



Division of Materials Management  
Bureau of Solid Waste Management  
625 Broadway, Albany, NY 12233-7260

New York State  
Environmental Protection Fund

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Municipal  
Waste Reduction  
and Recycling  
Program

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**Amendment 1:** 11/08/2017

**Amendment 2:** 8/1/2018– Remove “Recycling Education/Coordination Projects”  
from MWRR-2017 Grant Opportunity

SEPARATE GRANT OPPORTUNITY entitled “MWRC-2018-Municipal Waste Reduction and  
Recycling Program: Recycling Coordination, Education, Planning and Promotion Projects” for  
Recycling Education/Coordination Projects

**Amendment 3:** 10/9/18 – Update Program Specific Questions to Remove Questions 14-18 that  
related to “Recycling Education/Coordination Projects”

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Recycling Capital Projects  
Grants Gateway Application Guidelines

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## 1.0 INTRODUCTION

Passage of the Environmental Protection Act in 1993 created the Environmental Protection Fund (EPF), a continuing source of funds dedicated to environmental projects, including programs such as the Municipal Waste Reduction and Recycling (MWRR) State Assistance Grant program to help municipalities meet environmental goals and mandates. Funding for the individual program components is subject to annual legislative appropriations.

The EPF allows the Department of Environmental Conservation (DEC) to provide MWRR funding to local governments for waste reduction and recycling projects. **The overall goal of this funding program is to assist municipalities in expanding local waste reduction and recycling programs, and increase participation in those programs.** The MWRR State Assistance Grant program can help fund the costs of:

- Capital Investment in Facilities and Equipment

Eligible projects are expected to enhance municipal capacity to collect, aggregate, sort and process recyclable materials. Recycling equipment includes structures, machinery, or devices providing for the environmentally sound recovery of recyclables including source separation equipment and recyclables recovery equipment.

If, during the application process, any questions arise or any assistance is needed please contact, as applicable:

**DEC (Program related questions):**

Phone: 518-402-8678

Email: [RecyclingGrants@dec.ny.gov](mailto:RecyclingGrants@dec.ny.gov)

**Grants Reform Helpdesk (Grants Gateway related questions):**

Phone: 518-474-5595

Email: [Grantsgateway@its.ny.gov](mailto:Grantsgateway@its.ny.gov)

## 2.0 ELIGIBILITY INFORMATION

***Who is eligible to apply?***

- Counties, Cities, Towns or Villages
- Local Public Authorities
- Local Public Benefit Corporations (organizations established by State Law)
- School Districts, Supervisory Districts & Improvement Districts
- Native American Tribes or Nations residing in New York State
- Any combination of the above

By law, private companies, not-for-profit organizations, and State agencies are **NOT** eligible to receive this MWRR funding.

***Important items to be kept in mind when applying:***

- Payments are limited to no more than 50% of the eligible costs incurred by the applicant up to a maximum of \$2 million per project.
- If any Federal or other assistance is received for the project, reimbursement will be limited to 50% of the net eligible costs incurred after deduction of any Federal or other assistance received.

- Payments will be made only after a grant contract for the eligible portions of the proposed project is executed by all required State agencies and appropriate reimbursement requests / payment documentation have been reviewed and approved by the DEC.

### ***Examples of ELIGIBLE Costs***

1. Dedicated facilities planned, designed and constructed to ensure environmental protection and to maximize recyclables recovery.
2. Structures, machinery or devices required to separate, process, modify, convert, treat, or prepare recyclables (balers, compactors, shredders, separators, grinders, etc.).
3. Containers for the source separation and temporary storage of recyclables by single family and multiple family dwellings (blue boxes, recyclables carts or totes) or commercial or institutional generators.
4. Collection vehicles specifically dedicated to hold and transport source separated recyclables.
5. Add-ons or trailers designed to modify collection vehicles to allow sorting and separation of recyclables.
6. Receptacles, roll-off containers, sheds or facilities dedicated to the temporary storage of recyclables.
7. Containers or bins used for recyclables collection in public spaces, storage or transport of recyclables.
8. Composting facilities and equipment.

### ***Examples of INELIGIBLE Costs***

1. Costs of facilities or equipment of which the primary purpose is to process waste for disposal.
2. Costs of preparing and submitting an application for MWRR State assistance or other grants.
3. Expendable or non-durable items such as leaf collection bags, bags required for waste or recyclables collection, laboratory chemicals, and cleaning products.
4. Maintenance or general operational equipment, brooms, hand tools, power tools, or general hardware.
5. Public space bins or containers for garbage or litter deposition or collection.
6. Vehicles or equipment used for repair, cleaning or maintenance of roads, sewers, parks, transfer stations, municipal facilities or other public properties. (such as wood chippers, mowers, bucket trucks, asphalt reclaimers, vacuum trucks, salt spreaders, street sweepers, snowplows, stump grinders, etc.)
7. General purpose vehicles (such as pickup trucks or dump trucks) even if partly used in a recyclables or compostables collection program.
8. Costs related to the collection, processing, transportation, marketing or use of waste tires, used oil, household batteries, antifreeze, CFC/Freon, fluorescent bulbs, hazardous waste, and universal wastes.

**No MWRR funds will be paid for projects, unless recyclables or compost are marketed to the satisfaction of DEC.**

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### 3.0 APPLICATION PROCEDURES

3.1 New York State has implemented an electronic Grants Gateway system. The Grants Gateway is a statewide Governor's initiative to reform the contract process with the intention of making it easier for grantees to apply for and receive funding. Applicants must be registered in the Grants Gateway to apply for and receive MWRR grants.

#### 3.2 GRANTS GATEWAY REGISTRATION

All NYS grant applicants must be registered in the NYS Grants Gateway to be eligible to:

- Apply for a NYS grant opportunity.
- Enter into a grant contract, an amendment to an existing contract, or a letter of agreement.
- Apply for future grant payments.

#### GRANTS GATEWAY REGISTRATION INSTRUCTIONS

Registration is NOT an online process. Register now to allow time for processing!!

1. On the Grants Reform Website at <https://grantsreform.ny.gov/grantees> download a copy of the Registration Form for Administrator.
2. Complete the form according to the instructions provided. The completed form must be signed and notarized.
3. Mail the signed and notarized original form to the Division of Budget at the address provided in the instructions.
4. After the form is received and reviewed, you will be provided with a Username and Password allowing you to access the Grants Gateway.
5. Log in to the Grants Gateway at <https://grantsgateway.ny.gov>. You will be prompted to change your Password at the bottom of your Profile page. Enter a new Password and click the SAVE button located on the top, right-hand side of the page.

If you have previously registered and do not know your Username please email [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov). If you do not know your Password, please click the Forgot Password link from the main log in page and follow the prompts

3.3 A municipality may file an application for a new MWRR grant with the approval and direction of its governing body. The applicant municipality must login to the NYS Grants Gateway system and initiate an MWRR proposal.

3.4 To complete an application, applicants must complete these components in the Grants Gateway:

- A. Program Specific Questions – answer all applicable questions online in the Grants Gateway
- B. Input a Work Plan Overview and Objectives for the project
- C. Input an Expenditure Budget consistent with item D
- D. Budget Worksheet – complete and upload detailed budget worksheet
- E. Municipal Recyclables Summary Sheet (including disposal figures) -- upload
- F. Applicant's Local Recycling Law enacted per General Municipal Law 120-aa -- upload

- G. Vehicle Information Form(s) – complete and upload one for each vehicle or piece of equipment in budget
- H. Certificate as to Title to Property Site (for construction projects) -- upload
- I. Building Floor Plan Sketch - (for construction projects) – upload
- J. Payment Background Documents (if purchases completed) - upload if project is complete

3.5 The proposed project will be evaluated. If conceptually eligible, it will secure a position on the MWRR waiting list based on the date the eligible proposal is submitted to DEC in the Grants Gateway. A position on the waiting list is NOT a guarantee or promise of future funding from the State. DEC will review the final application, which may be approved, disapproved or modified to reject costs that are determined to be ineligible for MWRR funding. When funding becomes available, the applicant's project manager will be notified to complete the Grants Gateway steps for a project approval.

3.6 The DEC may ask for additional information from an applicant as necessary to update or complete an application. Failure to provide additional required information in a timely manner, as determined by DEC, may result in the application being disapproved.

3.7 If the grant application is approved, the following items will be required for contracting:

- A. Proof of Applicant's Workers Compensation Insurance – upload if grant is approved
- B. Proof of Applicant's Disability Insurance - upload if grant is approved
- C. Proof of Liability Insurance as required depending on project scope.
- D. Vendor Responsibility Information, if applicable (see section 3.8).

3.8 Vendor Responsibility Requirement: (Applicable to projects where a project subcontractor is paid \$100,000 or more.) Contractors and/or subcontractors are subject to a vendor responsibility review by the State to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. Contractors or subcontractors that receive contract funding valued at \$100,000 or more must complete a Vendor Responsibility Questionnaire.

To enroll in and use the NYS VendRep System, see the VendRep System instructions available at [https://www.osc.state.ny.us/vendrep/info\\_vrsystem.htm](https://www.osc.state.ny.us/vendrep/info_vrsystem.htm) or go directly to the VendRep System at <https://portal.osc.state.ny.us>.

## 4.0 CONTRACTING AND PAYMENT PROCEDURES

### 4.1 Grants Gateway

All MWRR grant contracts have transitioned from paper records to the Grants Gateway.

### 4.2 Master Contract for Grants

1. Upon approval by DEC of a final application, a municipality must enter into a Master Contract for Grants. The Master Contract for Grants can be viewed at: <https://www.grantsreform.ny.gov>.
2. The MWRR Contract will include: The statewide Master Contract for Grants, Attachment A-1 Program Specific Terms and Conditions, Attachment B-1 Expenditure Based Budget, Attachment C – Work Plan and Attachment D – Payment and Reporting Schedule. The project Work Plan and Expenditure Based Budget are drafted by the Applicant and approved by DEC prior to the Contract being sent to the grantee for signature. Once the Applicant has signed the Contract, DEC will execute the contract. For contracts valued at more than \$50,000, approval by the Office of the State Attorney General and the Office of the State Comptroller is also required. Applicants must

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carefully review and fully understand all Master Contract for Grants terms and conditions and be prepared to comply with all terms and conditions should a grant be awarded.

#### 4.3 Payment Procedures

1. Upon execution of a contract, and completion of purchases, the grantee may request 50 percent reimbursement for the eligible costs of completed portions of the project.
2. As of October 2018, payment requests are NOT incorporated into the Grants Gateway for the MWRR program. Payment requests include a completed State Aid Voucher and must contain all supporting documents (vendor invoice, purchase order, cancelled check) for the expenses claimed. The grantee is required to file a "certificate of completion" with the final payment request.
3. After review of a payment request, DEC may approve, disapprove or modify the amount of funds reimbursed. Payment will not exceed the approved grant contract amount.
4. For capital projects, DEC will conduct an inspection of the project before deciding on payment approval. In no case will the total of all partial payments and the final payment exceed the total Master Contract for Grants funding amount specified on the contract.

#### 5.0 PROGRAM SPECIFIC QUESTIONS

**The following questions must be answered online in the Grants Gateway. They are copied here to allow for previewing before completing online. It is recommended that applicants generate, edit and save responses in this format, then cut and paste the finalized responses into the Grants Gateway screens. Please do not submit this information in paper form.**

**Answer all questions relevant to the project.**

1. Applicant Type (Eligibility check): Please enter the applicant's organization type from the list below, AND enter a Contact Person Name, Phone and email for this project.
  - County, City, Town or Village
  - Local Public Authority
  - Local Public Benefit Corporation (established by NYS Law)
  - School Districts, Supervisory Districts or Improvement Districts
  - Native American Tribes or Nations residing in New York State
2. What type of project is this?  
Capital Project types:
  - A. Recyclables Containers/Bins/Totes
  - B. Recyclables Collection Vehicle(s)
  - C. Recyclables Transport Trailers or Roll-off boxes
  - D. Recyclables Processing Equipment
  - E. Organics Processing Equipment
  - F. Facility Construction – Recycling
  - G. Facility Construction – Yard waste/food composting
  - H. Facility Construction – Biosolids compostingNote: If your proposal does not fit any of these categories, call DEC at 518-402-8678 for clarification.
3. What is the geographic location, population, and number of households in the applicant's service area?
4. What are the categories or types of recyclables to be managed by the project?

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5. What components of the municipal recycling/composting program will be newly initiated or improved by this project?
  6. Which municipal department will perform or manage this project?
  7. What is the proportion of the applicant's population served by this project, or the commercial, industrial and institutional populations served?
  8. What is the tonnage of materials anticipated to be recovered annually by this project and the percentage of the applicant's total waste stream targeted by this project?
  9. For projects involving vehicles, equipment or structures, what is the number of years of useful life expected or remaining for these items?

Instructions: Answer questions 10-13 regarding the Applicant's OVERALL MATERIAL RECOVERY PROGRAM:

10. How do households separate recyclables from waste prior to curbside pickup or drop-off (source separation, single-stream, weekly pickup, etc.)?
11. For yard waste or food scraps projects, how do generators separate this material from other waste?
12. When are the scheduled pickups for recyclables/compostables and for non-recyclable waste in the service area, including collection frequency?
13. Describe the collection equipment and number of personnel required for recyclable materials collection in the service area.

**NOTE: Please disregard questions 14-20 in the Grants Gateway. Proceed to Question 21. They are required for a separate grant opportunity, known as: (MWRC-2018: Municipal Waste Reduction and Recycling Program: Recycling Coordination, Education, Planning and Promotion Projects)**

Instructions: If the Project involves purchase of HOUSEHOLD RECYCLABLES COLLECTION CONTAINERS (BINS, TOTES, or CARTS), answer questions 14-16. If not, proceed to question 17.

21. What size(s) are the containers, and what is reason for such size(s) selected?
22. Are all recyclables collection containers provided to residents at no charge? If there is a charge, what is the amount of the charge or fee, and in what circumstances is it applied?
23. What enforcement strategies are used to ensure the containers are used properly?

Instructions: If the Project involves purchase of one or more VEHICLES, LOADERS, GRINDERS or OTHER MOBILE EQUIPMENT, answer questions 17-18. If not, proceed to question 19.

24. Enter the year, make and model of each vehicle or piece of equipment included in this application.
25. Complete and upload a VEHICLE INFORMATION FORM for each vehicle or piece of equipment for which funding is requested.

Instructions: If the Project involves COLLECTION OR PROCESSING EQUIPMENT for recyclables or compostables (such as roll-off containers, trailers, mixers, balers, or leaf vacuums), answer questions 19-24. If not, proceed to question 25.

26. Enter the make and model of each equipment item and the function it performs in the recycling or composting program.

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27. How does the equipment in this application fit into the applicant's overall recycling or composting program?
  28. Enter the number of workdays per year that the equipment is used and how this figure was calculated.
  29. During non-operational times of the year, what is the purpose and location of the equipment?
  30. Enter the DEC permit or registration number for the facility where materials are stored or composted, or indicate if the facility is exempt from 6 NYCRR Part 360 regulations.
  31. Describe the public education and promotion program to be used to facilitate maximum public participation in the project.

Instructions: If the Project involves EQUIPMENT USED FOR YARD/FOOD WASTE GRINDING, CHIPPING, SCREENING FOR COMPOSTING, answer questions 25-30. If not, proceed to question 31.

Please note that general tree trimming or roadway maintenance equipment is not eligible for MWRR funding.

32. At what composting facility (as defined in 6 NYCRR Part 360 Regulations) is the equipment located?
33. Describe the yard waste collection operation, including the collection season, frequency and schedule.
34. What is the source and quantity of yard waste or other organics collected for composting?
35. Describe the composting method used.
36. What is the expected end use of finished compost?
37. How many tons or cubic yards of finished compost is used or distributed on an annual basis?

Instructions: If this project involves FACILITY CONSTRUCTION, provide answers to questions 31-36. If not, proceed to question 37.

38. Describe the materials management related need for the improvements proposed by this project.
39. Describe the site work, if any, required for construction.
40. Provide an overview of the existing structures and changes proposed by this project.
41. Upload a floor plan sketch with equipment layout.
42. For Biosolids composting or materials recovery facilities, describe the materials processing steps through the facility.
43. Upload a completed CERTIFICATE AS TO TITLE TO PROJECT SITE for the property on which the project is to be located.

Instructions: MATERIALS MARKETING: If the Project involves EQUIPMENT OR FACILITY costs, answer Questions 37-39. If not, proceed to question 40.

44. List names and locations of destination facilities that the applicant uses to market recyclables or compost.
45. What type of agreement or contract has the applicant executed with the destination facilities?
46. If applicable, how is the availability of compost or wood chips publicized to all residents?

Instructions: ALL PROJECTS must complete questions 40-47.

47. Upload a completed BUDGET WORKSHEET (Equipment, Construction or Coordination) for this project.
48. Upload a copy of the applicant's source separation recycling law adopted in compliance with General Municipal Law (GML) Section 120-aa and describe the consistency of the proposed project with the applicant's source separation/recycling law.
49. Upload a completed Municipal Recyclables Summary Worksheet.

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50. Describe the consistency of the proposed project with the DEC-approved Comprehensive Recycling Analysis (CRA) or Local Solid Waste Management Plan (LSWMP) in effect for the municipality in which the project is located.
  51. Describe any state, federal, or other financial assistance for this project, received or pending, and any rebates, refunds or cost recovery associated with the project. If so, what amounts and from what entities?
  52. Describe local, state, or federal permits or authorizations required for the project.
  53. Certify that all equipment and construction materials/services are purchased in accordance with the GML and other applicable laws and regulations, and best procurement practices.
  54. If the project is completed, upload scanned copies of all Payment Background Documents (invoices, purchase orders, cancelled checks).

**Additional information may be required based on review of the responses to these questions.**

Instructions: To Complete this Application

1. Provide a brief workplan or description of the proposed project. (approximately 100-200 words) in the Work Plan Overview Form link in the Forms Menu.
2. Enter the Objectives, Tasks and Performance Measures of this project in the Objectives link in Forms Menu. Note: Goals must be related to materials management.
3. Use the completed BUDGET WORKSHEET to Enter the Expenditure Budget Items in Forms Menu.

Instructions: Please be advised that if this application is approved for funding, the following additional documents will be required from the applicant:

1. Proof of Disability Insurance
2. Proof of Workers' Compensation Insurance
3. Proof of Liability Insurance as required depending on project scope.
4. Any vendors who receive \$100,000 or more from this project must complete and update a Vendor Responsibility Questionnaire, and are subject to a review by the Office of State Comptroller.

Note: You must be logged in under the correct role in order to complete a grant application. The role of *Grantee Delegated Administrator* **cannot** start a grant application. However, this user can create accounts for roles that can start applications.

- **Grantee:** This role can start, edit, and save a grant application, but cannot submit the application.
- **Grantee Contract Signatory:** This role can start, edit, save, and submit (sign) a grant application.
- **Grantee System Administrator:** This role has the same rights as the Grantee Contract Signatory.

Instructions: To submit the application (make sure logged in as the **Grantee Contractor Signatory** or **Grantee System Administrator**-See above Note) after the above items are completed, go to Status Changes. Under APPLICATION SUBMITTED, click the APPLY STATUS button. Read the Agreement, Click on "I Agree" Button.

## MWRR Budget Format For Capital Projects – Equipment

### EQUIPMENT LIST

Please type, then upload this form.

For projects involving equipment purchases, list the equipment with estimated or actual cost and date of purchase. Provide a brief use summary for each piece of equipment. Add more rows or pages, if necessary.

Ref No.	Equipment Name Make and Model	Quantity/Unit Cost	Grant Funds Requested (50% of Total Cost)	Purchase Date
		Total Cost		
1		@ \$	\$	
		\$		
2		@ \$	\$	
		\$		
3		@ \$	\$	
		\$		
4		@ \$	\$	
		\$		
5		@ \$	\$	
		\$		
6		@ \$	\$	
		\$		
7		@ \$	\$	
		\$		
8		@ \$	\$	
		\$		

Copy the amounts from the Grant Funds column to Forms Menu > Expenditure Budget > Equipment

<b>9</b>	<b>Total Equipment Costs:</b>	\$
<b>10</b>	<b>State Share Requested (50% of line 9):</b>	\$
<b>11</b>	<b>Local Match (50% of line 9):</b>	\$

## MWRR Budget Format For Capital Projects – Construction or Professional Services

For CONSTRUCTION OR PROFESSIONAL SERVICES, provide the cost and justification for each service. If work has not been performed, provide an estimate of the anticipated costs. The following are examples of eligible services. Add more rows or pages, if necessary.

Construction Service	Total Cost	Service Purchase Dates	Brief Summary of Work Performed
Engineering & Architectural	\$		
Legal & Surveys	\$		
Construction – General	\$		
Construction – HVAC	\$		
Construction – Electrical	\$		
Construction – Plumbing	\$		
Workforce Costs (see below)	\$		
Materials Costs	\$		
Other costs (specify)	\$		

<b>1</b>	<b>Total Construction Costs:</b>	\$
<b>2</b>	<b>State Share Requested (50% of line 1):</b>	\$
<b>3</b>	<b>Local Match (50% of line 1):</b>	\$

Copy the amounts from lines 2 and 3 to Forms Menu > Expenditure Budget > Contractual

WORK FORCE ACCOUNT COSTS (the cost of construction services/time provided by municipal employees). This item MAY be eligible for inclusion in the project under the following conditions:

- a. No more than a reasonable amount of the Total Project Cost, as determined by DEC, and only for the following:
  - i. Site preparation;
  - ii. Facility construction; and
  - iii. Engineering, architectural, legal, and other professional services.
  
- b. The applicant must provide an explanation of why a municipal work force is the preferred alternative and a cost effective choice.

## MUNICIPAL RECYCLABLES SUMMARY WORKSHEET

Type amounts in the rows for materials categories used in applicant's recycling/compost program.

Applicant:		Population:	
Materials Collected for <b>RECYCLING</b>	Curbside (C) Drop-off (D) Both (B)	Current Annual Recovery Amount (tons) Year 201	Projected Recovery Amount if this project is approved (tons)
COMMINGLED Single stream			
COMMINGLED Paper			
COMMINGLED Containers			
PAPER – Newspaper			
PAPER – Corrugated Cardboard			
PAPER – Office Paper			
PAPER – Other (Specify)			
GLASS - Containers			
METAL – Ferrous Containers			
METAL – Aluminum			
METAL – Scrap Metal			
METAL – White Goods			
METAL – Other (Specify)			
PLASTIC – PET Containers			
PLASTIC – HDPE Containers			
PLASTIC - Mixed (1-7 Containers)			
PLASTIC – Film			
TEXTILES			
YARD TRIMMINGS			
FOOD SCRAPS			
BIOSOLIDS Composted			
Electronic Waste			
OTHER *			
<b>TOTAL TONS</b>			

Materials Collected for <b>DISPOSAL</b>	Curbside (C) Drop-off (D) Both (B)	Current Annual Disposal Amount (tons) Year 201	Projected Disposal Amount if this project is approved (tons)
MSW			
C&D Debris			
INDUSTRIAL			
BIOSOLIDS (dry tons)			
OTHER *			
<b>TOTAL TONS</b>			
<b>RECYCLING RATE: (tons recycled/ tons recycled + tons disposed)</b>		%	%

\* Specify what is the OTHER items

# MUNICIPAL WASTE REDUCTION AND RECYCLING GRANT PROGRAM

## VEHICLE INFORMATION FORM

**Complete this form for each Truck, Loader or similar equipment listed in the application.**

Please type, then upload the form.

**1. Vehicle Identifying Information:**

Year, Make, and Model	
Body type (for trucks)	
Vehicle Identification Number (VIN)	
If no VIN, type a Serial Number	
ID number in applicant's fleet	
Vendor the vehicle was purchased from	
Date the vehicle placed into service	
Current reading of odometer or hour meter	
List optional accessories purchased with the base vehicle	

**2. Vehicle Uses**

**Provide a breakdown on the utilization of the vehicle for all tasks, Recycling/composting and Non-recycling performed with this vehicle and estimate the percentage of time for each task.**

Type of Vehicle Use	Percent of Vehicle Time	Miles Driven Per Year
Residential Recyclables collection / transport	%	
Residential Yard Waste collection / transport	%	
Non-recyclable Garbage collection / transport	%	
Town property or Roadway cleanup	%	
C&D debris collection or transport	%	
Roadway or Construction Work	%	
Snow Removal	%	
Other Municipal Work	%	

**3. For collection vehicles, attach a public information collection schedule for recyclables/compostables.**

**4. For loaders and other processing equipment, enter all the locations where equipment operates.**

# CERTIFICATE AS TO TITLE TO PROJECT SITE

## For Projects involving construction work done on a specific site or property

I, \_\_\_\_\_, Attorney-at-Law, representing

\_\_\_\_\_ herein called the Applicant, as title counsel,  
do hereby certify:

1. That I have investigated and ascertained the location of and am familiar with the legal description of the site or sites being provided by the Applicant for all elements of the Project for which State participation has been offered under the Environmental Protection Act of 1993.
2. That if not previously submitted, I am attaching a legal description of the site or sites on which the project is to be constructed.
3. That I have examined the deed records of the county or counties in which this project is to be located and in my opinion, the Applicant has a legal and valid fee simple title or other estate or interest in the site of the project including the necessary easements and rights-of-way as are necessary to undisturbed use and possession for the purposes of construction, operation, and maintenance of the Project.
4. That any deeds or documents required to be recorded in order to protect the title of the owner and the interest of the Applicant have been duly recorded or filed for record wherever necessary.
5. REMARKS:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Attorney at Law)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City and State)