

RESOLUTION

SOLID WASTE COLLECTION LOCAL LAW (Adoption of License Application and License)

At a regular meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the Community Center, in New Paltz, New York, in said Town on the _____ day of _____, 2018, at _____ o'clock P.M., Prevailing time.

The meeting was called to order by Council Member _____, and upon roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Neil Bettez	_____	_____
Council Member Daniel Torres	_____	_____
Council Member Marty Irwin	_____	_____
Council Member Julie Seyfert Lillis	_____	_____
Council Member David Brownstein	_____	_____

The following resolution was offered by Council Member _____, who moved its adoption, seconded by Council Member _____, to wit:

WHEREAS, the Town of New Paltz has duly adopted a certain local law entitled “A local law to amend the Code of the Town of New Paltz to add a new Chapter 88, ‘Town of New Paltz Residential Solid Waste Collection Law,’” the intent and purpose of which is to institute a licensing plan for the collection and management of residential solid waste and recyclable materials generated or originated in the Town of New Paltz, to promote the safety, health and well-being of persons and property within the Town and to provide for the issuance by the town of a single hauling license to a single qualified entity

that has been determined to be most beneficial to Town and Village residents;

NOW, THEREFORE, BE IT RESOLVED that the Town of New Paltz hereby adopts an official form for “ Waste Hauler Permit Application for Collection and Transportation of Residential Solid Waste and Recyclable Materials in the Town and Village of New Paltz, New York” and for “ License for Residential Solid Waste and Recyclable Materials” each in the form attached, same to be effective as of the date of adoption of the aforesaid local law.

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Neil Bettez	_____	_____	_____
Council Member Daniel Torres	_____	_____	_____
Council Member Marty Irwin	_____	_____	_____
Council Member Julie Seyfert Lillis	_____	_____	_____
Council Member David Brownstein	_____	_____	_____

The resolution was thereupon duly adopted.

**Waste Hauler Permit Application for Collection and Transportation of
Residential Solid Waste and Recyclable Materials in the Town and
Village of New Paltz, New York**

_____ **1st Time Applicant**
Application

_____ **Renewal**

SECTION 1 – IDENTITY of APPLICANT / BUSINESS

Name of Applicant/Business:

Name of Owner: _____

DBA (if different from above):

Trade Names (if different from
above): _____

Business Address: (Official business address as listed in Certificate of Incorporation or
DBA)

Mailing Address: _____

Is Business or Mailing address a residence: _____ Yes _____ No

Location of Vehicle Garage: _____

Business Phone #: () _____

Business Fax #: () _____

Cell Phone #: () _____

24 hr Emergency #: () _____

Email Address:

Website Address:

Designated employee/officer of Applicant/Business for communication with Town/Village personnel:

Name: _____ Title: _____

Telephone #: () _____ Fax #: () _____ Cell #: () _____

Alternate Designee:

Name: _____ Title: _____

Telephone #: () _____ Fax #: () _____ Cell #: () _____

SECTION 2 – TYPE OF BUSINESS

Type of Business or Organization: (check those that apply)

Corporation (specify type/state of incorporation):

Partnership (specify type):

Sole Proprietorship:

Municipality: _____

Date of Organization:

Business Identification Number:

(Federal or State)

SECTION 3 - DAYS AND HOURS OF OPERATION:

(check all that apply and fill in times of operation, circle am/pm)

_____ Monday from _____ am/pm to _____ am/pm

_____ Tuesday from _____am/pm to _____am/pm

_____ Wednesday from _____am/pm to _____am/pm

_____ Thursday from _____ am/pm to _____ am/pm

_____ Friday from _____am/pm to _____am/pm

Do you adjust your schedule for holidays? (please explain)

SECTION 4 – VEHICLE IDENTIFICATION

Please list all equipment used in the collection and transportation of waste by your company in the Town/Village of New Paltz Identify all vehicles by vehicle identification number (VIN), owned, leased, operated or controlled by the applicant which will be used in connection with the permitted activities. (i.e. the collection, storage, transfer, transportation, processing or disposal of solid waste, garden, yard waste and/or recyclables generated, originated or brought within the Town/Village) Please note: Vehicle Disclosure is required for all vehicles except trailers.

Vehicle List

Year, Make	State	License Plate	Capacity	DEC Reg. #	VIN #
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[illegible]

SECTION 5 – INSURANCE INFORMATION

This is to certify, under the penalties of perjury, that this operation has the insurance coverage listed below as required by law: **(Attach copies of evidence of all coverage listed below)**

A. Workers' Compensation Carrier:

Policy # : _____

Exp. Date: _____

B. Disability Benefits Carrier :

Policy # : _____

Exp. Date: _____

C. Public Liability and Property Damage Carrier

Policy # : _____

Exp. Date: _____

D. Comprehensive Automobile Liability and Property Damage Carrier

Policy # : _____

Exp. Date: _____

SECTION 6 – NATURE OF WASTE HANDLED (check all that apply)

- _____ Municipal Solid Waste
- _____ Comingled Glass/Plastic/Cans
- _____ Paper/Cardboard
- _____ Construction & Demolition
- _____ Tires
- _____ Yard Waste
- _____ Food Waste
- _____ Scrap Metals
- _____ Other (please explain):

SECTION 7 – APPLICANT’S HISTORY

- A. Has the applicant or any of its officers, directors, stockholders, associates or partners been convicted of any felony or crime which is classified as a Class A or B misdemeanor in the last five (5) years (do not include traffic violations)?
_____YES _____NO

If yes, the applicant shall set forth in what court, when, where, upon what charges and the sentence of the court including the docket, index, indictment or file number in such court. If a certificate of relief from civil disabilities has been issued by a court of competent jurisdiction, the applicant shall submit a certified copy of same.

- B. Has the applicant or any of its officers, directors, stockholders*, associates, partners or members of their immediate families executed any consent decrees, stipulations or any other dispositions with any government agency or municipality with regard to
any government action or RICO suit? _____YES _____NO

If yes, please provide copies of all applicable documents.

- C. Are there any criminal charges or investigations presently pending against the applicant or any members of their immediate family _____YES _____NO

If yes, please provide copy of the charges.

- D. Has the applicant or any of its officers, directors, stockholders, associates, partners or members of their immediate families defaulted on any contract with a municipality, or had any license or permit denied, suspended or revoked?
_____YES _____NO

If yes, please provide details, including date, and type of contract defaulted upon and/or when license or permit was suspended or revoked.

SECTION 8 –CERTIFICATION

By signing and submitting this Application, I hereby request that the applicant be granted a License by the Town and Village of New Paltz for the Transportation of Source Separated Waste Material and Recyclables within the Town and Village. I further agree the Town and Village have the right to verify the information contained herein before and after granting of a License, and that inaccurate information will be grounds for the denial or revocation of said License.

I understand that the applicant shall be granted permission to collect, transport or dispose of source separated waste and recyclable material in the Town and Village under the following conditions:

- ☐ Vehicles are maintained in a clean, sanitary and leak-proof condition to prevent loss or discharge of offensive material during transportation;
- ☐ The identification of the owner of the vehicle or the business name and address is clearly posted on both sides of the vehicle;
- ☐ Current License is prominently displayed on the vehicle (s) at all times;
- ☐ All source separated waste and recyclable materials are covered or maintained in a closed truck;
- ☐ All materials are collected, stored and transported properly separated in accordance with the all applicable laws, rules and regulations
- ☐ Failure to comply with will result in the License being revoked, enforcement actions pursued and penalties incurred.

Signed: _____

Date: _____

STATE OF NEW YORK:

COUNTY OF _____ ss.:

On the _____ day of _____, in the year 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

State of New York
TOWN OF NEW PALTZ
52 Clearwater Road, P.O. Box 550
New Paltz, NY 12561

**LICENSE FOR RESIDENTIAL SOLID WASTE AND RECYCLABLE
MATERIALS**

1. **Company Name:** _____
2. **Principal Place of Business:** _____
3. **Term of License:** _____ through _____ (subject to renewal)
4. **Terms and Conditions of License:** All terms and provisions of a certain agreement, dated as of _____, 20____ between The Town of New Paltz, the Village of New Paltz and _____.; and

All provisions of Local Law No. _____ of the Town of New Paltz, Chapter 88, entitled "Town of New Paltz Residential Solid Waste Collection Law," including but not limited to the following:

§ 88-6. Operating Regulations.

- A. Pick up schedule. Any person or firm licensed under the provisions of this chapter shall maintain a pick-up schedule of at least once a week for all of customers.
- B. Blocking of traffic. Any licensee under the provisions of this chapter shall not operate or permit to be operated any vehicle or equipment so as to block any crosswalk or interfere with the movement of traffic on any public street or highway.
- C. Use of containers. Garbage, refuse and recycling containers shall be provided in accordance with the Franchise Agreement awarded to the licensee and of sufficient strength and size to securely contain such waste material and shall be kept covered at all times except for loading and unloading. Such containers shall not be stored or placed in front of the building line of the principal residential building on each lot except to facilitate refuse collection during a period beginning not earlier than six hours prior to 12:01 a.m. on the day regularly scheduled for such removal and ending not later than six hours after 11:59 p.m. on the day regularly scheduled for such removal.

5. Hours of service: The hours of service shall be between 7:00 a.m. to 7:00 p.m., Monday through Friday. The Licensee is not required to provide service on weekends or holidays except during natural disasters or emergencies, and may, at Licensee's sole discretion, observe holidays during the term of this license. Licensee shall be responsible for providing make-up collections for collections that would normally fall on specified holidays. *(Make-up days shall normally be the next collection day following the holiday or as mutually agreed by Municipality and Licensee).*

6. Customer service: Customer complaints shall be addressed within seventy-two (72) hours of receipt of such complaint and shall be promptly resolved. Licensee shall maintain an accurate log of complaints and shall provide the Municipality on a monthly basis, with copies of all complaints indicating the date and hour of the complaint, nature of the complaint, and the manner and timing of its resolution. In the event Licensee shall fail to comply with the foregoing service obligations the Municipality may pursue all processes and remedies arising therefrom as provided in the agreement and/or of the local law referred to in paragraph 4, above.

7. Revocation: This license is subject to revocation by the licensing officer in the event of a breach or violation of any of the terms and provisions of the agreement and/or of the local law referred to in paragraph 4, above.

Dated: New Paltz, NY

_____, 20____

TOWN OF NEW PALTZ

By:_____

Print Name:

Title: Town Clerk