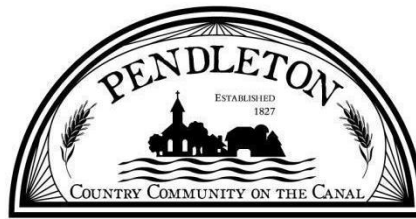


TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



*Supervisor Joel Maerten
Councilman Wolfgang Buechler
Councilman David Kantor
Councilman Timothy Lukasik
Councilman Dylan Rumbold*

At the 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 October 13, 2026.

Resolution Accepting and Authorizing the First Three-Year Renewal Agreement with Modern Disposal Services, Inc. for Residential Garbage and Recycling

WHEREAS, the Town of Pendleton is a participating municipality under the Niagara County Solid Waste Consortium for the collection and disposal of residential solid waste and recycling collection and processing; and

WHEREAS, the Niagara County Solid Waste Consortium issued bid specifications on July 1, 2020; and

WHEREAS, the Town of Pendleton entered into an agreement with Modern Disposal Services, Inc. for an initial term of six years, commencing on January 1, 2021, on September 14, 2026; and

WHEREAS, the original agreement provides for two (2) additional three-year renewal options, subject to the mutual agreement of the parties and upon the same terms and conditions as provided therein, unless otherwise agreed upon by the parties; and

WHEREAS, the Town Board of the Town of Pendleton and Modern Disposal Services, Inc. have mutually agreed to exercise the first three-year renewal option for the period commencing January 1, 2027 and terminating December 31, 2029; and

WHEREAS, pursuant to Section 3.10 of the Niagara County Solid Waste Bid Documents, the contractor may elect to determine tonnage collected from each participating community by either actual scale weights for tonnage collected from each community or by utilizing a weighted average of waste and/or recycling generation in each community based upon the preceding three (3) calendar years; and

WHEREAS, the Niagara County Environmental Coordinator evaluated actual scale weights of tonnage for each community over the preceding three years and assigned the Town of Pendleton an allocation of 24.6% of disposal volume and 29.9% of recycling volume, subject to the applicable provisions of the Niagara County Solid Waste Bid Documents and any subsequent adjustments authorized thereunder; and

WHEREAS, the Town Board has reviewed the terms and conditions of the proposed renewal agreement and has determined that entering into the agreement is in the best interests of the Town and its residents;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of October 2026, that the Town Board of the Town of Pendleton hereby accepts and agrees to the terms and conditions of the first three-year renewal agreement with Modern Disposal Services, Inc. for the collection of residential garbage and recycling within the Town of Pendleton for the period January 1, 2027 through December 31, 2029; and

BE IT FURTHER RESOLVED, that the Town Board acknowledges and accepts the applicable allocation methodology set forth in Section 3.10 of the Niagara County Solid Waste Bid Documents, including the use of actual scale weights or the applicable three-year weighted average methodology as permitted therein; and

BE IT FURTHER RESOLVED, that, based upon the Town's current allocation of 24.6% of waste tonnage and 29.9% of recycling tonnage, subject to adjustment in accordance with the Niagara County Solid Waste Bid Documents and applicable contractual provisions; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the renewal agreement and any documents reasonably necessary to effectuate the terms of this resolution on behalf of the Town of Pendleton; and

BE IT FINALLY RESOLVED, that this resolution shall take effect immediately upon adoption.