as additional insured on a primary & non-contributory basis.

CERTIFICATE HOLDER

Town of Amherst
5583 Main Street
Williamsville NY 14221

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Joseph M. Floss

© 1988-2015 ACORD CORPORATION. All rights reserved.

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

STATE OF NEW YORK
WORKERS' COMPENSATION BOARD

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

1a. Legal Name & Address of Insured (Use street address only) Turf-Tec of WNY, Inc. PO Box 758 East Amherst, NY 14051 **Work Location of Insured** ***(Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)***	**1b. Business Telephone Number of Insured** 716-625-8990 **1c. NYS Unemployment Insurance Employer Registration Number of Insured** **1d. Federal Employer Identification Number of Insured or Social Security Number** 16-1195874
2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Town of Amherst 5583 Main St Williamsville NY 14221	**3a. Name of Insurance Carrier** Selective Ins Co **3b. Policy Number of entity listed in box "1a"** WC9081187 **3c. Policy effective period** 01/01/2021 to 01/01/2022 **3d. The Proprietor, Partners or Executive Officers are** ☐ **included.** **(Only check box if all partners/officers included)** ☐ **all excluded or certain partners/officers excluded.**

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. **(To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy).** The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The Insurance Carrier will also notify the above certificate holder within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) ***Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.***

Please Note: Upon the cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Joseph M. Floss
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by: Joseph M. Floss
(Signature)

1/5/2021
(Date)

Title: President, Floss Agency, Inc.

Telephone Number of authorized representative or licensed agent of insurance carrier: 716-688-5115

Please Note: *Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are* ***NOT*** *authorized to issue it.*

C-105.2 (9-07) www.wcb.state.ny.us

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.

2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

NEW YORK STATE Workers' Compensation Board

CERTIFICATE OF INSURANCE COVERAGE
DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only)
TURF TEC OF W.N.Y. INC

PO BOX 758
EAST AMHERST, NY 14051

Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy)*

1b. Business Telephone Number of Insured
716-625-8990

1c. Federal Employer Identification Number of Insured or Social Security Number
161195874

2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)
Town of Amherst
5583 Main St
Williamsville NY 14221

3a. Name of Insurance Carrier
ShelterPoint Life Insurance Company

3b. Policy Number of Entity Listed in Box "1a"
DBL142285

3c. Policy effective period
01/01/2021 to 12/31/2021

4. Policy provides the following benefits:
- [x] A. Both disability and paid family leave benefits.
- [ ] B. Disability benefits only.
- [ ] C. Paid family leave benefits only.

5. Policy covers:
- [x] A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.
- [ ] B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 1/6/2021 By _____
(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number 516-829-8100 Name and Title Richard White, Chief Executive Officer

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed _____ By _____
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: *Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1.* ***Insurance brokers are NOT authorized to issue this form.***

DB-120.1 (10-17)

DB-120.1 (10-17)

Attachment: TurfTecContractforCRS (RES-2021-202 : Turf Tec of WNY, Inc. (CRS# 2403))

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Police
Initiated by: **John Askey**
Co-Sponsored by:

DOC ID: 22897 **RESOLUTION 2021-203** **ADOPTED**

Camera Installation & Security Additions: Bailey Ave. Training Facility Digital Surveillance Solutions (DSS) (CRS #2409)

TOWN BOARD AGENDA ITEM : FEBRUARY 22, 2021

TO: **Town Board**

FROM: **John C. Askey, Chief of Police**

RE: **Camera Installation & Security Additions: Bailey Ave. Training Facility Digital Surveillance Solutions (DSS) (CRS #2409)**

Kindly adopt a Resolution authorizing the Supervisor to enter into and execute the above entitled contract with the Digital Surveillance Solutions (DSS), 485 Cayuga Road, Buffalo, New York 14225 (CRS #2403). This contract has successfully completed the Contract Routing Process.

Thank you.

JCA:msl
Attachment
C: Kathy Cooper, Deputy Town Clerk **(Agenda Item: February 22, 2021)**

2/22/2021
Consent

FINANCIAL IMPACT:

KP 2014 .2150 : $24,784.26

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

digital surveillance solutions

Tom Barillari
Tech Services
Amherst Police Department
4220 Bailey Ave
Buffalo, 14226

2/4/2021

Dear Tom Barillari,

Digital Surveillance Solutions, Inc. (DSS) is pleased to present this proposal for supplying, installing, and configuring access control and camera additions. Please find the following scope of work.

Scope of work:

-Install the following items as per attached map. Wire them at the device and the S2 Panel.
Door Strike
Door Contact
Card Reader
Exit Motion Sensor

Provide and run access control cable for each door. Runs are estimating distance, not actual pathways. *DSS will leave any un-used cable onsite.

Provide and install (3) ACM blades to the S2 Node.

Program the existing S2 network to accept the new doors added.

Provide and install 6 cameras as per attached map.

Cable terminations for cameras.

Addressing camera and adding to Exacq server.

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

digital surveillance solutions

Exclusions/Out of Scope:

-Amherst PD to provide dry contact for control of overhead door.
-Amherst PD to provide all network cabling and necessary conduit. Cabling to be run to camera location. All BLUE icons on the map will require a cable pull. There are 6 total.
-Amherst PD to install conduit that DSS will use for access control cable. If not, cable will be free air throughout the space.

Assumptions:

1. All conduit pathways, cable pathways and critical points of access must be provided and accessible at time of work.
2. All work shall be performed Monday-Friday during normal business hours (7:00am to 5:00pm).
3. Parking on site shall be provided by client at no cost.
4. Amherst Police Department will provide free and clear access to all working areas.
5. A point of contact (POC) and site access to necessary areas must be provided prior to arrival to the jobsite. This includes all areas to be under surveillance, data center(s), wiring closets and mechanical rooms and any other areas that could impact the deployment of the Access Control System. The POC will be the person to whom all DSS communication will be addressed and who has the authority to act for Amherst Police Department in all aspects of the project. POC responsibilities includes:

    a. Serve as the interface between Digital Surveillance Solutions, Inc. and Amherst Police Department
    b. Identify, schedule and confirm availability of support staff and management for onsite meetings (if necessary) and training.
    c. Schedule meeting/training rooms as necessary.
    d. Work with Digital Surveillance Solutions to administer any project change orders.
    e. Obtain and provide information, data, decisions and approvals, within 1 working day of Digital Surveillance Solutions' request, unless both parties agree to an extended response time.
    f. Resolve deviations from project plans that may be caused by Amherst Police Department
    g. Help resolve project issues, and escalate issues within Amherst Police Department.

6. Any down time resulting from the lack of access or if customer scope of work not completed will not be the responsibility of Digital Surveillance Solutions and is billable at current hourly labor & travel rates.

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

digital surveillance solutions

7. Any hardware not included in DSS scope of work is to be functional and complete. If any hardware is non-functional or not complete, a change order will be required to add additional hardware of this scope. If change order is not provided to DSS in a timely manner, additional hours will be billed at current hourly labor & travel rates.
8. Installation will conform to all State, County and local codes.
9. All electrical supply to be provided by Amherst Police Department.
10. Environmental conditions required by hardware manufacturers will be maintained by Amherst Police Department for the term of the system warranty. If environmental conditions required by manufacture are not maintained, repairing damage to equipment will be at the expense of the Amherst Police Department.
11. Amherst Police Department to collaborate with DSS on the creation of the business rules that govern the utilization of the access control system. If there is an existing system, customer will provide access database schema in csv format to expedite configuration and programming.

Terms:

1. Amherst Police Department to provide an adequate path for loading equipment and materials into the facility. This includes, but not limited to, a loading dock, ramp, freight elevator, etc. Additionally, a secure location will be provided by Amherst Police Department or General Contractor to store material and equipment on site during the installation process.
2. Upon delivery to customer site, Amherst Police Department assumes responsibility for the safeguard and condition of all delivered materials.
3. Any damage or loss to Digital Surveillance Solutions installation by others will be billed to client. DSS will not make any corrections to damage until written approval has been provided to DSS by Amherst Police Department with signature of authorized party. If authorization is not given to DSS in a timely manner, DSS will not be held responsible for any delays.
4. Amherst Police Department is responsible for removal of old product, which may include but not limited to, door hardware, cabling, recording equipment, i.e. DVRs, servers, etc.

Warranty:

1. Digital Surveillance Solutions provides a sixty (60) day warranty on labor.
2. Warranty will begin upon completion of DSS scope items. Warranty will not be delayed due to system dependencies not in scope for DSS. Multi phased projects will have warranties that commence at completion of each phase.
3. Equipment warranty is established by the manufacturers unless specified otherwise in the scope of work.

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

digital surveillance solutions

4. Should any defects develop during the warranty period due to workmanship or equipment failure, Digital Surveillance Solutions shall repair to original working order at no expense to client.

Warranty exclusions:

1. Customer furnished equipment, cables, or connectors.
2. Modification of system by others without the written consent and approval by Digital Surveillance Solutions. Modification(s) of the system by any vendor without written consent of Digital Surveillance Solutions will render the warranty null and void. Repairs and replacements will be subject to Time & Materials at Digital Surveillance Solutions current labor rates at the time of repairs.
3. System abuse or misuse.
4. Floods, fires, earthquakes, lightning strikes, or other events beyond the control of Digital Surveillance Solutions.
5. Environmental conditions required by hardware manufacturers will be maintained by Amherst Police Department for the term of the system warranty. If environmental conditions required by manufacture are not maintained, repairing damage to equipment will be at the expense of the Amherst Police Department.

I appreciate the opportunity to submit this proposal. If you have any questions, comments, or require further details, feel free to contact me.

Best Regards,

Jessica Hendler
Digital Surveillance Solutions
485 Cayuga Road
Buffalo, NY 14225

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

digital surveillance solutions
485 Cayuga Road
Buffalo, NY 14225

Addendum C - Requirements for End User provided cabling & switches

End User Responsibilities when Cabling and/or Providing Network Switches:

Ethernet cable CAT 5E or CAT 6 (shielded preferred) to be pulled from nearest wiring closest to the camera mount location.

Cable to be terminated at the rack in a patch panel and in a one-port keystone jack at the camera location.

Cable to be properly labeled at both ends.

Cable to be tested for good terminations and cable continuity and cable length requirements. Test results to be shared with DSS prior to scheduling onsite work.

Cable termination points to be marked at the camera location. For example, a small colored sticker will indicate a termination point above a ceiling tile. If DSS can't determine the cable termination point, then a change order will ensue if DSS incurs labor overrun.

End user will supply 5-7' patch cables for each camera termination point and the patch panel to switch unless otherwise specified in DSS proposal.

End user will supply ethernet switches in wiring closets with appropriate port count, Power over Ethernet, and appropriate backbone bandwidth from closets back to central recording points.

POC will provide appropriate IP addressing scheme prior to DSS arriving at the installation site. A DSS project coordinator will request this information in advance of install from POC.

If a security VLAN will be used to segment camera traffic, it will be configured on switches and routing rules complete prior to DSS coming to site.

DSS Responsibilities' for End user provided Cabling and/or Network Switches:

After DSS is notified that cabling is complete, a DSS project coordinator (PC) will visit the customer site to spot test and verify:

- Cables are properly terminated, labeled and have adequate bandwidth capability.
- Cable termination points at cameras are properly marked and easily found.
- Network switches are in place; ports are patched and ready and that network and security VLAN is operating as expected.
- If cabling and network is confirmed ready, the DSS PC will notify DSS management that site is ready for install and the install will be scheduled.
- If the DSS PC finds any problems with the cabling or network readiness, the PC will report this to the end user POC or designee and DSS will await notification that the problems have been remedied.

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

digital surveillance solutions
485 Cayuga Road
Buffalo, NY 14225

Addendum D - Requirements for DSS provided cabling & switches

DSS Responsibilities when Cabling and/or Providing Network Switches:

- DSS will install cable, terminate, label and test cables.
- DSS will mark cable termination points at cameras so that they can be easily found.
- DSS will install project network switches and configure ports for security VLAN if necessary.
- DSS will provide adequate ports and PoE power on switches as designed in project.
- Once cabling and network is confirmed ready, the DSS PC will notify DSS management that site is ready for install and the install will be immediately following cabling completion as scheduling allows.
- DSS will provide network patch cable for cameras and the wiring closets if they are not provided by the End user in the project plan.

End User Responsibilities' for DSS provided Cabling and/or Network Switches:

- End user will provide adequate access to IT closets, racks and other IT infrastructure as needed to complete project.
- End user will provide adequate rack space for switches.
- End user will provide patch panels at appropriate racks if not defined to be provided by DSS.
- End user will provide adequate 110VAC power and power backup at appropriate racks for switches.
- End user will provide IP Address schema for security VLAN.

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

digital surveillance solutions

Shooting Range Adds

Prepared For:
Tom Barillari
Amherst Police Department
4220 Bailey Ave
Buffalo, 14226
United States
tbarillari@apdny.org

Prepared By:
Jessica Hendler
Digital Surveillance Solutions, Inc.
485 Cayuga Road
Buffalo, NY 14225
jessicah@dssvideo.com
716-597-0369

Quote #	Sales Rep	State Contract
DSSQ3201	Jessica Hendler	PT68787

Item Number	Description		QTY	Unit Price	Total Price
Access Control					
S2-ACM	S2 Security	S2 ACCESS CONTROL APPLICATION BLADE	3	$666.00	$1,998.(
DS160	Bosch	DS160 REQUEST TO EXIT PIR - GREY	4	$98.00	$392.(
DPS-M-BK	Security Door Controls	Door Position Switch Black Metal	5	$22.40	$112.(
1600-CS-630	HES	1600 Series Electric Strike, Complete Pac for Latchbolts & Deadbolts, Satin Stainless Steel	5	$492.00	$2,460.(
921NTNNEK0002T	HID	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 32-BIT MSB, KPF, BFFRD 1 TO 5 KEYS, PAR, USER ENTRD FC, 26-BIT MSG, IPM OFF	7	$402.40	$2,816.8
Cameras					
01518-001	Axis	AXIS M3206-LVE	1	$563.06	$563.(
01178-001	Axis	AXIS M3058-PLVE	2	$798.06	$1,596.'
01970-001	Axis	AXIS P3715-PLVE	3	$845.06	$2,535.'
EVIP-01	Exacq	PROFESSIONAL IP Camera license, per camera. Includes 1 year of software updates or 3 years (5 years on Z-Series) when purchased with an exacqVision server.	6	$159.60	$957.(
Cabling					
4461030-S500	Windy City Wire	4 Element Composite Cable PLNM	1.5	$1,441.62	$2,162.4

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

Item Number		Description	QTY	Unit Price	Total Price
710919	Paige Cabling	SURFACE MOUNT JACK BOX 1-PORT WHITE WL SMBW-1	6	$1.23	
710916BL	Paige Cabling	CAT 6 JACK BLUE 568AB 90 DG WL B6KJ-BL	6	$1.67	$10.(
71065401BL	Paige Cabling	1' CAT 6 PATCH CABLE MOLDED BLUE WL PC6-BL-01	6	$1.43	$8.5
71065407BL	Paige Cabling	7' CAT 6 PATCH CABLE MOLDED BLUE WL PC6-BL-07	6	$2.60	$15.6
Labor					
Physical AC SystemTech	DSS Labor	Install blades. Add to S2. Prevailing wage.	1	$125.00	$125.(
Physical AC SystemTech	DSS Labor	Install door hardware. Configuration of new portals in S2. Prevailing wage.	24	$125.00	$3,000.(
Physical AC SystemTech	DSS Labor	Terminate to S2 Node and wire devices. Prevailing wage.	8	$125.00	$1,000.(
Physical AC SystemTech	DSS Labor	Access control cable runs and terminations. Run cabling from door to devices. Prevailing wage.	20	$125.00	$2,500.(
CCTV/Surveillance Camera System	DSS Labor	Camera Installation. Prevailing wage.	9	$130.00	$1,170.(
CCTV/Surveillance Camera System	DSS Labor	Camera cable terminations. Prevailing wage.	2	$130.00	$260.(
Offsite Integration/Maintenance	DSS Labor	Camera Configuration/Addressing. Adding to Exacq server.	2.5	$130.00	$325.(
Project/Program Manager	DSS Labor	Oversees all onsite work	6	$125.00	$750.(
Not on State Contract					
4532	G.R.I. Telemark Corp.	Overhead Door Contact	1	$19.49	$19.4

SUBTOTAL	$24,784
SALES TAX	$(
Optional Item Total	$(
TOTAL	$24,784

Taxes, shipping, handling and other fees may apply. DSS reserves the right to cancel orders arising from pricing or other er .

By signing below, I hereby acknowledge and accept all terms set forth by this scope of work and proposal:

Jessica Hendell — Signature

2/11/2021 — Date

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

digital surveillance solutions

Digital Surveillance Solutions

Jessica Hendler

Feb 04, 2021

Site: Amherst PD Training Facility

4220 Bailey Ave Buffalo,NY,14226

Survey: Live Fire Shoothouse

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

Survey Overview

Survey Layout

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

Addendum to Contract Major Exposure

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Contractors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Contractor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Contractor its officers, agents, subcontractors, and/or employees as well as the negligence, active or passive, of the Contractor, its officers, agents, subcontractors, and/or employees.

4. Contractor shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Contractor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Contractor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate. Umbrella coverage shall be in an amount of at least $5,000,000.00.

(c) Contractor shall furnish the above insurances, including subcontractors' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Contractor shall ensure all its subcontractors, if any, have obtained all the above insurances and shall also assure that any policy procured by any subcontractor or sub-subcontractor shall name the Town as an additional insured on a primary and non-contributory basis.

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of section 109 of the General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Contractor shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Contractor, in accordance with its status as an independent Contractor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules, regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

Digital Surveillance Solutions
Print Name of Company

By: Jessica Hendler
Signature

Jessica Hendler
Printed name

Date: 2/11/2021

Agreed to and Accepted by:

Town of Amherst

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: Digital Surveillance Solutions

Signature: Jessica Hendler

Print Name: Jessica Hendler

Title: Account Manager

Date: 2/11/2021

Sworn To Before Me This

11th Day of February, 2021

Notary Public

RAEANN J. JAKUBOWSKI
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01JA6309956
Qualified in Erie County
Commission Expires 08/18/2022

Revised 4.201

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

DIGIT-1

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 02/21/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Gugino Insurance Agency, Inc. 5707 Main Street Williamsville, NY 14221 Alayne M. Donner 716-633-1313	CONTACT NAME: Alayne M. Donner PHONE (A/C, No, Ext): 716-633-1313 FAX (A/C, No): 716-631-5770 E-MAIL ADDRESS: adonner@guginoagency.com
INSURED Digital Surveillance Solutions Inc. 485 Cayuga Road Buffalo, NY 14225	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : Philadelphia Indemnity Ins Co — 18058 INSURER B : Merchants Preferred Insurance — 12901 INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC OTHER:	X		PHPK2100168	03/01/2020	03/01/2021	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,00 $ 100,00 $ 10,00 $ 1,000,00 $ 3,000,00 $ 3,000,00
B	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY X SCHEDULED AUTOS X HIRED AUTOS ONLY X NON-OWNED AUTOS ONLY			CAP9269147	03/01/2020	03/01/2021	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,00 $ $ $
A	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 10000			PHUB712098	03/01/2020	03/01/2021	EACH OCCURRENCE AGGREGATE	$ 5,000,00 $ 5,000,00
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
A	Professional			PHSD1448577	06/01/2019	06/01/2020	Per Claim Aggregate	2,000,00 2,000,00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is named as an additional insured on a Primary and non-contributory basis under the general liability section per written contract. Umbrella follows form, General Liability CG000010413 and PI-GLD-SGNY.

CERTIFICATE HOLDER

Town of Amherst
5583 Main Street
Williamsville, NY 14221

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Alayne M. Donner

ACORD 25 (2016/03)
© 1988-2015 ACORD CORPORATION. All rights reserved.
The ACORD name and logo are registered marks of ACORD

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions

NEW YORK STATE Workers' Compensation Board

CERTIFICATE OF INSURANCE COVERAGE
DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only)
DIGITAL SURVEILLANCE SOLUTIONS, INC.
485 CAYUGA RD
BUFFALO, NY 14225

Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy)*

1b. Business Telephone Number of Insured
716-597-0369

1c. Federal Employer Identification Number of Insured or Social Security Number
20-0886315

2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)
Town of Amherst
5583 Main Street
Williamsville, NY 14221

3a. Name of Insurance Carrier
Standard Security Life Insurance Company of New York

3b. Policy Number of Entity Listed in Box "1a"
34078-01

3c. Policy effective period
5/1/2008 to 9/30/2021

4. Policy provides the following benefits:
- [x] A. Both disability and paid family leave benefits.
- [ ] B. Disability benefits only.
- [ ] C. Paid family leave benefits only.

5. Policy covers:
- [x] A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.
- [ ] B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 10/1/2020 By _____
(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (212) 355-4141 Name and Title SUPERVISOR-DBL/POLICY SERVICES

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed _____ By _____
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: *Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1.* ***Insurance brokers are NOT authorized to issue this form.***

DB-120.1 (10-17)

DB-120.1 (10-17)

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions Bailey

Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices my be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and not withstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions Bailey

NYSIF
New York State Insurance Fund

199 CHURCH STREET, NEW YORK, N.Y. 10007-1100
| nysif.com

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

^ ^ ^ ^ ^ ^ 200886315

KEEVILY, SPERO-WHITELAW INC.
500 MAMARONECK AVENUE
HARRISON NY 10528

SCAN TO VALIDATE
AND SUBSCRIBE

POLICYHOLDER	CERTIFICATE HOLDER
DIGITAL SURVEILLANCE SOLUTIONS, INC. 485 CAYUGA RD BUFFALO NY 14225	TOWN OF AMHERST 5583 MAIN STREET WILLIAMSVILLE NY 14221

POLICY NUMBER	CERTIFICATE NUMBER	POLICY PERIOD	DATE
G 2354 271-5	683831	11/01/2020 TO 11/01/2021	10/19/2020

THIS IS TO CERTIFY THAT THE POLICYHOLDER NAMED ABOVE IS INSURED WITH THE NEW YORK STATE INSURANCE FUND UNDER POLICY NO. 2354 271-5, COVERING THE ENTIRE OBLIGATION OF THIS POLICYHOLDER FOR WORKERS' COMPENSATION UNDER THE NEW YORK WORKERS' COMPENSATION LAW WITH RESPECT TO ALL OPERATIONS IN THE STATE OF NEW YORK, EXCEPT AS INDICATED BELOW.

IF YOU WISH TO RECEIVE NOTIFICATIONS REGARDING SAID POLICY, INCLUDING ANY NOTIFICATION OF CANCELLATIONS, OR TO VALIDATE THIS CERTIFICATE, VISIT OUR WEBSITE AT HTTPS://WWW.NYSIF.COM/CERT/CERTVAL.ASP. THE NEW YORK STATE INSURANCE FUND IS NOT LIABLE IN THE EVENT OF FAILURE TO GIVE SUCH NOTIFICATIONS.

THE POLICY INCLUDES A WAIVER OF SUBROGATION ENDORSEMENT UNDER WHICH NYSIF AGREES TO WAIVE ITS RIGHT OF SUBROGATION TO BRING AN ACTION AGAINST THE CERTIFICATE HOLDER TO RECOVER AMOUNTS WE PAID IN WORKERS' COMPENSATION AND/OR MEDICAL BENEFITS TO OR ON BEHALF OF AN EMPLOYEE OF OUR INSURED IN THE EVENT THAT, PRIOR TO THE DATE OF THE ACCIDENT, THE CERTIFICATE HOLDER HAS ENTERED INTO A WRITTEN CONTRACT WITH OUR INSURED THAT REQUIRES THAT SUCH RIGHT OF SUBROGATION BE WAIVED.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS NOR INSURANCE COVERAGE UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY.

NEW YORK STATE INSURANCE FUNI

DIRECTOR, INSURANCE FUND UNDERWRITING

VALIDATION NUMBER: 292974848

00000000000086818416

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera Installation & Security Additions Bailey

10423	Axis	01810-001	AXIS P1378	EA		1	$	849.00	6.00%	$ 798.06
10424	Axis	01810-031	AXIS P1378 BAREBONE	EA		1	$	799.00	6.00%	$ 751.06
10425	Axis	01811-001	AXIS P1378-LE	EA		1	$	1,099.00	6.00%	$ 1,033.06
10426	Axis	01811-031	AXIS P1378-LE BAREBONE	EA		1	$	1,049.00	6.00%	$ 986.06
10427	Axis	0890-001	AXIS P1435-LE 22MM	EA		1	$	649.00	6.00%	$ 610.06
10428	Axis	01997-001	AXIS P1455-LE	EA		1	$	599.00	6.00%	$ 563.06
10429	Axis	01054-001	AXIS P1447-LE	EA		1	$	749.00	6.00%	$ 704.06
10430	Axis	01055-001	AXIS P1448-LE	EA		1	$	949.00	6.00%	$ 892.06
10431	Axis	02051-001	AXIS Q1615 Mk III	EA		1	$	999.00	6.00%	$ 939.06
10432	Axis	02064-001	AXIS Q1615-LE Mk III	EA		1	$	1,299.00	6.00%	$ 1,221.06
10433	Axis	02051-041	AXIS Q1615 Mk III BAREBONE	EA		1	$	899.00	6.00%	$ 845.06
10434	Axis	01222-001	AXIS Q1645	EA		1	$	1,199.00	6.00%	$ 1,127.06
10435	Axis	01222-041	AXIS Q1645 BARE BONE	EA		1	$	999.00	6.00%	$ 939.06
10436	Axis	01223-001	AXIS Q1645-LE	EA		1	$	1,499.00	6.00%	$ 1,409.06
10437	Axis	01051-001	AXIS Q1647	EA		1	$	1,399.00	6.00%	$ 1,315.06
10438	Axis	01051-041	AXIS Q1647 BARE BONE	EA		1	$	1,199.00	6.00%	$ 1,127.06
10439	Axis	01052-001	AXIS Q1647-LE	EA		1	$	1,699.00	6.00%	$ 1,597.06
10440	Axis	01568-031	AXIS Q1659 BAREBONE	EA		1	$	4,899.00	6.00%	$ 4,605.06
10441	Axis	0967-001	AXIS Q1659 10-22MM F/3.5-4.5	EA		1	$	5,899.00	6.00%	$ 5,545.06
10442	Axis	0962-001	AXIS Q1659 24MM F/2.8	EA		1	$	4,999.00	6.00%	$ 4,699.06
10443	Axis	0963-001	AXIS Q1659 35MM F/2	EA		1	$	5,899.00	6.00%	$ 5,545.06
10444	Axis	0964-001	AXIS Q1659 50MM F/1.4	EA		1	$	5,399.00	6.00%	$ 5,075.06
10445	Axis	0965-001	AXIS Q1659 85MM F/1.2	EA		1	$	8,149.00	6.00%	$ 7,660.06
10446	Axis	0966-001	AXIS Q1659 100MM F/2.8	EA		1	$	6,499.00	6.00%	$ 6,109.06
10447	Axis	0968-001	AXIS Q1659 70-200MM F/2.8	EA		1	$	8,399.00	6.00%	$ 7,895.06
10448	Axis	01782-001	AXIS Q1700-LE	EA		1	$	1,299.00	6.00%	$ 1,221.06
10449	Axis	01161-001	AXIS Q1785-LE	EA		1	$	1,199.00	6.00%	$ 1,127.06
10450	Axis	01162-001	AXIS Q1786-LE	EA		1	$	1,399.00	6.00%	$ 1,315.06
10451	Axis	01702-001	AXIS Q1798-LE	EA		1	$	1,799.00	6.00%	$ 1,691.06
10452	Axis	0778-001	AXIS F34 MAIN UNIT	EA		1	$	399.00	6.00%	$ 375.06
10453	Axis	0658-001	AXIS F41 MAIN UNIT	EA		1	$	449.00	6.00%	$ 422.06
10454	Axis	0936-001	AXIS F44 DUAL AUDIO INPUT	EA		1	$	549.00	6.00%	$ 516.06
10455	Axis	0765-001	AXIS F1004 SENSOR UNIT	EA		1	$	99.00	6.00%	$ 93.06
10456	Axis	0935-001	AXIS F1004 BULLET SENSOR UNIT	EA		1	$	119.00	6.00%	$ 111.86
10457	Axis	01003-001	AXIS F1004 PINHOLE SENSOR UNIT	EA		1	$	119.00	6.00%	$ 111.86
10458	Axis	0779-004	AXIS F34 SURVEILLANCE SYSTEM	EA		1	$	799.00	6.00%	$ 751.06
10459	Axis	0675-001	AXIS F1005-E SENSOR UNIT 3M	EA		1	$	249.00	6.00%	$ 234.06
10460	Axis	0676-001	AXIS F1005-E SENSOR UNIT 12M	EA		1	$	269.00	6.00%	$ 252.86
10461	Axis	0677-001	AXIS F1015 SENSOR UNIT 3M	EA		1	$	279.00	6.00%	$ 262.26
10462	Axis	0678-001	AXIS F1015 SENSOR UNIT 12M	EA		1	$	299.00	6.00%	$ 281.06
10463	Axis	0735-001	AXIS F1025 SENSOR UNIT 3M	EA		1	$	249.00	6.00%	$ 234.06
10464	Axis	0734-001	AXIS F1025 SENSOR UNIT 12M	EA		1	$	269.00	6.00%	$ 252.86
10465	Axis	0737-001	AXIS F1035-E SENSOR UNIT 3M	EA		1	$	249.00	6.00%	$ 234.06
10466	Axis	0736-001	AXIS F1035-E SENSOR UNIT 12M	EA		1	$	269.00	6.00%	$ 252.86
10467	Axis	0775-001	AXIS F4005-E DOME SENSOR UNIT	EA		1	$	289.00	6.00%	$ 271.66
10468	Axis	0798-001	AXIS F4005 DOME SENSOR UNIT	EA		1	$	279.00	6.00%	$ 262.26
10469	Axis	0913-001	AXIS FA1105 SENSOR UNIT	EA		1	$	139.00	6.00%	$ 130.66
10470	Axis	0914-001	AXIS FA1125 SENSOR UNIT	EA		1	$	149.00	6.00%	$ 140.06
10471	Axis	01026-001	AXIS FA3105-L EYEBALL SENSOR UNIT	EA		1	$	149.00	6.00%	$ 140.06
10472	Axis	01001-001	AXIS FA4115 SENSOR UNIT	EA		1	$	179.00	6.00%	$ 168.26
10473	Axis	0878-004	AXIS FA54 MAIN UNIT	EA		1	$	449.00	6.00%	$ 422.06
10474	Axis	01118-001	AXIS Q1659 55-250MM F/4-5.6	EA		1	$	5,199.00	6.00%	$ 4,887.06
10475	Axis	01787-001	AXIS P8815-2 3D Ppl Counter BK	EA		1	$	799.00	6.00%	$ 751.06
10476	Axis	01786-001	AXIS P8815-2 3D Ppl Counter WH	EA		1	$	799.00	6.00%	$ 751.06
10477	Axis	01151-001	AXIS M3015	EA		1	$	269.00	6.00%	$ 252.86
10478	Axis	01152-001	AXIS M3016	EA		1	$	369.00	6.00%	$ 346.86
10479	Axis	01716-001	AXIS M3064-V	EA		1	$	199.00	6.00%	$ 187.06
10480	Axis	01707-001	AXIS M3065-V	EA		1	$	269.00	6.00%	$ 252.86
10481	Axis	01709-001	AXIS M3075-V	EA		1	$	299.00	6.00%	$ 281.06
10482	Axis	01708-001	AXIS M3066-V	EA		1	$	369.00	6.00%	$ 346.86
10483	Axis	0808-001	AXIS M3047-P	EA		1	$	469.00	6.00%	$ 440.86
10484	Axis	01004-001	AXIS M3048-P	EA		1	$	669.00	6.00%	$ 628.86
10485	Axis	01731-001	AXIS M3067-P	EA		1	$	469.00	6.00%	$ 440.86
10486	Axis	01732-001	AXIS M3068-P	EA		1	$	669.00	6.00%	$ 628.86
10487	Axis	0548-001	AXIS M3037-PVE	EA		1	$	799.00	6.00%	$ 751.06
10488	Axis	01177-001	AXIS M3057-PLVE	EA		1	$	649.00	6.00%	$ 610.06
10489	Axis	01178-001	AXIS M3058-PLVE	EA		1	$	849.00	6.00%	$ 798.06
10490	Axis	01604-001	AXIS M3115-LVE	EA		1	$	319.00	6.00%	$ 299.86
10491	Axis	01605-001	AXIS M3116-LVE	EA		1	$	419.00	6.00%	$ 393.86
10492	Axis	01517-001	AXIS M3205-LVE	EA		1	$	499.00	6.00%	$ 469.06
10493	Axis	01518-001	AXIS M3206-LVE	EA		1	$	599.00	6.00%	$ 563.06
10494	Axis	01240-001	AXIS M4206-V	EA		1	$	419.00	6.00%	$ 393.86
10495	Axis	01241-001	AXIS M4206-LV	EA		1	$	469.00	6.00%	$ 440.86
10496	Axis	0885-001	AXIS P3227-LV	EA		1	$	779.00	6.00%	$ 732.26
10497	Axis	0886-001	AXIS P3227-LVE	EA		1	$	899.00	6.00%	$ 845.06
10498	Axis	0887-001	AXIS P3228-LV	EA		1	$	979.00	6.00%	$ 920.26
10499	Axis	0888-001	AXIS P3228-LVE	EA		1	$	1,099.00	6.00%	$ 1,033.06
10500	Axis	01591-001	AXIS P3245-V	EA		1	$	499.00	6.00%	$ 469.06
10501	Axis	01592-001	AXIS P3245-LV	EA		1	$	579.00	6.00%	$ 544.26

10502	Axis	01594-001	AXIS P3245-VE	EA		1	$	619.00	6.00%	$ 581.86
10503	Axis	01593-001	AXIS P3245-LVE	EA		1	$	699.00	6.00%	$ 657.06
10504	Axis	0406-001	AXIS P3367-V	EA		1	$	999.00	6.00%	$ 939.06
10505	Axis	0407-001	AXIS P3367-VE	EA		1	$	1,199.00	6.00%	$ 1,127.06
10506	Axis	01056-001	AXIS P3374-V	EA		1	$	599.00	6.00%	$ 563.06
10507	Axis	01058-001	AXIS P3374-LV	EA		1	$	699.00	6.00%	$ 657.06
10508	Axis	01060-001	AXIS P3375-V	EA		1	$	699.00	6.00%	$ 657.06
10509	Axis	01062-001	AXIS P3375-LV	EA		1	$	799.00	6.00%	$ 751.06
10510	Axis	01061-001	AXIS P3375-VE	EA		1	$	899.00	6.00%	$ 845.06
10511	Axis	01063-001	AXIS P3375-LVE	EA		1	$	999.00	6.00%	$ 939.06
10512	Axis	01970-001	AXIS P3715-PLVE	EA		1	$	899.00	6.00%	$ 845.06
10513	Axis	01504-001	AXIS P3717-PLE	EA		1	$	1,349.00	6.00%	$ 1,268.06
10514	Axis	01500-001	AXIS P3719-PLE	EA		1	$	1,599.00	6.00%	$ 1,503.06
10515	Axis	01048-001	AXIS P3807-PVE	EA		1	$	1,349.00	6.00%	$ 1,268.06
10516	Axis	01078-001	AXIS P3904-R Mk II	EA		1	$	449.00	6.00%	$ 422.06
10517	Axis	01078-021	AXIS P3904-R MK II BULK 10PCS	EA		1	$	4,265.00	6.00%	$ 4,009.10
10518	Axis	01078-031	AXIS P3904-R MK II BULK 50 PCS	EA		1	$	21,299.00	6.00%	$ 20,021.06
10519	Axis	01071-001	AXIS P3904-R Mk II M12	EA		1	$	449.00	6.00%	$ 422.06
10520	Axis	01071-021	AXIS P3904-R MK II M12 BULK 10PCS	EA		1	$	4,265.00	6.00%	$ 4,009.10
10521	Axis	01071-031	AXIS P3904-R MK II M12 BULK 50PCS	EA		1	$	21,299.00	6.00%	$ 20,021.06
10522	Axis	01072-001	AXIS P3905-R Mk II	EA		1	$	549.00	6.00%	$ 516.06
10523	Axis	01072-021	AXIS P3905-R MK II BULK 10PCS	EA		1	$	5,215.00	6.00%	$ 4,902.10
10524	Axis	01072-031	AXIS P3905-R MK II BULK 50 PCS	EA		1	$	25,999.00	6.00%	$ 24,439.06
10525	Axis	01073-001	AXIS P3905-R Mk II M12	EA		1	$	549.00	6.00%	$ 516.06
10526	Axis	01073-021	AXIS P3905-R MK II M12 BULK 10 PCS	EA		1	$	5,215.00	6.00%	$ 4,902.10
10527	Axis	01073-031	AXIS P3905-R MK II M12 BULK 50 PCS	EA		1	$	25,999.00	6.00%	$ 24,439.06
10528	Axis	01072-041	AXIS P3905-R MK II BAREBONE 10P	EA		1	$	5,025.00	6.00%	$ 4,723.50
10529	Axis	01073-041	AXIS P3905-R MK II M12 BAREBONE 10P	EA		1	$	5,025.00	6.00%	$ 4,723.50
10530	Axis	01920-001	AXIS P3925-R	EA		1	$	549.00	6.00%	$ 516.06
10531	Axis	01920-021	AXIS P3925-R BULK 10P	EA		1	$	5,215.00	6.00%	$ 4,902.10
10532	Axis	01933-001	AXIS P3925-R M12	EA		1	$	549.00	6.00%	$ 516.06
10533	Axis	01933-021	AXIS P3925-R M12 BULK 10P	EA		1	$	5,215.00	6.00%	$ 4,902.10
10534	Axis	01919-001	AXIS P3935-LR	EA		1	$	599.00	6.00%	$ 563.06
10535	Axis	01919-021	AXIS P3935-LR BULK 10P	EA		1	$	5,690.00	6.00%	$ 5,348.60
10536	Axis	01932-001	AXIS P3935-LR M12	EA		1	$	599.00	6.00%	$ 563.06
10537	Axis	01932-021	AXIS P3935-LR M12 BULK 10P	EA		1	$	5,690.00	6.00%	$ 5,348.60
10538	Axis	01553-001	AXIS P9106-V BRUSHED STEEL	EA		1	$	649.00	6.00%	$ 610.06
10539	Axis	01620-001	AXIS P9106-V WHITE	EA		1	$	599.00	6.00%	$ 563.06
10540	Axis	01039-001	AXIS Q3515-LV 9MM	EA		1	$	849.00	6.00%	$ 798.06
10541	Axis	01044-001	AXIS Q3515-LV 22MM	EA		1	$	899.00	6.00%	$ 845.06
10542	Axis	01041-001	AXIS Q3515-LVE 9MM	EA		1	$	999.00	6.00%	$ 939.06
10543	Axis	01046-001	AXIS Q3515-LVE 22MM	EA		1	$	1,049.00	6.00%	$ 986.06
10544	Axis	01021-001	AXIS Q3517-LV	EA		1	$	1,099.00	6.00%	$ 1,033.06
10545	Axis	01022-001	AXIS Q3517-LVE	EA		1	$	1,249.00	6.00%	$ 1,174.06
10546	Axis	01237-001	AXIS Q3517-SLVE	EA		1	$	1,349.00	6.00%	$ 1,268.06
10547	Axis	01565-001	AXIS Q3527-LVE	EA		1	$	1,349.00	6.00%	$ 1,268.06
10548	Axis	01493-001	AXIS Q3518-LVE	EA		1	$	1,349.00	6.00%	$ 1,268.06
10549	Axis	0743-001	AXIS Q3615-VE	EA		1	$	1,349.00	6.00%	$ 1,268.06
10550	Axis	0744-001	AXIS Q3617-VE	EA		1	$	1,549.00	6.00%	$ 1,456.06
10551	Axis	0801-001	AXIS Q3708-PVE	EA		1	$	1,999.00	6.00%	$ 1,879.06
10552	Axis	0664-001	AXIS Q3709-PVE	EA		1	$	2,399.00	6.00%	$ 2,255.06
10553	Axis	01766-001	AXIS Q9216-SLV STEEL	EA		1	$	1,149.00	6.00%	$ 1,080.06
10554	Axis	01767-001	AXIS Q9216-SLV WHITE	EA		1	$	1,149.00	6.00%	$ 1,080.06
10555	Axis	0862-001	AXIS Q8685-E 24V AC/DC	EA		1	$	3,599.00	6.00%	$ 3,383.06
10556	Axis	0864-001	AXIS Q8685-LE 24V AC/DC	EA		1	$	5,199.00	6.00%	$ 4,887.06
10557	Axis	01079-001	AXIS M5054	EA		1	$	499.00	6.00%	$ 469.06
10558	Axis	01107-004	AXIS M5065 US	EA		1	$	599.00	6.00%	$ 563.06
10559	Axis	01146-001	AXIS M5525-E 60HZ	EA		1	$	999.00	6.00%	$ 939.06
10560	Axis	0588-001	AXIS P5414-E 60HZ	EA		1	$	1,599.00	6.00%	$ 1,503.06
10561	Axis	0589-001	AXIS P5415-E 60HZ	EA		1	$	1,999.00	6.00%	$ 1,879.06
10562	Axis	01759-001	AXIS P5654-E 60HZ	EA		1	$	1,599.00	6.00%	$ 1,503.06
10563	Axis	01682-001	AXIS P5655-E 60HZ	EA		1	$	1,999.00	6.00%	$ 1,879.06
10564	Axis	01006-001	AXIS Q6000-E 60HZ MK II	EA		1	$	1,599.00	6.00%	$ 1,503.06
10565	Axis	01981-001	AXIS Q6010-E 60HZ	EA		1	$	1,599.00	6.00%	$ 1,503.06
10566	Axis	01711-001	AXIS Q6100-E 60HZ	EA		1	$	1,599.00	6.00%	$ 1,503.06
10567	Axis	0943-001	AXIS Q6055-C 60HZ	EA		1	$	4,099.00	6.00%	$ 3,853.06
10568	Axis	01968-004	AXIS Q6074 60HZ	EA		1	$	2,099.00	6.00%	$ 1,973.06
10569	Axis	01974-004	AXIS Q6074-E 60HZ	EA		1	$	2,599.00	6.00%	$ 2,443.06
10570	Axis	01750-004	AXIS Q6075 60HZ	EA		1	$	2,549.00	6.00%	$ 2,396.06
10571	Axis	01752-004	AXIS Q6075-E 60HZ	EA		1	$	3,099.00	6.00%	$ 2,913.06
10572	Axis	01756-001	AXIS Q6075-S 60HZ	EA		1	$	4,499.00	6.00%	$ 4,229.06
10573	Axis	01959-004	AXIS Q6135-LE 60HZ US	EA		1	$	2,499.00	6.00%	$ 2,349.06
10574	Axis	0799-004	AXIS Q6128-E 60HZ	EA		1	$	3,199.00	6.00%	$ 3,007.06
10575	Axis	01511-004	AXIS Q6154-E 60 HZ	EA		1	$	2,699.00	6.00%	$ 2,537.06
10576	Axis	0934-004	AXIS Q6155-E 60HZ	EA		1	$	2,999.00	6.00%	$ 2,819.06
10577	Axis	01442-004	AXIS Q6215-LE 60HZ	EA		1	$	3,499.00	6.00%	$ 3,289.06
10578	Axis	01966-004	AXIS V5925 60 Hz	EA		1	$	1,999.00	6.00%	$ 1,879.06
10579	Axis	01119-001	AXIS Q8641-E 35MM 30 FPS 24V	EA		1	$	5,799.00	6.00%	$ 5,451.06
10580	Axis	01121-001	AXIS Q8642-E 60MM 30 FPS 24V	EA		1	$	9,499.00	6.00%	$ 8,929.06

Attachment: DSS Bailey Shooting Range Camera Contract CRS (RES-2021-203 : DSS Contract: Camera

29153	DDB Unlimited	DB-722DPF (HASP)	DB-722DPF (HASP)	EA		1	$ 26.00	4.00%	$ 24.96
29154	DDB Unlimited	.5MICRON (2 ROW VENT)	.5MICRON (2 ROW VENT)	EA		1	$ 46.00	4.00%	$ 44.16
29155	DDB Unlimited	OD-108-FILTER-W/GASKET (3 ROW VENT)	OD-108-FILTER-W/GASKET (3 ROW VENT)	EA		1	$ 46.00	4.00%	$ 44.16
29156	DDB Unlimited	FS-78 FILTER	FS-78 FILTER	EA		1	$ 16.00	4.00%	$ 15.36
29157	DDB Unlimited	ZZZP-LP5.5X5.5	ZZZP-LP5.5X5.5	EA		1	$ 21.00	4.00%	$ 20.16
29158	DDB Unlimited	ZZ-SLD-WIND-LCK	ZZ-SLD-WIND-LCK	EA		1	$ 54.00	4.00%	$ 51.84
29159	DDB Unlimited	ZP-TRBRKT	ZP-TRBRKT	EA		1	$ 113.00	4.00%	$ 108.48
29160	DDB Unlimited	ZP-FILTER-SHROUD	ZP-FILTER-SHROUD	EA		1	$ 77.00	4.00%	$ 73.92
29161	DDB Unlimited	KNOCKDOWN	KNOCKDOWN	EA		1	$ 350.00	4.00%	$ 336.00
29162	DDB Unlimited	KNOCKDOWN (2OD)	KNOCKDOWN (2OD)	EA		1	$ 500.00	4.00%	$ 480.00
29163	DDB Unlimited	KNOCKDOWN (3OD)	KNOCKDOWN (3OD)	EA		1	$ 600.00	4.00%	$ 576.00
29164	DDB Unlimited	ZP-BTM-CUTOUT	ZP-BTM-CUTOUT	EA		1	$ 150.00	4.00%	$ 144.00
29165	Exacq	START-01	START IP Camera license, per camera. Includes 90 days of software updates, or 3 years when purchased with an exacqVision server.	EA		1	$ 56.00	5.00%	$ 53.20
29166	Exacq	EVIP-01	PROFESSIONAL IP Camera license, per camera. Includes 1 year of software updates, or 3 years when purchased with an exacqVision server.	EA		1	$ 168.00	5.00%	$ 159.60
29167	Exacq	EVENIP-01	ENTERPRISE IP camera license, per camera Includes 1 year of software updates, or 3 years when purchased with an exacqVision recorder.	EA		1	$ 250.00	5.00%	$ 237.50
29168	Exacq	EDGE	EDGE server license for one EDGE compatible device. Includes 90 days SSA.	EA		1	$ 56.00	5.00%	$ 53.20
29169	Exacq	EDGE-EDGEP	License to upgrade one EDGE server license to EDGE PLUS. Includes one year SSA from date of EDGE license creation.	EA		1	$ 114.00	5.00%	$ 108.30
29170	Exacq	EDGEP	EDGE PLUS server license for one EDGE PLUS compatible device. Includes one year SSA.	EA		1	$ 170.00	5.00%	$ 161.50
29171	Exacq	RENEW-EVCPP-01	exacq Connected Partner Program renewal fee, including: updated API, documentation, sample code, test software and licensing and 10 hours (1 year) of API engineering email support.	EA		1	$ 1,260.00	5.00%	$ 1,197.00
29172	Exacq	EVCPP-01	exacq Connected Partner Program API Integration development package, including: API, documentation, sample code, test software and licensing and 10 hours (1 year) of API engineering email support.	EA		1	$ 2,625.00	5.00%	$ 2,493.75
29173	Exacq	EVIP-EVENIP	Upgrade one PROFESSIONAL IP camera license to ENTERPRISE.	EA		1	$ 82.00	5.00%	$ 77.90
29174	Exacq	STARTIP-EVIP	Upgrade one START IP camera license to PROFESSIONAL.	EA		1	$ 112.00	5.00%	$ 106.40
29175	Exacq	STARTIP-EVENIP	Upgrade one START IP camera license to ENTERPRISE.	EA		1	$ 194.00	5.00%	$ 184.30
29176	Exacq	EVEF-01-PROMO	exacqVision enterprise license for one spare failover recorder installed on any A or Z-series recorder, up to 64 IP camera channels. Includes 3 years SSA. Available at time of recorder purchase only.	EA		1	$ 2,785.00	5.00%	$ 2,645.75
29177	Exacq	EVESM	License for one Enterprise System Manager Server, available to Select and Elite dealers only. Requires active SSA on monitored recorders.	EA		1	$ 5,515.00	5.00%	$ 5,239.25
29178	Exacq	EVEF-02-PROMO	exacqVision enterprise license for one spare failover recorder installed on any A or Z-series recorder, up to 128 IP camera channels. Includes 3 years SSA. Available at time of recorder purchase only.	EA		1	$ 5,515.00	5.00%	$ 5,239.25
29179	Exacq	SSA-START-01	START software updates per IP camera, per year	EA		1	$ 12.00	5.00%	$ 11.40
29180	Exacq	SSA-EDGE-01	EDGE server software updates per IP camera, per year.	EA		1	$ 12.00	5.00%	$ 11.40
29181	Exacq	SSA-EDGEP-01	EDGE PLUS server software updates per IP camera, per year.	EA		1	$ 28.00	5.00%	$ 26.60
29182	Exacq	SSA-EVIP-01	PROFESSIONAL software updates per IP camera, per year.	EA		1	$ 28.00	5.00%	$ 26.60
29183	Exacq	SSA-EVENIP-01	ENTERPRISE software updates per IP camera, per year.	EA		1	$ 42.00	5.00%	$ 39.90
29184	Exacq	SSA-EDGE-C	EDGE software update to the current exacqVision version, per server.	EA		1	$ 39.00	5.00%	$ 37.05
29185	Exacq	SSA-SYNC	One unit of synchronizing software updates. Requires a SSA calculator quote number at time of order.	EA		1	$ 100.00	5.00%	$ 95.00
29186	Exacq	SSA-START-C	START software update to the current exacqVision version, per server.	EA		1	$ 215.00	5.00%	$ 204.25
29187	Exacq	SSA-PRO-C	PROFESSIONAL software update to the current exacqVision version, per server.	EA		1	$ 325.00	5.00%	$ 308.75
29188	Exacq	SSA-ENT-C	ENTERPRISE software update to the current exacqVision version, per server.	EA		1	$ 435.00	5.00%	$ 413.25
29189	Exacq	EDGE-TRANSFER	Transfer one EDGE or EDGE PLUS server license to another EDGE device. Requires a current SSA at time of transfer.	EA		1	$ 28.00	5.00%	$ 26.60
29190	Exacq	EVIP-TRANSFER	Transfer a server license to a new MAC address. Requires a current SSA at time of transfer.	EA		1	$ 140.00	5.00%	$ 133.00
29191	Exacq	ACEVIP01-01	Activation card with one exacqVision PROFESSIONAL IP camera license. Includes one year of software updates. Minimum order quantity 25.	EA		1	$ 170.00	5.00%	$ 161.50
29192	Exacq	ACEVENIP01-01	Activation card with one exacqVision ENTERPRISE IP camera license. Includes one year of software updates. Minimum order quantity 10.	EA		1	$ 250.00	5.00%	$ 237.50
29193	Exacq	ACEVENIP04-01	Activation card with four exacqVision ENTERPRISE IP camera license. Includes one year of software updates. Minimum order quantity 10.	EA		1	$ 1,000.00	5.00%	$ 950.00
29194	Exacq	ACEVIP08-01	Activation card with eight exacqVision PROFESSIONAL IP camera license. Includes one year of software updates. Minimum order quantity 10.	EA		1	$ 1,325.00	5.00%	$ 1,258.75
29195	Exacq	IP04-02T-DT-E	IP Desktop recorder with 4 IP cameras licenses (64 max). exacqVision Professional or Enterprise server, client, web/mobile software pre-installed with 3 years software upgrades and hardware warranty. Win10 or Ubuntu Linux 16.04 on SSD. HDMI, DVI-D, DisplayPort, VGA (2 max simultaneous), Dual GB NICs, DVD-RW. Keyboard and mouse included.	EA		1	$ 2,900.00	5.00%	$ 2,755.00
29196	Exacq	IP04-02T-DTL	IP Desktop recorder with 4 IP cameras licenses (64 max). exacqVision Professional or Enterprise server, client, web/mobile software pre-installed with 3 years software upgrades and hardware warranty. Win10 or Ubuntu Linux 16.04 on SSD. HDMI, DVI-D, DisplayPort, VGA (2 max simultaneous), Dual GB NICs, DVD-RW. Keyboard and mouse included.	EA		1	$ 2,900.00	5.00%	$ 2,755.00
29197	Exacq	IP04-02T-DT	IP Desktop recorder with 4 IP cameras licenses (64 max). exacqVision Professional or Enterprise server, client, web/mobile software pre-installed with 3 years software upgrades and hardware warranty. Win10 or Ubuntu Linux 16.04 on SSD. HDMI, DVI-D, DisplayPort, VGA (2 max simultaneous), Dual GB NICs, DVD-RW. Keyboard and mouse included.	EA		1	$ 2,900.00	5.00%	$ 2,755.00
29198	Exacq	IP04-02T-DTL-E	IP Desktop recorder with 4 IP cameras licenses (64 max). exacqVision Professional or Enterprise server, client, web/mobile software pre-installed with 3 years software upgrades and hardware warranty. Win10 or Ubuntu Linux 16.04 on SSD. HDMI, DVI-D, DisplayPort, VGA (2 max simultaneous), Dual GB NICs, DVD-RW. Keyboard and mouse included.	EA		1	$ 2,900.00	5.00%	$ 2,755.00
29199	Exacq	IP04-04T-DT-E	IP Desktop recorder with 4 IP cameras licenses (64 max). exacqVision Professional or Enterprise server, client, web/mobile software pre-installed with 3 years software upgrades and hardware warranty. Win10 or Ubuntu Linux 16.04 on SSD. HDMI, DVI-D, DisplayPort, VGA (2 max simultaneous), Dual GB NICs, DVD-RW. Keyboard and mouse included.	EA		1	$ 3,180.00	5.00%	$ 3,021.00

82835	HES	1600-CS-613E-DLMS	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Dark Oxidized Satin Bronze, Dual Lock Mo	EA		1	$	883.00	20.00%	$ 706.40
82836	HES	1600-CS-613E-LM	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Dark Oxidized Satin Bronze, Lock Monitor	EA		1	$	768.00	20.00%	$ 614.40
82837	HES	1600-CS-613E-LMS	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Dark Oxidized Satin Bronze, Lock Monitor	EA		1	$	778.00	20.00%	$ 622.40
82838	HES	1600-CS-629	1600 Series Electric Strike, Complete Pac for Latchbolts & Deadbolts, Bright Stainless Steel	EA		1	$	781.00	20.00%	$ 624.80
82839	HES	1600-CS-629-DLM	1600 Series Electric Strike, Complete Pac for Latchbolts & Deadbolts, Bright Stainless Steel, Dual Lock Monitors	EA		1	$	991.00	20.00%	$ 792.80
82840	HES	1600-CS-629-DLMS	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Bright Stainless Steel, Dual Lock Monitors	EA		1	$	1,001.00	20.00%	$ 800.80
82841	HES	1600-CS-629-LM	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Bright Stainless Steel, Lock Monitor	EA		1	$	886.00	20.00%	$ 708.80
82842	HES	1600-CS-629-LMS	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Bright Stainless Steel, Lock Monitor & Str	EA		1	$	896.00	20.00%	$ 716.80
82843	HES	1600-CS-630	1600 Series Electric Strike, Complete Pac for Latchbolts & Deadbolts, Satin Stainless Steel	EA		1	$	615.00	20.00%	$ 492.00
82844	HES	1600-CS-630-DLM	1600 Series Electric Strike, Complete Pac for Latchbolts & Deadbolts, Satin Stainless Steel, Dual Lock Monitors	EA		1	$	825.00	20.00%	$ 660.00
82845	HES	1600-CS-630-DLMS	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Satin Stainless Steel, Dual Lock Monitors	EA		1	$	835.00	20.00%	$ 668.00
82846	HES	1600-CS-630-LM	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Satin Stainless Steel, Lock Monitor	EA		1	$	720.00	20.00%	$ 576.00
82847	HES	1600-CS-630-LMS	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Satin Stainless Steel, Lock Monitor & Stri	EA		1	$	730.00	20.00%	$ 584.00
82848	HES	1600-CS-BLK	1600 Series Electric Strike, Complete Pac for Latchbolts & Deadbolts, Black	EA		1	$	663.00	20.00%	$ 530.40
82849	HES	1600-CS-BLK-DLM	1600 Series Electric Strike, Complete Pac for Latchbolts & Deadbolts, Black, Dual Lock Monitors	EA		1	$	873.00	20.00%	$ 698.40
82850	HES	1600-CS-BLK-DLMS	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Black, Dual Lock Monitors & Strike Monit	EA		1	$	883.00	20.00%	$ 706.40
82851	HES	1600-CS-BLK-LM	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Black, Lock Monitor	EA		1	$	768.00	20.00%	$ 614.40
82852	HES	1600-CS-BLK-LMS	1600 Series Electric Strike, Complete Pac For Latchbolts & Deadbolts, Black, Lock Monitor & Strike Monitor	EA		1	$	778.00	20.00%	$ 622.40
82853	HES	4500C-630	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Stainless Steel, No Monitoring	EA		1	$	627.00	20.00%	$ 501.60
82854	HES	4500C-605	4500 Series Electric Strike, Complete Pac for Latchbolts, Bright Brass, No Monitoring	EA		1	$	717.00	20.00%	$ 573.60
82855	HES	4500C-606	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Brass, No Monitoring	EA		1	$	704.00	20.00%	$ 563.20
82856	HES	4500C-612	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Bronze, No Monitoring	EA		1	$	704.00	20.00%	$ 563.20
82857	HES	4500C-613	4500 Series Electric Strike, Complete Pac for Latchbolts, Bronze Toned, No Monitoring	EA		1	$	670.00	20.00%	$ 536.00
82858	HES	4500C-629	4500 Series Electric Strike, Complete Pac for Latchbolts, Bright Stainless Steel, No Monitoring	EA		1	$	717.00	20.00%	$ 573.60
82859	HES	4500C-630-LBM	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Stainless Steel, Latchbolt Monitor	EA		1	$	742.00	20.00%	$ 593.60
82860	HES	4500C-605-LBM	4500 Series Electric Strike, Complete Pac for Latchbolts, Bright Brass, Latchbolt Monitor	EA		1	$	833.00	20.00%	$ 666.40
82861	HES	4500C-606-LBM	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Brass, Latchbolt Monitor	EA		1	$	819.00	20.00%	$ 655.20
82862	HES	4500C-612-LBM	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Bronze, Latchbolt Monitor	EA		1	$	819.00	20.00%	$ 655.20
82863	HES	4500C-613-LBM	4500 Series Electric Strike, Complete Pac for Latchbolts, Bronze Toned, Latchbolt Monitor	EA		1	$	785.00	20.00%	$ 628.00
82864	HES	4500C-629-LBM	4500 Series Electric Strike, Complete Pac for Latchbolts, Bright Stainless Steel, Latchbolt Monitor	EA		1	$	833.00	20.00%	$ 666.40
82865	HES	4500C-630-LBSM	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Stainless Steeel, Latchbolt Strike Monitor	EA		1	$	753.00	20.00%	$ 602.40
82866	HES	4500C-605-LBSM	4500 Series Electric Strike, Complete Pac for Latchbolts, Bright Brass, Latchbolt Strike Monitor	EA		1	$	843.00	20.00%	$ 674.40
82867	HES	4500C-606-LBSM	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Brass, Latchbolt Strike Monitor	EA		1	$	830.00	20.00%	$ 664.00
82868	HES	4500C-612-LBSM	4500 Series Electric Strike, Complete Pac for Latchbolts, Satin Bronze, Latchbolt Strike Monitor	EA		1	$	830.00	20.00%	$ 664.00
82869	HES	4500C-613-LBSM	4500 Series Electric Strike, Complete Pac for Latchbolts, Bronze Toned, Latchbolt Strike Monitor	EA		1	$	796.00	20.00%	$ 636.80
82870	HES	4500C-629-LBSM	4500 Series Electric Strike, Complete Pac for Latchbolts, Bright Stainless Steeel, Latchbolt Strike Monitor	EA		1	$	843.00	20.00%	$ 674.40
82871	HES	5000-12/24D	5000 Series Electric Strike, Body Only, No Monitoring	EA		1	$	183.00	20.00%	$ 146.40
82872	HES	5000-LBM	5000 Series Electric Strike, Body Only, Satin Stainless Steel, Latchbolt Monitor	EA		1	$	261.00	20.00%	$ 208.80
82873	HES	5000C	5000 Series Electric Strike, Complete Pac, Satin Stainless Steel, No Monitoring	EA		1	$	208.00	20.00%	$ 166.40
82874	HES	5000C-LBM	5000 Series Electric Strike, Complete Pac, Satin Stainless Steel, Latchbolt Monitor	EA		1	$	286.00	20.00%	$ 228.80
82875	HES	5200-630	5200 Series Electric Strike, Body Only, Satin Stainless Steel, No Monitoring	EA		1	$	188.00	20.00%	$ 150.40
82876	HES	5200-LBM	5200 Series Electric Strike, Body Only, Satin Stainless Steel, Latchbolt Monitor	EA		1	$	266.00	20.00%	$ 212.80
82877	HES	5200-LBSM	5200 Series Electric Strike, Body Only, Satin Stainless Steel, Latchbolt Strike Monitor	EA		1	$	277.00	20.00%	$ 221.60
82878	HES	5200C-630	5200 Series Electric Strike, Complete Pac, Satin Stainless Steel, No Monitoring	EA		1	$	213.00	20.00%	$ 170.40
82879	HES	5200C-LBM	5200 Series Electric Strike, Complete Pac, Satin Stainless Steel, Latchbolt Monitor	EA		1	$	292.00	20.00%	$ 233.60
82880	HES	5200C-LBSM	5200 Series Electric Strike, Complete Pac, Satin Stainless Steel, Latchbolt Strike Monitor	EA		1	$	302.00	20.00%	$ 241.60
82881	HES	660-12-STD	660 Series Cabinet Lock, 12VDC, No Monitoring	EA		1	$	152.00	20.00%	$ 121.60
82882	HES	660-24-STD	660 Series Cabinet Lock, 24VDC, No Monitoring	EA		1	$	152.00	20.00%	$ 121.60
82883	HES	660-12D-PRELOAD	660 Series Cabinet Lock, 12VDC, Pre-load	EA		1	$	226.00	20.00%	$ 180.80
82884	HES	660-24-PRELOAD	660 Series Cabinet Lock, 24VDC, Pre-load	EA		1	$	226.00	20.00%	$ 180.80
82885	HES	660-12-LBSM	660 Series Cabinet Lock, 12VDC, Locked State Monitoring	EA		1	$	188.00	20.00%	$ 150.40
82886	HES	660-24-LBSM	660 Series Cabinet Lock, 24VDC, Locked State Monitoring	EA		1	$	188.00	20.00%	$ 150.40
82887	HES	660-12-PRELOAD-LBSM	660 Sereis Cabinet Lock, 12VDC, Pre-load, Locked State Monitoring	EA		1	$	258.00	20.00%	$ 206.40
82888	HES	660-24-PRELOAD-LBSM	660 Series Cabinet Lock, 24VDC, Pre-load, Locked State Monitoring	EA		1	$	258.00	20.00%	$ 206.40
82889	HES	660-RJ-12-LBSM	660 Series Cabinet Lock, 12VDC, Locked State Monitoring, RJ45 Connector	EA		1	$	191.00	20.00%	$ 152.80
82890	HES	660-RJ-12D-LBSM-20 PK	20 Pack - 660 Series Cabinet Lock, 12VDC, Locked State Monitoring, RJ45 Connector	EA		1	$	3,800.00	20.00%	$ 3,040.00
82891	HES	660-12-LBSM-20PK	20 Pack - 660 Series Cabinet Lock, 12VDC, Locked State Monitoring	EA		1	$	3,759.00	20.00%	$ 3,007.20
82892	HES	7000-12D	7000 Series Electric Strike, Body Only, 12V, Satin Stainless Steel, No Monitoring	EA		1	$	263.00	20.00%	$ 210.40
82893	HES	7000-24	7000 Series Electric Strike, Body Only, 24V, Satin Stainless Steel, No Monitoring	EA		1	$	263.00	20.00%	$ 210.40
82894	HES	7000C-12-630	7000 Series Electric Strike, Complete Pac, 12V, Satin Stainless Steel, No Monitoring	EA		1	$	324.00	20.00%	$ 259.20
82895	HES	7000C-630-LBM	7000 Series Electric Strike, Complete Pac, 12/24V, Satin Stainless Steel, Latchbolt Monitor	EA		1	$	442.00	20.00%	$ 353.60
82896	HES	7000-12-LBM	7000 Series Electric Strike, Body Only, 12V, Satin Stainless Steel, Latchbolt Monitor	EA		1	$	381.00	20.00%	$ 304.80
82897	HES	7000-24-LBM	7000 Series Electric Strike, Body Only, 24V, Satin Stainless Steel, Latchbolt Monitor	EA		1	$	381.00	20.00%	$ 304.80
82898	HES	7501-12-605	7501 Series Electric Strike, Body Only, 12V, Bright Brass, No Monitoring	EA		1	$	713.00	20.00%	$ 570.40
82899	HES	7501-24-605	7501 Series Electric Strike, Body Only, 24V, Bright Brass, No Monitoring	EA		1	$	713.00	20.00%	$ 570.40
82900	HES	7501-12-606	7501 Series Electric Strike, Body Only, 12V, Satin Brass, No Monitoring	EA		1	$	699.00	20.00%	$ 559.20
82901	HES	7501-24-606	7501 Series Electric Strike, Body Only, 24V, Satin Brass, No Monitoring	EA		1	$	699.00	20.00%	$ 559.20
82902	HES	7501-24-606-LBM	7501 Series Electric Strike, Body Only, 24V, Satin Brass, Latchbolt Monitor	EA		1	$	813.00	20.00%	$ 650.40
82903	HES	7501-12-612	7501 Series Electric Strike, Body Only, 12V, Satin Bronze, No Monitoring	EA		1	$	699.00	20.00%	$ 559.20
82904	HES	7501-24-612	7501 Series Electric Strike, Body Only, 24V, Satin Bronze, No Monitoring	EA		1	$	699.00	20.00%	$ 559.20
82905	HES	7501-24-612-LBM	7501 Series Electric Strike, Body Only, 24V, Satin Bronze, Latchbolt Monitor	EA		1	$	813.00	20.00%	$ 650.40
82906	HES	7501-12-613	7501 Series Electric Strike, Body Only, 12V, Bronze Toned, No Monitoring	EA		1	$	683.00	20.00%	$ 546.40
82907	HES	7501-24-613	7501 Series Electric Strike, Body Only, 24V, Bronze Toned, No Monitoring	EA		1	$	683.00	20.00%	$ 546.40
82908	HES	7501-12-613-LBM	7501 Series Electric Strike, Body Only, 12V, Bronze Toned, Latchbolt Monitor	EA		1	$	796.00	20.00%	$ 636.80
82909	HES	7501-24-613-LBM	7501 Series Electric Strike, Body Only, 24V, Bronze Toned, Latchbolt Monitor	EA		1	$	796.00	20.00%	$ 636.80
82910	HES	7501-12-629	7501 Series Electric Strike, Body Only, 12V, Bright Stainless Steel, No Monitoring	EA		1	$	713.00	20.00%	$ 570.40
82911	HES	7501-24-629	7501 Series Electric Strike, Body Only, 24V, Bright Stainless Steel, No Monitoring	EA		1	$	713.00	20.00%	$ 570.40
82912	HES	7501-12-630	7501 Series Electric Strike, Body Only, 12V, Satin Stainless Steel, No Monitoring	EA		1	$	624.00	20.00%	$ 499.20
82913	HES	7501-24-630	7501 Series Electric Strike, Body Only, 24V, Satin Stainless Steel, No Monitoring	EA		1	$	624.00	20.00%	$ 499.20

38775	HID	921NRNTEK0019W	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS/TRANS, WIEG, TERM, BLK, STD-1, LED RED, FLSH GRN, BZR ON, OPT TAMP, OPEN COLL, 64-BIT LSB FELICA OR 64-BIT MIFARE, KPF, BFFRD 1 KEY, DOR COMPL, NO PAR, 8-BIT MSG, IPM OFF	EA		1	$ 536.00	20.00%	$ 428.80
38776	HID	921NSNNEK20000	RDR, RK40, ICLASS, SE E, LF OFF, HF SEOS, WIEG, PIG, BLK, STD-2, LED RED, FLSH GRN, BZR ON, VAR BIT OUTPUT PER SIO, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF, VEL ON	EA		1	$ 503.00	20.00%	$ 402.40
38777	HID	921NSNNEK2S07B	RDR, RK40, ICLASS, SE E, LF OFF, HF SEOS ONLY, WIEG, PIG, BLK, STD-2, LED OFF, FLSH OFF, BZR ON, OPT TAMP, OPEN COLL, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38778	HID	921NSNNEKE0000	RDR, RK40, ICLASS, SE E, LF OFF, HF SEOS, WIEG, PIG, BLK, ELITE KEYS, LED RED, FLSH GRN, BZR ON, VAR BIT OUTPUT PER SIO, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF, VEL ON	EA		1	$ 503.00	20.00%	$ 402.40
38779	HID	921NSNNEKES071-GMU	RDR, RK40, ICLASS, SE E, LF OFF, HF SEOS/MIFSPR, WIEG, PIG, BLK, ELITE KEYS, LED RED, FLSH GRN, BZR ON, OPT TAMP, OPEN COLL, CSN MIF SUPPR, KPF, BFFRD 1 KEY, DOR COMPL, NO PAR. 8 BIT MSG, IPM OFF,GMU LOGO LBL	EA		1	$ 503.00	20.00%	$ 402.40
38780	HID	921NSNTEK20000	RDR, RK40, ICLASS, SE E, LF OFF, HF SEOS, WIEG, TERM, BLK, STD-2, LED RED, FLSH GRN, BZR ON, VAR BIT OUTPUT PER SIO, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF, VEL ON	EA		1	$ 503.00	20.00%	$ 402.40
38781	HID	921NSNTEKE0000	RDR, RK40, ICLASS, SE E, LF OFF, HF SEOS, WIEG, TERM, BLK, ELITE KEYS, LED RED, FLSH GRN, BZR ON, VAR BIT OUTPUT PER SIO, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF, VEL ON	EA		1	$ 503.00	20.00%	$ 402.40
38782	HID	921NSPNEKE009L	RDR, RK40, ICLASS, SE E, LF OFF, HF SEOS, 485HDX, PIG, BLK, ELITE, LED RED, FLSH GRN, BZR ON, OSDP V2, OPT TAMP, OPEN COLL, OSDP TAMP ENBLD, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, TEST KEYS, POLL=50MS, IPM OFF, UART OFF, WIEG ON, OSDP-READY	EA		1	$ 538.00	20.00%	$ 430.40
38783	HID	921NSPTEK2008K	RDR, RK40, ICLASS, SE E, LF OFF, HF SEOS, 485HDX, TERM, BLK, A/V OFF, OSDP V2, OPT TAMP, OPEN COLL, OSDP TAMP ENBLD, TEST KEY, POLL=50MS, CSN SUPPR, KPF, ASCII, BFFRD 1 KEY, IPM OFF	EA		1	$ 538.00	20.00%	$ 430.40
38784	HID	921NTCTEK0028B	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, C&D, TERM, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 32-BIT MSB, BFFRD 1 KEY, NO PAR, 4 BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38785	HID	921NTNNEK00000	RDR, RK40, ICLASS, SE REV E, KPD, NO PROX, STD, WIEGAND, PIG, BLK, STD 1 SECURITY, LED RED, FLASH GRN, BZR ON, IPM OFF, KPF-4-BIT, 32 BIT	EA		1	$ 503.00	20.00%	$ 402.40
38786	HID	921NTNNEK00011	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS/MIFSPR, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON CSTM TMPL, CSN MIF SUPPR, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38787	HID	921NTNNEK0002K	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 32-BIT MSB, KPF, BFFRD 1 KEY, DOR COMPL, NO PAR, 8-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38788	HID	921NTNNEK0002R	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED OFF, FLSH OFF, BZR ON, CSN 32-BIT MSB, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38789	HID	921NTNNEK0002T	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 32-BIT MSB, KPF, BFFRD 1 TO 5 KEYS, PAR, USER ENTRD FC, 26-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38790	HID	921NTNNEK0002W	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 26-BIT (W/DEFAULT FC), KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38791	HID	921NTNNEK00031	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 37-BIT LSB, KPF, BFFRD 1 KEY, DOR COMPL, NO PAR, 8-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38792	HID	921NTNNEK00040	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED OFF, FLSH OFF, BZR ON, CSN 32-BIT MSB, KPF, BFFRD 1 KEY, DOR COMPL, NO PAR, 8-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38793	HID	921NTNNEK0004D	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED OFF, FLSH OFF, BZR OFF, CSN 34-BIT MSB, KPF, BFFRD 1 KEY, PAR, 6-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38794	HID	921NTNNEK0004L	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS/MIFSPR, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN MIF SUPPR, KPF, BFFRD 1 KEY, DOR COMPL, NO PAR, 8-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38795	HID	921NTNNEK0004Q	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR OFF, CSN 26-BIT (W/DEFAULT FC), KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38796	HID	921NTNNEK0004U	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH OFF, BZR ON, OPT TAMP, OPEN COLL, CSN 26-BIT (W/DEFAULT FC), KPF, BFFRD 1 KEY, DOR COMPL, NO PAR, 8-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38797	HID	921NTNNEK00059	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS/MIFSPR, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN MIF SUPPR, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38798	HID	921NTNNEK0005A	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 32-BIT LSB, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38799	HID	921NTNNEK0005J	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, OPT TAMP, OPEN COLL, CSN 56-BIT LSB, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38800	HID	921NTNNEK0005K	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 40-BIT MSB, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38801	HID	921NTNNEK0005L	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 32-BIT MSB, KPF, LOCAL PIN VERIFY, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38802	HID	921NTNNEK0005V	RDR, RK40, ICLASS, SE E, LF OFF, HF ICLASS SIO/ISO14443B CSN ONLY, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, OPT TAMP, OPEN COLL, ISO14443B CSN 32-BIT MSB, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38803	HID	921NTNNEK00066	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED OFF, FLSH OFF, BZR ON, OPT TAMP, OPEN COLL, CSN 32-BIT MSB, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38804	HID	921NTNNEK0006M	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED OFF, FLSH OFF, BZR ON, CSN 34-BIT MSB, KPF, BFFRD 1 KEY, DOR COMPL, NO PAR, 8-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38805	HID	921NTNNEK00070	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR OFF, CSN 32-BIT MSB, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38806	HID	921NTNNEK00071	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED RED, FLSH GRN, BZR ON, CSN 34-BIT MSB, KPF, BFFRD 1 KEY, NO PAR, 4-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38807	HID	921NTNNEK00072	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS/MIFSPR, WIEG, PIG, BLK, STD-1, LED OFF, FLSH OFF, BZR ON, CSN MIF SUPPR, KPF, BFFRD 1 KEY, DOR COMPL, NO PAR, 8-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40
38808	HID	921NTNNEK0007L	RDR, RK40, ICLASS, SE E, LF OFF, HF STD/SIO/SEOS, WIEG, PIG, BLK, STD-1, LED OFF, FLSH OFF, BZR ON, CSN 32-BIT MSB, KPF, BFFRD 1 KEY, PAR, 6-BIT MSG, IPM OFF	EA		1	$ 503.00	20.00%	$ 402.40

110851	Paige Cabling	258330804	PAIGE GAMECHANGER OSP BLACK CM-LSZH	FT		1	$	953.33	25.00%	$ 715.00
110852	Paige Cabling	258340804	PAIGE GAMECHANGER OSP SHIELDED BLACK CM	FT		1	$	1,293.33	25.00%	$ 970.00
110853	Paige Cabling	7100061C	Platinum Tools EXO Crimp Tool for GameChanger	FT		1	$	130.67	25.00%	$ 98.00
110854	Paige Cabling	71202044J	Platinum Tools ez-ex44 100 Pack Jar for Plenum and Riser	FT		1	$	98.67	25.00%	$ 74.00
110855	Paige Cabling	7100028C	Platinum Tools ez-ex44 50 Pack Clamshell for Plenum and Riser	FT		1	$	50.00	25.00%	$ 37.50
110856	Paige Cabling	7100019C	Platinum Tools ez-ex48 Unshielded 10 Pack Clamshell for 258330804	FT		1	$	15.73	25.00%	$ 11.80
110857	Paige Cabling	7100027C	Platinum Tools ez-ex48 Shielded 25 Pack Clamshell for 258340804	FT		1	$	95.47	25.00%	$ 71.60
110858	Paige Cabling	71054301WH	1' CAT 5E PATCH CABLE MOLDED WHITE WL PC5-WH-01	FT		1	$	1.33	25.00%	$ 1.00
110859	Paige Cabling	71054301BK	1' CAT 5E PATCH CABLE MOLDED BLACK WL PC5-BK-01	FT		1	$	1.33	25.00%	$ 1.00
110860	Paige Cabling	71054301BL	1' CAT 5E PATCH CABLE MOLDED BLUE WL PC5-BL-01	FT		1	$	1.33	25.00%	$ 1.00
110861	Paige Cabling	71054301GN	1' CAT 5E PATCH CABLE MOLDED GREEN WL PC5-GR-01	FT		1	$	1.33	25.00%	$ 1.00
110862	Paige Cabling	71054301RD	1' CAT 5E PATCH CABLE MOLDED RED WL PC5-RE-01	FT		1	$	1.33	25.00%	$ 1.00
110863	Paige Cabling	71054301YW	1' CAT 5E PATCH CABLE MOLDED YELLOW WL PC5-YL-01	FT		1	$	1.33	25.00%	$ 1.00
110864	Paige Cabling	71054301PR	1' CAT 5E PATCH CABLE MOLDED PURPLE WL PC5-PL-01	FT		1	$	1.33	25.00%	$ 1.00
110865	Paige Cabling	71054301GY	1' CAT 5E PATCH CABLE MOLDED GRAY WL PC5-GY-01	FT		1	$	1.33	25.00%	$ 1.00
110866	Paige Cabling	71054303WH	3' CAT 5E PATCH CABLE MOLDED WHITE WL PC5-WH-03	FT		1	$	1.55	25.00%	$ 1.16
110867	Paige Cabling	71054303BK	3' CAT 5E PATCH CABLE MOLDED BLACK WL PC5-BK-03	FT		1	$	1.55	25.00%	$ 1.16
110868	Paige Cabling	71054303BL	3' CAT 5E PATCH CABLE MOLDED BLUE WL PC5-BL-03	FT		1	$	1.55	25.00%	$ 1.16
110869	Paige Cabling	71054303GN	3' CAT 5E PATCH CABLE MOLDED GREEN WL PC5-GR-03	FT		1	$	1.55	25.00%	$ 1.16
110870	Paige Cabling	71054303RD	3' CAT 5E PATCH CABLE MOLDED RED WL PC5-RE-03	FT		1	$	1.55	25.00%	$ 1.16
110871	Paige Cabling	71054303YW	3' CAT 5E PATCH CABLE MOLDED YELLOW WL PC5-YL-03	FT		1	$	1.55	25.00%	$ 1.16
110872	Paige Cabling	71054303PR	3' CAT 5E PATCH CABLE MOLDED PURPLE WL PC5-PL-03	FT		1	$	1.55	25.00%	$ 1.16
110873	Paige Cabling	71054303GY	3' CAT 5E PATCH CABLE MOLDED GRAY WL PC5-GY-03	FT		1	$	1.55	25.00%	$ 1.16
110874	Paige Cabling	71054305WH	5' CAT 5E PATCH CABLE MOLDED WHITE WL PC5-WH-05	FT		1	$	2.55	25.00%	$ 1.91
110875	Paige Cabling	71054305BK	5' CAT 5E PATCH CABLE MOLDED BLACK WL PC5-BK-05	FT		1	$	2.55	25.00%	$ 1.91
110876	Paige Cabling	71054305BL	5' CAT 5E PATCH CABLE MOLDED BLUE WL PC5-BL-05	FT		1	$	2.55	25.00%	$ 1.91
110877	Paige Cabling	71054305GN	5' CAT 5E PATCH CABLE MOLDED GREEN WL PC5-GR-05	FT		1	$	2.55	25.00%	$ 1.91
110878	Paige Cabling	71054305RD	5' CAT 5E PATCH CABLE MOLDED RED WL PC5-RE-05	FT		1	$	2.55	25.00%	$ 1.91
110879	Paige Cabling	71054305YW	5' CAT 5E PATCH CABLE MOLDED YELLOW WL PC5-YL-05	FT		1	$	2.55	25.00%	$ 1.91
110880	Paige Cabling	71054305PR	5' CAT 5E PATCH CABLE MOLDED PURPLE WL PC5-PL-05	FT		1	$	2.55	25.00%	$ 1.91
110881	Paige Cabling	71054305GY	5' CAT 5E PATCH CABLE MOLDED GRAY WL PC5-GY-05	FT		1	$	2.55	25.00%	$ 1.91
110882	Paige Cabling	71054307WH	7' CAT 5E PATCH CABLE MOLDED WHITE WL PC5-WH-07	FT		1	$	3.05	25.00%	$ 2.29
110883	Paige Cabling	71054307BK	7' CAT 5E PATCH CABLE MOLDED BLACK WL PC5-BK-07	FT		1	$	3.05	25.00%	$ 2.29
110884	Paige Cabling	71054307BL	7' CAT 5E PATCH CABLE MOLDED BLUE WL PC5-BL-07	FT		1	$	3.05	25.00%	$ 2.29
110885	Paige Cabling	71054307GN	7' CAT 5E PATCH CABLE MOLDED GREEN WL PC5-GR-07	FT		1	$	3.05	25.00%	$ 2.29
110886	Paige Cabling	71054307RD	7' CAT 5E PATCH CABLE MOLDED RED WL PC5-RE-07	FT		1	$	3.05	25.00%	$ 2.29
110887	Paige Cabling	71054307YW	7' CAT 5E PATCH CABLE MOLDED YELLOW WL PC5-YL-07	FT		1	$	3.05	25.00%	$ 2.29
110888	Paige Cabling	71054307PR	7' CAT 5E PATCH CABLE MOLDED PURPLE WL PC5-PL-07	FT		1	$	3.05	25.00%	$ 2.29
110889	Paige Cabling	71054307GY	7' CAT 5E PATCH CABLE MOLDED GRAY WL PC5-GY-07	FT		1	$	3.05	25.00%	$ 2.29
110890	Paige Cabling	71054310WH	10' CAT 5E PATCH CABLE MOLDED WHITE WL PC5-WH-10	FT		1	$	3.56	25.00%	$ 2.67
110891	Paige Cabling	71054310BK	10' CAT 5E PATCH CABLE MOLDED BLACK WL PC5-BK-10	FT		1	$	3.56	25.00%	$ 2.67
110892	Paige Cabling	71054310BL	10' CAT 5E PATCH CABLE MOLDED BLUE WL PC5-BL-10	FT		1	$	3.56	25.00%	$ 2.67
110893	Paige Cabling	71054310GN	10' CAT 5E PATCH CABLE MOLDED GREEN WL PC5-GR-10	FT		1	$	3.56	25.00%	$ 2.67
110894	Paige Cabling	71054310RD	10' CAT 5E PATCH CABLE MOLDED RED WL PC5-RE-10	FT		1	$	3.56	25.00%	$ 2.67
110895	Paige Cabling	71054310YW	10' CAT 5E PATCH CABLE MOLDED YELLOW WL PC5-YL-10	FT		1	$	3.56	25.00%	$ 2.67
110896	Paige Cabling	71054310PR	10' CAT 5E PATCH CABLE MOLDED PURPLE WL PC5-PL-10	FT		1	$	3.56	25.00%	$ 2.67
110897	Paige Cabling	71054310GY	10' CAT 5E PATCH CABLE MOLDED GRAY WL PC5-GY-10	EA		1	$	3.56	25.00%	$ 2.67
110898	Paige Cabling	71065401WH	1' CAT 6 PATCH CABLE MOLDED WHITE WL PC6-WH-01	EA		1	$	1.91	25.00%	$ 1.43
110899	Paige Cabling	71065401BK	1' CAT 6 PATCH CABLE MOLDED BLACK WL PC6-BK-01	EA		1	$	1.91	25.00%	$ 1.43
110900	Paige Cabling	71065401BL	1' CAT 6 PATCH CABLE MOLDED BLUE WL PC6-BL-01	EA		1	$	1.91	25.00%	$ 1.43
110901	Paige Cabling	71065401GN	1' CAT 6 PATCH CABLE MOLDED GREEN WL PC6-GR-01	EA		1	$	1.91	25.00%	$ 1.43
110902	Paige Cabling	71065401RD	1' CAT 6 PATCH CABLE MOLDED RED WL PC6-RE-01	EA		1	$	1.91	25.00%	$ 1.43
110903	Paige Cabling	71065401YW	1' CAT 6 PATCH CABLE MOLDED YELLOW WL PC6-YL-01	EA		1	$	1.91	25.00%	$ 1.43
110904	Paige Cabling	71065401PR	1' CAT 6 PATCH CABLE MOLDED PURPLE WL PC6-PL-01	EA		1	$	1.91	25.00%	$ 1.43
110905	Paige Cabling	71065401GY	1' CAT 6 PATCH CABLE MOLDED GRAY WL PC6-GY-01	EA		1	$	1.91	25.00%	$ 1.43
110906	Paige Cabling	71065403WH	3' CAT 6 PATCH CABLE MOLDED WHITE WL PC6-WH-03	EA		1	$	2.35	25.00%	$ 1.76
110907	Paige Cabling	71065403BK	3' CAT 6 PATCH CABLE MOLDED BLACK WL PC6-BK-03	EA		1	$	2.35	25.00%	$ 1.76
110908	Paige Cabling	71065403BL	3' CAT 6 PATCH CABLE MOLDED BLUE WL PC6-BL-03	EA		1	$	2.35	25.00%	$ 1.76
110909	Paige Cabling	71065403GN	3' CAT 6 PATCH CABLE MOLDED GREEN WL PC6-GR-03	EA		1	$	2.35	25.00%	$ 1.76
110910	Paige Cabling	71065403RD	3' CAT 6 PATCH CABLE MOLDED RED WL PC6-RE-03	EA		1	$	2.35	25.00%	$ 1.76
110911	Paige Cabling	71065403YW	3' CAT 6 PATCH CABLE MOLDED YELLOW WL PC6-YL-03	EA		1	$	2.35	25.00%	$ 1.76
110912	Paige Cabling	71065403PR	3' CAT 6 PATCH CABLE MOLDED PURPLE WL PC6-PL-03	EA		1	$	2.35	25.00%	$ 1.76
110913	Paige Cabling	71065403GY	3' CAT 6 PATCH CABLE MOLDED GRAY WL PC6-GY-03	EA		1	$	2.35	25.00%	$ 1.76
110914	Paige Cabling	71065405WH	5' CAT 6 PATCH CABLE MOLDED WHITE WL PC6-WH-05	EA		1	$	2.93	25.00%	$ 2.20
110915	Paige Cabling	71065405BK	5' CAT 6 PATCH CABLE MOLDED BLACK WL PC6-BK-05	EA		1	$	2.93	25.00%	$ 2.20
110916	Paige Cabling	71065405BL	5' CAT 6 PATCH CABLE MOLDED BLUE WL PC6-BL-05	EA		1	$	2.93	25.00%	$ 2.20
110917	Paige Cabling	71065405GN	5' CAT 6 PATCH CABLE MOLDED GREEN WL PC6-GR-05	EA		1	$	2.93	25.00%	$ 2.20
110918	Paige Cabling	71065405RD	5' CAT 6 PATCH CABLE MOLDED RED WL PC6-RE-05	EA		1	$	2.93	25.00%	$ 2.20
110919	Paige Cabling	71065405YW	5' CAT 6 PATCH CABLE MOLDED YELLOW WL PC6-YL-05	EA		1	$	2.93	25.00%	$ 2.20
110920	Paige Cabling	71065405PR	5' CAT 6 PATCH CABLE MOLDED PURPLE WL PC6-PL-05	EA		1	$	2.93	25.00%	$ 2.20
110921	Paige Cabling	71065405GY	5' CAT 6 PATCH CABLE MOLDED GRAY WL PC6-GY-05	EA		1	$	2.93	25.00%	$ 2.20
110922	Paige Cabling	71065407WH	7' CAT 6 PATCH CABLE MOLDED WHITE WL PC6-WH-07	EA		1	$	3.47	25.00%	$ 2.60
110923	Paige Cabling	71065407BK	7' CAT 6 PATCH CABLE MOLDED BLACK WL PC6-BK-07	EA		1	$	3.47	25.00%	$ 2.60
110924	Paige Cabling	71065407BL	7' CAT 6 PATCH CABLE MOLDED BLUE WL PC6-BL-07	EA		1	$	3.47	25.00%	$ 2.60
110925	Paige Cabling	71065407GN	7' CAT 6 PATCH CABLE MOLDED GREEN WL PC6-GR-07	EA		1	$	3.47	25.00%	$ 2.60
110926	Paige Cabling	71065407RD	7' CAT 6 PATCH CABLE MOLDED RED WL PC6-RE-07	EA		1	$	3.47	25.00%	$ 2.60
110927	Paige Cabling	71065407YW	7' CAT 6 PATCH CABLE MOLDED YELLOW WL PC6-YL-07	EA		1	$	3.47	25.00%	$ 2.60
110928	Paige Cabling	71065407PR	7' CAT 6 PATCH CABLE MOLDED PURPLE WL PC6-PL-07	FT		1	$	3.47	25.00%	$ 2.60
110929	Paige Cabling	71065407GY	7' CAT 6 PATCH CABLE MOLDED GRAY WL PC6-GY-07	FT		1	$	3.47	25.00%	$ 2.60

110930	Paige Cabling	71065410WH	10' CAT 6 PATCH CABLE MOLDED WHITE WL PC6-WH-10	FT		1	$	4.75	25.00%	$ 3.56
110931	Paige Cabling	71065410BK	10' CAT 6 PATCH CABLE MOLDED BLACK WL PC6-BK-10	FT		1	$	4.75	25.00%	$ 3.56
110932	Paige Cabling	71065410BL	10' CAT 6 PATCH CABLE MOLDED BLUE WL PC6-BL-10	FT		1	$	4.75	25.00%	$ 3.56
110933	Paige Cabling	71065410GN	10' CAT 6 PATCH CABLE MOLDED GREEN WL PC6-GR-10	FT		1	$	4.75	25.00%	$ 3.56
110934	Paige Cabling	71065410RD	10' CAT 6 PATCH CABLE MOLDED RED WL PC6-RE-10	FT		1	$	4.75	25.00%	$ 3.56
110935	Paige Cabling	71065410YW	10' CAT 6 PATCH CABLE MOLDED YELLOW WL PC6-YL-10	FT		1	$	4.75	25.00%	$ 3.56
110936	Paige Cabling	71065410PR	10' CAT 6 PATCH CABLE MOLDED PURPLE WL PC6-PL-10	FT		1	$	4.75	25.00%	$ 3.56
110937	Paige Cabling	71065410GY	10' CAT 6 PATCH CABLE MOLDED GRAY WL PC6-GY-10	FT		1	$	4.75	25.00%	$ 3.56
110938	Paige Cabling	710930M	24P CAT 5E PATCH PANEL BLACK FACE WITH JACKS	FT		1	$	50.36	25.00%	$ 37.77
110939	Paige Cabling	710931M	24P CAT 6 PATCH PANEL BLACK FACE WITH JACKS	FT		1	$	63.11	25.00%	$ 47.33
110940	Paige Cabling	71093048M	48P CAT 5E PATCH PANEL BLACK FACE WITH JACKS	EA		1	$	116.05	25.00%	$ 87.04
110941	Paige Cabling	71093148M	48P CAT 6 PATCH PANEL BLACK FACE WITH JACKS	EA		1	$	137.77	25.00%	$ 103.33
110942	Paige Cabling	710915	CAT 5E JACK WHITE 568AB 90 DG WL C5EKJW	EA		1	$	1.43	25.00%	$ 1.07
110943	Paige Cabling	710915BK	CAT 5E JACK BLACK 568AB 90 DG WL C5EKJK	EA		1	$	1.43	25.00%	$ 1.07
110944	Paige Cabling	710915BL	CAT 5E JACK BLUE 568AB 90 DG WL C5EKJB	EA		1	$	1.43	25.00%	$ 1.07
110945	Paige Cabling	710915BE	CAT 5E JACK IVORY 568AB 90 DG WL C5EKJIV	EA		1	$	1.43	25.00%	$ 1.07
110946	Paige Cabling	710915GN	CAT 5E JACK GREEN 568AB 90 DG WL C5EKJG	EA		1	$	1.43	25.00%	$ 1.07
110947	Paige Cabling	710915OR	CAT 5E JACK ORANGE 568AB 90 DG WL C5EKJOR	EA		1	$	1.43	25.00%	$ 1.07
110948	Paige Cabling	710915RD	CAT 5E JACK RED 568AB 90 DG WL C5EKJR	EA		1	$	1.43	25.00%	$ 1.07
110949	Paige Cabling	710915YW	CAT 5E JACK YELLOW 568AB 90 DG WL C5EKJY	EA		1	$	1.43	25.00%	$ 1.07
110950	Paige Cabling	710916	CAT 6 JACK WHITE 568AB 90 DG WL B6KJ-WH	EA		1	$	2.23	25.00%	$ 1.67
110951	Paige Cabling	710916BK	CAT 6 JACK BLACK 568AB 90 DG WL B6KJ-BK	EA		1	$	2.23	25.00%	$ 1.67
110952	Paige Cabling	710916BL	CAT 6 JACK BLUE 568AB 90 DG WL B6KJ-BL	EA		1	$	2.23	25.00%	$ 1.67
110953	Paige Cabling	710916BE	CAT 6 JACK IVORY 568AB 90 DG WL B6KJ-IV	EA		1	$	2.23	25.00%	$ 1.67
110954	Paige Cabling	710916GN	CAT 6 JACK GREEN 568AB 90 DG WL B6KJ-GR	EA		1	$	2.23	25.00%	$ 1.67
110955	Paige Cabling	710916OR	CAT 6 JACK ORANGE 568AB 90 DG WL B6KJ-OR	EA		1	$	2.23	25.00%	$ 1.67
110956	Paige Cabling	710916RD	CAT 6 JACK RED 568AB 90 DG WL B6KJ-RE	EA		1	$	2.23	25.00%	$ 1.67
110957	Paige Cabling	710916YW	CAT 6 JACK YELLOW 568AB 90 DG WL B6KJ-YL	EA		1	$	2.23	25.00%	$ 1.67
110958	Paige Cabling	710940	FINGER DUCT 1U SINGLE SIDED WIRE MANAGER BLACK	EA		1	$	32.75	25.00%	$ 24.56
110959	Paige Cabling	710941	FINGER DUCT 2U SINGLE SIDED WIRE MANAGER BLACK	EA		1	$	46.36	25.00%	$ 34.77
110960	Paige Cabling	710917	KEYSTONE WALL PLATE 1-PORT WHITE WL FPW-1	EA		1	$	1.33	25.00%	$ 1.00
110961	Paige Cabling	7109172	KEYSTONE WALL PLATE 2-PORT WHITE WL FPW-2	EA		1	$	1.33	25.00%	$ 1.00
110962	Paige Cabling	7109174	KEYSTONE WALL PLATE 4-PORT WHITE WL FPW-4	EA		1	$	1.33	25.00%	$ 1.00
110963	Paige Cabling	7109176	KEYSTONE WALL PLATE 6-PORT WHITE WL FPW-6	EA		1	$	1.33	25.00%	$ 1.00
110964	Paige Cabling	7109178	KEYSTONE WALL PLATE 8-PORT WHITE WL FPW-8	EA		1	$	1.33	25.00%	$ 1.00
110965	Paige Cabling	710918	FACEPLATE BLANK INSERT WHITE WL FPW-B	EA		1	$	1.43	25.00%	$ 1.07
110966	Paige Cabling	710917BE	KEYSTONE WALL PLATE 1-PORT IVORY WL FPI-1	EA		1	$	1.33	25.00%	$ 1.00
110967	Paige Cabling	7109172BE	KEYSTONE WALL PLATE 2-PORT IVORY WL FPI-2	EA		1	$	1.33	25.00%	$ 1.00
110968	Paige Cabling	7109174BE	KEYSTONE WALL PLATE 4-PORT IVORY WL FPI-4	EA		1	$	1.33	25.00%	$ 1.00
110969	Paige Cabling	7109176BE	KEYSTONE WALL PLATE 6-PORT IVORY WL FPI-6	EA		1	$	1.33	25.00%	$ 1.00
110970	Paige Cabling	7109178BE	KEYSTONE WALL PLATE 8-PORT IVORY WL FPI-8	EA		1	$	1.33	25.00%	$ 1.00
110971	Paige Cabling	710918BE	FACEPLATE BLANK INSERT IVORY WL FPI-B	EA		1	$	1.43	25.00%	$ 1.07
110972	Paige Cabling	710919	SURFACE MOUNT JACK BOX 1-PORT WHITE WL SMBW-1	EA		1	$	1.64	25.00%	$ 1.23
110973	Paige Cabling	710919BE	SURFACE MOUNT JACK BOX 1-PORT IVORY WL SMB-1	EA		1	$	1.64	25.00%	$ 1.23
110974	Paige Cabling	7109192	SURFACE MOUNT JACK BOX 2-PORT WHITE WL SMBW-2	EA		1	$	1.64	25.00%	$ 1.23
110975	Paige Cabling	7109192BE	SURFACE MOUNT JACK BOX 2-PORT IVORY WL SMB-2	EA		1	$	1.64	25.00%	$ 1.23
110976				EA						
110977	Pelco	13VA5-40	LENS 1/3 VFCL 5-40MM F1.6 MAN I	EA		1	$	217.00	10.00%	$ 195.30
110978	Pelco	13VD5-40	LENS 1/3 VFCL 5-40MM F1.6 DC AI	EA		1	$	228.00	10.00%	$ 205.20
110979	Pelco	CM1450	MOUNT LIGHT DUTY WALL	EA		1	$	74.00	10.00%	$ 66.60
110980	Pelco	MCS16-20	MSTR CAM PWR SUP 20AMP 16OUT/FUS	EA		1	$	584.00	10.00%	$ 525.60
110981	Pelco	SWM-GY	SPECTRA MNT WALL GY	EA		1	$	70.00	10.00%	$ 63.00
110982	Pelco	WCS1-4	16TR CAM PWR SUP 4AMP 1OUT	EA		1	$	244.00	10.00%	$ 219.60
110983	Pelco	CM400	CORNER MOUNT FOR IWM	EA		1	$	85.00	10.00%	$ 76.50
110984	Pelco	PP450	PARAPET WALL MOUNT DOME STD PRFL	EA		1	$	604.00	10.00%	$ 543.60
110985	Pelco	IWM-GY	WALL MOUNT DOME GRAY	EA		1	$	120.00	10.00%	$ 108.00
110986	Pelco	EM2000	J-MOUNT W/ADJ HEAD & STRAP SLOTS	EA		1	$	158.00	10.00%	$ 142.20
110987	Pelco	13VA1-3	LENS 1/3 VFCL 1.6-3.4 MM MAN 1	EA		1	$	298.00	10.00%	$ 268.20
110988	Pelco	13VA5-50	LENS 1/3 VFCL 5-50MM F1.6 MAN I	EA		1	$	202.00	10.00%	$ 181.80
110989	Pelco	13VD1-3	LENS 1/3 VFCL 1.6-3.4 MM A1 DC	EA		1	$	294.00	10.00%	$ 264.60
110990	Pelco	13VD2.5-6	LENS 1/3 VFCL 2.5-6MM F1.4 DC AI	EA		1	$	254.00	10.00%	$ 228.60
110991	Pelco	13VD3-8	LENS 1/3 VFCL 3-8MM F1.0 DC AI	EA		1	$	88.00	10.00%	$ 79.20
110992	Pelco	13VD5-50	LENS 1/3 VFCL 5-50MM F1.6 AI DC	EA		1	$	243.00	10.00%	$ 218.70
110993	Pelco	SWM-PA-GY	POLE MOUNT ADAPTER FOR SWM-GY	EA		1	$	42.00	10.00%	$ 37.80
110994	Pelco	WCS4-20B	MSTR CAM PWR SUP 20AMP 4OUT/BRKR WX	EA		1	$	767.00	10.00%	$ 690.30
110995	Pelco	SS2512	ENCL SUNSHROUD/EH2512	EA		1	$	45.00	10.00%	$ 40.50
110996	Pelco	IWM24-GY	WALL MOUNT DOME GRAY 24 PWR SUP	EA		1	$	362.00	10.00%	$ 325.80
110997	Pelco	13VD2.8-12	LENS 1/3 VF 2.8-12MM DC-AI	EA		1	$	151.00	10.00%	$ 135.90
110998	Pelco	MCS8-5B	MSTR CAM PWR SUP 5AMP 8OUT/BRKR	EA		1	$	458.00	10.00%	$ 412.20
110999	Pelco	MCS4-2B	MSTR CAM PWR SUP 2AMP 4OUT/BRKR	EA		1	$	405.00	10.00%	$ 364.50
111000	Pelco	PA402	POLE MOUNT ADAPTOR FOR IWM	EA		1	$	97.00	10.00%	$ 87.30
111001	Pelco	MRCA	CEILING FLANGE 1.5IN NPT	EA		1	$	49.00	10.00%	$ 44.10
111002	Pelco	PP350	MNT PARAPT WALL 2-1/2 DIA SPECTRA	EA		1	$	546.00	10.00%	$ 491.40
111003	Pelco	13ZD6X10	LENS 1/3 ZM 6-60MM DCAI	EA		1	$	886.00	10.00%	$ 797.40
111004	Pelco	CM9760-CDU-T	MATRX CODE DISTRBTN UNIT TX VER	EA		1	$	686.00	10.00%	$ 617.40
111005	Pelco	PA101	ADAPTER POLE MOUNT FOR PM14	EA		1	$	82.00	10.00%	$ 73.80
111006	Pelco	EM1900U	MOUNT MED 90 DEG WL W/ADJ SVL	EA		1	$	154.00	10.00%	$ 138.60
111007	Pelco	PP451	ROOFTOP MOUNT DOME STD PRFL	EA		1	$	700.00	10.00%	$ 630.00
111008	Pelco	TF2000	24VAC TRANS FOR 24VAC CAMS 20VA	EA		1	$	39.00	10.00%	$ 35.10

65458	S2/Lenel	S2-QUATROVR-2TB	Wall mount appliance includes 4 portal license, expandable to 8 portals by adding S2-QUATROVR-R4. Contains 2TB of onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VR-1C single IP camera licenses as required for application.	EA		1	$ 6,600.00	25.00%	$ 4,950.00
65459	S2/Lenel	S2-QUATROVR-4TB	Wall mount appliance includes 4 portal license, expandable to 8 portals by adding S2-QUATROVR-R4. Contains 4TB of onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VR-1C single camera licenses as required for application.	EA		1	$ 8,600.00	25.00%	$ 6,450.00
65460	S2/Lenel	S2-QUATROVR-1TB-SSD	Wall mount appliance includes 4 portal license, expandable to 8 portals by adding S2-QUATROVR-R4. Contains 1TB of solid-state onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VR-1C single camera licenses as required for application.	EA		1	$ 7,510.00	25.00%	$ 5,632.50
65461	S2/Lenel	S2-NETBOXVR-2TB	2U appliance includes 32 portal license, 2TB onboard storage, and fixed mounting kit. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VR-1C single IP camera licenses as required for application.	EA		1	$ 6,400.00	25.00%	$ 4,800.00
65462	S2/Lenel	S2-NETBOXVR-4TB	2U appliance includes 32 portal license, 4TB onboard storage, and fixed mounting kit. Storage must be configured at time of purchase. No IP camera licenses included; add up to 16 S2-VR-1C single IP camera licenses as required for application.	EA		1	$ 7,400.00	25.00%	$ 5,550.00
65463	S2/Lenel	S2-LSS1	Increases portal capacity from 4 portals to 16 portals. For use with S2 NetBox.	EA		1	$ 1,976.00	25.00%	$ 1,482.00
65464	S2/Lenel	S2-SL2	Increases portal capacity from 16 portals to 32 portals. For use with S2 NetBox or S2 NetBox Extreme.	EA		1	$ 2,580.00	25.00%	$ 1,935.00
65465	S2/Lenel	S2-SL3	Increases portal capacity from 32 portals to 64 portals. For use with S2 NetBox Extreme.	EA		1	$ 6,088.00	25.00%	$ 4,566.00
65466	S2/Lenel	S2-R64	Increases existing S2 NetBox Extreme and S2 NetBox Enterprise system license in 64 portal increments.	EA		1	$ 5,332.00	25.00%	$ 3,999.00
65467	S2/Lenel	S2-IDC-16	One Badging Server, Capture Station & Print Station License.	EA		1	$ 2,682.00	25.00%	$ 2,011.50
65468	S2/Lenel	S2-IDC-32	One Badging Server, Capture Station & Print Station License.	EA		1	$ 4,130.00	25.00%	$ 3,097.50
65469	S2/Lenel	S2-IDA-32	ADDITIONAL CAPTURE STATION & PRINT STATION LICENSE FOR SYSTEMS WITH 32 PORTALS	EA		1	$ 2,682.00	25.00%	$ 2,011.50
65470	S2/Lenel	S2-IDC-64	One Badging Server, Capture Station & Print Station License.	EA		1	$ 6,122.00	25.00%	$ 4,591.50
65471	S2/Lenel	S2-IDA-64	ADDITIONAL CAPTURE STATION & PRINT STATION LICENSE FOR SYSTEMS WITH 64 PORTALS	EA		1	$ 4,038.00	25.00%	$ 3,028.50
65472	S2/Lenel	S2-IDC-128	One Badging Server, Capture Station & Print Station License.	EA		1	$ 7,816.00	25.00%	$ 5,862.00
65473	S2/Lenel	S2-IDA-128	ADDITIONAL CAPTURE STATION & PRINT STATION LICENSE FOR SYSTEMS WITH 128 PORTALS	EA		1	$ 5,124.00	25.00%	$ 3,843.00
65474	S2/Lenel	S2-DBP	System Partitioning License	EA		1	$ 8,530.00	25.00%	$ 6,397.50
65475	S2/Lenel	S2-NBOSR	Enables S2 Nodes associated with the Primary S2 NetBox Controller to be directed to a secondary S2 NetBox Controller if the Primary Controller becomes unavailable in the event of a physical disaster. The Secondary Controller is priced at 50% of the Primary Controller purchase price.	EA		1	$ 26,000.00	25.00%	$ 19,500.00
65476	S2/Lenel	S2-DMP	DMP XR 500 Integration with S2 NetBox systems. Price per DMP panel integration.	EA		1	$ 2,588.00	25.00%	$ 1,941.00
65477	S2/Lenel	S2-BOS	Bosch B and G series intrusion panel integration with S2 NetBox systems. Price per Bosch panel integration.	EA		1	$ 1,554.00	25.00%	$ 1,165.50
65478	S2/Lenel	S2-AD	License for the first Active Directory connection which will allow the ability to add/delete/update a person record, mapped attributes and map security groups to access levels or groups.	EA		1	$ 9,316.00	25.00%	$ 6,987.00
65479	S2/Lenel	S2-ADA	Additional Active Directory license on a per connection basis for connections 2 to 10. There is a 10 connection maximum.	EA		1	$ 3,106.00	25.00%	$ 2,329.50
65480	S2/Lenel	S2-NN-E-WM	Wall mount enclosure with 7 available expansion slots. No S2 Application Blades included.	EA		1	$ 2,100.00	25.00%	$ 1,575.00
65481	S2/Lenel	S2-NN-E-RM	Rack mount enclosure with 7 available expansion slots. No S2 Application Blades included.	EA		1	$ 2,400.00	25.00%	$ 1,800.00
65482	S2/Lenel	S2-NN-E2R-WM	Wall mount enclosure with (1) S2 ACM blade and 6 available expansion slots.	EA		1	$ 2,750.00	25.00%	$ 2,062.50
65483	S2/Lenel	S2-NN-E2R-RM	Rack mount enclosure with (1) S2 ACM blade and 6 available expansion slots.	EA		1	$ 3,100.00	25.00%	$ 2,325.00
65484	S2/Lenel	S2-RMK	Optional Rail Mount Installation Kit for use in EIA standard 19" (48 cm) equipment racks, 15" (38 cm) depth	EA		1	$ 230.00	25.00%	$ 172.50
65485	S2/Lenel	S2-MNP	2 reader inputs, 4 supervised inputs, 4 relay outputs, and 1 temperature input in wall mount enclosure. 12 VDC/PoE/PoE Plus.	EA		1	$ 1,660.00	25.00%	$ 1,245.00
65486	S2/Lenel	S2-MNP-MP	2 reader inputs, 4 supervised inputs, 4 relay outputs, and 1 temperature input on mounting plate. 12 VDC/PoE/PoE Plus.	EA		1	$ 1,600.00	25.00%	$ 1,200.00
65487	S2/Lenel	S2-NN-VRX-2TB	Wall mount appliance includes 2TB of onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VRX-1C single IP camera licenses as required for application.	EA		1	$ 5,810.00	25.00%	$ 4,357.50
65488	S2/Lenel	S2-NN-VRX-4TB	Wall mount appliance includes 4TB of onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VRX-1C single IP camera licenses as required for application.	EA		1	$ 7,790.00	25.00%	$ 5,842.50
65489	S2/Lenel	S2-NN-VR-1TB	Wall mount appliance includes 1TB of onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VR-1C single IP camera licenses as required for application.	EA		1	$ 3,410.00	25.00%	$ 2,557.50
65490	S2/Lenel	S2-NN-VR-2TB	Wall mount appliance includes 2TB of onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VR-1C single IP camera licenses as required for application.	EA		1	$ 6,200.00	25.00%	$ 4,650.00
65491	S2/Lenel	S2-NN-VR-4TB	Wall mount appliance includes 4TB of onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VR-1C single IP camera licenses as required for application.	EA		1	$ 8,200.00	25.00%	$ 6,150.00
65492	S2/Lenel	S2-NN-VR-1TB-SSD	Wall mount appliance includes 1TB of solid-state onboard storage and 1 S2-ACM blade, expandable to 4 blades maximum. Storage must be configured at time of purchase. No IP camera licenses included; add up to 8 S2-VR-1C single IP camera licenses as required for application.	EA		1	$ 7,210.00	25.00%	$ 5,407.50
65493	S2/Lenel	S2-ACM	Access control application extension blade with support for 2 readers, 4 inputs and 4 outputs.	EA		1	$ 888.00	25.00%	$ 666.00
65494	S2/Lenel	S2-ACM-25	2 readers, 4 inputs, 4 outputs (each blade). Can be used with S2-NN-EWM/RM empty node enclosure. This bundle pack provides a 5% discount off of the individual ACM price.	EA		1	$ 21,050.00	25.00%	$ 15,787.50
65495	S2/Lenel	S2-INP	Supervised input application extension blade with 8 inputs.	EA		1	$ 552.00	25.00%	$ 414.00
65496	S2/Lenel	S2-OUTP	Relay controlled output application extension blade with 8 outputs.	EA		1	$ 662.00	25.00%	$ 496.50
65497	S2/Lenel	S2-TEMP	Temperature Input application extension blade with 8 temperature inputs.	EA		1	$ 618.00	25.00%	$ 463.50
65498	S2/Lenel	S2-TEMP-PR	One temperature sensor probe for use with S2-TEMP blade.	EA		1	$ 166.00	25.00%	$ 124.50
65499	S2/Lenel	S2-NB-FRU	S2 NETBOX AND S2 NETBOX VR QUATRO FIELD REPLACEMENT UNIT	EA		1	$ 2,152.00	25.00%	$ 1,614.00
65500	S2/Lenel	S2-QUATRO-FRU	S2 NETBOX VR QUATRO FIELD REPLACEMENT UNIT	EA		1	$ 2,420.00	25.00%	$ 1,815.00
65501	S2/Lenel	S2-SAM	NETBOX INTERFACE BOARD	EA		1	$ 266.00	25.00%	$ 199.50

114882	Securitron	AQD4B	4 Amp, Dual Voltage Power Supply Board Only	EA		1	$	235.00	30.00%	$ 164.50
114883	Securitron	AQD6B	6 Amp, Dual Voltage Power Supply Board Only	EA		1	$	272.00	30.00%	$ 190.40
114884	Securitron	AQS1210B	10 Amp, 12 VDC Power Supply Board Only	EA		1	$	367.00	30.00%	$ 256.90
114885	Securitron	AQS2410B	10 Amp, 24 VDC Power Supply Board Only	EA		1	$	393.00	30.00%	$ 275.10
114886	Securitron	AQS1216B	16 Amp, 12 VDC Power Supply Board Only	EA		1	$	393.00	30.00%	$ 275.10
114887	Securitron	EPS-05	Sustainable Power Supply, 0.5 Amp, 2 Outputsfor Low power Locks	EA		1	$	303.00	30.00%	$ 212.10
114888	Securitron	EPS-05B	Sustainable Power Supply, Power Supply Board Only	EA		1	$	147.00	30.00%	$ 102.90
114889	Securitron	B-12-08	Battery - 12 VDC, 0.8 Amp	EA		1	$	67.00	30.00%	$ 46.90
114890	Securitron	BPSS-10	12 VDC with 10 W Solar Panel and 9 Ah Battery	EA		1	$	836.00	30.00%	$ 585.20
114891	Securitron	BPSS-20	12 VDC with 20 W Solar Panel and 18 Ah Battery	EA		1	$	947.00	30.00%	$ 662.90
114892	Securitron	PMK-3	Mounting Kit 3 in Pole for CCM Nema Enclosure	EA		1	$	124.00	30.00%	$ 86.80
114893	Securitron	SPK	Solar Panel Kit - 20 W	EA		1	$	806.00	30.00%	$ 564.20
114894	Securitron	SWK	High Wind Kit for 20 W Solar Panel	EA		1	$	158.00	30.00%	$ 110.60
114895	Securitron	B-12-9	Battery - 12 VDC, 9 Ah	EA		1	$	159.00	30.00%	$ 111.30
114896	Securitron	B-12-18	Battery - 12 VDC, 18 AH	EA		1	$	206.00	30.00%	$ 144.20
114897	Securitron	AQE15	Single Port POE, Midspan Injector, 1.4 Amp, Dual Voltage	EA		1	$	110.00	30.00%	$ 77.00
114898	Securitron	AQE30	Single Port POE, Midspan Injector, 2.6 Amp, Dual Voltage	EA		1	$	170.00	30.00%	$ 119.00
114899	Securitron	AQE30E	Single Port POE, Midspan Injector, 0.6 Amp	EA		1	$	170.00	30.00%	$ 119.00
114900	Securitron	AQE250R	Multi-Port Rack Mount POE, 256 W, 16 Port Rack Mount Injector	EA		1	$	2,280.00	30.00%	$ 1,596.00
114901	Securitron	AQE500R	Multi-Port Rack Mount POE, 540 W, 16 Port Rack Mount Injector	EA		1	$	2,715.00	30.00%	$ 1,900.50
114902	Securitron	PSP-12	PSP Plug in Power Supply, 12VDC, 700mA	EA		1	$	50.00	30.00%	$ 35.00
114903	Securitron	PSP-24	PSP Plug in Power Supply, 24 VDC, 350mA	EA		1	$	50.00	30.00%	$ 35.00
114904	Securitron	PSP-12-3	PSP Plug in Power Supply, 12 VDC, 3 Amp	EA		1	$	99.00	30.00%	$ 69.30
114905	Securitron	PSP-24-1.5	PSP Plug in Power Supply, 24 VDC, 1.5 Amp	EA		1	$	99.00	30.00%	$ 69.30
114906	Securitron	BR-4	Bridge Rectifier - 4 Amp	EA		1	$	35.00	30.00%	$ 24.50
114907	Securitron	B-12-08	Battery - 12 VDC, 0.8 Amp	EA		1	$	67.00	30.00%	$ 46.90
114908	Securitron	B-12-5	Battery - 12 VDC, 5 Amp	EA		1	$	56.00	30.00%	$ 39.20
114909	Securitron	B-24-5	Battery - 24 VDC, 5 Amp	EA		1	$	115.00	30.00%	$ 80.50
114910	Securitron	CKL	Cabinet Key Lock	EA		1	$	27.00	30.00%	$ 18.90
114911	Securitron	CCB-8-12	Central Board Control - 12 VDC, 8 Fused Outputs	EA		1	$	119.00	30.00%	$ 83.30
114912	Securitron	CCB-8-24	Central Board Control - 24 VDC, 8 Fused Outputs	EA		1	$	119.00	30.00%	$ 83.30
114913	Securitron	CFAR-12	Fire Alert Reset Control - Canada - 12 VDC, Board Only	EA		1	$	86.00	30.00%	$ 60.20
114914	Securitron	CFAR-24	Fire Alert Reset Control - Canada - 24 VDC, Board Only	EA		1	$	87.00	30.00%	$ 60.90
114915	Securitron	FAR-12	Fire Alert Reset Control -12 VDC	EA		1	$	312.00	30.00%	$ 218.40
114916	Securitron	FAR-24	Fire Alert Reset Control -24 VDC	EA		1	$	312.00	30.00%	$ 218.40
114917	Securitron	PSM-12	Power Supply Monitor - 12 VDC	EA		1	$	729.00	30.00%	$ 510.30
114918	Securitron	PSM-24	Power Supply Monitor - 24 VDC	EA		1	$	729.00	30.00%	$ 510.30
114919	Securitron	CEPT-10-630	Concealed Electrical Power Transfers, 10 wire	EA		1	$	411.00	30.00%	$ 287.70
114920	Securitron	CEPT-10-606	Concealed Electrical Power Transfers, 10 wire	EA		1	$	502.00	30.00%	$ 351.40
114921	Securitron	CEPT-10-612	Concealed Electrical Power Transfers, 10 wire	EA		1	$	502.00	30.00%	$ 351.40
114922	Securitron	CEPT-10-613	Concealed Electrical Power Transfers, 10 wire	EA		1	$	502.00	30.00%	$ 351.40
114923	Securitron	EL-CEPT-630	Concealed Electrical Power Transfers, ElectroLynx Connectors	EA		1	$	492.00	30.00%	$ 344.40
114924	Securitron	EL-CEPT-606	Concealed Electrical Power Transfers, ElectroLynx Connectors	EA		1	$	521.00	30.00%	$ 364.70
114925	Securitron	EL-CEPT-6612	Concealed Electrical Power Transfers, ElectroLynx Connectors	EA		1	$	521.00	30.00%	$ 364.70
114926	Securitron	EL-CEPT-613	Concealed Electrical Power Transfers, ElectroLynx Connectors	EA		1	$	557.00	30.00%	$ 389.90
114927	Securitron	CEPT-C5E-630	Concealed Electrical Power Transfers, CAT-5E	EA		1	$	459.00	30.00%	$ 321.30
114928	Securitron	CEPT-C5E-606	Concealed Electrical Power Transfers, CAT-5E	EA		1	$	552.00	30.00%	$ 386.40
114929	Securitron	CEPT-C5E-612	Concealed Electrical Power Transfers, CAT-5E	EA		1	$	552.00	30.00%	$ 386.40
114930	Securitron	CEPT-C5E-613	Concealed Electrical Power Transfers, CAT-5E	EA		1	$	552.00	30.00%	$ 386.40
114931	Securitron	CEPT-NW-630	Concealed Electrical Power Transfers, No Wires	EA		1	$	411.00	30.00%	$ 287.70
114932	Securitron	SEPT	Square-Cut Electrical Power Transfers, Cut Standard Version	EA		1	$	81.00	30.00%	$ 56.70
114933	Securitron	SEPT-10	Square-Cut Electrical Power Transfers, 10 Wire	EA		1	$	115.00	30.00%	$ 80.50
114934	Securitron	SEPT-C5E	Square-Cut Electrical Power Transfers, CAT-5E Compatible	EA		1	$	110.00	30.00%	$ 77.00
114935	Securitron	EL-SEPT	Square-Cut Electrical Power Transfers, ElectroLynx Connectors	EA		1	$	106.00	30.00%	$ 74.20
114936	Securitron	EPT	Electrical Power Transfers, 10" Cord, Standard Swing	EA		1	$	72.00	30.00%	$ 50.40
114937	Securitron	EPTL	Electrical Power Transfers, 18" Cord, Standard Swing	EA		1	$	96.00	30.00%	$ 67.20
114938	Securitron	EPT-SC	Electrical Power Transfers, 10" Cord, Swing Clear	EA		1	$	108.00	30.00%	$ 75.60
114939	Securitron	EL-EPT	Electrical Power Transfers, ElectroLynx 10" Cord, Standard Swing	EA		1	$	111.00	30.00%	$ 77.70
114940	Securitron	EL-EPTL	Electrical Power Transfers, ElectroLynx 18" Cord, Standard Swing	EA		1	$	134.00	30.00%	$ 93.80
114941	Securitron	EL-EPT-SC	Electrical Power Transfers, ElectroLynx 10"Cord, Swing Clear	EA		1	$	146.00	30.00%	$ 102.20
114942	Securitron	EH-40	Electrical Hinge, 6 Wire [4.5" x 4.0]	EA		1	$	295.00	30.00%	$ 206.50
114943	Securitron	EH-45	Electrical Hinge, 6 Wire [4.5" x 4.5]	EA		1	$	295.00	30.00%	$ 206.50
114944	Securitron	TSB-C	Door Cords, With Caps, Gray/Black, 18"	EA		1	$	37.00	30.00%	$ 25.90
114945	Securitron	TSB-CXL	Door Cords, With Caps, Gray/Black, 36"	EA		1	$	46.00	30.00%	$ 32.20
114946	Securitron	TM-2	Multi-Function Timer, 1-255 seconds	EA		1	$	155.00	30.00%	$ 108.50
114947	Securitron	TM-9	Time Mate Timer, 2-36 seconds	EA		1	$	79.00	30.00%	$ 55.30
114948	Securitron	DT-7	Digital Timer, 7 seconds	EA		1	$	250.00	30.00%	$ 175.00
114949	Securitron	PZ1	Piezo on Keyplate - Single Gang	EA		1	$	75.00	30.00%	$ 52.50
114950	Securitron	BA-DPA-24	Drop Pop Alarm Monitoring, 24 VDC with Boxed Alarm	EA		1	$	273.00	30.00%	$ 191.10
114951	Securitron	BA-DPA-12	Drop Pop Alarm Monitoring, 12 VDC with Boxed Alarm	EA		1	$	273.00	30.00%	$ 191.10
114952	Securitron	DPS-M-BK	Door Position Switch, For Metal Doors, Black	EA		1	$	32.00	30.00%	$ 22.40
114953	Securitron	DPS-M-GY	Door Position Switch, For Metal Doors, Gray	EA		1	$	32.00	30.00%	$ 22.40
114954	Securitron	DPS-M-WH	Door Position Switch, For Metal Doors, White	EA		1	$	32.00	30.00%	$ 22.40
114955	Securitron	DPS-W-BK	Door Position Switch, For Wood Doors, Black	EA		1	$	24.00	30.00%	$ 16.80
114956	Securitron	DPS-W-GY	Door Position Switch, For Wood Doors, Gray	EA		1	$	24.00	30.00%	$ 16.80
114957	Securitron	DPS-W-WH	Door Position Switch, For Wood Doors, White	EA		1	$	24.00	30.00%	$ 16.80
114958										
114959	Security Door Controls	1511	EMLock Magnetic Locks, 1650lb / 748 kg Holding Force, Automatic Voltage Sensing Input, Single EmLock	EA		1	$	480.00	10.00%	$ 432.00
114960	Security Door Controls	1512	EMLock Magnetic Locks, 1650lb / 748 kg Holding Force, Automatic Voltage Sensing Input, Double EmLock	EA		1	$	960.00	10.00%	$ 864.00

119161	Windy City Wire	4461030-S500	4 Element Composite Cable PLNM	EA		1	$	1,601.80	10.00%	$ 1,441.62
119162	Windy City Wire	4461140-S	4 Element Composite Cable PVC	EA		1	$	1,445.88	10.00%	$ 1,301.29
119163	Windy City Wire	4467030-S	4 Element Composite Cable PLNM	EA		1	$	2,810.57	10.00%	$ 2,529.51
119164	Windy City Wire	447960-S	14-02 UNS STR PLNM Wht Jkt	EA		1	$	536.08	10.00%	$ 482.47
119165	Windy City Wire	450002-S	22-3P EPS STR PVC Grn Stp	EA		1	$	395.62	10.00%	$ 356.06
119166	Windy City Wire	484380AL-S	22-04 UNS SOL PLNM Wht Jkt AL	EA		1	$	210.05	10.00%	$ 189.05
119167	Windy City Wire	4843840AL-S	22-04 UNS SOL PLNM Org Jkt AL	EA		1	$	210.05	10.00%	$ 189.05
119168	Windy City Wire	510007-S	18-08 SOL PLNM TSTAT	EA		1	$	917.53	10.00%	$ 825.78
119169	Windy City Wire	555610-11S	24-4P UNS SOL PLNM C5E Blk Jkt	EA		1	$	395.62	10.00%	$ 356.06
119170	Windy City Wire	555610-S	24-4P UNS SOL PLNM C5E Wht Jkt	EA		1	$	395.62	10.00%	$ 356.06
119171	Windy City Wire	5556130-S	24-4P UNS SOL PLNM C5E Ylw Jkt	EA		1	$	395.62	10.00%	$ 356.06
119172	Windy City Wire	5556140-S	24-4P UNS SOL PLNM C5E Org Jkt	EA		1	$	395.62	10.00%	$ 356.06
119173	Windy City Wire	5556150-S	24-4P UNS SOL PLNM C5E Pur Jkt	EA		1	$	395.62	10.00%	$ 356.06
119174	Windy City Wire	5556160-S	24-4P UNS SOL PLNM C5E Grn Jkt	EA		1	$	395.62	10.00%	$ 356.06
119175	Windy City Wire	5556180-S	24-4P UNS SOL PLNM C5E Gry Jkt	EA		1	$	395.62	10.00%	$ 356.06
119176	Windy City Wire	555619-S	24-4P UNS SOL PLNM C5E Blu Jkt	EA		1	$	395.62	10.00%	$ 356.06
119177	Windy City Wire	556600-S	23-4P UNS SOL PLNM C6 Wht Jkt	EA		1	$	622.42	10.00%	$ 560.18
119178	Windy City Wire	5566030-S	23-4P UNS SOL PLNM C6 Ylw Jkt	EA		1	$	622.42	10.00%	$ 560.18
119179	Windy City Wire	5566040-S	23-4P UNS SOL PLNM C6 Org Jkt	EA		1	$	622.42	10.00%	$ 560.18
119180	Windy City Wire	5566050-S	23-4P UNS SOL PLNM C6 Pur Jkt	EA		1	$	622.42	10.00%	$ 560.18
119181	Windy City Wire	556609-S	23-4P UNS SOL PLNM C6 Blu Jkt	EA		1	$	622.42	10.00%	$ 560.18
119182	Windy City Wire	606111-S	RG6/U 18SBC 95%BCB CCTV PVC	EA		1	$	372.42	10.00%	$ 335.18
119183	Windy City Wire	606111DB-S	RG6/U 18SBC 95%BCB CCTV PVC DB	EA		1	$	492.27	10.00%	$ 443.04
119184	Windy City Wire	606116-07S	RG6/U+18-02 UNS PVC Siamese Wh	EA		1	$	659.79	10.00%	$ 593.81
119185	Windy City Wire	606116-S	RG6/U+18-02 UNS PVC Siamese Bl	EA		1	$	659.79	10.00%	$ 593.81
119186	Windy City Wire	606124-30S500	RG6/U 18CCS Quad PVC Ylw Jkt	EA		1	$	182.99	10.00%	$ 164.69
119187	Windy City Wire	606124-S	RG6/U 18CCS Quad PVC Blk Jkt	EA		1	$	182.99	10.00%	$ 164.69
119188	Windy City Wire	606211-S	RG6/U 18SBC 95%BCB PLNM Wht Jk	EA		1	$	748.71	10.00%	$ 673.84
119189	Windy City Wire	606224-S	RG6/U 18CCS QUAD PLNM Wht Jkt	EA		1	$	807.99	10.00%	$ 727.19
119190	Windy City Wire	659111-07S	RG59/U 20SBC 95%BCB PVC Riser	EA		1	$	323.45	10.00%	$ 291.11
119191	Windy City Wire	659111-07S500	RG59/U 20SBC 95%BCB PVC Riser	EA		1	$	323.45	10.00%	$ 291.11
119192	Windy City Wire	659111-S	RG59/U 20SBC 95%BCB PVC Riser	EA		1	$	323.45	10.00%	$ 291.11
119193	Windy City Wire	659111DB-S	RG59/U 20SBC 95%BCB Outdoor	EA		1	$	445.88	10.00%	$ 401.29
119194	Windy City Wire	659116-07S	RG59/U+18-02 UNS PVC Siamese	EA		1	$	525.77	10.00%	$ 473.19
119195	Windy City Wire	659116-S	RG59/U+18-02 UNS PVC Siamese	EA		1	$	525.77	10.00%	$ 473.19
119196	Windy City Wire	659116DB-S	RG59/U+18-02 Siamese Dir Bur	EA		1	$	601.80	10.00%	$ 541.62
119197	Windy City Wire	659117-S	RG59/U+18-2 COMBO 1Jacket PVC	EA		1	$	688.14	10.00%	$ 619.33
119198	Windy City Wire	659211-02S	RG59/U 20SBC 95%BCB PLNM Blu S	EA		1	$	530.93	10.00%	$ 477.84
119199	Windy City Wire	659211-04S	RG59/U 20SBC 95%BCB PLNM Org S	EA		1	$	530.93	10.00%	$ 477.84
119200	Windy City Wire	659211-11S	RG59/U 20SBC 95%BCB PLNM Blk J	EA		1	$	530.93	10.00%	$ 477.84
119201	Windy City Wire	659211-S	RG59/U 20SBC 95%BCB PLNM Wht J	EA		1	$	530.93	10.00%	$ 477.84
119202	Windy City Wire	659211-S125	RG59/U 20SBC 95%BCB PLNM Wht J	EA		1	$	530.93	10.00%	$ 477.84
119203	Windy City Wire	659211-S250	RG59/U 20SBC 95%BCB PLNM Wht J	EA		1	$	530.93	10.00%	$ 477.84
119204	Windy City Wire	659216-30S	RG59/U+18-02 UNS PLNM Siamese	EA		1	$	817.01	10.00%	$ 735.31
119205	Windy City Wire	659216-S	RG59/U+18-02 UNS PLNM Siamese	EA		1	$	817.01	10.00%	$ 735.31
119206	Windy City Wire	659216-S500	RG59/U+18-02 UNS PLNM Siamese	EA		1	$	817.01	10.00%	$ 735.31
119207	Windy City Wire	659216ITS-S	RG59/U+18-02 UNS PLNM Siamese	EA		1	$	817.01	10.00%	$ 735.31
119208	Windy City Wire	659217-S	RG59/U+18-2 COMBO 1Jacket PLNM	EA		1	$	1,034.79	10.00%	$ 931.31
119209	Windy City Wire	665610-11DBS	24-4P UNS SOL PVC C5E Blk DB	EA		1	$	478.09	10.00%	$ 430.28
119210	Windy City Wire	665610-11DBS5000	24-4P UNS SOL PVC C5E Blk DB	EA		1	$	478.09	10.00%	$ 430.28
119211	Windy City Wire	712100-S	14-02 OAS SOL FPLR Red Jkt	EA		1	$	502.58	10.00%	$ 452.32
119212	Windy City Wire	712106-S	14-02 OAS SOL FPLR Grn Stp	EA		1	$	502.58	10.00%	$ 452.32
119213	Windy City Wire	713100-S	16-02 OAS SOL FPLR Red Jkt	EA		1	$	319.59	10.00%	$ 287.63
119214	Windy City Wire	713101-S	16-02 OAS SOL FPLR Blk Stp	EA		1	$	319.59	10.00%	$ 287.63
119215	Windy City Wire	713106-S	16-02 OAS SOL FPLR Grn Stp	EA		1	$	319.59	10.00%	$ 287.63
119216	Windy City Wire	714100-S	18-02 OAS SOL FPLR Red Jkt	EA		1	$	247.42	10.00%	$ 222.68
119217	Windy City Wire	714101-S	18-02 OAS SOL FPLR Blk Stp	EA		1	$	247.42	10.00%	$ 222.68
119218	Windy City Wire	7141020-S	18-02 OAS SOL FPLR Blu Jkt	EA		1	$	247.42	10.00%	$ 222.68
119219	Windy City Wire	714109-S	18-02 OAS SOL FPLR Wht Stp	EA		1	$	247.42	10.00%	$ 222.68
119220	Windy City Wire	723100-S	12-02 UNS SOL FPLR Red Jkt	EA		1	$	657.22	10.00%	$ 591.50
119221	Windy City Wire	723102-S	12-02 UNS SOL FPLR Blu Stp	EA		1	$	657.22	10.00%	$ 591.50
119222	Windy City Wire	7231090-S	12-02 UNS SOL FPLR Wht Jkt	EA		1	$	657.22	10.00%	$ 591.50
119223	Windy City Wire	727100-S	18-02 UNS SOL FPLR Red Jkt	EA		1	$	197.16	10.00%	$ 177.44
119224	Windy City Wire	727101-S	18-02 UNS SOL FPLR Blk Stp	EA		1	$	197.16	10.00%	$ 177.44
119225	Windy City Wire	727102-S	18-02 UNS SOL FPLR Blu Stp	EA		1	$	197.16	10.00%	$ 177.44
119226	Windy City Wire	727103-S	18-02 UNS SOL FPLR Ylw Stp	EA		1	$	197.16	10.00%	$ 177.44
119227	Windy City Wire	727109-S	18-02 UNS SOL FPLR Wht Stp	EA		1	$	197.16	10.00%	$ 177.44
119228	Windy City Wire	727300-S	18-04 UNS SOL FPLR Red Jkt	EA		1	$	372.42	10.00%	$ 335.18
119229	Windy City Wire	727306-S	18-04 UNS SOL FPLR Grn Stp	EA		1	$	372.42	10.00%	$ 335.18
119230	Windy City Wire	727306-S500	18-04 UNS SOL FPLR Grn Stp	EA		1	$	372.42	10.00%	$ 335.18
119231	Windy City Wire	727306ITS-S	18-04 UNS SOL FPLR Grn Stp	EA		1	$	372.42	10.00%	$ 335.18
119232	Windy City Wire	727308-S	18-04 UNS SOL FPLR Gry Stp	EA		1	$	372.42	10.00%	$ 335.18
119233	Windy City Wire	7273090-S	18-04 UNS SOL FPLR Wht Jkt	EA		1	$	372.42	10.00%	$ 335.18
119234	Windy City Wire	727400-S	18-06 UNS SOL FPLR Red Jkt	EA		1	$	545.10	10.00%	$ 490.59
119235	Windy City Wire	728100-S	16-02 UNS SOL FPLR Red Jkt	EA		1	$	280.93	10.00%	$ 252.84
119236	Windy City Wire	728101-S	16-02 UNS SOL FPLR Blk Stp	EA		1	$	280.93	10.00%	$ 252.84
119237	Windy City Wire	728102-S	16-02 UNS SOL FPLR Blu Stp	EA		1	$	280.93	10.00%	$ 252.84
119238	Windy City Wire	728103-S	16-02 UNS SOL FPLR Ylw Stp	EA		1	$	280.93	10.00%	$ 252.84
119239	Windy City Wire	728104-S	16-02 UNS SOL FPLR Org Stp	EA		1	$	280.93	10.00%	$ 252.84

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Senior Services
Initiated by: **Brian Bray**
Co-Sponsored by:

DOC ID: 22898 **RESOLUTION 2021-204** **ADOPTED**

Independent Contractor for Program CRS #2399

We respectfully request Town Board permission to authorize the Supervisor to sign the Program Entertainment Agreement between the Town of Amherst (Department of Senior Services) and Taylor Jeromas, Martin House.

Taylor Jeromas will provide (1) virtual tour of the Martin House in 2021 for $200.

2/22/2021
Consent

FINANCIAL IMPACT:

The cost of $200 per event will be charged to A6772-4090.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Brian J. Kulpa
Supervisor, Town of Amherst

Brian Bray
Director, Senior Services

Town of Amherst
Center for Senior Services
370 John James Audubon Pkwy • Amherst, New York • 14228
Phone (716) 636-3050 Fax (716) 636-3060

January 12, 2021

Taylor Jeromas, Martin House
143 Jewett Parkway
Buffalo, NY 14214

Dear Taylor,

Attached is your Agreement for your presentation/performance as an independent contractor for the Darwin Martin House Virtual Tour. Please sign, **in BLUE ink** where indicated. We ask that you contact Jennifer Lazarz at 636-3050, ext. 3112. closer to your date of presentation/performance to confirm details.

This Agreement is in effect for **five (5) years from date of final contract execution (see page 2)** and allows the Senior Services Department the flexibility to schedule, substitute, cancel or make accommodations for a presentation/performance based on needs and interests of the Department and the availability of the presenter and/or performer.

You have agreed to the following presentation/performance on:

Date: Wednesday, February 24, 2021

Time: 11:00 a.m.

Location: By Zoom

Fee per Event : $200.00

Breaks: 0

Presentation/Performance for the duration of the contract will be scheduled at least 2 months prior to events at the fee of $200.00.

If needing equipment from us or bringing your own, we ask that you arrive ½ hour prior to the start of your performance/presentation to allow sufficient time for setup and testing of the equipment.

Please fill out the attached **Equipment Request Form** in detail. Any questions or concerns, please contact me.

Attachment: Travor Jeromas Contract CRS ID #2399 (RES-2021-204 : Independent Contractor for Program CRS #2399)

TOWN OF AMHERST

PRESENTER/PERFORMER COMMITMENT FORM

Amherst Center for Senior Services
370 John James Audubon Pkwy.
Amherst NY 14228

Presenter/Performer Name: Taylor Jeromas, Martin House

Payment/Check payable to : MHRC

Address: 143 Jewett Parkway

Buffalo, NY 14214

Program (and any Future Events) : Virual Tour of the Darwin Martin House

This is a 5 **year contract.**

Start Date: 2/24/21

End Date: 2/24/26

Cost Per Event: $200.00

MHRC, **agrees to indemnify and hold the Town of Amherst harmless for any charges, damages, or liability resulting directly or indirectly from the negligence or culpable conduct of the instructor, its agents and/or employees and to release the Town of Amherst and its employees, agents, districts, commissions, and boards from liability arising from the performance of this agreements.**

Presenter/Performer Signature	1/27/21 Date
Brian J. Kulpa, Supervisor, Town of Amherst	Date

Contract Name: _____ CRS#: _____ Vendor Name: _____

Attachment: Travor Jeromas Contract CRS ID #2399 (RES-2021-204 : Independent Contractor for Program CRS #2399)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 22851 **RESOLUTION 2021-205** **ADOPTED**

Lease Agreement - CRS #2371

Authorize the Supervisor to sign a contract between the Town of Amherst (Youth & Recreation Department) and the Cantalician Center for Learning, Inc. for rent for the Dayhab Without Walls program in 2021 and 2022.

2/22/2021
Consent

FINANCIAL IMPACT:

A1621.02410 (revenue); -$5,400.00 (2021); -$5,400.00 (2022)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

AGREEMENT
Between the Town of Amherst
and
Cantalician Center for Learning, Inc.

THIS AGREEMENT, made as of _____, 2020 between the Town of Amherst, a municipal corporation with its principal office at 5583 Main Street, Williamsville, New York 14221 (Landlord) and Cantalician Center for Learning, Inc., leasing space at the Harlem Road Community Center, (the "Center"), 4255 Harlem Road, Amherst, New York 14226 (Tenant).

WITNESSETH, that the Landlord has agreed to let, and does hereby let, and the said Tenant has agreed to take, and does hereby take, non-exclusive use of Community Room #4 beginning the 1st day of January 2021 and ending the 31st day of December 2022. The space shall be used for the purposes of providing community-based services to adults with disabilities. A minimum of one (1) staff member shall be on site at all times while individuals receiving services are present. The said Tenant shall pay the Landlord the total rent of $5,400.00 annually in equal installments on January 1, April 1, July 1, and October 1.

Landlord shall supply utilities and maintain the premises in a habitable manner in order to permit the Tenant to carry out its purposes and intent of providing community services.

Tenant shall have the right to store one (1) refrigerator and one (1) cabinet in the room and will have the use of two additional built-in cabinets. Tenant will have use of tables and chairs on site. No interior modifications may be made.

Tenant will at its own expense defend, indemnify, save harmless and make good any damage that shall in the course of the activities of Tenant under this lease agreement be done or caused to the Center, including but not limited to land, foundations, walls, roof or other part of the structure and any equipment of the Landlord therein.

Tenant shall hold the Landlord harmless from any and all demands, claims or expenses, awards or judgments for personal injury to third parties, whether other users of the Center or employees of the Landlord, and damage to property of such other third parties resulting from the Tenant's use of the described premises.

Tenant shall at all times maintain general liability insurance, with indemnification coverage for the premises and the Landlord and shall cause the Landlord to be named as an additional named insured and certificate holder under each such policy, none of which shall be cancelled, reduced in amount of coverage, surrendered or allowed to expire without thirty (30) days prior written notice to the Landlord.

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

Tenant shall have access to the room during stated program hours, normally 8:00am until 4:00pm, Monday through Friday. The building is closed on municipal and/or federal holidays (as outlined in Attachment A). At times, the Landlord may need to move the Tenant to another room. These instances shall be kept to a minimum and at least 48 hours advance notice will be provided.

If default be made in the payment of the rent or any part thereof, or if the Tenant shall without the written consent of the Landlord, let, underlet, or assign the said premises, or a part thereof, for the whole or any part of said term, or shall use said premises or any part thereof for any purpose other than as specified in this lease, the Landlord shall have the right at its discretion to terminate this Lease on first giving to the Tenant ten (10) days notice of such election.

This agreement may be terminated by either party with thirty (30) days written notice.

IN WITNESS THEREOF, the parties hereto have caused their seals to be here unto affixed and these presents to be signed by their duly authorized officers the day and year first above written.

CANTALICIAN CENTER FOR
LEARNING, INC.



NAME, TITLE Executive Director

TOWN OF AMHERST

_____

Brian J. Kulpa, Supervisor

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

Consultant Minor Exposure Addendum to Contract

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Consultants or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Consultant shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Consultant its officers, agents, sub-Consultants, and/or employees as well as the negligence, active or passive, of the Consultant, its officers, agents, sub-Consultants, and/or employees.

4. Consultant shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Consultant shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Consultant shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate.

(c) Consultant shall furnish the above insurances, including sub-Consultants' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Consultant shall ensure all its sub-Consultants, if any, have obtained all the above insurances and shall also assure that any policy procured by any sub-Consultant or sub-sub Consultant shall name the Town as an additional insured on a primary and non-contributory basis.

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of Section 109 of the General Municipal Law, the Consultant is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Consultant shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Consultant, in accordance with its status as an independent Consultant, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules, regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

Cantalician Center for Learning
Print Name of Company

By: _____
Signature

Anne Spissiak
Printed name

Date: 10-15-2020

Agreed to and Accepted by:

Town of Amherst

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: Cantalician Center for Learning

Signature: [signature]

Print Name: Anne Spiciak

Title: Executive Director

Date: 10-27-2020

Sworn To Before Me This

27 Day of October, 2020

MICHELE S. SOBOWIEC
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 9/27 2021

Notary Public: Michele S. Sobowiec

Revised 4.2017

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

CANTCEN-01

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 1/22/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # BR-1009544 Lawley, LLC 361 Delaware Avenue Buffalo, NY 14202	CONTACT NAME: PHONE (A/C, No, Ext): (716) 849-8618 FAX (A/C, No): (716) 849-8291 E-MAIL ADDRESS:
	INSURER(S) AFFORDING COVERAGE — NAIC #
	INSURER A : Philadelphia Indemnity Ins Co — 18058
INSURED Cantalician Center Learning 2049 George Urban Boulevard Depew, NY 14043	INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR X Prof Liab & Sexual A GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC OTHER:	X		PHPK2174153	9/1/2020	9/1/2021	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,0 $ 100,0 $ 5,0 $ 1,000,0 $ 2,000,0 $ 2,000,0
A	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS X HIRED AUTOS ONLY X NON-OWNED AUTOS ONLY			PHPK2174153	9/1/2020	9/1/2021	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,0
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $			PHUB736172	9/1/2020	9/1/2021	EACH OCCURRENCE AGGREGATE	$ 5,000,0 $ 5,000,0
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N N / A If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Town of Amherst is included as an additional insured as required by contract with regards to general liability.

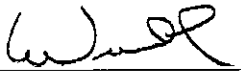
CERTIFICATE HOLDER

Town of Amherst
5583 Main Street
Williamsville, NY 14221

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



ACORD 25 (2016/03) © 1988-2015 ACORD CORPORATION. All rights reserved.
The ACORD name and logo are registered marks of ACORD

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

1a. Legal Name and address of Insured (Use street address only)	1b. Business Telephone Number of Insured
Cantalician Center For Learning, Inc. 2049 George Urban Blvd Depew, NY 14043	(716) 901-8700 **1c. NYS Unemployment Insurance Employer Registration Number of Insured**
Work Location of Insured *(Only required if coverage is specifically limited to certain location in New York State, i.e. a Wrap-Up Policy)*	**1d. Federal Employer Indentification Number of Insured or Social Security Number** 16-1003618
2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)	**3a.Name of Insurance Carrier**
Town of Amherst 5583 Main Street Williamsville, NY 14221	Security National Insurance Company **3b. Policy Number of entity listed in box "1a":** SWC1307613 **3c. Policy effective period:** 9/1/2020 - 9/1/2021 **3d. The Proprietor, Partners or Executive Officers are:** ☐ **included** (Only check box if all partners/officers included) ☐ **all excluded or certain partners/officers excluded**

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy). The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved By: William Lawley Jr.
(Print name of authorized representative or licensed agent of insurance carrier)

Approved By: _____ 1/21/21
(Signature) (Date)

Title: Managing Partner

Telephone Number of authorized representative or licensed agent of insurance carrier: CarrierPhone

Please Note: Only insurance carriers and their licensed agents are authorized to issue the C-105.2 form. Insurance brokers are NOT authorized to issue it.

C-105.2 (9-17) www.wcb.ny.gov

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

Workers' Compensation Law

Section 57. Restriction on issue of permits and the entering contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.

2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.

C-105.2 (9-17) REVERSE

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF INSURANCE COVERAGE
DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only)

Cantalician Center For Learning
2049 George Urban Boulevard
Depew, NY 14043

Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy)*

1b. Business Telephone Number of Insured

(716) 901-8700

1c. Federal Employer Identification Number of Insured or Social Security Number

161003618

3a. Name of Insurance Carrier

Hartford Life and Accident Insurance Co.

2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)

Town of Amherst
5583 Main Street
Williamsville, NY 14221

3b. Policy Number of Entity Listed in Box "1a"

LNY709441

3c. Policy effective period

1-1-2021 to 1-1-2022

4. Policy provides the following benefits:

- [X] A. Both disability and paid family leave benefits.
- [ ] B. Disability benefits only.
- [ ] C. Paid family leave benefits only.

5. Policy covers:

- [X] A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.
- [ ] B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 01-21-2021 By _____

(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (716) 849-8618 Name and Title William Lawley, Jr., Principal

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed _____ By _____

(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: *Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1.* ***Insurance brokers are NOT authorized to issue this form.***

DB-120.1 (10-17)

DB-120.1 (10-17)

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices my be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and not withstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.

Attachment: Cantalician Center Lease (RES-2021-205 : Lease Agreement - CRS #2371)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 22862 **RESOLUTION 2021-206** **ADOPTED**

Lease Agreement CRS #2395

Authorize the Supervisor to sign a contract between the Town of Amherst (Youth & Recreation Department) and Linda Moyer for office rental at the Harlem Road Community Center for 2021 and 2022, pending satisfactory completion of the contract routing process.

2/22/2021
Consent

FINANCIAL IMPACT:

A1621.02410 (revenue); -$3,744.00 (2021); -$3,744.00 (2022)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

AGREEMENT
Between the Town of Amherst
and
Linda Moyer

THIS AGREEMENT, made as of _____, 2021 between the Town of Amherst, a municipal corporation with its principal office at 5583 Main Street, Williamsville, New York 14221 (Landlord) and Linda Moyer, with an office at the Harlem Road Community Center, (the "Center"), 4255 Harlem Road, Amherst, New York 14226 (Tenant).

WITNESSETH, that the Landlord has agreed to let, and does hereby let, and the said Tenant has agreed to take, and does hereby take, certain premises containing two offices consisting of approximately 300 square feet for a term commencing the first day of January 2021 and ending the thirty-first day of December 2022. The said Tenant shall pay the Landlord the total rent of $3,744.00 annually in installments of $312.00, due on the 1st day of each month.

Landlord shall supply utilities and maintain the premises in a habitable manner in order to permit the Tenant to carry out the purposes and intent of the corporation as specified in the Certificate of Incorporation.

Tenant shall have the right to make interior modifications to the building, subject however to prior approval of the Landlord. Tenant shall obtain all necessary permits.

Tenant will at its own expense defend, indemnify, save harmless and make good any damage that shall in the course of the activities of Tenant under this lease agreement be done or caused to the Center, including but not limited to land, foundations, walls, roof or other part of the structure and any equipment of the Landlord therein.

Tenant shall hold the Landlord harmless from any and all demands, claims or expenses, awards or judgments for personal injury to third parties, whether other users of the Center or employees of the Landlord, and damage to property of such other third parties resulting from the Tenant's use of the described premises.

Tenant shall at all times maintain general liability insurance, with indemnification coverage for the premises and the Landlord and shall cause the Landlord to be named as an additional named insured and certificate holder under each such policy, none of which shall be cancelled, reduced in amount of coverage, surrendered or allowed to expire without thirty (30) days prior written notice to the Landlord.

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

If default be made in the payment of the rent or any part thereof, or if the Tenant shall without the written consent of the Landlord, let, underlet, or assign the said premises, or a part thereof, for the whole or any part of said term, or shall use said premises or any part thereof for any other purpose than as specified in the Certificate of Incorporation for the Tenant, the Landlord shall have the right at its discretion to terminate this Lease on first giving to the Tenant ten (10) days notice of such election.

Tenant shall have access to the building during stated business hours, normally 7:30am until 11:30pm, Monday through Friday and 8:00am until 4:00pm, Saturday and Sunday. The building is closed on federal holidays (see Attachment A). The Landlord shall provide written notice of permanent changes to building hours.

This agreement may be terminated by either party with thirty (30) days written notice.

IN WITNESS THEREOF, the parties hereto have caused their corporate seals to be here unto affixed and these presents to be signed by their duly authorized officers the day and year first above written.

TENANT

Linda Moyer

Linda Moyer

TOWN OF AMHERST

Brian J. Kulpa, Supervisor

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

Attachment A
2021-2022 Holiday Closing Schedule

2021

January 1, 2021 – New Year's Day

January 18, 2021 – Martin Luther King Day

February 15, 2021 – President's Day

April 2, 2021 – Good Friday

April 4, 2021 – Easter

May 31, 2021 – Memorial Day

July 4 & 5, 2021 – Independence Day

September 6, 2021 – Labor Day

November 11, 2021 – Veterans' Day

November 25 & 26, 2021 – Thanksgiving

December 24 & 25, 2021 – Christmas

December 31, 2021 – New Year's Eve

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

2022

January 1, 2022 – New Year's Day

January 17, 2022 – Martin Luther King Day

February 21, 2022 – President's Day

April 15, 2022 – Good Friday

April 17, 2022 – Easter

May 30, 2022 – Memorial Day

July 4, 2022 – Independence Day

September 5, 2022 – Labor Day

November 11, 2022 – Veterans' Day

November 24 & 25, 2022 – Thanksgiving

December 25 & 26, 2022 – Christmas

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

Addendum to Contract Minor Exposure

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Contractors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Contractor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Contractor its officers, agents, subcontractors, and/or employees as well as the negligence, active or passive, of the Contractor, its officers, agents, subcontractors, and/or employees.

4. Contractor shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Contractor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Contractor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate

(c) Contractor shall furnish the above insurances, including subcontractors' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Contractor shall ensure all its subcontractors, if any, have obtained all the above insurances and shall also assure that any policy procured by any subcontractor or sub-subcontractor shall name the Town as an additional insured on a primary and non-contributory basis.

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of section 109 of the General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Contractor shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Contractor, in accordance with its status as an independent Contractor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules, regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

Linda K Moyer, LCSW-R
Print Name of Company

By Linda K Moyer, LCSW-R
Signature

Linda K Moyer, LCSW-R
Printed name

Date: 1/6/2024

Agreed to and Accepted by:

Town of Amherst

By: _____
Brian J. Kulpa, Supervisor

Date: _____

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: Linda K Moyer, LCSW-R

Signature: Linda K Moyer, LCSW-R

Print Name: Linda K Moyer, LCSW-R

Title: Sole Proprietor

Date: 1/6/2021

Sworn To Before Me This

6th Day of January, 2021

Notary Public

COURTNEY L. OTT
NOTARY PUBLIC, STATE OF NEW YORK
No. 01OT6268172
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES AUGUST 27, 2024

Revised 4.2017

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY) 07/02/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT
Trust Risk Management Services, Inc. 111 Rockville Pike Suite 700 Rockville, MD 20850	NAME: Trust Risk Management Services, Inc. PHONE (A/C, No, Ext): (855) 655-1801 FAX (A/C, No): (855) 850-2230 EMAIL ADDRESS: aptinfo@trustrms.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: ACE American Insurance Company	22667
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Linda K Moyer
4255 Harlem Rd # 308
Amherst, NY 14226-4426

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC ☐ OTHER	X		G27207972	07/31/2020	07/31/2021	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS–COMP/OP AGG	$1,000,000 $150,000 $25,000 $Included $Included $Included
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per Person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N ☐ (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					☐ PER STATUTE ☐ OTH-ER E.L.EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $ $
A	PROFESSIONAL LIABILITY Occurrence	X		G27207972	07/31/2020	07/31/2021	EACH INCIDENT ANNUAL AGGREGATE	$1,000,000 $5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER
The Town of Amherst
5583 Main St

Williamsville, NY 14221

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS

AUTHORIZED REPRESENTATIVE

©1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

THIS ENDORSEMENT CHANGES YOUR POLICY. PLEASE READ IT CAREFULLY.

Named Insured			Endorsement Number
Linda K Moyer			
Policy Symbol	Policy Number	Policy Period	Effective Date
OGL	**G27207972**	**07/31/2020 to 07/31/2021**	**07/31/2020**
Issued By (Name of Insurance Company)			
ACE American Insurance Company			

This endorsement modifies insurance provided under the following:

Health Care and Allied Professional and Supplemental Liability Policy (Claims-Made)
Health Care and Allied Professional and Supplemental Liability Policy (Occurrence)

Additional Insured(s) Endorsement

It is agreed that Section V, Definitions, of the policy is amended by adding the following to the definition of "insureds":

- those natural persons or organization(s) listed by name as an Additional Insured in the Schedule below, but solely with respect to such Additional Insured's liability arising solely out of:

  1. if Professional Liability coverage is indicated for such Additional Insured, "professional services" performed by "you" or on "your" behalf for such Additional Insured; or

  2. if Premises/General Liability coverage is indicated for such Additional Insured, "bodily injury" or "property damage" caused by an "occurrence" covered under this insurance that was caused solely by:

     i. "you" or "your" employees acting on "your" behalf; and
     ii. within the scope of "your" duties to and performed on behalf of such Additional Insured.

  3. if Personal Injury Liability coverage is indicated for such Additional Insured, "personal injury" caused by an offense covered under this insurance that was caused solely by:

     i. "you" or "your" employees acting on "your" behalf; and
     ii. within the scope of "your" duties to and performed on behalf of such Additional Insured.

Schedule

Additional Insured:	Address:	Additional Premium	Applicable Coverage
The Town of Amherst	5583 Main St Williamsville, NY 14221		☒ **PREMISES OR GENERAL LIABILITY COVERAGE** ☒ **PROFESSIONAL LIABILITY COVERAGE** ☒ **PERSONAL INJURY LIABILITY COVERAGE**

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

All other terms and conditions of this policy remain unchanged.

Authorized Representative

Attachment: Linda Moyer 2021 (RES-2021-206 : Lease Agreement CRS #2395)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 22891 **RESOLUTION 2021-207** **ADOPTED**

Yearly Pump Maintenance Program CRS #2412

Authorize the Supervisor to sign a contract between the Town of Amherst (Youth & Recreation Department) and Pump Irrigation Technologies for service at the Oakwood Golf Course.

2/22/2021
Consent

FINANCIAL IMPACT:

T3063.2600; $1,300.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

Invoice

Pump Irrigation Technologies, Inc.
4647 Morningside Drive
Eden NY 14057

Date	Invoice #
11/2/2020	7130

Bill To	Ship To
Town of Amherst Oakwood GC	Amherst - Oakwood Golf Course 3575 Tonawanda Creek Rd Amherst, NY 14228

Due Date	P.O. No.	Terms	Job Name
12/2/2020		Net 30	Eric Guzdek

Description	
2020 Yearly Pump Maintenance Program - Three Visits - spring/mid-season/fall .... includes installing and removing suction line.	
	Subtotal $1,300.00
	Sales Tax (8.75%) $0.00
	Total $1,300.00
	Payments/Credits $0.00
	Balance Due $1,300.00

Phone #	E-mail	Web Site
7168184329	salsgroi@pumpirrigation.com	pumpirrigation.com

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

Addendum to Contract Minor Exposure

1. Notwithstanding any other provision in this Agreement, the following clauses shall be controlling. Should any other provision of the Agreement conflict with the clauses in this Addendum then the provisions of this Addendum are to be enforceable and any conflicting provision shall be considered null and void.

2. No rules, requirements or customs of any society or association of professional Contractors or any similar association shall affect this Agreement in any way whatsoever or be binding upon the Town.

3. To the fullest extent permitted by law, Contractor shall indemnify and hold the Town, its officers, agents, and employees, harmless from any and all liability, demands, claims, or expenses, awards or judgments imposed upon the Town, its officers, agents, and/or employees, arising out of the work of the Contractor its officers, agents, subcontractors, and/or employees as well as the negligence, active or passive, of the Contractor, its officers, agents, subcontractors, and/or employees.

4. Contractor shall not commence work under this Agreement until it has obtained all insurance specified below, produced satisfactory proof of the same and such insurance has been approved by the Town.

(a) Workers' Compensation Insurance: Contractor shall take out and maintain during the life of this Agreement, Workers' Compensation Insurance (both Part A and Part B) for its employees to be assigned to the work hereto under.

(b) General Liability, Professional (if applicable) Liability and Property Damage Insurance: Contractor shall take out and maintain during the life of this Agreement, such general liability and property damage insurance as shall protect it and the Town of Amherst from claims for damages for personal injury, including accidental death, as well as from claims for property damage, which may arise from operations under this Agreement. The amounts of such insurance shall be as follows in an amount not less than $1,000,000.00 per occurrence for bodily injury and property damage including wrongful death, and $2,000,000.00 aggregate

(c) Contractor shall furnish the above insurances, including subcontractors' insurances, to the Town and shall also assure that any policy procured by it shall name the Town as an additional insured on a primary and non-contributory basis.

(d) Contractor shall ensure all its subcontractors, if any, have obtained all the above insurances and shall also assure that any policy procured by any subcontractor or sub-subcontractor shall name the Town as an additional insured on a primary and non-contributory basis.

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

5. Any accident shall be reported to the Office of the Town Attorney as soon as possible and not later than twenty-four (24) hours from the time of such accident. A detailed written report must be submitted to the Town of Amherst as soon thereafter as possible as and no later than three (3) days after the date of such accident.

6. No Assignment: In accordance with the provisions of section 109 of the General Municipal Law, the Contractor is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this agreement, or its power to execute this Agreement, to any other person or corporation without the previous consent in writing of the Town.

7. Required Provisions of Law: Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this Agreement shall be physically amended forthwith to make such insertion. In particular, the Contractor shall, among other things, fully comply with:

(a) Article 8 of the NYS Labor Law for public work contracts and Article 9 of the Labor Law regarding prevailing wage for Building Service employees.
(b) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil Rights Law relating to prohibition against discrimination and equal opportunity.
(c) Affirmative action as required by the Labor Law.
(d) Prevention of dust hazard required by Labor Law Section 222-a.
(e) Preference in employment of persons required by Labor Law Section 222.
(f) Eight-hour workday as required by Labor Law Section 220(2).
(g) Chapter 32 of the Town of Amherst: Minority Women and Business Utilization Commitment.
(h) Chapter 163 of the Town of Amherst: Registration of Sex Offenders.

8. The Contractor, in accordance with its status as an independent Contractor, covenants and agrees that it will conduct itself consistent with such status. It will neither hold itself out as nor claim to be, an officer or employee of the Town by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the Town, including, but not limited to: workers' compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credit.

Waiver: No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

9. This Agreement shall be governed by, and interpreted according to the laws of the State of New York. If the contract between the parties refers to the laws, statutes, rules, regulations or ordinances for any state other than New York State, to the laws, statutes, rules, regulations or ordinances for any county other than Erie County, New York or to the laws, statutes, rules, regulations or ordinances for any municipality other than the Town of Amherst, then the laws, statutes, rules, regulations or ordinances for New York State, Erie county and/or the Town of Amherst shall apply as applicable. Any and all legal action necessary to enforce the Agreement will be venued in Supreme Court, Erie County, New York or in the United States District Court for the Western District of New York, Buffalo Division.

10. It is hereby acknowledged that performance of this Contract will be undertaken in accordance with the specifications and pricing on which the bid was submitted.

Authority for execution on behalf of Town: The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the Town, at a meeting thereof held on _____. Brian J. Kulpa, the Supervisor whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an Agreement on behalf of the Town as a result of that Resolution. This instrument shall be executed in triplicate. At least one (1) copy shall be permanently filed, after execution thereof, in the office of the Town Clerk of Town.

Agreed to and Accepted by:

Pump Irrigation Tech
Print Name of Company

By: _____
Signature

Sal Sgroi
Printed name

Date: 10/27/20

Agreed to and Accepted by:

Town of Amherst

By: _____
Brian J. Kulpa, Supervisor

Date: _____

State of New York County of Erie ss.:
On the 27 day of October in the year 20 20
before me, the undersigned, personally appeared Sal Sgroi
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Suzette M. Lonski
Notary Public

SUZETTE M. LONSKI
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
COMMISSION EXPIRES OCTOBER 19, 2023
#01LO6391777

Revised 12.30..19

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a provision was added to the State Finance Law (SFL), Section 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will develop a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). This list is posted on the OGS website.

By submitting a response to this solicitation, or by assuming the responsibility under a Contract/Lease awarded hereunder, Bidder/Contractor/Vendor (or any assignee) certifies that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor/Vendor is advised that any Bidder/ Contractor/Vendor seeking to renew or extend a Contract/Lease (or assume responsibility of a Contract/Lease awarded must certify at the time the Contract/Lease is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract/Lease, should the Town of Amherst (Town) receive information that a person is in violation of the above-referenced certification, the Town will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Town shall take such action as appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor/Vendor in default.

The Town reserves the right to reject any Contract/Lease or request for assignment for an entity that appears on the prohibited entities list prior to the award of a Contract/Lease, and to pursue a responsibility review with respect to any entity that is awarded a Contract/Lease and appears on the prohibited entities list after Contract/Lease award.

Company Name: Pump Irrigation Tech

Signature: [signature]

Print Name: Sal Sgroi

Title: Owner

Date: 10/27/20

Sworn To Before Me This

27 Day of October, 2020

Suzette M. Lonski

Notary Public

SUZETTE M. LONSKI
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
COMMISSION EXPIRES OCTOBER 19, 2023
#01LO6331777

Revised 4.2017

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

CERTIFICATE OF LIABILITY INSURANCE

DATE (M 08/26/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	**CONTACT NAME:** Annalaura Roth Werner, CPIA, ACSR
Wolf Agency Inc. 5820 Big Tree Rd Orchard Park NY 14127	**PHONE (A/C, No, Ext):** (716) 662-6166 **FAX (A/C, No):** (716) 662-1880 **E-MAIL ADDRESS:** awerner@wolfagency.com
INSURED Pump Irrigation Technologies, Inc 4647 Morningside Drive Eden NY 14057	**INSURER(S) AFFORDING COVERAGE** — **NAIC #** **INSURER A :** Ohio Security Insurance Co — 24082 **INSURER B :** Ohio Casualty Insurance Co — 24074 **INSURER C :** Merchants Mutual Insurance Company — 23329 **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** CL19111502775 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC [ ] OTHER:	Y	Y	BKS59367060	12/23/2019	12/23/2020	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 300,000 $ 15,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [X] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY	Y	Y	BAS59367060	12/23/2019	12/23/2020	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
B	[X] UMBRELLA LIAB [X] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [X] RETENTION $ 10,000	Y	Y	USO59367060	12/23/2019	12/23/2020	EACH OCCURRENCE AGGREGATE	$ 1,000,000 $ 1,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [Y] If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		WCA9101512	05/05/2020	05/05/2021	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 100,000 $ 100,000 $ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Town of Amherst is included as additional insured on a primary and non contributory basis.

CERTIFICATE HOLDER

Town of Amherst
5583 Main Street
Williamsville NY 14221

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

NEW YORK STATE | Workers' Compensation Board

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

1a. Legal Name & Address of Insured (use street address only) Pump Irrigation Technologies Inc 4647 Morningside Drive Eden NY 14057 Work Location of Insured *(Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)*	1b. Business Telephone Number of Insured 716-818-4329 1c. NYS Unemployment Insurance Employer Registration Number of Insured 1d. Federal Employer Identification Number of Insured or Social Security Number 571139353
2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Town of Amherst 5583 Main Street Williamsville NY 14221	3a. Name of Insurance Carrier Merchants Mutual Insurance Company 3b. Policy Number of Entity Listed in Box "1a" WCA9101512 3c. Policy effective period 05/05/2020 to 05/05/2021 3d. The Proprietor, Partners or Executive Officers are [X] included. (Only check box if all partners/officers included) [ ] all excluded or certain partners/officers excluded.

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. **(To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy).** The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

Will the carrier notify the certificate holder within 10 days of a policy being cancelled for non-payment of premium or within 30 days if cancelled for any other reason or if the insured is otherwise eliminated from the coverage indicated on this certificate prior to the end of the policy effective period? [ ] YES [X] NO

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Raymon H Caputo
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by: *Raymon H Caputo* 10/26/2020
(Signature) (Date)

Title: President, Wolf Agency, Inc

Telephone Number of authorized representative or licensed agent of insurance carrier: 716-662-6166

Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.

C-105.2 (9-15) www.wcb.ny.gov

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

Workers' Compensation Law

Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.

2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

Guardian Life Insurance Company of America

PUMP IRRIGATION TECHNOLOGIES, INC.

New York State Disability Benefits

1. If you are unable to work because of an illness or injury, not work-related, you may be entitled to receive weekly benef from your employer, his or her insurance carrier, or from the Special Fund for Disability Benefits.
2. To claim benefits you must file a claim form within 30 days from the first date of your disability, but in no event more tha 26 weeks from such date.
3. Complete claim form DB-450 (Notice and Proof of Claim for Disability Benefits)
   You may obtain the form from your employer, his or her insurance carrier, your health provider, any Unemployment Insurance Office, the Workers' Compensation Board's website (www.wcb.ny.gov) or any office of the Board.
   IMPORTANT: Before filing your claim, your health provider must complete the "Health Care Provider's Statement" on t form showing your period of disability.
   - If you are employed, or have been unemployed for four weeks or less when your disability begins, send the compl form to your employer or the insurance carrier named below.
   - If you have been unemployed more than four weeks when your disability begins, send the completed form to the Workers' Compensation Board, Disability Benefits Bureau, 328 State Street, Schenectady, New York 12305.
4. You are entitled to be treated by any physician,chiropractor, dentist, nurse-midwife, podiatrist or psychologist of your choice. However, unlike workers' compensation, your medical bills will not be paid unless your employer and/or union provide for the payment of such bills under a Disability Benefits Plan or Agreement.
5. If you are ill or injured during the time you are receiving Unemployment Insurance Benefits, file a claim for Disability Benefits as soon as you sustain the injury or illness, by following the instructions outlined above.
6. If you are out of work in excess of seven days, your employer is required to send you a Disability Benefits Statement o Rights (Form DB-271S).
7. You may not take disability benefits at the same time as paid family leave benefits. The total amount of disability and p family leave in a 52 week period cannot exceed 26 weeks.
8. Other information about disability benefits may be obtained by writing or calling the Workers' Compensation Board.

Guardian Life Insurance Company of America
10 Hudson Yards
New York, NY 10001
800-268-2525

00999825-0000	01/01/2012	12/31/2020

☒ ☐

All eligible New York covered employees

NYS Workers' Compensation Board
Customer Service: (877) 632-4996

Employers must post DB-120 so that all classes of their employees know who will pay their benefits.

DB-120 (11-17) THE WORKERS' COMPENSATION BOARD EMPLOYS AND SERVES PEOPLE WITH DISABILITIES WITHOUT DISCRIM

Attachment: Pump Irrigation Technologies Yearly Pump Maintenance (RES-2021-207 : Yearly Pump Maintenance Program CRS #2412)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 22893 **RESOLUTION 2021-208** **ADOPTED**

Authorization to Spend T Account Funds

WHEREAS, account T 2107 has been created for expenses that qualify as parkland alienation, and

WHEREAS, the Amherst Youth & Recreation Department was asked to decommission fields and facilities at the Audubon Recreation Complex as part of the sale agreement to Bones & Guts LLC, and

WHEREAS, the Amherst Youth & Recreation Department was asked to create new fields and facilities to replace those which had been decommissioned, and

WHEREAS, as part of this process, the Youth & Recreation Department incurred and will incur expenses that were not included in its 2021 budget, and

WHEREAS, the Supervisor, Finance Director, Town Attorney and the Director of Economic Development believe it appropriate to use this account to cover those expenses,

NOW THEREFORE BE IT RESOLVED, that the Amherst Town Board authorizes the use of funds in T 2017 to cover expenses incurred in decommissioning the Audubon Recreation Complex and re-establishing those services elsewhere, upon approval of those expenses by the Finance Director, Comptroller, and/or the Director of Economic Development.

2/22/2021
Consent

FINANCIAL IMPACT:

T 2107 - TBD

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
DOC ID: 22880

COMMUNICATION 2021-22 **APPROVED**

Request for Public Hearing - 39 Getzville Road Rezoning

Request from Daemen College for the Rezoning of 39 Getzville Road from R-3 to CF.

Public hearing has been scheduled for March 22nd.

2/22/2021
Consent

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

LABELLA Associates, D.P.C.
Engineering
Architecture
Environmental
Planning

Olympic Towers, 300 Pearl Street, Suite 130 | Buffalo, NY 14202 | p 716.551.6281 | f 716.551.6282 | www.labellapc.com

Attachment: 39 Getzville-02102021110243 (COM-2021-22 : Request for Public Hearing - 39 Getzville Road Rezoning)

February 8, 2021

Town of Amherst Town Clerk
5583 Main Street
Amherst, New York 14221

RE: Daemen College Rezoning Request
39 Getzville Road
Town Application Z-2020-10

Dear Board Members:

Daemen College has a petition to rezone a portion of its parcels (formerly 39 Getzville Road) from existing R-3 to CF (Community Facility) to be consistent with the campus parcel.

At this time, Daemen College is not looking to develop the additional parcels. The rezone is consistent with the Master Plan which designates the Conceptual Land Use for the parcels as Community Facility

We would appreciate being on the next Town Board agenda and look forward to presenting the project to the Town Board for consideration.

Respectfully submitted,

LABELLA ASSOCIATES, D.P.C.

Don Hoefler

Don Hoefler

Project Engineer

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
DOC ID: 22882

COMMUNICATION 2021-23 **APPROVED**

Request for public hearing - 1265 Sweet Home Road

Request from Corey Auerbach, Esq. for a public hearing with respect to the rezoning of 1265 Sweet Home Road from GB to CTR-8.

This hearing has been scheduled for March 22nd.

2/22/2021
Consent

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

BARCLAY DAMON LLP

Corey A. Auerbach
Partner

February 10, 2021

VIA E-MAIL AND FIRST CLASS MAIL

Supervisor Brian Kulpa and
Town Board Members
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Re: Rezoning of 1265 Sweet Home Road

Dear Supervisor Kulpa and Town Board Members:

As you may know, our client DMG Investments LLC has filed an application requesting to rezone 1265 Sweet Home Road from GB to CTR-8 to redevelop the partially constructed hotel as multifamily housing. Please allow this letter as our request that a Public Hearing be scheduled on the proposed rezoning for March 8, 2021.

Thank you for your consideration.

Very truly yours,

Corey A. Auerbach

CAA: cck
Cc: Francina J. Spoth, Town Clerk
22132728.1

9276 Main Street - Suite 3 - Clarence, New York 14031 barclaydamon.com
CAuerbach@barclaydamon.com Direct: (716) 858-3801 Fax: (716) 768-2801

Attachment: Ltr to Amherst Town Board Requesting Public Hearing (COM-2021-23 : Request for public hearing - 1265 Sweet Home Road)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Councilmembers
DOC ID: 22877

COMMUNICATION 2021-24

REFERRED

Harlem Road Community Center Room Rental Policy

-------- Original message --------
From: Jennifer McCann
Date: 2/9/21 9:09 AM (GMT-05:00)
To: "Kulpa, Brian J." <bkulpa@amherst.ny.us <mailto:bkulpa@amherst.ny.us>>, "Berger, Jacqualine" <jberger@amherst.ny.us <mailto:jberger@amherst.ny.us>>, "Bucki, Debbie" <dbucki@amherst.ny.us <mailto:dbucki@amherst.ny.us>>, "Lavin, Shawn A." <slavin@amherst.ny.us <mailto:slavin@amherst.ny.us>>, "Szukala, Michael" <mszukala@amherst.ny.us <mailto:mszukala@amherst.ny.us>>
Subject: Harlem Road Community Center

CAUTION: This email originated from outside of the organization.
Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Town Representatives,

I am writing to you today about something that makes little sense and would like an explanation, and to call your attention to a small problem that needs to be resolved, potentially.

I am a town resident. I needed to rent the dance room at the Harlem road community center for approximately 90 minutes. I needed to video my son for an audition. That's it. Not holding a class. Not inviting guests. Not having people come. Nothing. My son and I, a ballet barre, a tripod, a speaker and music. That's it.

I do not gripe about the rental fees. At all. That is $27. A very fair price.

What I gripe about is the requirement that I obtain a certificate of liability.

I am not a business. I am not holding a business event. I can't just call my insurance company and say I am having an event and I need a COI for liability.

I am an ordinary citizen walking through the doors of the community center to rent a room for short bit. I am inviting NO ONE but my child. He and I are not having an event.

But your requirements treat me like a business and said, call your insurance company for a certification of insurance for liability for your event.

But my homeowners does not cover such a thing. So I had to purchase event insurance. For an HOUR AND HALF to rent your rooms and comply with the insurance requirement I have to pay $150.

I am not a business. I am not inviting anyone to participate in any activities or charging any fees. I am not having an event.

This insurance requirement makes accessing and utilizing the community center cost prohibitive. You don't require the insurance if I take my child to the playground. I can tell you that the risk of injury is greater on a play ground that it is with my son doing a few pirouettes or tendus.

There has to be a way to encourage use of the community center without requiring private citizens to shell out exorbitant fees.

Why do you not have a rider and roll the insurance into the cost. EG: if you are private citizen with fewer than 5 people, the cost for rental is X dollars plus another X for insurance for a nominal fee. If you are a business you must provide a COI for liability.

All I know is that I have to pay 110 for insurance to cover me for 90 minutes.

Only because of desperation due to Covid and weather can I find no other option. But I do know that I wouldn't consider the town or it's facilities for any thing in the future if the cost remains the same.

Jennifer M. McCann

2/22/2021
Referred to Youth & Recreation and the Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Supervisor
DOC ID: 22852

COMMUNICATION 2021-25 **REFERRED**

Letter Regarding Briarhurst Park from Resident

Please see the attached letter from David and Alicia Lombardo received February 1, 2021 regarding Briarhurst Park.

2/22/2021
Referred to Youth & Recreation, Police, and the Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

RECEIVED
FEB 01 2021
TOWN OF AMHERST
SUPERVISOR'S OFFICE

January 21, 2021

Amherst Town Supervisor
Brian J. Kulpa
5583 Main Street
Williamsville, New York 14221

Dear Mr. Kulpa
RE: Briarhurst Park

We have resided at [redacted] in Williamsville, New York 14221 for approximately 16 years and we are notifying your office of issues that pertain to the proximity of Briarhurst Park. The issues involve the play equipment, disturbance of peace, invasion of privacy, excessive littering, and the feeling of being unsafe. The park has become one of the most frequent parks to visit in Williamsville. We have observed the park and area changing over the years to a vast majority of ruthless teenagers as well. The park is never patrolled by Amherst Police until they are contacted regarding unruly visitors at the park.

The larger slide situates approximately 15 ft from our rear fence line and when utilized allows full observance into our private yard. Recently, we removed our pool and lawn furniture due to individuals standing on the larger slide. This would occur consistently throughout the years during the warmer months. Each year we decrease enjoyment of our yard due to the invasion of privacy the play equipment allows. In early spring of 2020, we "put up" a higher fence and planted shrubs/trees to "shade" the issue, but to no satisfactory results.

However, we continue to tolerate throughout the day and late-night loud music, debris in our yard, drug paraphernalia, empty beer cans, empty liquor bottles, empty bottles of e-juices, large unruly gatherings on top of the large slide, individuals making out, loud music, and constant use of vulgar language. In the summer of 2020 the park had gained a new gazebo after we observed the destruction of the old gazebo from unruly individuals. Several times with the use of firecrackers, individuals have tried to start a fire in the portable bathroom and next to our fence line as well.

We are taxpaying citizens who do not have the luxury of having a private yard during the warmer months. During the years, we have tried to ignore an ever-growing problem and have maintained silence while these issues continue to be problematic for us. There are no other parks in Western New York that has play equipment adjacent so closely to residence fence lines especially when there is so much land the park retains. Amherst Police have limited ability to control issues they cannot actually witness themselves. However we retain evidence as proof of claim and willing to gain awareness along with other fellow neighbors that have experienced some of the same issues with Briarhurst Park. We would appreciate your prompt response and/or resolution as the warmer months approach us. Can be reached at [redacted]

Sincerely,
David and Alicia Lombardo

CC: Governor Cuomo
Senator Ranzenhofer
U.S. Senator's Gillibrand/Schumer

Attachment: DOC020121-02012021113543 (COM-2021-25 : Letter Regarding Briarhurst Park from Resident)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Supervisor
DOC ID: 22906

COMMUNICATION 2021-26 **REFERRED**

NYS Dept of Taxation and Finance 2021 Tentative Special Franchise Full Values

Refer to the attached 'Notice of 2021 Tentative Special Franchise Full Value' from NYS Dept of Taxation and Finance, Office of Real Property Tax Services, as received by the Town Assessor.

2/22/2021
Referred to Assessor and the Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES
WA Harriman State Campus
Albany, N Y 12227
(518)530-4900

RP7026
Dated
January 27, 2021

NOTICE OF TENTATIVE SPECIAL FRANCHISE FULL VALUE

For city and town assessment roll to be filed in 2021

Mr. David Marrano, Appointed Assessor 142200
Town of Amherst
5583 Main Street, Town Hall
Williamsville, NY 14221

Hearing Date and Location:
March 09, 2021 at 10:00 am
CR219B, Bldg 9, 2nd Floor
WA Harriman State Campus
Albany, New York

The State Office of Real Property Tax Services has determined the tentative special franchise full values for the following special franchise companies at the amounts shown below. The full values were determined in accordance with Article 6 of the Real Property Tax Law and Part 8197 of Title 20 of the Official Compilation of Codes, Rules and Regulations of the State of New York. The full values include both the value of the tangible property situated in, upon, under or above public streets, highways, waters and other public places and the value of the franchise, right, authority or permission to occupy such public streets, highways, waters and other public places.

The State Office or its duly authorized representative will conduct a hearing in its office in the City of Albany on the day indicated above as the "Hearing Date" to hear any complaints concerning such full values. Complaints must be filed in accordance with the procedure provided in Section 610 of the Real Property Tax Law. In order for a complaint to be considered by the State Office, a complainant must:

(1) Specify its objections to the tentative special franchise full values on Form RP-7141 available from the Office of Real Property Tax Services.
(2) Serve its complaint to the State Office at least ten (10) days prior to the hearing date. Service may be made in person or by mail.
(3) Serve a copy of the complaint upon the appropriate special franchise company.
(4) File with the State Office, at least five (5) days prior to the hearing date, an affidavit stating in substance that the copy required in step 3 above has been served.

Town of Amherst, Erie County	Full Value Number	Tentative Full Value	Pct Change From Prior Roll
National Fuel Gas Dist. Corp.			
6363 Main St, National Fuel			
Williamsville, NY 14221-5887			
Village of Williamsville		**$2,098,959**	**4.0**
Town Outside Villages		**$31,900,660**	**2.5**
Total Town:	123700-1422	$33,999,619	2.6
National Fuel Gas Supply Corp.			
6363 Main St			
Williamsville, NY 14221			
Town Outside Villages		**$1,427,203**	**-2.4**
Total Town:	123710-1422	$1,427,203	-2.4
New York State Electric & Gas			
One City Center, Avangrid Management 5th floor			
Portland, ME 04101			
Town Outside Villages		**$575,254**	**-0.7**
Total Town:	131600-1422	$575,254	-0.7
Niagara Mohawk dba Nat'l Grid			
300 Erie Blvd West			
Syracuse, NY 13202			

Attachment: DOC021721-021720210914l3 (COM-2021-26 : NYS Dept of Taxation and Finance 2021 Tentative Special Franchise Full Values)

STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES
WA Harriman State Campus
Albany, N Y 12227
(518)530-4900

RP7026
Dated
January 27, 2021

NOTICE OF TENTATIVE SPECIAL FRANCHISE FULL VALUE

Town of Amherst, Erie County	Full Value Number	Tentative Full Value	Pct Change From Prior Roll
Niagara Mohawk dba Nat'l Grid 300 Erie Blvd West Syracuse, NY 13202			
Village of Williamsville		**$2,718,256**	**14.4**
Town Outside Villages		**$73,363,732**	**6.1**
Total Town:	132350-1422	$76,081,988	6.4
Verizon New York Inc. P.O. Box 521807 Longwood, FL 32752			
Village of Williamsville		**$1,245,605**	**4.8**
Town Outside Villages		**$12,500,341**	**2.1**
Total Town:	631900-1422	$13,745,946	2.3
MCI Metro Access Trans Service P.O. Box 521807 Longwood, FL 32752			
Town Outside Villages		**$23,676**	**-1.1**
Total Town:	648800-1422	$23,676	-1.1
Level 3 Telecom NY 1025 Eldorado Blvd, CenturyLink Prop Tx Dept Broomfield, CO 80021			
Village of Williamsville		**$25,308**	**-1.3**
Total Town:	701000-1422	$25,308	-1.3
TVC Albany, Inc. 41 State Street1000 Albany, NY 12207			
Town Outside Villages		**$17,597**	**NEW**
Total Town:	701390-1422	$17,597	
Telus Communications, Inc 10020 100 StreetNW Floor 06 Edmonton, AB T5J2N			
Village of Williamsville		**$259**	**-9.4**
Town Outside Villages		**$4,326**	**-8.9**
Total Town:	701800-1422	$4,585	-9.0
Shaw Business Solutions US, In 630 Third Avenue SWSuite 600 Calgary, AB T2P -4L4			
Village of Williamsville		**$329**	**-7.3**
Town Outside Villages		**$5,972**	**-7.3**
Total Town:	704800-1422	$6,301	-7.3
BCE Nexxia Corporation 9229 Delegates Row, DuCharme McMillen 375 Indianapolis, IN 46280			
Village of Williamsville		**$1,596**	**-5.8**
Town Outside Villages		**$14,189**	**-5.8**
Total Town:	713000-1422	$15,785	-5.8

Attachment: DOC021721-021720210914l3 (COM-2021-26 : NYS Dept of Taxation and Finance 2021 Tentative Special Franchise Full Values)

STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES
WA Harriman State Campus
Albany, N Y 12227
(518)530-4900

RP7026
Dated
January 27, 2021

NOTICE OF TENTATIVE SPECIAL FRANCHISE FULL VALUE

Town of Amherst, Erie County	Full Value Number	Tentative Full Value	Pct Change From Prior Roll
Genuity Solutions Inc.			
1025 Eldorado Blvd, CenturyLink Prop Tx Dept			
Broomfield, CO 80021			
Village of Williamsville		**$835**	**-4.0**
Town Outside Villages		**$19,846**	**-4.4**
Total Town:	727000-1422	$20,681	-4.4
Global Crossing NA			
1025 Eldorado Drive, CenturyLink Prop Tx Dept			
Broomfield, CO 80021			
Village of Williamsville		**$525**	**-4.0**
Town Outside Villages		**$7,270**	**-4.1**
Total Town:	738100-1422	$7,795	-4.0
Teleport Communications			
1010 Pine St, c/o AT & T 9E-L-01			
St. Louis, MO 63101			
Village of Williamsville		**$38,958**	**-1.9**
Town Outside Villages		**$2,244,842**	**-2.9**
Total Town:	744790-1422	$2,283,800	-2.9
Intellifiber Networks			
P.O. Box 2629			
Addison, TX 75001			
Village of Williamsville		**$126,769**	**0.3**
Town Outside Villages		**$576,707**	**-2.9**
Total Town:	744860-1422	$703,476	-2.3
Century Link Communications LL			
1025 El Dorado Blvd, CenturyLink Prop Tx Dept			
Broomfield, CO 80021			
Village of Williamsville		**$3,436**	**-2.4**
Town Outside Villages		**$57,145**	**-2.4**
Total Town:	745000-1422	$60,581	-2.4
Talk America			
P.O. Box 2629, c/o Duff & Phelps			
Addison, TX 75001			
Village of Williamsville		**$4,328**	**-2.2**
Total Town:	770000-1422	$4,328	-2.2
Broadwing Communications			
1025 Eldorado Blvd., CenturyLink Prop Tx Dept			
Broomfield, CO 80021			
Village of Williamsville		**$933**	**-4.3**
Town Outside Villages		**$12,920**	**-4.4**
Total Town:	774000-1422	$13,853	-4.4
Wiltel Communications			
1025 Eldorado Blvd, CenturyLink Prop Tx Dept			
Broomfield, CO 80021			
Village of Williamsville		**$1,040**	**-18.4**

Attachment: DOC021721-021720210914l3 (COM-2021-26 : NYS Dept of Taxation and Finance 2021 Tentative Special Franchise Full Values)

STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES
WA Harriman State Campus
Albany, N Y 12227
(518) 530-4900

RP7026
Dated
January 27, 2021

NOTICE OF TENTATIVE SPECIAL FRANCHISE FULL VALUE

Town of Amherst, Erie County	Full Value Number	Tentative Full Value	Pct Change From Prior Roll
Wiltel Communications			
1025 Eldorado Blvd, CenturyLink Prop Tx Dept			
Broomfield, CO 80021			
Town Outside Villages		**$17,299**	**-18.4**
Total Town:	775000-1422	$18,339	-18.4
CrownCastleFiber LLC			
2000 Corporate Drive, Tax Department			
Canonsburg, PA 15317			
Village of Williamsville		**$65,843**	**-4.2**
Town Outside Villages		**$1,642,767**	**-5.1**
Total Town:	797400-1422	$1,708,610	-5.0
Sunoco Pipeline LP			
3801 West Chester Pike			
Newtown Square, PA 19073			
Town Outside Villages		**$47,871**	**3.5**
Total Town:	805500-1422	$47,871	3.5
Enbridge Energy Partners LP			
P.O. Box 2629, c/o Duff & Phelps			
Addison, TX 75001			
Town Outside Villages		**$52,683**	**4.2**
Total Town:	825800-1422	$52,683	4.2
Time Warner-Buffalo			
7820 Crescent Executive Drive			
Charlotte, NC 28217			
Village of Williamsville		**$553,970**	**-6.7**
Town Outside Villages		**$3,517,089**	**-5.4**
Total Town:	911970-1422	$4,071,059	-5.6
Grand Total		$134,916,338	

Edward Martorana

Edward Martorana
Valuation Services Bureau

Note: The amounts of the special franchise full values set forth in this notice are "tentative" and must not be entered on the assessment roll. The final full values for entry on the assessment roll will be transmitted at a later date.

Attachment: DOC021721-021720210914l3 (COM-2021-26 : NYS Dept of Taxation and Finance 2021 Tentative Special Franchise Full Values)

NYS Office of Real Property Tax Services
Listing of Current Obsolescence Adjustments
2021 Assessment Roll

Type	Comp Co	Company Name	2020 Roll	2021 Roll
Gas/Elec	104900	Brooklyn Union Gas	39% E and See Note 1 & 2	39% E and See Note 1 & 2
Gas/Elec	107700	Central Hudson Gas & Electric	5% E	3.5% E
Gas/Elec	110700	Con Edison	12% E (Gas Plant in NYC) and See Note 1 & 2	11% E (Gas Plant in NYC) and See Note 1 & 2
Gas/Elec	111900	Corning Natural Gas Corp.	16% E and See Note 1	15% E and See Note 1
Gas/Elec	123700	National Fuel Gas Distribution	See Note 2	See Note 2
Gas/Elec	127410	Keyspan Gas East Corporation	17% E	5% E
Gas/Elec	131600	NYS Electric & Gas	7% E and Note 2	15% E and Note 2
Gas/Elec	132350	Niagara Mohawk dba Nat'l Grid	12% E	10% E
Gas/Elec	134100	Orange and Rockland	2% E	2%E
Gas/Elec	139000	Rochester Gas& Elec	9% E and See Note 2	11% E and See Note 2
Gas/Elec	139900	St. Lawrence Gas Company	17% E Note 3 and See Note 1 & 2	13% E Note 3 and See Note 1 & 2
Water	223100	Hudson Valley Water (A)	50% E	50% E
Water	227600	Long Island Water Corporation	15% E	17% E
Water	232100	New York Water Service Corp.	45%	48% E
Water	235000	United Water Qwego	27% E	46% E
Water	236900	United Water Westchester	7% E	9% E
Water	239620	Rosendale Plains Homeowners	38% E	22% E
Water	240800	Sea Cliff Water Company	45% E	48% E
Water	245100	Tillson Estates Comm. Assoc.	36% E	45% E
Telephone	600300	Armstrong Telephone	50% E	50% E
Telephone	601700	AT&T Communications, Inc.	See Note 1	See Note 1
Telephone	602500	Frontier Comm : Ausable Valley	See Note 2	See Note 2
Telephone	608400	Champlain Telephone	50% E	50% E
Telephone	608900	Chazy Westport Telephone	50% E	50% E
Telephone	609600	Citizens Telephone of Hammond	50% E	50% E
Telephone	613700	Delhi Telephone	50% E	50% E
Telephone	613800	Deposit Telephone Co	12% E	0% E
Telephone	614700	Dunkirk Fredonia Telephone	50% E	50% E
Telephone	618750	Citizens Telecom Co. of NY Inc	See Note 2	See Note 2
Telephone	618800	Germantown Telephone	50% E	50% E
Telephone	620600	Hancock Telephone	50% E	50% E
Telephone	621700	Frontier Comm. of New York	See Note 2	See Note 2
Telephone	628100	Margaretville Telephone Co.	50% E	50% E
Telephone	628350	MCI Communications Services Inc	27% F and See Note 1	27% F and See Note 1
Telephone	629000	Windstream New York, Inc.	50% E and See Note 2	50% E and See Note 2
Telephone	630500	Newport Telephone Co	11% E	0% E
Telephone	631900	Verizon New York, Inc.	67% E, See Note 1 & 2	67% E, See Note 1 & 2
Telephone	632500	Nicholville Telephone	50% E	50% E
Telephone	633300	Ogden Telephone Company	See Note 2	See Note 2
Telephone	633600	Oneida County Rural Telephone	50% E and See Note 2	50% E and See Note 2
Telephone	633900	Ontario Telephone Co	50% E	50% E
Telephone	635600	Pattersonville Telephone	24% E	50% E
Telephone	637000	Port Byron Telephone Co	23% E	27% E
Telephone	637250	Empire Telephone Corp.	50% E	50% E
Telephone	639100	Frontier Tel of Rochester	50% E, See Note 2	50% E, See Note 2
Telephone	641000	Frontier Comm: Seneca-Gorham	See Note 2	See Note 2
Telephone	643400	State Telephone	5% E	0% E
Telephone	644200	Frontier Comm: Sylvan Lake	See Note 2	See Note 2
Telephone	645200	Township Telephone Co., Inc.	50% E	50% E
Telephone	645800	Trumansburg Telephone Co	50% E	50% E
Telephone	646900	Vernon Telephone Company	50% E	50% E
Telephone	648800	MCI Metro Access Trans Service	14% F	14% F
Telecom	701000	Level 3 Telecom of NY (fka: TW Telecom of	See Note 2	See Note 2
Telecom	701380	Telcove Inc (Level 3 Company)	23% F	23% F
Telecom	701800	Telus Communications	9% F	13% F
Telecom	704800	Shaw Business Solutions US	43% F	43% F
Telecom	706000	Looking Glass Networks, Inc. (Level 3 Com	47% F	47% F
Telecom	713000	BCE Nexxia Corporation	22% F	23.2% F
Telecom	716400	Empire City Subway Co	See Note 1	See Note 1
Telecom	718000	Orange Business Services US fka: Equant	12% F	12% F
	727000	Genuity Solutions	30% F	30% F
Telecom	738100	Global Crossing North America (Level 3 Co	34% F	34% F
Telecom	738110	Global Crossing Telecom Inc (Level 3 Comp	65% F	65% F
Telecom	744790	Teleport Communications	See Note 1	See Note 1
Telecom	745000	Century Link fka:Qwest Communications	See Note 2	See Note 2
Telecom	746120	Sprint Communications Co	10% F, except NYC 1% F	10% F, except NYC 1% F
Telecom	760700	Level 3 Communications	See Note 2	See Note 2
Telecom	772000	RCN Telecom Services	See Note 1	See Note 1
Telecom	774000	Broadwing Communications, LLC (Level 3	37%F	37%F
Telecom	775000	WilTel Communications Group (Level 3 Co	0%	15% F
Telecom	797400	Crown Castle Fiber LLC	See Note 1	See Note 1
Pipeline	816650	North Country Gas Pipeline	39% F	40% F
Pipeline	823360	Iroquois Gas Trans System	See Note 1 & 2	See Note 1 & 2
Pipeline	825150	Kiantone Pipeline Corp	See Note 2	See Note 2
Pipeline	830000	EmKey Gathering	0%	See Note 1 & 2
Pipeline	832700	Northville Petroleum Pipeline fka Northvi	See Note 2	See Note 2
Pipeline	832720	Nustar Terminals Op. & P. L.P. fka Northvi	95% E	95% E

A percentage amount indicates a company-wide functional (F) or economic (E) obsolescence adjustment

Note 1: Functional obsolescence adjustments were made to specific municipalities. Contact your Regional Utility CRM for specific municipal adjustments.

Note 2: Functional obsolescence adjustments were made to specific property types. Contact your Regional Utility CRM for specific property type adjustments.

Note 3: Economic obsolescence adjustments were made companywide for the stated factor with some municipalities being excluded or the factor was adjusted appropriately. Contact your Regional Utility CRM for specific information.

Attachment: DOC021721-021720210914l3 (COM-2021-26 : NYS Dept of Taxation and Finance 2021 Tentative Special Franchise Full Values)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
DOC ID: 22864

COMMUNICATION 2021-27 **REFERRED**

Summons & Verified Complaint: Kemper Services Group A/S/O Kristina Murray Vs. Town of Amherst

2/22/2021
Referred to Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

FILED: ERIE COUNTY CLERK 01/19/2021 10:00 AM INDEX NO. 800653/2021
NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 01/19/2021

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

----------X

KEMPER SERVICES GROUP
A/S/O KRISTINA MURRAY,

Plaintiff(s),

-against-

THE TOWN OF AMHERST,

Defendant(s).

----------X

Index No.:
Date Purchased:

SUMMONS

Plaintiff designates Erie County as the place of trial.

The basis of venue is:
Place of Accident

Plaintiff resides at:
12750 Merit Drive
Suite 1424
Dallas, TX 75251

To the above named Defendant:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorney(s) within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: NEW YORK, NEW YORK
January 13, 2021

BRIAN K. SUCHOFF
ROSS & SUCHOFF, LLC
Attorneys for Plaintiff
1270 Avenue of the Americas Suite 747
New York, NY 10020
(212) 304-3994
Our File No. 43248

TO: THE TOWN OF AMHERST
5583 Main Street
Williamsville, NY 14221

Attachment: DOC020421-02042021153932 (COM-2021-27 : Summons & Complaint: Kemper Vs TOA)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

Index No.:
Date Purchased:

----------X

KEMPER SERVICES GROUP
A/S/O KRISTINA MURRAY,

VERIFIED COMPLAINT

Plaintiff(s),

-against-

THE TOWN OF AMHERST,

Defendant(s).

----------X

Plaintiff, by its attorneys, ROSS & SUCHOFF, LLC, complaining of the Defendant, respectfully alleges, upon information and belief:

1. At all times herein mentioned, Defendant THE TOWN OF AMHERST was and still is a municipal corporation.

2. That on 05/18/2020, and within the time prescribed by law, a sworn Notice of Claim stating, among other things, the time when and the place where the injuries and damages were sustained, together with Plaintiff's demands for adjustment thereof was duly served on the Plaintiffs' behalf on the Comptroller of the TOWN OF AMHERST and that, thereafter, said Comptroller for THE TOWN OF AMHERST refused or neglected for more than thirty (30) days, and up to the commencement of this action, to make any adjustment or payment thereof, and that, thereafter, and within the time provided by law, this action was commenced.

3. At all times herein mentioned, the Plaintiff-Subrogor was the owner of the house located at 2279 Hopkins road, Town of Getzville, County of Erie in the State of New York.

Attachment: DOC020421-02042021153932 (COM-2021-27 : Summons & Complaint: Kemper Vs TOA)

4. At all times herein mentioned, Defendant THE TOWN OF AMHERST its agents and/or employees were repairing a sewage blockage at or near Hopkins road, Town of Getzville, County of Erie in the State of New York.

5. That on February 27, 2020, Defendant THE TOWN OF AMHERST was clearing out the main hole cover in front of Plaintiffs-subrogor's neighbor's house resultant of the sewage blockage.

6. That on February 27, 2020, at 2279 Hopkins road, Town of Getzville, County of Erie in the State of New York., there was a water and/or sewage backup into Plaintiff-subrogor's 2nd floor bathroom, basement bathroom and laundry drain.

7. That as a result of the aforesaid water and/or sewage backup, Plaintiff Subrogor's house was caused to suffer property damage.

8. That the aforesaid occurrence was caused wholly and solely by reason of the negligence of the Defendants without any fault or negligence on the part of the Plaintiff contributing thereto.

9. That Defendant its agents, servants and/or employees were negligent, careless and reckless in management, supervision, and performance of the aforesaid repaired within Defendants control and care.

10. That by reason of the foregoing, Plaintiff-Subrogor's house was caused to suffer property damage and loss of use , and pursuant to the policy of insurance issued to the Plaintiff-Subrogor, Plaintiff paid $10,000.00 to its insured for the damages to the house.

Attachment: DOC020421-02042021153932 (COM-2021-27 : Summons & Complaint: Kemper Vs TOA)

11. By virtue of that payment and in accordance with the subrogation provisions contained in the insurance policy, the insured assigned to plaintiff and the plaintiff became subrogated to all of the rights of the plaintiff-subrogor, to recover against any firm, person or corporation, any and all sums paid under the policy.

12. That by reason of the foregoing, Plaintiff, has been damaged in the amount of $10,000.00.

WHEREFORE, Plaintiff demands judgment against the Defendants in the amount of $10,000.00 together with costs and disbursements of this action.

Dated: New York, New York
January 13, 2021

Yours, etc.

BRIAN K. SUCHOFF
ROSS & SUCHOFF, LLC
Attorney for Plaintiff(s)
1270 Avenue of the Americas Suite 747
New York, NY 10020
(212) 304-3994
Our File No. 43248

Attachment: DOC020421-02042021153932 (COM-2021-27 : Summons & Complaint: Kemper Vs TOA)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
DOC ID: 22849

COMMUNICATION 2021-28 **REFERRED**

Notice of Claim: Wilber on Behalf of USAA A/S/O Leah Nixon Vs. Town of Amherst

2/22/2021
Referred to Town Attorney.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

wilber

P: 800.313.5169 210 Landmark Dr.
F: 800.313.5179 Normal, IL. 61761

NOTICE OF CLAIM

DATE/TIME OF LOSS: 11/01/2020 06:18 PM

LOSS LOCATION: WILLOW RIDGE DR AMHERST, NY 14228

AMOUNT CLAIMED: 14855.36

DESCRIPTION OF LOSS:
YOUR INSURED, [redacted], DRIVER OF THE AMHERST POLICE DEPARTMENT VEHICLE, FAILED TO USE THE PROPER LOOKOUT AS OUR INSURED ENTERED TRAFFIC THEREFORE STRIKING OUR INSURED, LEAH NIXON'S, VEHICLE, CAUSING DAMAGES.

OUR CLIENT'S INSURED'S VEHICLE OR PROPERTY:
2013 FORD EDGE TAG #: [redacted]/NY OWNER: LEAH NIXON

YOUR VEHICLE OR PROPERTY:
2020 FORD POLICE CAR OWNER: AMHERST POLICE DEPARTMENT

STATE OF ILLINOIS

COUNTY OF MCLEAN

SIGNED THIS 18TH DAY OF JANUARY , 2021 AT NORMAL, ILLINOIS.

CLAIMANT SIGNATURE Carmen Attorney

NOTARY PUBLIC _____ My

Commission Expires:
9/11/22

OFFICIAL SEAL
LISA YENICEK
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/11/22

JAN28'21 AM11:51 RCVD

Attachment: DOC012921-01292021115452 (COM-2021-28 : NOC: USAA Vs TOA)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Engineering Services
Initiated by: **Jeffrey S. Burroughs**
Co-Sponsored by:

DOC ID: 22914 **RESOLUTION 2021-209** **ADOPTED**

PIP - 6000-6040 North Bailey Avenue - Storm PIP 3074

Attached please find an application for a Storm Sewer Public Improvement Permit properly filled out. Permit fee and inspection cost amount to $6,086.00.

We are sending two (2) checks to the Town Clerk, one for $150.00 to be retained as a Permit Fee and one in the amount of $5,936.00 which will be sent to the Comptrollers Office by the Town Clerk to be held in escrow to cover the inspection cost.

At this time we are asking for your approval of the application for PIP No. 3074.

2/22/2021
Consent

FINANCIAL IMPACT:

$6,086.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

APPLICATION FOR PERMIT TO CONSTRUCT A PUBLIC/PRIVATE IMPROVEMENT

Date February 8 20 2

TO THE HONORABLE TOWN BOARD:

Gentlemen: ***Town of Amherst, Erie County, N.Y.***

Application is Hereby Made for Permission to Construct

	Public	Private
Pavement and Curbs	☐	☐
Water Line	☐	☐
Sanitary Sewer	☐	☐
Storm Sewer	☒	☐
Backyard Drainage	☐	☐

Estimated Cost of Improvement $ 59,360.000

DESCRIPTION OF PROPOSED PUBLIC/PRIVATE IMPROVEMENT

Subdivision Name, Street Name(s), Quantity, Description and Location of Improvement: Town of Amherst Job 1988.041

The project is filling in an existing drainage ditch along North Bailey Av and replacing it with 511 LF of 36" storm pipe and five (5) storm manhole

Supporting Data:

Consulting Engineer's Name James Allen Rumsey, R.A

Contractor's Name TBD Phone TBD

Contractor's Address TBD

Maintenance (2 yr.) bond by TBD

This application must be submitted in quadruplicate along with 4 copies of construction drawings showing the extent of the improvements which will b incorporated into and made a part of this application. In the event the drawing submitted contains other facilities not covered by this permit, then those cover by this permit must be designated by coloring so that a clear-cut picture of the work under this permit is easily determined.

Work under this permit shall be started within 60 days from the date of approval thereof. Work under this permit shall be completed within 1 year from the da of approval thereof. Any request for extension shall be addressed in writing to the Town Board of the Town of Amherst.

Fees from this permit and cost of inspection shall be covered by separate checks made payable to the Town of Amherst at amounts set forth by the Tow Board. The inspection fee is to cover all work under this permit and shall be at no additional cost to the Town of Amherst. The inspection fee may be increased b a commercially reasonable amount during or after implementation of the improvement at the discretion of the Town Engineer due to unforeseen field conditions complexity of design. All construction work is to be carried on during normal and usual working hours. Any deviation from this must be compensated by th payment of additional fees.

In consideration of the granting of the permit hereby petitioned for, the undersigned hereby agrees that if such a permit is granted he/she will comply with th terms thereof, the Laws off the State of New York, the Ordinances of the Town of Amherst and Regulations of the various departments of the Town and the Sta of New York, and that he/she shall notify the Engineering Department forty-eight (48) hours in advance of commencing any work under this permit.

The undersigned hereby certifies that all of the information contained in this petition is correct and true.

ITEM		FEE
PERMIT		$150.00
INSPECTION	10% of Estimated Cost of Construction	$5,936.00
VIDEO INSPECTION SANITARY		
$0.50/Linear Foot		
TOTAL FEE		$6,086.00

Owner Sign Here

Benderson Development Company, LLC

Please Print Name

570 Delaware Ave, Buffalo, NY

Address

14202 Zip Phone 716-998-85

Subscribed and sworn to before me this 8th day of February 20 21

Carly L. Hess

Notary Public, Erie County, New York

CARLY L. HESS
Notary Public, State of New York
Qualified in Monroe County
REG. NO. 01HE6407872
Commission Expires 07/13/2024

I do certify that I have examined the foregoing petition and Survey Sketch and certify that they conform to Ordinances of the Town of Amherst.

Town Engineer

Receipt is hereby acknowledged of the sum of $ ..... , being the required fees established by the Town Board of the Town of Amherst, N.Y.

Public/Private Improvement Permit No. 3-19

Attachment: PIP 3074 (RES-2021-209 : PIP 3074 - 6000-6040 North Bailey Avenue - Storm)

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Youth & Recreation
Initiated by: **Mary Diana Pouli**
Co-Sponsored by:

DOC ID: 22933 **RESOLUTION 2021-210** **ADOPTED**

Appointment Request, Youth & Recreation

Date: 11 February 2021

To: Robert McCarthy, Director of Human Resources

From: Mary-Diana Pouli, Executive Director

Re: Appointment Request

I am requesting the appointment of Kevin Strom as a full-time Laborer in the Youth & Recreation Department. He will fill a position vacated by A. Noel Kobus who retired in the fall of 2020. The position is fully funded in our department's 2021 budget.

The vacancy was posted in accordance with CSEA regulations. Mr. Strom is currently a recreation attendant in our department.

A Vacancy Control form is attached.

Thank you for your assistance in this matter. Please do not hesitate to contact me should you have any questions or need additional information.

2/22/2021
A motion to approve was made by Deputy Supervisor Berger, seconded by Councilmember Bucki and unanimously approved 5-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Deputy Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Town Clerk
DOC ID: 22938

COMMUNICATION 2021-29 **REFERRED**

Concerns Regarding 2160 & 2170 N. Forest Road Rezoning Request

Letter from Joseph Hausbeck addressing his concerns with respect to the rezoning application for 2160 & 2170 N. Forest Road.

2/22/2021
A motion to refer to Planning and the Town Clerk for inclusion into the Minutes was made by Deputy Supervisor Berger, seconded by Councilmember Szukala and unanimously approved 5-0.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Deputy Supervisor
SECONDER:	Michael Szukala, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

19 February 2021

Francina J. Spoth, Town Clerk
Town of Amherst
5583 Main Street
Williamsville, New York 14221

Via email to: fspoth@amherst.ny.us

Re: Public Hearing of the Town Board scheduled for Feb. 22, 2021
Request to Amend the Land Use Classification of 2160 and 2170 North Forest Road.

To Members of the Town Board:

My wife and I are the owners and residents of 2180 North Forest Road, the property immediately adjoining the subject property. We are now in our 24th year of occupancy. We wish to express our **strong opposition** to the above referenced matter which is scheduled for consideration by the Town Board on Monday, February 22nd.

PROCEDURAL MATTER:

When this matter was under consideration by the Town Planning Board, we raised a concern relative to the sufficiency of the Notice of Hearing provided to the residents. We are unaware of any resolution related to this issue.

Specifically, we questioned whether the residents of Asbury Point, located across from the subject property on North Forest Road, are required to be given notice of the hearing and an opportunity to be heard. Asbury Point is part of the Beechwood Campus and it is our understanding that the elderly who reside there pay a substantial sum to acquire a vested interests in their residence. For purposes of the pending petition, #50 Asbury Point is clearly within the 600' defined radius of the subject property as identified by a map located in the case file at the Planning Department. However, a list of property owners to which notice must be given, attached to that map, appears to omit #50 Asbury Point.

We were unable to personally gain access to the residents at #50 due to Covid 19. However, we did speak to management at the Beechwood Complex and we were informed that no notice of a hearing was provided to either Beechwood or the residents at Asbury Point.

SUBSTANTIVE MATTERS:

COMPLIANCE WITH THE TOWN OF AMHERST BICENTENIAL COMPREHENSIVE PLAN

Petitioner has asserted that the proposed zoning for this site is consistent with the adopted plan. In support, it has attached a map, identified as "Figure 6", which shows the proposed site is "appropriate for mixed residential use". Petitioner quotes the Plan as follows: "The Conceptual Land Use Plan is intended to communicate the overall direction and concept of future development in the Town."

This appears to imply that the Town Board has no choice but to approve the request.

Attachment: 2160 & 2170 N Forest Amherst Town Board letter Hausbeck (COM-2021-29 : Concerns Regarding 2160 & 2170 N. Forest Road

Attachment: 2160 & 2170 N Forest Amherst Town Board letter Hausbeck (COM-2021-29 : Concerns Regarding 2160 & 2170 N. Forest Road

In response, we would like to quote the following ***additional*** passages from the Plan:

> "The Conceptual Land Plan is ***neither a zoning map nor is it meant to show the*** existing or ***proposed use of individual parcels of land"*** (emphasis added). Section 3.3 Conceptual Land Use Plan, pg. 3-29
>
> "It (the Plan) is ***not meant to dictate land use…"*** (emphasis added) pg 3-29
>
> "While it (the Plan) is intended to present a composite picture of the Town at full development, ***the Plan is designed to be flexible*** …" (emphasis added). pg 3-29

Essentially, the Comprehensive Land Use Plan can be *considered* in making a determination. However, it clearly is not - and is not meant to be - *controlling*. What is controlling is whether the proposed action conforms to the uses and character of the neighborhood.

CHARACTER OF THE NEIGHBORHOOD AND THE SUBJECT PROPERTY

The subject property is the eighth parcel on the south side of North Forest Road, east of Millersport Highway. It is the last parcel on North Forest before Stahl Road and is immediately adjacent to the "zombie" property, known throughout Amherst as "that white house". The seven parcels between the subject property and Millersport consist of six (6) single family ranch homes and one (1) one- story building, housing a Women's Medical Center. The Medical Center is on the corner of Millersport Highway (a commercial thoroughfare) and North Forest Rd. It should be noted that there is a substantial fenced buffer zone between the Medical Center and the first residential property on North Forest, including an area dedicated to a Stormwater Management Practices Bio-retention Project, permitted by the NYS Dept. of Environmental Conservation. The back of all the homes along this portion of North Forest, as well as the proposed site, abut Ellicott Creek.

It should be noted that the Medical Center required a rezoning. However, prior to that being accomplished, a different developer attempted to rezone that property to build an apartment building similar to that now being proposed by the petitioner. That proposed redevelopment plan was objected to by the residents and was not approved by the Town.

The question may therefore be asked: Why should the Town approve this application for a two-story eight unit apartment building, on property which sits further down the same block and in the middle of single family residences, when it has previously rejected a similar application at the commercial intersection of North Forest and Millersport?

On the opposite side of North Forest sits Asbury Point, a quiet and pristine retirement residence. Asbury Point is set back far from North Forest Road. It is not directly accessible from North Forest Road. It is part of the Beechwood Campus, which is a large, self-contained, complex for senior citizens. It is bounded by Millersport, Stahl Road and North Forest Rd. There are dense wooded areas, landscaped areas, abundant mature trees and open greenspaces that act as a buffer between Asbury Point and North Forest Rd. The Asbury Point structure referred to by the petitioner is, indeed, three stories, but it has some underground parking. The structure, as well as its infrequently used limited surface parking area, is setback, partially concealed, and surrounded by walking paths. The building is entirely occupied

by senior citizens who have a vested interest in their units. They are permanent residents and wonderful neighbors.

In contrast, the proposed project is a two-story, 8 unit apartment building, with surface area parking for 17 cars. The site abuts our southern property line and is just 17.5 feet (+ or -) from the south wall of our home. It should be noted that the site plan describes the site as being 2.35 acres. However, the structure itself, plus an eight (8) car garage, surface parking for nine (9) cars, a two (2) bay dumpster, a fire pit, two (2) storm water basins, and all other appurtenances, are "sandwiched in" on approximately one (1) acre of the "site". The remainder of the site sits in the existing floodway and is totally unusable. It is partially wooded, but the wooded area sits behind the proposed development and offers no buffer between the structure and the street or our adjoining property.

THE INAPPROPRIATENESS OF THE SITE FOR AN APARTMENT BUILDING:

Petitioner asserts that there is a demand for "upscale attached residential units for lease". Perhaps there is. But that alone doesn't justify this request to reclassify. If a demand exists, this project would hardly put a dent in it.

If you take a ride down North Forest Road on the opposite side (west side) of Millersport Highway, a casual observation will disclose, without limitation, the existence of the following:

> **The Muir Woods Development, (a new, upscale residential development for lease, containing, if our estimate is correct, approximately 84 units with attached garages), Benderson Village Apartments, Turtle Creek Apartments, Chelsea Place Apartments, and Greenview Court Apartments (which appears to be a conversion of the old University Inn).**

Moreover, the area continues to undergo extensive development.

In contrast, if you take a ride down North Forest Road on our side (east side) of Millersport Highway, a casual observation will disclose that the area is already fully developed, with the sole and singular exception of the vacant lot which is the site of the proposed project. Just as importantly, you will note that the existing development on North Forest is comprised entirely of single-family homes on the South side, and a portion of the Beechwood Campus on the North side.

It is on this vacant lot that the Petitioner wishes to drop an apartment Building, "right smack dab in the middle of a single family home community". This is spot zoning at its worse.

While our neighborhood is small, and the vacant lot in question is part of that neighborhood, our neighborhood has its own distinct character. And, it is our belief that the proposed project is simply inconsistent with that character. The project simply does not fit the site.

IMPACT OF THE PROPOSED PROJECT

PROPERTY VALUES

The quality of life for the current residents on North Forest Road will be adversely affected for numerous reasons. We have serious concerns about the potential loss of real property values.

Attachment: 2160 & 2170 N Forest Amherst Town Board letter Hausbeck (COM-2021-29 : Concerns Regarding 2160 & 2170 N. Forest Road

Personally, we have a very small home. It has only 2 bedrooms and 1 bath … less than 1,000 square feet. However, it is on a very large lot and it is in a perfect location. It is close to all conveniences. We believe it is truly unique to Amherst. However, because of the relative size of the house and lot, we are limited to entertaining outdoors. Throughout the spring, summer and fall, we make extensive use of our yard. It is extremely well maintained and manicured. To preserve its natural beauty, we have actually paid, without being asked, to have fully matured trees on the proposed project site treated against the emerald ash borer. Our yard is beautiful, quiet, and private. The same can be said for each of our neighbors on North Forest.

Directly across Ellicott Creek is the Amherst Bike Trail. For the past 24 years, we have enjoyed an unobstructed view of the Creek and the Bike Path.

Because of all this, our property value has steadily increased to the point that it is our major asset.

If this project is approved, we will have only an unobstructed view of the dumpster, the back of an eight bay garage, and a storm water basin. We are concerned about the potential impact of dumpster odors and the potential for rodent and pest infestation. Throughout the entire 23 years we have lived here, we have enjoyed the wildlife that regularly occupies these parcels. That wildlife includes the deer which miraculously seem to present us, each spring, with two new spotted fawns. However, it also includes the raccoon (anxiously awaiting the installation of the dumpsters) that we have observed in the tree on the property line.

Because of the potential loss of enjoyment, we fear there is a potential for a significant adverse impact on our property value. However, we also have concerns over privacy, traffic and traffic safety, water and flooding, erosion, and soil and land subsidence.

OTHER CONCERNS RELATED TO THIS SPECIFIC PROJECT

WATER ISSUES

Over the years, the proposed site, as well as the site of adjacent properties, has experienced flooding issues from Ellicott Creek. During wet weather events, waters from the adjacent creek and diversion channel regularly flood portions of the proposed site, our premises, and the premises of neighbors to the west. The discharge of more water to Ellicott Creek, involving runoff and snow melt from impervious surfaces, is a major concern for us, as well as our neighbors to the west.

Of specific concern for my wife and I is the fact that approximately one-half of our back yard is comprised of a “bowl”, the elevation of which is perhaps several feet lower than the elevation of the subject property at our property line. In other words, the property line is a hill. At various times during the year, some water will accumulate in an area of the bowl. However, to date most of the bowl remains relatively dry unless there is flooding from the creek. We are concerned that the proposed project would result in increased amounts of water from runoff entering the bowl area and potentially making the area unusable. One of the proposed stormwater basins sits right next to our property line and adjacent to the bowl area. Little information, however, is provided in the Petitioner’s EAF with respect to that proposed stormwater basin.

See Petitioner’s EAF, page 4, Item D.1.h.

Attachment: 2160 & 2170 N Forest Amherst Town Board letter Hausbeck (COM-2021-29 : Concerns Regarding 2160 & 2170 N. Forest Road

In response to the question "Does the proposed action include …activities that will result in the impoundment of any liquids …?", Petitioner responded "Yes". In response to a follow up question regarding construction methods/materials, the Petitioner responded "impoundment is an ***excavation***, a dam is not required".

However, in response to the next question (item D.2.a.) "Does the proposed action include any ***excavation*** …?", Petitioner answered "No", thereby avoiding the necessity of providing specifics about the stormwater basin excavation.

It should be noted that a large portion of the project site was once part of Ellicott Creek. Fill soils were apparently installed on the site in an uncontrolled, non-engineered manner. This is substantiated by Petitioner's Soil Study Report which (although not part of the on-line file for this proceeding) is located in the Planning Board's folder for the site. It is also substantiated by a USGS map attached to Petitioner's Wetland Investigation Letter.

Based upon:
- past and current flooding issues involving the site and its neighboring properties;
- the addition of ½ acre of impervious surface;
- the non-use of pervious surfaces;
- lack of information regarding proposed excavations;
- lack of information regarding storm water basins and their location with respect to the topography of adjacent lands;
- the discharge of storm water to Ellicott Creek; and
- concerns over storm water management generally,

there are serious concerns that this project will have a significant adverse environmental impact on our property as well as that of our neighbors to the north.

ERROSION CONCERNS

We have personally observed substantial erosion of the bank of Ellicott Creek on the site of the subject property. When we acquired our property 23 years ago, the subject property, which adjoins ours, had a large concrete wall comprised of sections of concrete attached to metal supports mounted along the creek bank. The wall was along the peninsular-like portion of the property. Over the years, due to substantial erosion of the bed behind the wall, the entire wall has fallen, section by section, into Ellicott Creek. All that currently remains of the structure is a few metal supports.

At the opposite end of the subject property (at the Stahl Road intersection) sits the infamous "white house". Its driveway is a matter of inches from the eastern end of the subject property. The White house (a zombie property) is generally believed to be falling into Ellicott Creek.

In our mind, concern over erosion raises an issue as to the safety and appropriateness of any construction project of this magnitude.

Attachment: 2160 & 2170 N Forest Amherst Town Board letter Hausbeck (COM-2021-29 : Concerns Regarding 2160 & 2170 N. Forest Road

Attachment: 2160 & 2170 N Forest Amherst Town Board letter Hausbeck (COM-2021-29 : Concerns Regarding 2160 & 2170 N. Forest Road

PUBLIC WATER

The Petitioner's "Application to Reclassify" represents that adequate public water capacity exists. However, we can attest to the fact that, in the past, we and others in our block (North Forest Rd from Millersport Hwy to Stahl Rd) have experienced numerous interruptions in water service. These interruptions have occurred from broken pipes in our block, and have occurred principally during cold weather. Interruptions have been for long periods and have been extremely inconvenient. Ruptured pipes were the culprit, and geysers with flooding of the street were common.

In August, 2016, the Town Board approved a measure to replace the water line from Stahl Road to Millersport Highway. As far as we know, that project has not been completed. Further investigation may be necessary to avoid potential adverse environmental impacts on the community.

TRAFFIC

Petition asserts that the proposed project will not result in a substantial increase in traffic above present levels. This may not prove to be true. Having lived on this block of North Forest for over 23 years, we am familiar with its unique problems. North Forest to Millersport Highway is a major route to the University of Buffalo. It is also the preferred route for many cars entering the Beechwood Complex on Stahl Road or seeking to access the I-290.

This block (between Millersport and Stahl) is a two way (one lane in each direction) residential street. It experiences the full impact of traffic going ***to*** the University in the morning and returning ***from*** it in the afternoon. Depending upon the time of day, in non-Covid times, the traffic can be backed up from Stahl to Millersport or from Millersport to Stahl.

As Stahl Road is the main access point for the Beechwood Complex, and ends at North Forest, traffic is also regularly backed up on Stahl Road, at the intersection of North Forest. To complicate matters further, there is a serious bend on North Forest, right at the intersection, making visibility an issue. Between cars coming down North Forest and cars turning at Stahl, living on North Forest and being the first driveway from Stahl is a serious challenge. It makes it extremely difficult to find an opening in traffic long enough to enter or exit our driveway.

The proposed project seeks a curb cut for a driveway entrance onto the site. (Incidentally, there are already three (3) curb cuts on that parcel). The proposed driveway is even closer to the Stahl Road intersection than ours. The project allows for 17 parking places. Potentially, that makes 17 more cars attempting the same maneuvers as we must attempt and further obstructing our ability to enter and exit. This is a problem common to each of our neighbors.

It should be noted that "traffic concerns" are not limited solely to traffic flow and traffic visibility. A multi-family residential project such as this should consider the safety of pedestrians and cyclists. Due to the proximity to the University and to the Ellicott Creek Trailway (Bike Path), this stretch of North Forest Road is used regularly by both. There are no discrete bike paths along this section, and sidewalks are limited to the opposite side of North Forest. Additionally, it is questionable whether either could be practically installed along North Forest, east of the subject site, due to the proximity to the creek and its erosion issues in that area.

SOIL ISSUES AND DEPTH TO BEDROCK

Over the years, there have been numerous efforts by individuals to acquire and build on the subject property. It is our understanding that most of the efforts involved proposed single family residences. Despite contractual agreements to purchase, none of these efforts materialized. We assume that some were discouraged because of the existence of floodplain/floodway issues. However, some allegedly failed as a result of depth to bedrock issues. Borings have been taken on a number of occasions and the results are rumored to be unfavorable to construction due, in part, to the depth to bedrock, composition of existing soils, and concerns over possible subsidence. Although a Soil Study is contained in the Planning Board's physical file folder, it is not included among the online documents involving this petition on the Town of Amherst Website. Please note: test borings in the study were located in an area related to a prior proposed project, not the project now under consideration.

Petitioner's response to questions in the Environmental Assessment Form references the depth to bedrock as being "greater than 5 feet". It also identifies the soils on 100% of the site to be "cosad loamy fine sand" and 100% of the site to be poorly drained.

While the Petitioner's reference to "greater than 5 feet" is correct, it is a gross understatement. The Petitioner's Soil Study establishes depth to bedrock to be about 25' to 28'. The Soil Study also identifies a layer of fill soils to depths of about 4-10' which includes zones of concrete and asphalt fragments, as well as glass, slag, concrete, organics and asphalt within the fill soils. The Soil Study states that *"(t)he variable nature of the fill soils, along with the variable relative density/consistency as determined from the SPT "N" values, indicate the fill soils were likely installed in an uncontrolled, non-engineered manner".*

We have absolutely no background in geotechnical engineering. However, we know that there has never been any development on this property. And, in light of the history of prior flooding, the uncontrolled placement of fill on this site in what was once part of Ellicott Creek itself, existing erosion concerns, and identified settlement risks associated with construction, we have concerns related to the integrity and suitability of this site for the construction proposed.

We have heard of instances of properties collapsing, in one case into a creek, within the Town of Amherst. We have no desire to see that occur next door.

INFORMATION REQUESTED/PROFFERED

Presumably because of the pandemic, there has been no informational meeting for the benefit of area residents. We have concerns related to a number of matters that we would like to have addressed. Among them are questions related to the nature of the targeted tenants and the nature and duration of the leases that are contemplated.

Additionally, we are aware of both: (1) a Flood Control Easement, held by the NYS DEC and/or USACOE and/or the Town of Amherst, that affects the proposed site, and (2) the existence of a 36" drainage pipe which bisects the site and discharges water to Ellicott Creek. We were unable to identify either of these alleged encumbrances on any of the surveys, maps or other documents submitted by the petitioner. They are being mentioned here in the event the Petitioner is unaware of them and they may possibly impact the proposal in some manner.

Attachment: 2160 & 2170 N Forest Amherst Town Board letter Hausbeck (COM-2021-29 : Concerns Regarding 2160 & 2170 N. Forest Road

SUGGESTION:

In a perfect world, the subject site would be a small neighborhood park and a continuation of the beautiful greenspace located directly across the creek from the site. It is an ideal spot for a Kayak launch site. It could contain a pedestrian bridge over Ellicott Creek, accessible by (1) area residents including residents of Asbury Point (who occasionally stroll the site), as well as by (2) the general public seeking safer access to the Bike Trail. We, as adjoining neighbors, would welcome such an alternative use. Unfortunately, the property is privately owned and we lack the power of eminent domain.

CONCLUSION:

Based upon the foregoing considerations, we strongly oppose approval of the petitioner's request. The proposed site is an inappropriate location for the petitioner's project. The proposal is inconsistent with the character of the neighborhood and the conforming uses of nearby properties. As 23+ year residents of the site immediately adjoining the subject site, we are also of the opinion that the proposed project will result in potentially significant adverse environmental impacts. Additionally, we are firmly of the belief that the applicant has failed to provide sufficient information to establish that there will be no potentially significant adverse impacts.

Attachment: 2160 & 2170 N Forest Amherst Town Board letter Hausbeck (COM-2021-29 : Concerns Regarding 2160 & 2170 N. Forest Road

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

Francina J. Spoth
Town Clerk

Meeting: 02/22/21 07:00 PM
Department: Councilmembers
DOC ID: 22935

COMMUNICATION 2021-30 **REFERRED**

Ramona D. Popowich, Solarize Amherst

From: Ramona D Popowich <
Sent: Saturday, February 20, 2021 2:47 PM
To: Kulpa, Brian J. <bkulpa@amherst.ny.us <mailto:bkulpa@amherst.ny.us>>; Berger, Jacqualine <jberger@amherst.ny.us <mailto:jberger@amherst.ny.us>>; Bucki, Debbie <dbucki@amherst.ny.us <mailto:dbucki@amherst.ny.us>>; Szukala, Michael <mszukala@amherst.ny.us <mailto:mszukala@amherst.ny.us>>; Lavin, Shawn A. <slavin@amherst.ny.us <mailto:slavin@amherst.ny.us>>
Cc: Spoth, Francina <fspoth@amherst.ny.us <mailto:fspoth@amherst.ny.us>>; swatson@buffnews.com <mailto:swatson@buffnews.com>
Subject: Solarize Amherst

Dear Supervisor Kulpa and Council Members,

This morning I read with interest the Buffalo News article, "Amherst wants to become a leader on green energy". I believe the Town of Amherst is already a leader in Green Energy.

In 2017 as a Town of Amherst Council Member, I was liaison to the Energy Conservation Citizens Advisory Committee. As a result, I became Chair of the Clean Energy Communities Committee that worked tirelessly with numerous meetings to secure a $250,000 NYSERDA Clean Energy Communities Grant. The University at Buffalo Regional Institute gave assistance to the committee.

The Town of Amherst was in competition with other New York State communities on who would be the first to complete at least 4 out of the 10 High Impact Actions designated by NYSERDA. Solarize Amherst was 1 of the 4 items. The baseline was 10 homes and at least 59 new roof mounted solar arrays were installed on private homes at a discounted price as a result of this effort. Also, an electric car was purchased by the Town using money from the equipment budget.

The Town of Amherst won and because of the time and efforts of the Clean Energy Communities Committee the $250,000 grant was awarded to Amherst. The committee decided the best use of this money was a NYSERDA approved project to place solar panels on the Clearfield Community Center. I am very pleased to read how well the Clearfield array has worked and how it has benefited Amherst.

I have attached only 3 resolutions from 2017 and 1 from 2018 for the historical record of green energy in the Town of Amherst.

I now live in Ohio but I still wish Amherst the very best.

Sincerely,
Ramona D. Popowich

2/22/2021
A motion to refer to the Town Clerk for inclusion into the Minutes and to the Clean Energy

Review Committee was made by Deputy Supervisor Berger, seconded by Councilmember Bucki and unanimously approved 5-0.

RESULT:	**REFERRED [UNANIMOUS]**
MOVER:	Jacqualine Berger, Deputy Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Kulpa, Berger, Bucki, Lavin, Szukala

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

Marjory Jaeger
Town Clerk

Meeting: 03/06/17 07:00 PM
Department: Supervisor
Initiated by: **Barry A. Weinstein**
Co-Sponsored by: **Councilmember Ramona D. Popowich**

DOC ID: 16680

RESOLUTION 2017-290

Clean Energy Communities Solarize Campaign

WHEREAS, the Town Board had a presentation on Amherst becoming a clean energy community; and

WHEREAS, the Clean Energy Communities Committee reviewed the ten high impact actions and identified solarize as one to consider;

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize an RFP to help customers choose a solar installation company that is offering competitive, transparent pricing; and

BE IT FURTHER RESOLVED, that after a thorough pre-qualification process, a designated solar installer(s) will be named for the campaign.

FINANCIAL IMPACT:

None for Resolution

Attachment: RES 2017-290 (COM-2021-30 : Ramona D. Popowich, Solarize Amherst)

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

Marjory Jaeger
Town Clerk

Meeting: 03/06/17 07:00 PM
Department: Councilmembers
Initiated by: **Ramona D. Popowich**
Co-Sponsored by: **Weinstein, Sanders, Spoth, Bucki**

DOC ID: 16624

RESOLUTION 2017-294

Clean Energy Communities Committee

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) launched the Clean Energy Communities Program to help local governments implement actions that can save energy costs, create jobs and improve the environment; and

WHEREAS, NYSERDA has identified 10 High Impact Actions that local communities can do to contribute to statewide energy goals; and

WHEREAS, once a community shows it has completed 4 out of 10 High Impact Actions, it will be eligible to receive a grant with no matching requirement to tackle additional sustainable projects or actions; and

WHEREAS, municipalities from Erie and Niagara Counties can receive technical support from the UB Regional Institute to get moving on these 10 High Impact Actions; and

WHEREAS, the Town of Amherst is interested in becoming a Clean Energy Community by completing 4 out of the 10 High Impact Actions that will allow the Town to be eligible for grant money; and now therefore

BE IT RESOLVED, the Town Board approves the creation of the Clean Energy Communities Committee that will oversee the completion of the 4 High Impact Actions; and

BE IT FURTHER RESOLVED, the members of the Clean Energy Communities Committee will include the Supervisor, Chair-Council Liaison to the Energy Conservation Citizens Advisory Committee (ECCAC), Town's Energy Manager, ECCAC Resource Person, UB Regional Institute Members, Town Attorney's Designee, Comptroller's Designee, Planning Director's Designee and the Building Commissioner.

FINANCIAL IMPACT:

none

Attachment: RES 2017-294 (COM-2021-30 : Ramona D. Popowich, Solarize Amherst)

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

Marjory Jaeger
Town Clerk

Meeting: 05/08/17 07:00 PM
Department: Councilmembers
Initiated by: **Ramona D. Popowich**
Co-Sponsored by: **Supervisor Barry A. Weinstein**

DOC ID: 16872

RESOLUTION 2017-514

May is Solarize Amherst Month

WHEREAS, Amherst is sponsoring and promoting a "Solarize Amherst" Campaign; and

WHEREAS, Solarize Amherst is a community campaign to make solar more affordable and easier for Amherst property owners; and

WHEREAS, Solarize Amherst is led by the Town's Clean Energy Communities Committee with support from the Energy Conservation Advisory Committee and our community partners; and

WHEREAS, the Solarize Amherst Campaign will be launched on Tuesday May 9th at 4:00 in the Council Chambers; and

WHEREAS, Solarize Amherst has vetted and negotiated reduced installation and material costs from three local qualified installers; and

WHEREAS, the Town's Building Department will waive the electrical permit fees from the beginning of Solarize Amherst on May 9th through June 5th for Amherst property owners that sign a contract with one of the approved Solarize Amherst installers during this period; and

WHEREAS, Solarize Amherst will help connect Amherst property owners to local installers to receive a discounted price on their solar panels; and therefore

BE IT RESOLVED, that the Amherst Town Board now hereby declares the month of May as Solarize Amherst Month.

FINANCIAL IMPACT:

to be determined

Attachment: RES 2017-514 (COM-2021-30 : Ramona D. Popowich, Solarize Amherst)

Town of Amherst Established 1818

Search

Town of Amherst
Erie County, New York

Adopted
Jul 9, 2018 7:00 PM

Resolution
RES-2018-799

Award Contract – Solar Liberty Energy Systems, Inc.
Clearfield Community Center 190 KW Solar PV System
Town of Amherst Job No. 2017.015S
CRS No. 879

Information

Department:	Engineering	**Sponsors:**
Category:	Contracts, Agreements, Leases	

Attachments

Printout
SL Solar Liberty Bid Proposal
SL Proposal Back up letter
Copy of 17 015S TOA Project Summary - Timeline
SL 190 Clearfield Site Plan

Financial Impact

Total Funds: $315,067.50

Body

The Town of Amherst has been designated as a Clean Energy Community by the New York State Energy Research and Development Authority (NYSERDA) and we have approval for a $250,000.00 grant to install 190 kW PV Solar System at the Clearfield Community Center.

In 2017 during the Solarize Amherst Campaign, proposals were solicited from the three (3) certified solar installers and two (2) proposals were received. The proposal summary sheet is attached.

At this time, we recommend approval of the low proposal of $315,067.50 and award the General Construction Contract to Solar Liberty Energy Systems, Inc., 6500 Sheridan Drive, Williamsville, NY 14221 for the 190 kW Clearfield Solar PV System.

Funding is available for this project as follows:

NYSERDA Clean Energy Communities Grant	$250,000.00
Estimated NYSERDA Block 7 Incentive Rebate	$62,285.00
Balance of Funding TBD	$ 2,782.50
Total Funds: $315,067.50	

May we have your approval to award Solar Liberty Energy Systems, Inc. for the above referenced contract? Thank you for considering this request.

This request is pending the successful completion of the contract review procedure. Thank you for considering this request.

7/09/2018
Consent

Meeting History

Jul 9, 2018 7:00 PM Video **Town Board** **Regular Meeting of the Town Board**

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Brian J. Kulpa, Supervisor
SECONDER:	Deborah Bruch Bucki, Councilmember
AYES:	Brian J. Kulpa, Francina J. Spoth, Deborah Bruch Bucki, Jacqualine Berger, Shawn Lavin

Attachment: RES 2018-799 (COM-2021-30 : Ramona D. Popowich, Solarize Amherst)