



JOHN FENZ  
TOWN ATTORNEY  
jfenz@twyny.org

TOWN OF WEST SENECA

TOWN SUPERVISOR  
SHEILA M. MEEGAN  
TOWN COUNCIL  
EUGENE P. HART  
WILLIAM P. HANLEY, JR.

To: The Honorable Town Board

From: John J. Fenz, Esq.  
Town Attorney

Date: February 24, 2017

Re: Option to Renew Agreement - Collection of Recyclables  
Modern Recycling, Inc.

---

Kindly authorize the Supervisor to execute the necessary documents to exercise the Town's option to renew its Agreement with Modern Recycling, Inc., pursuant to paragraph 3 therein, for a period of one (1) year, beginning February 1, 2017, at a rate of \$43.64 per unit, per year.

Further, the number of units to be serviced, previously set at 16,500, will need to be confirmed by the Town's verified assessment records.

**EXTENSION AGREEMENT**

This Extension Agreement is made on February \_\_, 2017 and effective February 1, 2017, by and between the Town of West Seneca (the "Town"), a New York municipal corporation, having an office at 1250 Union Road, West Seneca, New York and Modern Recycling, Inc., ("Modern") a New York corporation with an office at 4746 Model City Road, Model City, New York 14107.

Whereas, the Town and Modern entered into an Agreement ("Agreement") dated January 29, 2014, whereby Modern agreed to provide municipal collection, hauling and processing ("Recycling") of recyclable materials;

Whereas that Agreement granted the Town the option to renew the Agreement for three (3) additional one-year terms; and

Whereas, the Town now wishes to exercise its option to extend the term of the Agreement.

Now, therefore, the Town and Modern stipulate and agree to the following extension of the Agreement:

1. The Town hereby exercises its option and extends the term of the Agreement until January 31, 2018.
2. Modern will provide the weekly collection, hauling and processing of recycling at the following rate:
  - a. February 1, 2017:       \$43.64 per unit, per year
3. Modern shall, each calendar quarter; pay a rebate to the Town for each ton of acceptable recyclables Modern collects at the following rates.
  - a. February 1, 2017:       material credit \$2.75 per ton

This Extension Agreement is intended to modify the original Agreement executed January 29, 2014, only to the extent that the Agreement is consistent with the terms stated herein. All of the other terms and conditions of the original Agreement shall remain in full force and effect.

**Modern Recycling, Inc.**

**Town of West Seneca**

By: \_\_\_\_\_  
Joseph M. Hickman  
Sales and Municipal Accounts Manager

By: \_\_\_\_\_  
Sheila M. Meegan  
Supervisor, Town of West Seneca

Date: \_\_\_\_\_

Date: \_\_\_\_\_