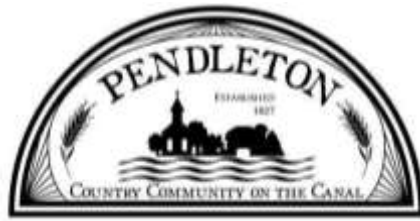


TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



*Supervisor Joel Maerten
Councilman Jason Evchich
Councilman Joseph Hickman
Councilman David Leible
Councilman Scott Lombardo*

At the monthly 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 12, 2022.

Resolution Declaring Surplus Fill

WHEREAS, the Town Board of the Town of Pendleton passed a resolution on August 17, 2022 declaring specific fill materials stored at the Highway Garage as surplus; and

WHEREAS, the resolution, as passed, specifically limited the amount of fill that may be removed to 3,000 cubic yards; and

WHEREAS, the Highway Superintendent has requested that the limit of surplus fill to be surplus to be increased to 4,000 cubic yards.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 12th day of September 2022 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 4,000 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 30, 2022 at 11:59 pm.