

RESOLUTION NO. 65-2005

Offered by All of Council

A RESOLUTION MODIFYING THE CONTRACT BETWEEN THE VILLAGE OF RICHFIELD AND J&J REFUSE, INC. FOR TRASH COLLECTION BY INCREASING THE RATE PER MONTH, PER HOUSEHOLD TO COVER SOLID WASTE FACILITIES FEES IMPOSED BY THE STATE OF OHIO ON A DOLLAR-FOR-DOLLAR BASIS AND DECLARING AN EMERGENCY

WHEREAS, the Village entered into an agreement with J&J Refuse, Inc. for refuse collection in the Village per Resolution No. 97-2002, adopted 12/3, 2002; and

WHEREAS, the State of Ohio, as part of its budgeting requirements, imposed solid waste facility fees; and

WHEREAS, the Village is required to reimburse these fees on a dollar-for-dollar basis.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That the Mayor and the Finance Director be, and they hereby are, authorized and directed to enter into a modification of the contract between the Village of Richfield and J&J Refuse, Inc. for refuse collection in the Village by increasing the rate by \$0.14 per month, per household to cover the increased solid waste facilities fees imposed by the State of Ohio on a dollar-for-dollar basis in accordance with the letter the Village received from J&J Refuse, Inc., a copy of which is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to provide for the fiscal requirements of the State of Ohio; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 8/16/2005

[Signature]  
President of Council

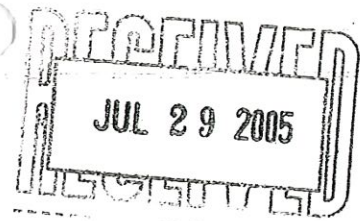
ATTEST:  
[Signature]  
Clerk of Council

[Signature]  
Mayor

Dated: 8/16/05

**J & J REFUSE, INC.**

3596 STATE ROUTE 39 NW  
DOVER, OHIO 44622  
PHONE: (330) 343-1226 FAX: (330) 343-7560



*Steph + Mayor*

*EXHIBIT A*

*Res 65-2005*

July 27, 2005

Ms. Melanie Tibbs  
Richfield Village  
4410 W. Streetsboro Rd  
Richfield, OH 44286

Dear Melanie:

On July 1, 2005, the Ohio State Budget Bill (House Bill 66) took effect. The new State law requires all solid waste facilities to increase disposal fees on Solid Waste from \$2.00 per ton to \$3.50 per ton (visit the Ohio EPA website for more details on HB 66 and its impact on solid waste fees and programs: [www.epa.state.oh.us/dsiwm](http://www.epa.state.oh.us/dsiwm)).

The purpose of this letter is to request an increase for our refuse collection service to account for the increase in the State disposal fee. We have reviewed the tonnages generated from our residential collection services, resulting in a requested increase of \$0.14 per house per month, in order to pass along the State fee on a dollar-for-dollar basis.

This mandated government increase is beyond our control, and we respectfully request your authorization to include this operating cost increase in our next billing cycle effective July 1, 2005. We apologize for the short notice on this increase, however the State Budget Bill was just signed and approved on June 30<sup>th</sup>, allowing us very short notice to implement the new fee.

If you have any questions pertaining to this request, I would be available to meet with you at your convenience.

Regards,

Scott Walter