



Town of Amherst
Office of the Supervisor

EXECUTIVE ORDER

Declaration of Local State of Emergency in Response to COVID-19

WHEREAS, on March 15, 2020, I issued an Executive Order declaring a local state of emergency in the Town of Amherst; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and Erie County and are expected to continue; and

NOW, THEREFORE, I, Brian J. Kulpa, Supervisor of the Town of Amherst, by virtue of the authority vested in me by the Constitution and the laws of the State of New York, do hereby continue this Executive Order dated March 15, 2020, and I hereby continue any suspension or modification of law made by this Executive Order for thirty (30) days or until April 14, 2020.

FURTHER, pursuant to the authority vested in me by Section 24 of Article 2-B of the New York State Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 14, 2020 the following:

Suspension of law to allow waiver of requirements necessary for apportionment of school aid:

- This Executive Order will serve as a State of Emergency pursuant to Executive Order 202.1 issued by Governor Cuomo relative to Section 3407 of the Education Law.

Suspension of laws and regulations relating to emergency procurement:

- The Town of Amherst Procurement Policy and Contract Management Policy as adopted on January 6, 2020 by Resolution 2020-64 is hereby suspended to the extent necessary to purchase necessary equipment, materials, supplies, or services without following the standard procurement processes, including the standard prompt payment policy which will allow for the procurement of necessary goods and services to protect the health and safety of our employees and citizens in the Town of Amherst.

Suspensions of law relating to appearances by defendants in Amherst Town Court:

- Notwithstanding any other provision of law and except as provided in Section 182.30 of Article 182 of the Criminal Procedure Law, the court, in its discretion, may dispense with the personal appearance of the defendant, except an appearance at a hearing or trial, and conduct an electronic appearance in connection with a criminal action pending in any County in New York State, provided that the Chief Administrator of the Courts has authorized the use of electronic appearance due to the outbreak of COVID-19, and the defendant, after consultation with counsel, consents on the record. Such consent shall be required at the commencement of each electronic appearance to such electronic appearance.

Under this authority, the Supervisor is hereby closing the following locations: Amherst Center for Senior Services, Clearfield Recreation Center, North Amherst Recreation Center (NARC), Harlem Road Community Center and the Northtown Center at Amherst. These locations are closed to the general public and such closures will remain in effect until further notice. This will exclude employees of the Town and contracted agencies. Please contact the facility directly for any inquiries not addressed by this Executive Order.

Further and under this authority, the Supervisor will hold the March 25th, 2020 Town Board meeting without public hearings or public attendance, with the attendance to be restricted to only Town personnel and other required individuals as identified by the Town Board. Additionally, this meeting will be live streamed on the Town of Amherst website at www.amherst.ny.us. A strict health and safety protocol will be active and enforced. All public hearings will be postponed for thirty (30) days or until the next available Town Board meeting. Residents will be re-notified accordingly.

Further and under this authority, the Town of Amherst will open its Emergency Operations Center.

Further and under this authority, services provided by the Town of Amherst Town Clerk's Office will be limited. Please contact the Town of Amherst Town Clerk's Office at 716-631-7021 for questions.

Further and under this authority, Building Permits will continue to be processed and issued, but specific questions should be addressed to the Building Department at 716-631-7080.

For developing information, including information relative to closures, postponements and/or rescheduled events, please visit the Town of Amherst webpage at www.amherst.ny.us.

Given Under My Hand and the Seal of
the Town of Amherst, New York on this
15th day of March, 2020.



Brian J. Kulpa, Supervisor, Town of Amherst

