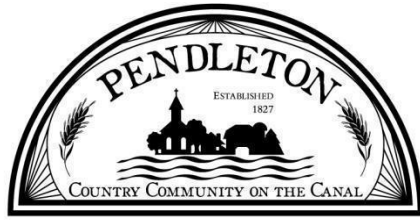


TOWN OF PENDLETON  
6570 Campbell Boulevard  
Lockport, NY 14094



*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 September 13, 2021.

**WHEREAS**, the Town of Pendleton Highway, Water, and Sewer Departments perform a multitude of tasks which often result in the excavation and removal of earthen material or fill; and

**WHEREAS**, fill materials are often removed from job sites and transported to the Public Works Facility located at 6640 Campbell Boulevard and stockpiled; and

**WHEREAS**, the Highway Superintendent has requested that a select amount of stockpiled fill be declared surplus, sold, and removed from the Public Works Facility.

**NOW, THEREFORE BE IT RESOLVED**, by the Town Board of the Town of Pendleton on this 13<sup>th</sup> day of September 2021 that stockpiled fill located at the Public Works Facility shall be declared surplus as follows:

- 1) Materials declared surplus shall be limited to earthen fill and debris. This does not include stone, sand, millings, or any material purchased by the Town of Pendleton.
- 2) All materials sold shall be loaded and transported from Town property by the purchaser. No Town employees or equipment shall be used to assist with this endeavor.
- 3) Loading and hauling shall only be allowed between 7:00 am and 5:00 pm, Monday through Friday, excluding holidays.
- 4) Purchasers of fill and any contractors assisting in any such effort shall provide proof of insurance specifically declaring the Town of Pendleton as additionally insured.
- 5) No more than 2000 cubic yards of fill shall be sold at a cost of \$1.00 per cubic yard.
- 6) This resolution declaring surplus Town-owned fill shall take effect immediately and subsequently expire on December 31, 2021 at 11:59 pm.

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