

LETTER OF INTENT AND AGREEMENT
BETWEEN
THE TOWN OF PORTVILLE, NEW YORK
AND
THE PORTVILLE CENTRAL SCHOOL DISTRICT OF NEW YORK

This Letter of Intent and Agreement is dated July 14, 2009, by and between the Town of Portville, hereinafter referred to as the "Town", and the Portville Central School District, hereinafter referred to as the "District", both of which resides with the County of Cattaraugus and the State of New York.

Whereas, the District desires to have their asphalt driveways and parking lots repaired and patched on or before August 20, 2009; and,

Whereas, the District asks the Town to perform said repairs and patching; and,

Whereas, the Town is willing to perform said repairs and patching on or before August 20, 2009 using town equipment and town personnel resources; and,

Whereas the District agrees to reimburse the Town by September 10, 2009, for materials needed to perform said repairs and patching;

Now therefore, both parties agree that:

Ten calendar days prior to scheduled repair and patching, the District will provide a specific written instruction to the Highway Superintendent of Town indicating the areas to be repaired; and,

Using New York State standardized bid pricing, the Highway Superintendent of Town will estimate the type, amount, and cost of materials to be ordered to repair and patch said areas of District and deliver said estimate to Superintendent of District five calendar days prior to the scheduled repair and patching; and,

Three calendar days prior to the scheduled repair and patching, the Superintendent of District will respond in writing or email to the Highway Superintendent of Town with approval or declination to accept the obligation to pay estimate at the completion of patching and repair; and,

District will hold Town harmless against damage to District property; and,

District will not use its personnel or equipment in the performance of these repairs and patching; and,

All written communications between Superintendent of Building and Grounds and Highway Superintendent of Town shall be copied and delivered concurrently to the Supervisor of Town and the Superintendent of District; and,

A long term intermunicipality agreement will be contemplated for development for the consideration of its respective legislative body that embraces similar terms and conditions but extends the duration of said agreement to a multi-year arrangement.

Signed:

SIGNATURE ON FILE

H.W. Keeley
Supervisor
Town of Portville

SIGNATURE ON FILE

T. Simon
Superintendent
Portville Central School District