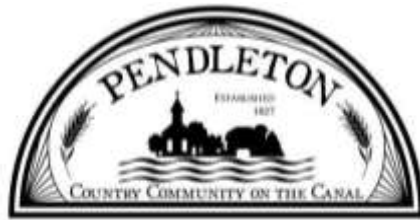


TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



*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 Disposal Services 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 Disposal Services that commences on January 1, 2021 with terms outlined in a resolution passed on September 14, 2020, and

WHEREAS, the contract for refuse and recycling collection between the Town of Pendleton and Modern Disposal Services allows the Town the option to allow refuse collection for ineligible parcels with conditions specified by the Town, and

WHEREAS, a need to extend the option for refuse collection for ineligible parcels in accordance with the current contract has been established, and

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

- A) Property owners, lessees, or renters of parcels currently ineligible for refuse collection may request up to four (4) refuse totes for collection coinciding with the established refuse collection schedule.
- B) Requests for additional refuse totes may be made through the Town Clerk's Office by completion of an appropriate application which must be signed by the parcel owner, lessee, or renter.

- C) The Town Clerk's Office shall maintain records of all requests for refuse collection for ineligible parcels and notification for addition or cancellation of such service shall be made to the Highway Superintendent and Modern Disposal Services. Issuance of refuse totes shall be the responsibility of the Highway Superintendent.
- D) Property owners, lessees, or renters approved for refuse collection must pay in advance for the full cost of each refuse tote including processing and delivery of such requests. The fee per refuse tote shall be no less than \$80 and upon delivery each tote becomes the property of the purchaser. The Town assumes no responsibility to repair or replace damaged or missing refuse totes. Return of unneeded totes is at the discretion of the Town and no refund of any fees or costs paid for refuse totes or collection services shall be made.
- E) The annual fee for collection of the first refuse tote shall be no less than \$220.00 and each additional tote shall be no less than \$70.00 and shall be prepaid prior to delivery of any refuse totes and commencement of collection services. 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.
- F) Renewal of the annual fee for collection of refuse tote(s) for ineligible parcels shall be made to the Town Clerk's Office by December 1st of the year preceding the next renewal cycle to prevent interruption of service. 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) Ineligible parcels opting for refuse collection as stipulated herein are exempt from bulk garbage collection stipulated in the contract between Town of Pendleton and Modern Disposal Service for eligible parcels.
- H) This resolution in its entirety shall take effect January 1, 2021.

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