

## RESOLUTION 2014-179

### A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE AND SETTLEMENT AGREEMENTS BETWEEN THE VILLAGE OF VERNON HILLS AND BALANCED ENVIRONMENTS, INC. AND THE VILLAGE OF VERNON HILLS AND ADVANCED DISPOSAL SERVICES SOLID WASTE MIDWEST, LLC

WHEREAS, the Village of Vernon Hills, County of Lake, State of Illinois (*"the Village"*) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code; and

WHEREAS, Balanced Environments is a licensed landscaping company in the State of Illinois (*"Balanced Environments"*); and

WHEREAS, the Village of Vernon Hills contracts with Balanced Environments to provide certain landscaping services, including snow plowing; and

WHEREAS, on December 25, 2013, an employee of Balanced Environments struck a light pole with a snow plow truck, causing \$4,011.94 in damages; and

WHEREAS, Balanced Environments has provided reimbursement for the damages incurred and now requests that the Village complete a release and settlement agreement preventing any additional claims on this specific incident; and

WHEREAS, Advanced Disposal Services Solid Waste Midwest, LLC is a licensed waste removal and recycling company in the State of Illinois (*"Advanced Disposal"*); and

WHEREAS, the Village of Vernon Hills contracts with Advanced Disposal Services Solid Waste Midwest, LLC to provide waste removal and recycling services for residents; and

WHEREAS, on or about October 21, 2014 an employee of Advanced Disposal struck a light pole with a waste removal truck, causing \$924.26 in damages; and

WHEREAS, Advanced Disposal has provided reimbursement for the damages incurred and now requests that the Village complete a release and settlement agreement preventing any additional claims on this specific incident; and

WHEREAS, the Village Board has determined that it is in the best interest of the Village to accept the reimbursements for the damages and complete these agreements.

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE: APPROVAL OF AGREEMENT WITH BALANCED ENVIRONMENTS. The Release and Settlement Agreement by and between the Village and

Balanced Environments shall be, and it is hereby, in the form attached to this Resolution as **Exhibit A**.

**SECTION TWO: EXECUTION OF AGREEMENT WITH BALANCED ENVIRONMENTS.** The Village Manager shall be, and is hereby, authorized and directed to execute and attest, on behalf of the Village, the Release and Settlement Agreement with Balanced Environments.

**SECTION THREE: APPROVAL OF AGREEMENT WITH ADVANCED DISPOSAL.** The Release and Settlement Agreement by and between the Village and Advanced Disposal shall be, and it is hereby, in the form attached to this Resolution as **Exhibit B**.

**SECTION FOUR: EXECUTION OF AGREEMENT WITH ADVANCED DISPOSAL.** The Village Manager shall be, and is hereby, authorized and directed to execute and attest, on behalf of the Village, the Release and Settlement Agreement with Advanced Disposal.

**SECTION FIVE: EFFECTIVE DATE.** This Resolution shall be in full force and effect upon its passage and approval by a majority of the members of the Village Board.

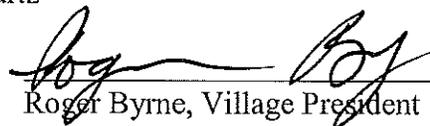
Dated the 18<sup>th</sup> day of November 2014

Adopted by roll call vote as follows:

AYES: 5 – Williams, Marquardt, Hebda, Schultz, Koch

NAYS: 0 - None

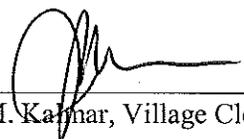
ABSENT AND NOT VOTING: 1 - Schwartz

  
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Roger Byrne, Village President

PASSED: 11/18/2014

APPROVED: 11/18/2014

ATTEST: 11/19/2014

  
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John M. Kalmar, Village Clerk

**EXHIBIT A: RELEASE AND SETTLEMENT AGREEMENT BETWEEN THE  
VILLAGE OF VERNON HILLS AND BALANCED ENVIRONMENTS**

**EXHIBIT B: RELEASE AND SETTLEMENT AGREEMENT BETWEEN THE  
VILLAGE OF VERNON HILLS AND ADVANCED DISPOSAL**