Amherst City Council met in a Regular Session under full compliance of State Law with President Wasilk opening the meeting at 7:00 p. m. Roll call: Mr. Wachholz, Mr. Mowcomber, Mr. Janik, Mr. Nahorn, Mr. Winiarski, Mr. Dembinski, Ms. Harmych. Also present were Mayor Costilow, Auditor Phillips, Law Director Pecora, Assistant Law Director Reinbolt, Income Tax Office Clerk Craig Molnar, Treasurer Miller. Safety/Service Director Jeffreys was absent and had a letter on file. Mr. Dembinski motioned to excuse Mr. Jeffreys as he had a letter on file. Seconded by Mr. Wachholz. Voice vote 7-0 to excuse.

The Prayer was invoked by Chaplain Janik, which was followed by the Pledge of Allegiance to the Flag led by Sgt. At Arms Dembinski.

Consent Agenda: The Clerk read the Consent Agenda. Mr. Dembinski motioned to approve the Consent Agenda as read. Seconded by Mr. Janik. Voice vote 7-0 to approve the Consent Agenda as read.

Acknowledgement of the Public pertaining to items on the Agenda: There was no one speaking.

ORDINANCES AND RESOLUTIONS FIRST READING:

(a) An Ordinance authorizing the City of Amherst Treasurer's Office to employ Insource Solutions Group, Inc., to facilitate electronic Income Tax Filing and collect unpaid Income Taxes and returns for the City; and declaring an emergency. (A-26-40)

Mr. Dembinski motioned to pass this on to its second reading. Seconded by Mr. Nahorn. Roll call vote 7-0 to pass to second.

(b) A Resolution accepting amounts and rates as determined by the Budget Commission and authorizing necessary tax levies and certifying them to the County Auditor. (A-26-43)

Mr. Nahorn motioned to suspend all Council rules so that this may be passed on its first reading. Seconded by Mr. Dembinski. Roll call vote 7-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Dembinski. Roll call vote 7-0 to adopt. Becomes R-26-06.

(c) An Ordinance authorizing the reappropriation of funds in various departments; and declaring an emergency. A-26-42)

Mr. Dembinski motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Wachholz. Roll call vote 7-0 to suspend rules. Mr. Dembinski motioned to adopt. Seconded by Mr. Janik. Roll call vote 7-0 to adopt. Becomes 0-26-32.

(d) An Ordinance authorizing the City of Amherst to sell parcel NO. 05-00-097-102-023 Via Competitive bidding at a public auction. (A-26-44)

Mr. Dembinski motioned to pass this on to its second reading. Seconded by Mr. Nahorn. Mayor Costilow explained that there is a significant amount of money owed to the County and City such as the back taxes and the cost of demolishing the house, plus mowing the lawn, the numbers are $32,000 what is owed to the City and $28,000 is in owed in taxes. Plus the fees it comes to $63,840. He is working with the law department to see about getting the fees reduced. But at minimum, the land is appraised at $63,840. We hope to sell it at the first auction at the full value. It's reduced 25% each time it has to be re-bid. This was the best thing to get rid of this lot. We have no choice but to sell if for what we get. Roll call vote 7-0 to pass to second reading.

(e) An Ordinance approving the modification of the Planned Development District for Phase III of the Quarry Creek Residential Development. (A-26-46)

Mr. Dembinski motioned to amend the ordinance to add the emergency clause. Seconded by Mr. Wachholz. Roll call vote 7-0 to add the emergency clause. Mr. Dembinski motioned to suspend all council rules so that this may be passed under first reading as amended. Seconded by Mr. Janik. Mr. Nahorn said the Mayor mentioned at the committee meeting that this is phase three, which will include the safety bridge connecting Rock Creek Run development will be constructed, as part of the original agreement when passed. Moving this as quickly as possible will be a plus for that area. Roll call vote 7-0 to suspend council rules

and pass it under first reading. Mr. Dembinski motioned to adopt. Seconded by Mr. Janik. Roll call vote 7-0 to adopt. Becomes 0-26-33.

ORDINANCES AND RESOLUTIONS SECOND READING:

(a) An Ordinance to establish a temporary moratorium on the construction of Data Centers within the City of Amherst until June 30, 2027, with an automatic six month extension. (A-26-38) (inadvertently had been left off the 10/12/26 Agenda.

Mr. Dembinski motioned to amend Section 2 – which he read – to read: as used in this ordinance "construction" shall mean the erection, enlargement or alteration of one or more. Seconded by Mr. Wacholz. Mr. Dembinski explained further as far as the amendment he is requesting. Roll call vote 7-0 to amend. Mr. Dembinski motioned to send on to third reading. Seconded by Mr. Nahorn. Roll call vote 7-0 to pass to third.

(b) An Ordinance transferring funds from dormant or unused accounts to the General Fund and Streets fund. (A-26-39)

Mr. Dembinski motioned to pass this on to its third reading. Seconded by Mr. Wachholz. Roll call vote 7-0 to pass to third reading.

(c) An Ordinance authorizing the City of Amherst Treasurer's Office to employ Keith D. Weiner and Associates to continue collecting unpaid Income Taxes for the for the City; and declaring an emergency. (A-26-41)

Mr. Dembinski motioned to pas this on to its third reading. Seconded by Mr. Nahorn. Roll call vote 7-0 to pass to third reading.

ORDINANCES AND RESOLUTIONS THIRD READING: None

Miscellaneous and acknowledgement of the public:
Treasurer Miller requested the appointment/renewal of two people to the Local Board of tax Review for a two year term – Michelle Pullin and Ron Kopco for another two year term. Mr. Dembinski motioned to acknowledge the appointments as requested. Seconded by Mr. Nahorn. Voice vote 7-0 to acknowledge the appointments.

She asked the Chairman of the Bicycle Advisory Board of there was anything to report. Mr. Nahorn said they did have their first Advisory Board Meeting on the 13th which went well. They discussed how other cities are exploring the e bike challenges. Their next meeting is tomorrow, the 27th.

Industrial Zoning Advisory Board Chairman Winiarski said similar to the Bicycle Advisory Board – They met on the 20th. It was a good meeting and he is especially impressed by Mr Mowcober and Mr. Dembinski in their research and what they brought to the first meeting. The thanked Ms. Reinbolt and Mr. Pecora for their help. Their next meeting is Wednesday, November 4 in these chambers.

Mrs. Wasilk thanked Mr. Nahorn, Mr. Winiarski, Mr. Mowcomber, Mr. Dembinski, Mr. Pecora and Mr. Reinbolt for their contributions and help for the Boards.

She has received inquiries about whether the council is going to do anything about the last two weeks of December. Mr. Nahorn motioned to recess the last two weeks of December's meetings with the understanding that meetings will be held if necessary. Seconded by Mr. Mowcomber. Roll call vote 7-0 to recess the last two weeks of December.

Mr. Dembinski said for the 5th year in a row he will be partnering with the Police Department to collect Toys for Tots. Unwrapped new toys may be dropped off at the police department until December 11.

Agenda requests and committee meeting schedules:

No Agenda items were received so the committee meetings for November 4, 2026 are cancelled

Reports from the Administration
Auditor Phillips: Their office is working on the month end report.
Treasurer Miller: No report
Law Director Pecora: Reminded all that any deliberations by council must be shared by all council if they are sending out information. This can be done via the Clerk but not between a few members.
Safety/Service Director Jeffreys: Not present
Mayor Costilow: Spoke to the leaf pickup and provided dates.

Mr. Dembinski motioned to accept the accept the Reports of the Administration. Seconded by Mr. Wachholz. Voice vote 7-0 to accept the Reports of the Administration.

Mr. Dembinski motioned to adjourn. Seconded by Mr. Wachholz. Voice vote 7-0 to adjourn.

The meeting adjourned at 7:29 p. m.

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Olga Sivinski, Clerk of Council Jennifer Wasilk, President of Council