



Town of Amherst
Special Meeting of the Town Board
Minutes

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

Deborah Bruch Bucki
Town Clerk

Tuesday, October 13, 2009

3:00 PM

Amherst Municipal Building

In memory

I. INVOCATION:

II. PLEDGE OF ALLEGIANCE:

III. ROLL CALL:

3:00 PM Meeting called to order on October 13, 2009 at Amherst Municipal Building, 5583 Main Street, Williamsville, NY.

Attendee Name	Organization	Title	Status	Arrived
Satish B. Mohan	Town of Amherst	Supervisor	Present	
Mark A. Manna	Town of Amherst	Deputy Supervisor	Present	
Daniel J. Ward	Town of Amherst	Councilmember	Present	
Shelly Schratz	Town of Amherst	Councilmember	Present	
Guy R. Marlette	Town of Amherst	Councilmember	Present	
Barry A. Weinstein	Town of Amherst	Councilmember	Present	
Deborah Bruch Bucki	Town of Amherst	Town Clerk	Present	
Adrienne Kotler	Town of Amherst	Deputy Town Clerk	Present	
Thomas Ketchum	Town of Amherst	Commissioner of Building	Present	
Mark Johnston	Town of Amherst	Acting Exec. Director	Present	
Anne Schiferle	Town of Amherst	Recreation Director	Present	
John Askey	Town of Amherst	Chief of Police	Present	
Patrick Kelly	Town of Amherst	Deputy Town Attorney	Present	
E. Thomas Jones	Town of Amherst	Town Attorney	Present	
Darlene Carroll	Town of Amherst	Comptroller	Present	
Gary Black	Town of Amherst	Asst Planning Director	Present	
Eric Gillert	Town of Amherst	Planning Director	Present	

	Amherst			
Robert Anderson	Town of Amherst	Superintendent of Highways	Present	
Laurence Heininger	Town of Amherst	Town Engineer	Present	
Lawrence Graner	Town of Amherst	Purchasing Director	Present	
Gayle Thornton	Town of Amherst	Interim Director Sr. Services	Present	
Joseph Speth	Town of Amherst	Deputy Highway Superintendent	Present	
F. Robert Danni	Town of Amherst	Asst. Comm. of Building	Present	
James Loughran	Town of Amherst	Clerk to the Town Justices	Present	
Dominic Creamer	Town of Amherst	Emerg Svcs & Safety Coordinator	Present	
Robert McCarthy	Town of Amherst	Director of Human Resources	Present	
Jerry Galkiewicz	Town of Amherst	Director of Information Technology	Present	
Jim Zymanek	Town of Amherst	Director of Emergency Services	Present	
Alan P. McCracken	Town of Amherst	Deputy Town Attorney	Present	
Richard Lennox	Town of Amherst	General Crew Chief	Present	

IV. MINUTES APPROVAL

V. PROCLAMATIONS:

VI. PUBLIC HEARINGS:

Speakers will be limited to 5 minutes.

VII. SUSPENSION OF RULES:

This is an opportunity for residents to comment on any matter regarding Town Government other than those pertinent to Public Hearings. Speakers will be limited to 3 minutes.

Supervisor Mohan moved to open Suspension of Rules, seconded by Councilmember Weinstein, unanimously approved 6-0. Suspension of Rules was opened at 3:07 P.M.

Bob Rutolski spoke about the large number of people assigned to each job from the Highway Department. He was also concerned about the 45% increase in pension costs.

Lois Shriver was concerned about employees losing their jobs. She said that the Town of Amherst has always prided itself on being one of the very special towns. She went on to say that the reason people move here is because of the services that have been provided and the quality of those services. She reminded the board not to be "penny-wise and pound foolish," when considering the layoffs.

Mike Noltee spoke about the loss of employees in the Highway Dept. and the impact it would have on the delivery of snowplowing and response time for emergency services. He went on to say that the Town has many skilled workers and they take great pride in their work. They provided many services that enhance the quality of life, and make Amherst a desirable place to live. He asked the Board to reconsider the layoffs of Mike Booth and Donna Chestnut, as they have provided invaluable services to the Historic Preservation Commission.

Donna Chesnut presented a detailed handout of the services she provides as a GIS Analyst. She documented the grants she has received that exceed her salary and asked the Town Board for restoration of funding for the GIS positions.

Peter Geraci is also a GIS analyst whose primary duties are to support the Highway Department with GIS maps. He indicated that GIS applications save time and money by improving efficiency which in turn save money. He asked the Town Board to restore the funding for the GIS positions in the Engineering Department.

Nick Paolini - CSEA was concerned that the layoff list was raised from 40 to 51 people, some of whom were CSEA members. He asked that the Town Board please restore some of the jobs scheduled to be cut. As far as the Highway Department was concerned, as a resident of the Town he wants his streets plowed and his leaves picked up.

Jane Cox expressed her discontent that there was no cable TV coverage of the meeting since most people cannot attend a meeting at 3:00 in the afternoon. She felt it was outrageous to consider having to layoff so many people so that there would not be a tax increase.

She added that our good services add to our quality of life and that this is what makes us the town that we are. She asked that the Board provide figures of what it would cost to restore these jobs. She said she was upset to see that the funding for Fetto Park in the Supervisor's CIP budget was cut from \$175,000 to \$100,000 considering that she had submitted 75 signatures on a petition in support of Fetto Park.

Jim Tricoli referred to the previous speaker who wondered what happened to the money. He recommended that the Board look at what is really needed in the budget. He suggested that there were three things that could have been done: layoff people, raise the assessments and cut services. Two of the three were done and now the Board is laying off people. He felt that we needed more employees and that the Town residents were willing to pay the increase in taxes for necessary services.

There being no additional speakers, Supervisor Mohan moved to close the Suspension of Rules, seconded by Councilmember Marlette, unanimously approved 6-0. Suspension of Rules was closed at 3:35 P.M.

VIII. APPOINTMENTS TO BOARDS & COMMITTEES:

Board Appointments - Amherst Conservation Advisory Council, Board of Ethics, Deer Adaptive Management, Historic Preservation, IDA, Planning, Recreation, Traffic Safety and ZBA

1. 9/11 Commemoration Committee

Membership is unlimited.

2. Advisory Board School Districts Coordination Committee (3)

1 appointment by each Town Board member. Terms to coincide with appointing Board

member. Vacancies for Manna, Marlette, Schratz.

3. Amherst Committee on Disabilities

Membership is full.

4. Amherst Community Diversity Commission (3)

1 appointment by each Town Board member. Terms to coincide with appointing Board member. Vacancies for Manna, Schratz, Weinstein.

5. Amherst Conservation Advisory Council

Membership is full.

6. Amherst Industrial Development Agency (1)

Frederick Vilonen - term expired on 12/31/08.

7. Amherst Museum Regents Board of Trustees

8. Amherst Veterans Committee

Membership is full.

9. Arts & Culture in Public Places Board

Membership is full.

10. Board of Assessment Review

11. Board of Ethics (2)

Lee T. Nowak and William T. Wutz - term expired on 12/31/08.

12. Board of Plumbing and Drainage Examiners

Membership is full.

13. Citizens Advisory Committee On Privacy (4)

1 appointment by each Town Board member. Terms to coincide with appointing Board member. 1 appointment for a Town Privacy Officer. Vacancies for Mohan, Manna, Weinstein, Schratz.

14. Citizens Financial Advisory Committee

Membership is full.

15. Citizens Review Commission (1)

Vacancy for Manna.

16. Code Commission

17. Deer Adaptive Management Committee (4)

18. Employee Suggestion Program Merit Award Board (2)

19. **Employee Suggestion Review Board (3)**
20. **Energy Conservation Citizens Advisory Committee**
Membership is full.
21. **Glen Park Joint Board**
Membership is full.
22. **Government Study Committee**
Membership is full.
23. **Historic Preservation Commission**
24. **Information Technology Advisory Committee**
Membership is full.
25. **Library Board of Trustees**
Membership is full.
26. **Minority & Woman Owned Business**
Membership is full.
27. **Natureview Park (1)**
Vacancy for Schratz.
28. **Parks & Playground Committee**
Membership is full.
29. **Planning Board (1)**
Robert E. Andrews - term expired on 12/31/2008.
30. **Recreation Commission**
Membership is full.
31. **Senior Services Advisory Board (3)**
32. **Solid Waste Committee**
Membership is full.
33. **Traffic Safety Board (1)**
34. **Youth Board (3 youths and 2 adults)**
35. **Zoning Board of Appeals**
Duncan Black - Term expired on 12/31/08

IX. COMMITTEE REPORTS:**A. SUPERVISOR MOHAN Ph.D.:**

1. Resolution 2009-924

2010 Budget Amendment Voluntary Separation Incentive Plan Expansion

RESULT:	WITHDRAWN
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2. Resolution 2009-925

2010 Budget Amendment - Police Department

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Satish B. Mohan, Supervisor
SECONDER:	Shelly Schratz, Councilmember
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein

B. DEPUTY SUPERVISOR MANNA:

1. Resolution 2009-926

Highway/Lighting/Parks Equipment

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Mark A. Manna, Deputy Supervisor
SECONDER:	Satish B. Mohan, Supervisor
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein

2. Resolution 2009-927

Restoration of Positions

RESULT:	TABLED [UNANIMOUS]	Next: 10/19/2009 7:00 PM
MOVER:	Mark A. Manna, Deputy Supervisor	
SECONDER:	Satish B. Mohan, Supervisor	
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein	

3. Resolution 2009-928

Budget Ammendement -Restoration-Superintendent

RESULT:	TABLED [UNANIMOUS]	Next: 10/19/2009 7:00 PM
MOVER:	Guy R. Marlette, Councilmember	
SECONDER:	Satish B. Mohan, Supervisor	
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein	

4. Resolution 2009-929

Restoration of PT Clerk

RESULT:	TABLED [UNANIMOUS]	Next: 10/19/2009 7:00 PM
MOVER:	Mark A. Manna, Deputy Supervisor	
SECONDER:	Guy R. Marlette, Councilmember	
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein	

5. Resolution 2009-930

Restoration of Positions-CSEA

RESULT:	TABLED [4 TO 2]	Next: 10/19/2009 7:00 PM
MOVER:	Satish B. Mohan, Supervisor	
SECONDER:	Barry A. Weinstein, Councilmember	
AYES:	Satish B. Mohan, Daniel J. Ward, Guy R. Marlette, Barry A. Weinstein	
NAYS:	Mark A. Manna, Shelly Schratz	

6. Resolution 2009-931

Budget Amendment-Resurfacing

RESULT:	DEFEATED [3 TO 3]
MOVER:	Mark A. Manna, Deputy Supervisor
SECONDER:	Guy R. Marlette, Councilmember
AYES:	Mark A. Manna, Daniel J. Ward, Guy R. Marlette
NAYS:	Satish B. Mohan, Shelly Schratz, Barry A. Weinstein

7. Resolution 2009-932

Amendment-Hwy General Repair

RESULT:	ADOPTED [5 TO 1]
MOVER:	Mark A. Manna, Deputy Supervisor
SECONDER:	Satish B. Mohan, Supervisor
AYES:	Mohan, Manna, Ward, Marlette, Weinstein
NAYS:	Shelly Schratz

8. Resolution 2009-933

Amendment-Hwy Office & Bldg

RESULT:	NO SECOND
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9. Resolution 2009-934

2010 Budget Amendment - Human Resources Department

RESULT:	TABLED [5 TO 1]	Next: 10/19/2009 7:00 PM
MOVER:	Mark A. Manna, Deputy Supervisor	
SECONDER:	Shelly Schratz, Councilmember	
AYES:	Mohan, Ward, Schratz, Marlette, Weinstein	

NAYS: Mark A. Manna

10. Resolution 2009-935

2010 Budget Amendment - Engineering Department - Water District #15

RESULT: ADOPTED [UNANIMOUS]
MOVER: Satish B. Mohan, Supervisor
SECONDER: Mark A. Manna, Deputy Supervisor
AYES: Mohan, Manna, Ward, Schratz, Marlette, Weinstein

C. COUNCILMEMBER WARD:

D. COUNCILMEMBER SCHRATZ:

1. Resolution 2009-936

Voluntary Separation Incentive for Exempt Employees

RESULT: DEFEATED [3 TO 3]
MOVER: Shelly Schratz, Councilmember
SECONDER: Daniel J. Ward, Councilmember
AYES: Satish B. Mohan, Daniel J. Ward, Shelly Schratz
NAYS: Mark A. Manna, Guy R. Marlette, Barry A. Weinstein

E. COUNCILMEMBER MARLETTE:

1. Resolution 2009-937

2010 Budget Amendment - Compost Facility

RESULT: TABLED [UNANIMOUS] **Next: 10/19/2009 7:00 PM**
MOVER: Guy R. Marlette, Councilmember
SECONDER: Mark A. Manna, Deputy Supervisor
AYES: Mohan, Manna, Ward, Schratz, Marlette, Weinstein

2. Resolution 2009-938

Comptroller's Amendments to 2010 Budget

RESULT: ROLL CALL VOTE (DEFEATED) [3 TO 3]
MOVER: Guy R. Marlette, Councilmember
SECONDER: Mark A. Manna, Deputy Supervisor
AYES: Mark A. Manna, Daniel J. Ward, Guy R. Marlette
NAYS: Satish B. Mohan, Shelly Schratz, Barry A. Weinstein

3. Resolution 2009-939

2010 Budget Amendment - Engineering Department - Sewer Fund

RESULT:	DEFEATED [3 TO 3]
MOVER:	Guy R. Marlette, Councilmember
SECONDER:	Mark A. Manna, Deputy Supervisor
AYES:	Mark A. Manna, Daniel J. Ward, Guy R. Marlette
NAYS:	Satish B. Mohan, Shelly Schratz, Barry A. Weinstein

F. COUNCILMEMBER WEINSTEIN:

X. DEPARTMENT HEADS:

A. TOWN ATTORNEY:

B. TOWN CLERK:

C. ASSESSOR:

D. BUILDING/BUILDING MAINTENANCE:

E. CENTRAL ALARM:

F. COMPTROLLER:

G. COURT:

H. EMERGENCY SERVICES:

I. ENGINEERING:

J. HIGHWAY:

K. HUMAN RESOURCES:

L. INFORMATION TECHNOLOGY:

M. MUSEUM:

N. PLANNING:

O. POLICE:

P. PURCHASING:

Q. RECREATION:

R. REFUSE:

S. SENIOR SERVICES:

T. YOUTH:**XI. CONSENT AGENDA:****XII. UNFINISHED BUSINESS:****A. Resolutions****XIII. COMMUNICATIONS:****XIV. PUBLIC IMPROVEMENT PERMITS:****XV. ADJOURNMENT:**

A motion to adjourn was made by Supervisor Mohan and seconded by Councilmember Schratz. The vote to adjourn was 3-3 with Deputy Supervisor Manna and Councilmembers Ward and Marlette in the negative. The motion to adjourn failed.

Councilmember Schratz recommended that there be further discussion on the Voluntary Separation Incentive. She felt that the Board should schedule a special work session and sit down and work through the VSI with the people who are taking it, and look at the plan rather than do it piecemeal and on such short notice.

Deputy Supervisor Manna discussed his resolution for the part time position in Human Resources. He felt he had agreement on the shared resources and it was up to the Board to determine how the resources would be shared.

Supervisor Mohan asked Deputy Supervisor Manna and Councilmember Marlette to meet with him regarding his plan for the Voluntary Separation Incentive. Councilmember Ward felt that this was a deliberate circumvention of the open meetings law and felt that the matter should be discussed during an open forum.

Supervisor Mohan stressed that we are dealing with peoples' money and that we cannot continue to give it away. He indicated that there has to be some sort of management.

Supervisor Mohan's outlined his plan but asked not to be quoted on the numbers. There are 147 Highway employees, 20 people have taken VSI (7 Highway, 5 Police, 2 Building, 4 Refuse Control and 2 others). The plan is that the 7 highway people who have taken VSI will not be replaced. The 2 motor mechanics in the Police Department will come from the Highway Department list. One dog control officer who has taken VSI will be replaced by a Highway employee. There will have to have a new recruitment for a public safety dispatcher because it has to come from a list and cannot be replaced by a Highway Department worker. Based on this plan, the Supervisor feels that he can commit to no layoffs in the Highway Department, but the Highway Union has to agree to move these employees from AHEA to CSEA or AA. There are three vacancies in the Engineering Department but a request must be made for 3 Highway employees to go to there. The plan is not to layoff anybody, but in order for the plan to work Highway has be reduced to 131 people.

The Supervisor indicated that he and two other Board members met and agreed on having 135 people in the Highway Department, down from 147. There is no need for a full time locksmith, and the sign shop can be reduced from 7 to 4. There are 5 1/2 crew chiefs in the

Parks Department, but the need is only for three. There will be no layoffs if the workforce can be distributed into other departments such as Engineering and Police.

The Supervisor needs to meet with the Highway Superintendent and the AHEA union chief to discuss this plan. If it can be agreed upon there will be no layoffs in the Highway Department.

The Supervisor wants to come to a prudent, sensible solution to retain the Town employees and not have to recruit from the outside.

Councilmember Ward felt that this was an attempt to hold the Budget process hostage.

Deputy Supervisor Manna took issue with calling the process a "plan." He felt that what was discussed was a concept to move people to different departments, to different unions but it turns out that people can't just be moved around - he felt that you can't take an Emergency Service Director and make him a Senior Fire Inspector. He further stated that this concept has to deal with the reality of the Civil Service Law, and a lot of the Supervisor's plan involves circumventing civil service law.

Councilmember Marlette felt that the Supervisor had very lofty ideas that were difficult to accomplish. He indicated that the Supervisor still has not submitted a plan in writing and has not reached union negotiations for approval. He felt it is very unfair of the Supervisor to play with people's lives in such a manner.

At this point, Deputy Supervisor Manna rescinded his vote against adjournment, and, consequently, the Town Board meeting was adjourned at 5:07 P.M.

Miscellaneous

COMMITTEES

SUPERVISOR MOHAN Ph.D.:

ADVISORY AUDIT COMMITTEE, AMHERST CHAMBER OF COMMERCE, AMHERST COMMUNITY DIVERSITY COMMISSION, BOARD OF ASSESSMENT REVIEW, CITIZENS REVIEW COMMISSION, ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

DEPUTY SUPERVISOR MANNA:

AMHERST CONSERVATION ADVISORY COUNCIL, AMHERST INDUSTRIAL DEVELOPMENT AGENCY, BOARD OF PLUMBING AND DRAINAGE EXAMINERS, EMPLOYEE SUGGESTION PROGRAM MERIT AWARD BOARD, EMPLOYEE SUGGESTION REVIEW COMMITTEE, GLEN PARK JOINT BOARD, LIBRARY BOARD OF TRUSTEES, ZONING BOARD OF APPEALS

COUNCILMEMBER WARD:

ARTS AND CULTURE IN PUBLIC PLACES BOARD, CITIZENS ADVISORY COMMITTEE ON PRIVACY, DEER ADAPTIVE MANAGEMENT COMMITTEE, HISTORIC PRESERVATION COMMISSION

COUNCILMEMBER SCHRATZ:

AMHERST COMMITTEE ON DISABILITIES, AMHERST VETERANS COMMITTEES, ENERGY CONSERVATION CITIZENS ADVISORY COMMITTEE, MINORITY AND WOMEN OWNED BUSINESS IN AMHERST, PARKS & PLAYGROUNDS, RECREATION COMMISSION, YOUTH BOARD

COUNCILMEMBER MARLETTE:

AMHERST MUSEUM REGENTS BOARD OF TRUSTEES, INFORMATION TECHNOLOGY ADVISORY COMMITTEE, NATUREVIEW PARK ADVISORY COMMITTEE, PLANNING BOARD, TRAFFIC SAFETY BOARD, SOLID WASTE, REFUSE & RODENT CONTROL COMMITTEE

COUNCILMEMBER WEINSTEIN:

ADVISORY BOARD SCHOOL DISTRICTS COORDINATION, CODE COMMISSION, GOVERNMENT STUDY COMMITTEE, SENIOR SERVICES ADVISORY BOARD, SINKING HOMES TASK FORCE

TOWN CLERK BRUCH BUCKI:

9/11 COMMEMORATION COMMITTEE

MEETINGS

Arts & Culture Board, Call the Councilmember's office 631-7013
Sr. Citizens, 2nd Wed. of mo. 8 am Sr. Ctr.
Traffic & Safety, 1st Wed. of mo. 7pm - MB
Recreation Comm., 2nd Tues. of mo, 4:30 pm - Amherst Pepsi Ctr.
Zoning Board of Appeals, April 21, 2009, 7pm - MB
Planning Board, May 21, 2009, 7:30 p.m. - MB
Youth Board, 2nd. Wed. of Mo., - 7:00 p.m. (No meetings in February or August) Harlem Rd. Community Center,
4255 Harlem Rd
Glen Park Joint Board, 1st. Tues. of Mo. - MB
Conservation - 1st Wed. of Mo., 7:30 pm - MB
Ind. Dev. Agency, 3rd Fri. of mo., 8:30 am, 4287 Main Street
Museum Bd. of Trustees, 2nd Wed. of mo., 7:30pm, Museum - 3755 Tonawanda Ck Rd (No meeting December)
Solid Waste Committee, 3rd Wed. of mo., 7:30pm - MB
Historic Preservation Commission, 2nd Tues. of mo., 7:30 pm -MB
Energy Conservation Advisory Committee - Energy Conservation Advisory Committee - 1st Thurs. of mo. ,
7:30PM, 5583 Main St., Town Board Conference Room
Information Technology Advisory Committee – 2nd Mon of Mo., 6:00 pm to 7:30 pm - MB
Hon. Mark G. Farrell: Hours for fine payments and inquiries: Monday through Friday 8:30 am - 4:00 pm Excluding
holidays 689-4200
Hon. Geoffrey K. Klein: Hours for fine payments and inquiries: Monday through Friday 8:30 am - 4:00 pm
Excluding holidays 689-4200

Glossary

BD Backyard Drainage
EX Extension
FP Fire Protection
IF Increase in Facilities
L Lateral
LD Lighting District
MC Map Cover
PC Paving and Curbing
SS Sanitary Sewer
SWS Storm Water Drainage
WL Water Line
MB Municipal Building
PIP Public Improvement Permit
PH Public Hearing
S-A Suburban Agriculture Dist.
R-1 Residential District -1
R-2 Residential District-2
R-3 Residential District-3
CR-3A Cluster Residential Dist-3
R-4 Residential District-4
MFR-4A Multi-Family Residential District-4A
MFR-5 Multi-Family Residential District-5
MFR-6 Multi-Family Residential District-6
MFR-7 Multi-Family Residential District-7
MFR-8 Mobile Home Residential District-8
NCD New Community District
PRD Planned Residential Dist.
CF Community Facilities Dist.
NB Neighborhood Business Dist.
GB General Business District
CS Commercial Service Dist.
OB Office Building District
MS Motor Service District
SC Planned Shopping Center District
RD Research-Development Dist.
GI General Industrial Dist.
ST Science Technology District



DOC ID: 4985

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

RESOLUTION 2009-924

9.A.1

Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Supervisor
Initiated by: **Satish B. Mohan**
WITHDRAWN

2010 Budget Amendment Voluntary Separation Incentive Plan Expansion

BE IT RESOLVED that the earlier approved Voluntary Separation Incentive Plan be expanded to cap at 30 employees instead of the present cap of 20 employees.

FISCAL IMPACT:

to be determined

RESULT: WITHDRAWN



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

Deborah Bruch Bucki
 Town Clerk

Meeting: 10/13/09 03:00 PM
 Department: Supervisor
 Initiated by: **Satish B. Mohan**
ADOPTED

DOC ID: 4991

RESOLUTION 2009-925

2010 Budget Amendment - Police Department

BE IT RESOLVED that the preliminary Police Department budget be amended as below:

Object Code	Description	Increase	Decrease
A3121.1761	Education Incentive	\$4,844.25	
A3120.1000	2- Auto Mechanics	\$105,223.66	
A3120.1000	1- Principal Clerk Typist		\$45,777.85
	Unemployment for 1 Layoff	\$19,780.00	
A3120.1000	1 - Full-Time Public Safety Dispatcher (replacement)	\$59,793.57	
A3120.1000	2 - Part-Time Public Safety Dispatchers		\$31,745.79
A3120.1000	1- Part-Time Cleaner		\$11,263.33
A3120.2150	Building I	\$1,000.00	
A3120.2200	Vehicles	\$18,000.00	
A3120.4017	Firearms, Range Equipment, and Supplies	\$5,000.00	
A3120.4230	Vehicle Maintenance	\$4,000.00	
A3120.1000	Historical Adjustment		\$64,590.00
A3121.1000	Historical Adjustment		\$59,729.60
A3121.1200	Overtime		\$6,000.00
A3120.4420	Uniforms	\$1,000.00	
	Total	\$218,641.48	\$219,106.57
	Net Decrease		-\$465.09

Supervisor Mohan moved to amend the resolution to send it to the Comptroller for correction of the budgetary numbers, seconded by Councilmember Marlette, approved unanimously 6-0.

FISCAL IMPACT:

-\$465.09

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Satish B. Mohan, Supervisor
SECONDER: Shelly Schratz, Councilmember
AYES: Mohan, Manna, Ward, Schratz, Marlette, Weinstein



DOC ID: 4976 A

Town of Amherst
5583 Main Street
Williamsville, NY 14221
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Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: **Mark A. Manna**

ADOPTED

RESOLUTION 2009-926

9.B.1

Highway/Lighting/Parks Equipment

WHEREAS some of the funds for equipment were not allocated in the 2010 Budget

NOW THEREFORE BE IT RESOLVED that \$15,338.00 be restored to the Lighting District Equipment Reserve account for equipment replacement;

BE IT FURTHER RESOLVED that \$129,515.00 be restored to the Highway Equipment Reserve account for equipment replacement;

AND BE IT FURTHER RESOLVED that \$100,300 be restored to the General Fund Equipment Reserve account for equipment replacement.

Fiscal impact: \$245,153.00

The Supervisor moved to have the Comptroller make the necessary changes to have the funds in the appropriate accounts. Seconded by Councilmember Manna, unanimously approved 6-0.

Supervisor Mohan moved to add a resolve as follows:

BE IT FURTHER RESOLVED that this total amount includes the lease payments for 4 plow trucks and 1 tree truck.

The motion was seconded by Councilmember Manna, unanimously approved 6-0.

FISCAL IMPACT:

Fiscal impact: \$245,153.00 (from 2009 FEMA funds)

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Mark A. Manna, Deputy Supervisor
SECONDER:	Satish B. Mohan, Supervisor
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein



DOC ID: 4977 A

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

RESOLUTION 2009-927

Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: Mark A. Manna
DEFEATED

Restoration of Positions

WHEREAS the Highway Department started off the 2009 year with 149 A.H.E.A. positions;

WHEREAS the Highway Department must maintain a minimum of 147 A.H.E.A. positions in order to provide essential services to ensure public safety;

WHEREAS there is a proposed layoff of 18 A.H.E.A. employees (as shown on the 2010 Personnel Service Worksheet;

BE IT RESOLVED that the funding be restored for these positions.

Fiscal Impact: \$851650.00

Deputy Supervisor Manna says there is a difference between downsizing the Town workforce which happens naturally. There is also a difference between cutting the fat and cutting essential services. Deputy Supervisor Manna moves the question, seconded by Councilmember Ward.

Superintendent Anderson says this resolution was put together before the impact of the VSI program was available. He says he needs 147 people to continue to offer the level of services to which the residents of Amherst are used accustomed.

Councilmember Schratz made a motion to table the resolution, seconded by Councilmember Weinstein. The vote was 3 - 3 with Deputy Supervisor Manna and Councilmembers Ward and Marlette in the negative. The motion to table failed.

Councilmember Marlette offered an amendment to remove the second Whereas clause and focus only on the proposed layoff of the 18 A.H.E.A. employees. The motion was seconded by Deputy Supervisor Manna, and the vote was 2-4 with Deputy Supervisor Manna and Councilmember Marlette in the affirmative. The amendment failed.

The vote on the overall resolution appears in the box below.

FISCAL IMPACT:

\$851650.00

\$851650.00

RESULT:	TABLED [UNANIMOUS]	Next: 10/19/2009 7:00 PM
MOVER:	Mark A. Manna, Deputy Supervisor	
SECONDER:	Satish B. Mohan, Supervisor	
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein	



DOC ID: 4978 A

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

RESOLUTION 2009-928

Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: Mark A. Manna
ADOPTED

Budget Ammendment -Restoration-Superintendent

WHEREAS the Highway Superintendent has administered the Parks division for over 25 years by order of the Town Board with a stipend;

WHEREAS the Parks division has increased to twenty-seven (27) parks and three (3) golf courses;

WHEREAS the proposed budget has no authority to remove the stipend;

WHEREAS there is a proposed cut in funding for the Right-of-Way Agent;

BE IT RESOLVED that the funding be restored for the continued administration of the Parks division.

BE IT FURTHER RESOLVED that the funding be restored for this Right-of-Way Agent position.

October 13, 2009

Councilmber Marlette moved to table the resolution until the budgetary amounts could be rectified. Seconded by supervisor Mohan, unanimously passed 6-0.

According to Supervisor Mohan, the aim of this resolution was to restore the salary of the Highway Superintendent to \$97,000.

October 19, 2009

See box below for vote on overall resolution.

FISCAL IMPACT:

\$65,239.13

RESULT:	TABLED [UNANIMOUS]	Next: 10/19/2009 7:00 PM
MOVER:	Guy R. Marlette, Councilmember	
SECONDER:	Satish B. Mohan, Supervisor	
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein	



DOC ID: 4979 A

Town of Amherst
5583 Main Street
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RESOLUTION 2009-929

Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: Mark A. Manna
ADOPTED

Restoration of PT Clerk

WHEREAS the Highway Department has maintained two (2) part-time clerks to staff the office in the Parks division;

WHEREAS the Parks division must maintain these two (2) positions in order to provide essential services to the public;

WHEREAS there is a proposed cut in funding to one of these positions (as shown on the 2010 Personnel Service Worksheet);

BE IT RESOLVED that the funding be restored for this one (1) part-time clerk position.

FISCAL IMPACT:

\$12,330.00

RESULT:	TABLED [UNANIMOUS]	Next: 10/19/2009 7:00 PM
MOVER:	Mark A. Manna, Deputy Supervisor	
SECONDER:	Guy R. Marlette, Councilmember	
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein	



DOC ID: 4980 A

Town of Amherst
5583 Main Street
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Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: Mark A. Manna

RESOLUTION 2009-930

ADOPTED

Restoration of Positions-CSEA

WHEREAS the Highway Department has maintained 6 general crew chief positions (C.S.E.A.);

WHEREAS the Highway Department must maintain 6 general crew chief positions in order to provide essential services to ensure public safety;

WHEREAS there is a proposed cut in funding (as shown on the 2010 Personnel Service Worksheet);

BE IT RESOLVED that the funding be restored for these 2 positions.

FISCAL IMPACT:

\$164,206.00

RESULT:	TABLED [4 TO 2]	Next: 10/19/2009 7:00 PM
MOVER:	Satish B. Mohan, Supervisor	
SECONDER:	Barry A. Weinstein, Councilmember	
AYES:	Satish B. Mohan, Daniel J. Ward, Guy R. Marlette, Barry A. Weinstein	
NAYS:	Mark A. Manna, Shelly Schratz	



DOC ID: 4981 A

Town of Amherst
5583 Main Street
Williamsville, NY 14221
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Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: **Mark A. Manna**
DEFEATED

RESOLUTION 2009-931

Budget Amendment-Resurfacing

WHEREAS the Town of Amherst maintains over 320 miles of roads

WHEREAS the State of New York Capital Assets Guide recommends a 15 year replacement cycle for pavement overlays;

WHEREAS the Town of Amherst uses a 20 year cycle which equates to 16 miles a year to be done;

WHEREAS because of constant budget constraints the Town only does between 10 and 12 miles per year;

WHEREAS an additional \$650,000 was put into the Paving Materials Program and was then cut in the tentative 2010 Budget;

NOW THEREFORE BE IT RESOLVED that \$650,000.00 be restored to the Highway Improvement budget line.

Deputy Supervisor Manna indicated that he has received numerous complaints from Town residents on the increasing number of potholes or damaged curbs.

Councilmember Marlette moved an amendment to change the amount to \$500,000 seconded by Deputy Supervisor Manna. The vote was 3 - 3 with Supervisor Mohan and Councilmembers Schratz, and Weinstein in the negative. The amendment was defeated.

Councilmember Manna then moved the resolution, seconded by Councilmember Marlette. The vote was 3 - 3 with Supervisor Mohan and Councilmembers Schratz and Weinstein in the negative. The resolution was defeated.

FISCAL IMPACT:
D5112.4330 \$650,000.00

RESULT: DEFEATED [3 TO 3]
MOVER: Mark A. Manna, Deputy Supervisor
SECONDER: Guy R. Marlette, Councilmember
AYES: Mark A. Manna, Daniel J. Ward, Guy R. Marlette
NAYS: Satish B. Mohan, Shelly Schratz, Barry A. Weinstein



DOC ID: 4982 A

Town of Amherst
5583 Main Street
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Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: **Mark A. Manna**

RESOLUTION 2009-932

ADOPTED

Amendment-Hwy General Repair

WHEREAS the Highway Department supplies many essential services;

WHEREAS the Miscellaneous Account has already spent over 85% of its' funding this year;

WHEREAS the tentative budget cuts this 50% from the 2009 level;

NOW THEREFORE BE IT RESOLVED that the funding be restored to the 2009 level.

FISCAL IMPACT:

\$25,000 D5110.4430

RESULT:	ADOPTED [5 TO 1]
MOVER:	Mark A. Manna, Deputy Supervisor
SECONDER:	Satish B. Mohan, Supervisor
AYES:	Mohan, Manna, Ward, Marlette, Weinstein
NAYS:	Shelly Schratz



DOC ID: 4983 A

Town of Amherst
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RESOLUTION 2009-933

9.B.8

Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: **Mark A. Manna**
ABANDONED

Amendment-Hwy Office & Bldg

WHEREAS the Highway Office budget has been trimmed to a cost effective level;

WHEREAS we will overspend this budget by the end of 2009;

WHEREAS we did not increase the level of funding for 2010;

WHEREAS the Highway Building account is already at 103% for the 2009 year;

NOW THEREFORE BE IT RESOLVED that the Highway Office account be restored to its' 2009 level;

NOW THEREFORE BE IT FURTHER RESOLVED that the Highway Building account be restored to its' 2009 level.

FISCAL IMPACT:

\$1300.00 A5010.4025 and A5010.4040

\$11,412.00 A5132.4220

\$1300.00 A5010.4025 and A5010.4040

RESULT: NO SECOND



DOC ID: 4984

Town of Amherst
5583 Main Street
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RESOLUTION 2009-934

Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: Mark A. Manna
ADOPTED

9.B.9

2010 Budget Amendment - Human Resources Department

WHEREAS a staff reduction of 25% in the Human Resources Department would greatly hamper the department’s ability to operate efficiently, and would have a deleterious impact on the provision of important services to the Town’s many employees and retirees; and

WHEREAS the Human Resources Department already operates at about one half of the number of employees generally needed to effectively operate this type of office according to the industry standard of .8 HR staff persons for each 100 employees; now therefore

BE IT RESOLVED that funding in the amount of \$47,845 be restored to the Human Resources Department 2010 Personal Services Budget in order to maintain current staffing levels.

October 13, 2009

Councilmember Marlette presented an amendment that Deputy Supervisor Manna work with the Human Resource Director and the Purchasing Director to share resources for this particular position and requested that the resolution be tabled until they can report back. Deputy Supervisor Manna seconded the amendment. The vote was 4-2 with Supervisor Mohan and Councilmember Schratz in the negative.

Councilmember Marlette made a motion to table the resolution, seconded by Councilmember Schratz. The vote was 5-1 with Deputy Supervisor Manna in the negative

October 19, 2009

See box below for vote on overall resolution.

FISCAL IMPACT:

\$47,845

RESULT:	TABLED [5 TO 1]	Next: 10/19/2009 7:00 PM
MOVER:	Mark A. Manna, Deputy Supervisor	
SECONDER:	Shelly Schratz, Councilmember	
AYES:	Mohan, Ward, Schratz, Marlette, Weinstein	
NAYS:	Mark A. Manna	



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Deborah Bruch Bucki
 Town Clerk

Meeting: 10/13/09 03:00 PM
 Department: Councilmembers
 Initiated by: Mark A. Manna

DOC ID: 4987

RESOLUTION 2009-935

ADOPTED

2010 Budget Amendment - Engineering Department - Water District #15

WHEREAS the following chart represents underfunded lines in the 2010 proposed budget:

Code	Description	Original Department Request (\$)	Supervisor's Budget (\$)	Required Minimum Funding Level (\$)	Additional Funds to be Reinstated (\$)
I-7015	Water - District 15C				
4090	Professional Services	35,000	30,000	35,000	5,000.00
4110	Contractual Services	250,000	150,000	250,000	100,000.00
I-7015	Subtotal				105,000.00
	TOTAL WATER DIST. #15 FUND RE-INSTATEMENT REQUEST				105,000.00

THEREFORE BE IT RESOLVED the Town Board directs the Comptroller to amend the 2010 budget with the above listed changes.

FISCAL IMPACT:

\$105,000.00

RESULT: ADOPTED [UNANIMOUS]
MOVER: Satish B. Mohan, Supervisor
SECONDER: Mark A. Manna, Deputy Supervisor
AYES: Mohan, Manna, Ward, Schratz, Marlette, Weinstein



DOC ID: 4975

Town of Amherst
5583 Main Street
Williamsville, NY 14221
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RESOLUTION 2009-936

Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: **Shelly Schratz**
DEFEATED

Voluntary Separation Incentive for Exempt Employees

RESOLVED, the Town Board extends the VSI program to qualified exempt employees.

Deputy Supervisor Manna made a motion to table the resolution, seconded by Councilmember Marlette. The vote was 3-3 to table, with Deputy Supervisor Manna, and Councilmembers Marlette and Weinstein in the affirmative. The motion to table failed.

Councilmember Schratz moved the resolution, seconded by Councilmember Ward. The vote was 3 - 3 with Supervisor Mohan and Councilmembers Schratz and Ward in the affirmative.

FISCAL IMPACT:
to be determined

RESULT:	DEFEATED [3 TO 3]
MOVER:	Shelly Schratz, Councilmember
SECONDER:	Daniel J. Ward, Councilmember
AYES:	Satish B. Mohan, Daniel J. Ward, Shelly Schratz
NAYS:	Mark A. Manna, Guy R. Marlette, Barry A. Weinstein



DOC ID: 4974

Town of Amherst
5583 Main Street
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Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: **Guy R. Marlette**
WITHDRAWN

RESOLUTION 2009-937

2010 Budget Amendment - Compost Facility

RESOLVED the Amherst Town Board directs the Comptroller to amend the 2010 budget by restoring funding in the amount of \$6,000.00 to Account C8162-4070 for utilities.

FISCAL IMPACT:

\$6,000

RESULT:	TABLED [UNANIMOUS]	Next: 10/19/2009 7:00 PM
MOVER:	Guy R. Marlette, Councilmember	
SECONDER:	Mark A. Manna, Deputy Supervisor	
AYES:	Mohan, Manna, Ward, Schratz, Marlette, Weinstein	



DOC ID: 4986

Town of Amherst
5583 Main Street
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RESOLUTION 2009-938

Deborah Bruch Bucki
Town Clerk

Meeting: 10/13/09 03:00 PM
Department: Councilmembers
Initiated by: Guy R. Marlette
DEFEATED

Comptroller's Amendments to 2010 Budget

WHEREAS the Town of Amherst Code Chapter 4-5 clearly states:

A. In addition to the central management departments created under Article IV, the **Town Board** may, by local law, create separate departments within any of the branches of Town government for the performance of particular functions. The Town Board may, by local law, modify, consolidate or abolish departments and reassign their functions.

WHEREAS the Town Code Chapter 4-6 further states:

B. **Subject to the approval of the Town Board**, the Supervisor may modify, consolidate or abolish any such divisions or transfer functions from one such division to another.

WHEREAS the Supervisor has NOT sought the approval of the Amherst Town Board for the elimination, merger, re-organization, or consolidation of any department as reflected in his 2010 budget, with the exception of Refuse;

NOW THEREFORE BE IT RESOLVED the Amherst Town Board directs the Comptroller to amend the 2010 budget to reflect the unauthorized modification to the department's personnel lines:

- Planning Department
- Building Department
- Emergency Services
- Senior Services
- Highway Department

BE IT FURTHER RESOLVED the Amherst Town Board further directs the Comptroller to use the following guidelines in making the above amendments to the budget:

- Do not budget for any vacant positions.
- Do not budget for any position that would become vacant as a result of participation in the V.S.I.
- Do not budget for any position being vacated due to retirement.

Supervisor Mohan felt it would be unfair to treat all departments the same way. He stated that "they should come out with a resolution for each department so that they can be discussed individually."

FISCAL IMPACT:

none - the 2010 Budget has not been established

RESULT:	ROLL CALL VOTE (DEFEATED) [3 TO 3]
MOVER:	Guy R. Marlette, Councilmember
SECONDER:	Mark A. Manna, Deputy Supervisor
AYES:	Mark A. Manna, Daniel J. Ward, Guy R. Marlette
NAYS:	Satish B. Mohan, Shelly Schratz, Barry A. Weinstein



Town of Amherst
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Deborah Bruch Bucki
 Town Clerk

Meeting: 10/13/09 03:00 PM
 Department: Councilmembers
 Initiated by: Guy R. Marlette

DOC ID: 4988

RESOLUTION 2009-939

DEFEATED

2010 Budget Amendment - Engineering Department - Sewer Fund

WHEREAS the following chart represents underfunded lines in the 2010 proposed budget:

Code	Description	Original Department Request (\$)	Supervisor's Budget (\$)	Required Minimum Funding Level (\$)	Additional Funds to be Reinstated (\$)
G-9916	Water Pollution Control Facility				
4700	Utilities (Natural Gas)	750,000	585,250	600,000	14,750.00
4710	Utilities (Electricity)	2,350,000	2,021,000	2,150,000	129,000.00
G-9916	Subtotals				143,750.00
G-9001	Sewer Maintenance - District No. 1				
4070	Utilities	17,500	15,650	17,000	1,350.00
4310	Gas & Oil	30,000	16,500	21,500	5,000.00
G-9001	Subtotal				6,350.00
G-9016	Sewer Maintenance - District No. 16				
4070	Utilities	17,500	15,650	17,000	1,350.00
4310	Gas & Oil	30,000	16,500	21,500	5,000.00
G-9016	Subtotal				6,350.00
	TOTAL SEWER FUND RE-INSTATEMENT REQUEST				156,450.00

THEREFORE BE IT RESOLVED the Town Board directs the Comptroller to amend the 2010 budget with the above listed changes.

Comptroller Carroll wanted to hold the resolution until she could review the figures with the Engineering Department. A Motion to table the resolution was made by Supervisor Mohan and seconded by Councilmember Schratz. The vote was 3 -3 with Supervisor Mohan and Councilmembers Schratz and Weinstein in the affirmative. The motion to table failed.

The Board then returned to the original motion. Councilmember Marlette moved to approved Resolution 2009-939, seconded by Deputy Supervisor Manna. The result of that vote appears in the box below.

FISCAL IMPACT:

\$156,450.00

RESULT: DEFEATED [3 TO 3]
MOVER: Guy R. Marlette, Councilmember
SECONDER: Mark A. Manna, Deputy Supervisor
AYES: Mark A. Manna, Daniel J. Ward, Guy R. Marlette
NAYS: Satish B. Mohan, Shelly Schratz, Barry A. Weinstein