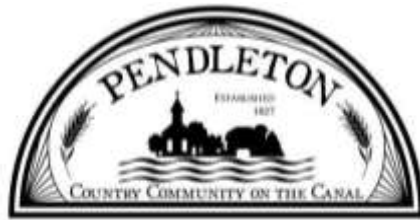


TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



*Supervisor Joel Maerten
Councilman Jason Evchich
Councilman David Fischer
Councilman Justin Graham
Councilman David Leible*

At the regular meeting of the Town Board of the Town of Pendleton, Niagara County, New York, held in the Board Room at the Town of Pendleton Town Hall, 6570 Campbell Boulevard, Lockport, New York, 14094 at 7:00 p.m. on December 14, 2020.

WHEREAS, the Town of Pendleton has contracted with Modern Corporation for refuse and recycling collection and the current contract expires on December 31, 2020, and

WHEREAS, the Town Board of the Town of Pendleton has approved a successor contract with Modern Corporation that commences on January 1, 2021 with terms outlined in a resolution passed on September 14, 2020, and

WHEREAS, an essential and mandatory component of the current and successor refuse and recycling collection contracts requires all parcels eligible for recycling collection must exclusively use a recycling tote issued or approved by the Town of Pendleton, and

WHEREAS, an essential and mandatory component of the refuse and recycling contract which commences on January 1, 2021 requires all parcels eligible for refuse collection must exclusively use a refuse tote issued or approved by the Town of Pendleton, and

WHEREAS, all existing parcels eligible for recycling collection have been issued a Town-owned recycling tote to be used exclusively for recycling collection on a schedule stipulated in each refuse and recycling contract, and

WHEREAS, all parcels eligible for refuse collection will receive a Town-owned refuse tote for weekly refuse collection commencing on January 1, 2021, and

WHEREAS, the approved refuse and recycling contract allows the Town to grant permission for eligible parcels to place up to a total of four (4) refuse totes for collection on a weekly basis under conditions set forth by the Town of Pendleton

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 14th day of December 2020:

- A) Property owners of eligible parcels may request up to three (3) additional refuse totes, for a maximum of four (4) totes per eligible parcel, through procedures set forth by the Town Board.
- B) Requests for additional refuse totes may be made through the Town Clerk's Office by completion of an appropriate form which must be signed and authorized by the parcel's owner(s).
- C) The Town Clerk's Office shall maintain records of all requests for additional refuse totes and notification for addition or cancellation of such service shall be made to the Highway Superintendent and Modern Disposal Services. Issuance, return, and maintenance of refuse and recycling totes shall be the responsibility of the Highway Superintendent.
- D) The annual fee for each additional tote is \$55.00 and shall be prepaid prior to delivery of additional refuse totes and commencement of collection. Such request shall be prorated from the date of request through the end of the current calendar year. Subsequent renewals will be charged the full rate from January 1st through December 31st of each calendar year.
- E) The Town Clerk's Office shall notify owners of parcels currently paying for one or more additional refuse totes of the need to prepay for renewal of service prior to December 1st of the current year of service. All fees paid for renewal of the collection of additional refuse totes for a parcel shall be payable to the Town Clerk's Office. The Town will not guarantee continuous collection of additional refuse totes should payment not be received prior to the posted renewal deadline.
- F) Cancellation of collection services for any or all additional refuse totes shall be made in writing. All cancellations shall take effect with the beginning of the next calendar year and no requests for refunds related to cancellations will be accepted.

G) The Town of Pendleton retains ownership of all refuse totes and should a parcel owner cancel collection of additional refuse totes or fail to pay for renewal of such service, all additional totes are to be returned to the Town of Pendleton. The replacement cost of all refuse totes not returned to the Town of Pendleton will be assessed on the parcels next property tax bill.

H) This resolution in its entirety shall take effect immediately.

The above resolution was offered by _____, who moved for its adoption, and seconded by _____.

The following vote was taken and recorded as:

	Aye	Nay
Supervisor Joel Maerten		
Councilman Jason Evchich		
Councilman David Fischer		
Councilman Justin Graham		
Councilman David Leible		