



# Amherst Town Board

## Regular Meeting of the Town Board

### Agenda

5583 Main Street  
Williamsville, NY 14221  
[www.amherst.ny.us](http://www.amherst.ny.us)

Francina J. Spoth  
Town Clerk

In the event of a fire or other emergency, please follow the exit signs that are provided in this room and throughout Town Hall. Upon exiting this room, the main exits are located to the front and the rear of this building. ***Do not use the elevator during an emergency event.***

This meeting is being recorded and will stream live online  
[Amherstny.igm2.com](http://Amherstny.igm2.com)

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Monday, February 13, 2023

7:00 PM

Amherst Municipal Building

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#### I. IN MEMORY

Karen Greenspan

#### II. INVOCATION

Councilmember Berger

#### III. PLEDGE OF ALLEGIANCE

#### IV. ROLL CALL:

7:00 PM Meeting called to order on February 13, 2023 at Amherst Municipal Building, 5583 Main Street, Williamsville, NY.

| Attendee Name                         | Present                  | Absent                   | Late                     | Arrived |
|---------------------------------------|--------------------------|--------------------------|--------------------------|---------|
| Supervisor Brian J. Kulpa             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Deputy Supervisor Deborah Bruch Bucki | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Councilmember Jacqueline Berger       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Councilmember Shawn Lavin             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |
| Councilmember Michael Szukala         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |         |

#### V. MINUTES APPROVAL

1. Tuesday, January 17, 2023
2. Monday, January 30, 2023

#### VI. PROCLAMATIONS AND ANNOUNCEMENTS

#### VII. PUBLIC HEARINGS

**Speakers will be limited to 3 minutes.**

**1. Resolution 2023-128**

Local Law Amending Chapter 175 - Taxation

**VIII. DEVELOPMENT REVIEW ACTIONS****1. Resolution 2023-79**

SEQR Determination 1720, 1740 and 1760 Maple Road

**2. Resolution 2022-1172**

Adoption of Local Law to Amend the Zoning Map 1720, 1740 & 1760 Maple Road (Z-2022-08)

**3. Resolution 2023-129**

SEQR Determination (4150,4200,4224,4228 Part of 4252 Ridge Lea Road, Part of SBL 54.02-1-51, 256, 270, 280 and 306 Meyer Road)

**4. Resolution 2023-76**

Adoption of Local Law to Amend the Zoning Map (4150,4200,4224,4228 and Part of 4252 Ridge Lea Road, Part of SBL 54.02-1-51 and 256, 270, 280 and 306 Meyer Road, Z-2022-11)

**5. Resolution 2023-130**

SEQR Determination Z-2022-07, 4110-4120 Sheridan Drive

**6. Resolution 2023-131**

Adoption of Local Law to Amend the Zoning Map Z-2022-07, 4110-4120 Sheridan Drive (Portion)

**7. Resolution 2023-132**

Adoption of Local Law to Amend the Zoning Map Z-1996-32A, 4110-4120 Sheridan Drive (Portion)

**IX. PERSONAL APPOINTMENTS TO BOARDS & COMMITTEES**

Board Appointments - Amherst Conservation Advisory Council, Board of Ethics, Historic Preservation, IDA, Planning, Recreation, Recycling & Waste, Traffic Safety and the Zoning Board of Appeals.

NOTE - The number of vacancies is listed after the Committee name.

**1. 9/11 Commemoration Committee**

Membership is unlimited.

**2. Amherst Committee on Disabilities (6)**

- 3. Amherst Community Diversity Commission (4)**
- 4. Amherst Conservation Advisory Council (5)**
- 5. Amherst Government Financial Advisory Board**  
Membership is full.
- 6. Amherst Industrial Development Agency**  
Membership is full.
- 7. Amherst Veterans Committee (3)**
- 8. Arts & Culture in Public Places Board**
- 9. Board of Assessment Review**  
Membership is full.
- 10. Board of Electrician Examiners**  
Membership is full.
- 11. Board of Ethics**  
Membership is full.
- 12. Board of Plumbing and Drainage Examiners**  
Membership is full.
- 13. Design Advisory Board**
- 14. Employee Suggestion Program Merit Award Board**  
Membership is full.
- 15. Employee Suggestion Review Committee**
- 16. Energy Conservation Citizens Advisory Committee (3)**
- 17. Freedom of Information Law (FOIL) Board**
- 18. Glen Park Joint Board**
- 19. Historic Preservation Commission**  
Membership is full.
- 20. Information Technology Advisory Committee (1)**
- 21. Library Board of Trustees**  
Membership is full.

**22. Minority / Woman Owned Business (4)****23. Open Government Advisory Board (4)****24. Planning Board**

Membership is full.

**25. Recreation Commission (1)****26. Recycling and Waste Committee (3)****27. Senior Services Advisory Board (2)****28. Traffic Safety Board**

Membership is full.

**29. Youth Board**

Adult vacancies (6), Youth vacancies (0)

**30. Zoning Board of Appeals****X. PUBLIC EXPRESSION**

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

**XI. CONSENT AGENDA****XII. COUNCILMEMBER RESOLUTIONS****A. SUPERVISOR KULPA:****1. Resolution 2023-133**

Authorized Contract W/ Bolton St. Johns - CRS #3858

**B. DEPUTY SUPERVISOR BUCKI:****1. Resolution 2023-134**

Appointment to Senior Services Advisory Board

**C. COUNCILMEMBER BERGER:****1. Resolution 2023-135**

Fire Inspector Vehicle Replacements

**D. COUNCILMEMBER LAVIN:****1. Resolution 2023-136**

Fee Waiver - Skate with a Cop

**E. COUNCILMEMBER SZUKALA:****1. Resolution 2023-137**

Recycling & Waste Committee Appointments

**2. Resolution 2023-138**

Set Public Hearing Date – Village Pointe Lane

**XIII. DEPARTMENT HEAD RESOLUTIONS AND REPORTS****A. TOWN ATTORNEY:****1. Resolution 2023-139**

Royal Park Improvements (Bond Resolution - \$7,160,000)

**2. Resolution 2023-140**

Purchase and Reconstruction of 30 S. Cayuga (Bond Resolution - \$1.5M)

**3. Resolution 2023-141**

Schedule Public Hearing - Miscellaneous Sanitary Sewer Projects (Bond Resolution - \$1.5M)

**4. Resolution 2023-142**

Adjustment of Ad Valorem Allocation for Consolidated Water District Charges

**5. Resolution 2023-143**

Lease of Farmland - 1040 Tonawanda Creek Road (DeVantier) (CRS #3838)

**6. Resolution 2023-144**

Settlement of Article 7 Matter - MCGMKL1, LLC V. Town of Amherst

**7. Resolution 2023-145**

Settlement of Article 7 Matter - Hein 2350 North Forest Road, LLC V. Town of Amherst

**8. Resolution 2023-146**

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

**9. Resolution 2023-147**

Settlement of Article 7 Matter - 380 Hartford Road, Inc. V. Town of Amherst

**10. Resolution 2023-148**

Settlement of Article 7 Matter - Bridgestone Retail Operations, LLC V. Town of Amherst

**11. Resolution 2023-149**

Settlement of Article 7 Matter - Avalon Meadows Condominium V. Town of Amherst

**12. Resolution 2023-150**

Settlement of Article 7 Matter - 425 Centerpointe V. Town of Amherst

**13. Resolution 2023-151**

Settlement of Article 7 Matter - 470 Aurora Street, LLC V. Town of Amherst

**14. Resolution 2023-152**

Settlement of Article 7 Matter - Heathwood Properties, LLC V. Town of Amherst

**B. TOWN CLERK:****1. Resolution 2023-153**

InStream DbA Biel's Microfilm Storage Contract CRS #3811

**2. Resolution 2023-154**

New Firefighters for East Amherst Fire Department

**3. Resolution 2023-155**

New Firefighters for Getzville Fire Company

**4. Resolution 2023-156**

New Firefighters for Main-Transit Fire Department

**C. ASSESSOR:**

**D. BUILDING/BUILDING MAINTENANCE:**

**1. Resolution 2023-157**

2023 CIP Amendment

**2. Resolution 2023-158**

Piggyback on Erie County Contract for Door Repairs CRS #3845

**E. CENTRAL ALARM:**

**F. COMPTROLLER:**

**1. Resolution 2023-159**

Budget Transfers and Amendments

**G. CONTRACT COMPLIANCE:**

**1. Resolution 2023-160**

Award Bid #2023002 Sodium Hypochlorite CRS #3841

**2. Resolution 2023-161**

Award Bid #2023001 Building Department Trucks CRS #3850

**H. COURT:**

**1. Resolution 2023-162**

Amherst Town Justice K Buscaglia to Attend Association of Towns

**I. ECONOMIC DEVELOPMENT:**

**J. EMERGENCY SERVICES:**

**1. Resolution 2023-163**

Firefighter Cancer Benefit Program 2023 CRS #3857

**K. ENGINEERING SERVICES:****1. Resolution 2023-164**

Smart Signal Implementation Phase II - Change Order No. 1 Northeast Signal, Inc. CRS No. 3856

**2. Resolution 2023-165**

Wetland Walkover - Earth Dimensions 300 Maple Road - ACC Softball Fields CRS #2780

**L. FINANCE:****1. Resolution 2023-166**

Approve Travel to 2023 NY Government Finance Officers' Association Annual Conference

**M. HIGHWAY****1. Resolution 2023-167**

Electronics Recycling Agreement with SUNNKING INC CRS #3819

**2. Resolution 2023-168**

Approval to Spend Funds - Veterans Memorial - 2023

**3. Resolution 2023-169**

Contract - Infoquest Computer Solutions, Inc., CRS #3801

**4. Resolution 2023-170**

Authorize Supervisor to Sign Contract to Piggyback-Jackson Welding & Gas Products CRS #3831

**5. Resolution 2023-171**

Authorize the Purchase of One (1) Graco Line Lazer 3900 Road Line Sprayer CRS #3848

**6. Resolution 2023-172**

Tree Planting - Escrow Funds from Agency Account - 2023

**7. Resolution 2023-173**

Contract Davis-Ulmer Fire Sprinkler System Inspection, Monitoring, Testing, Repairs-2023-CRS #3837

**8. Resolution 2023-174**

Pesticide Training for Certification and Recertification

**N. HUMAN RESOURCES:****1. Resolution 2023-175**

Contract Extension:PMA Management Corp. (CRS #3806) (Original Contract (CMS #1280)

**2. Resolution 2023-176**

Recreation Attendant - PT/Youth & Recreation ( 2 Positions )

**3. Resolution 2023-177**

Recreation Attendant - PT/Youth & Recreation

**4. Resolution 2023-178**

Recreation Attendant - PT/Youth & Recreation

**5. Resolution 2023-179**

Working Crew Chief/Youth & Recreation

**6. Resolution 2023-180**

Motor Equipment Operator/Engineering ( 3 Positions )

**7. Resolution 2023-181**

Senior Planner/Planning Department

**8. Resolution 2023-182**

Principal Clerk Typist/Town Clerk

**9. Resolution 2023-183**

Maintenance Worker/Engineering Department

**10. Resolution 2023-184**

Wastewater Treatment Plant Operator Trainee (3 Positions) Engineering/Plant #16

**11. Resolution 2023-185**

Public Safety Dispatcher/Police Department

**12. Resolution 2023-186**

Assistant Plumber/Engineering/Plant #16

**13. Resolution 2023-187**

Laborer/Youth & Recreation

**14. Resolution 2023-188**

Public Safety Dispatcher-PT (2 Positions) Police Department

**15. Resolution 2023-189**

Community Liaison-Legal/Attorney's Office

**16. Resolution 2023-190**

Wastewater Treatment Plant Operator Trainee/Engineering/Plant #16

**O. INFORMATION TECHNOLOGY:**

**P. PLANNING:**

**1. Resolution 2023-191**

To Adopt the 2023 CDBG/HOME Annual Action Plan and to Authorize the Supervisor to Submit the Plan to HUD

**2. Resolution 2023-192**

To Authorize the Supervisor to Sign an Amended Agreement with Parachute Credit Counseling, Inc. CRS #3821

**3. Resolution 2023-193**

Sidewalk Waiver Request, SWW-2022-04; Property Located at 281 Casey Road

**4. Resolution 2023-194**

Travel Request for FLBOA Educational Conference

**Q. POLICE:**

**1. Resolution 2023-195**

LexisNexis Coplogic Solutions, Inc. Law Enforcement Agreement for Department Crash/Accident Reports (CRS #3804)

**2. Resolution 2023-196**

Travel & Training Request NYTOA Tactical Conference & Trade Show

**3. Resolution 2023-197**

Travel & Training Request Tactical Leadership Conference

**4. Resolution 2023-198**

Travel & Training Request National Police Bloodhound Association Seminar & Certification

**R. SENIOR SERVICES:**

**1. Resolution 2023-199**

Class Instructor Richard A. Falkowski CRS 3793

**S. SEWER/PLANT 16:**

**1. Resolution 2023-200**

2023-2028 CIP Amendment - Project E-5 Boulevard Central District Sanitary Sewer Improvements Westside Interceptor Diversion Facility

**2. Resolution 2023-201**

Award of Bid - Sattler/Dellwood Park Stormwater Improvements Porous Pavement Parking Lot Louis Del Prince & Sons, Inc.

**3. Resolution 2023-202**

Sattler/Dellwood Park Stormwater Improvements - Change Order No. 2 & Final 4th Generation Construction Inc. CRS No. 3849

**4. Resolution 2023-203**

Payment Authorization - Shrier Martin Process Equipment, Inc. CRS #3450

**5. Resolution 2023-204**

MP2 Enterprise Edition Software Hexagon ALI CRS No. 3815

**6. Resolution 2023-205**

WPCF Building No. 5 Blower Improvements - Change Order No. 2 No-Cost Time Extension CRS No. 3829

**7. Resolution 2023-206**

Flow Metering Contract Extension - TecSmith, Inc. CRS No. 3830

**8. Resolution 2023-207**

Travel Request - Backflow Testing Recertification

**9. Resolution 2023-208**

Payment Authorization - Emergency Purchase of Sodium Hypochlorite Bison Laboratories, Inc. CRS 3847

**10. Resolution 2023-209**

Graybar/Omnia Contract Extension CRS No. 3840

**11. Resolution 2023-210**

GA Industries Valve Procurement R.M. Headlee Valves and Controls CRS No. 3836

**12. Resolution 2023-211**

Contract Extension for Calcium Nitrate PVS-CDI Chemicals, Inc. CRS No. 3828

**13. Resolution 2023-212**

Emergency Purchase Authorizations Niagara Falls Boulevard Emergency Sewer Repair CRS #3854 Kistner Concrete Products CRS #3853 American Curb & Concrete Cutters CRS #3852 on the Mark Utility Locating Services

**T. YOUTH AND RECREATION:****1. Resolution 2023-213**

Lease Agreement (Moyer) - CRS #3817

**2. Resolution 2023-214**

Authorization to Pay Vendor (Davis-Ulmer)

**3. Resolution 2023-215**

First Amendment to Lease Agreement CRS #3832

**4. Resolution 2023-216**

Piggyback Agreement - CRS #3855

**5. Resolution 2023-217**

Travel Request

**XIV. UNFINISHED BUSINESS****XV. COMMUNICATIONS****1. Communication 2023-16**

Request for Public Hearing - 800 New Road

**2. Communication 2023-17**

Request for a Fee Waiver - Amherst Girls Softball

**3. Communication 2023-18**

Committee on Disabilities Social Media Page Request

**4. Communication 2023-19**

Notice of Claim: Wedgewood Commons Condominium Vs. Town of Amherst

**5. Communication 2023-20**

Notice of Claim: Nancy Simpkin Vs. Town of Amherst

**6. Communication 2023-21**

Notice of Claim: John & Antoinette Gauthier Vs. Town of Amherst

**7. Communication 2023-22**

Notice of Claim: Merchants Preferred Ins Co. A/S/O Indra Pradhan Vs. Town of Amherst

**8. Communication 2023-23**

Notice of Claim: Charles & Laurie Tedesco Vs. Town of Amherst

**9. Communication 2023-24**

Notice of Claim: Keith & Sandy Curry Vs. Town of Amherst

**10. Communication 2023-25**

Notice of Claim: Allstate Insurance Company A/S/O Daniela Malcher Vs. Town of Amherst

**11. Communication 2023-26**

Notice of Claim: Mark Weber Vs. Town of Amherst

**12. Communication 2023-27**

Summons and Complaint: Wells Fargo Bank, N.A. Et Al. Vs. Town of Amherst Et Al.

## **XVI. PUBLIC IMPROVEMENT PERMITS**

## **XVII. PUBLIC EXPRESSION #2**

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

## **XVIII. ADJOURNMENT**