

THE CORPORATION OF THE
TOWN OF PELHAM
BY-LAW # 3155 (2010)

Being a by-law to authorize the Mayor and Clerk to enter into a Partnership Agreement with Pelham Cares Inc. with respect to the Snow Angel Volunteer Snow Removal Program.

WHEREAS the Council of the Corporation of the Town of Pelham deems it desirable to enter into a Partnership Agreement with Pelham Cares Inc. with respect to the provision of a Snow Angel Volunteer Snow Removal Program in the Town of Pelham for the period September 20, 2010 to August 31, 2013;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

- (1) THAT the Agreement attached hereto and made part of this by-law between the Corporation of the Town of Pelham and Pelham Cares Inc. be and the same is hereby approved.
- (2) THAT the Mayor and Clerk be and each of them is hereby authorized and instructed on behalf of the Corporation of the Town of Pelham to execute the said agreement and the Clerk is hereby authorized to affix the Corporate Seal thereto.


READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS

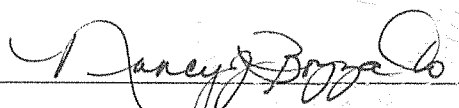
8th DAY OF November, 2010 A.D.

13th

December

14th


MAYOR, D. Augustyn


CLERK, Nancy J. Bozzato

THIS AGREEMENT made in duplicate this ^{15th} ~~8th~~ day of November 2010.

BETWEEN:

THE CORPORATION OF THE TOWN OF PELHAM

Hereinafter referred to as the "Town"

-AND-

Pelham Cares Inc.

Hereinafter referred to as "Pelham Cares Inc."

WHEREAS the Town entered into discussions with Pelham Cares Inc. in respect to the formation of a partnership for the operation and administration of the "Snow Angel Volunteer Snow Removal Program";

AND WHEREAS the Pelham Cares Inc. has confirmed their willingness to enter into a partnership agreement with the Town of Pelham for a three (3) year period – October 1st, 2010 to September 30th, 2013;

AND WHEREAS the parties wish to enter into an agreement to confirm the requirements for the operation and administration of the program;

NOW THEREFORE THIS AGREEMENT WITNESSETH, that in consideration of the mutual covenants and agreements herein contained the parties hereto covenant and agree as follows:

1. The responsibilities for the Town shall be as follows:
 - (i) to develop criteria for snow/ice removal assistance in cooperation with Pelham Cares Inc.;
 - (ii) to advertise and promote the Snow Angel Program in cooperation with Pelham Cares Inc.;
 - (iii) to assume all costs with regard to same;
 - (iv) to develop and prepare the necessary application forms in cooperation with Pelham Cares Inc.; and
 - (v) to register, train and supervise volunteers who will provide snow/ice clearing services.
2. The responsibilities for Pelham Cares Inc. shall be as follows:
 - (i) to screen applicants to ensure they meet with established criteria for the program;
 - (ii) to register residents who are eligible to receive assistance; and
 - (iii) to match registrants with volunteers.
3. This agreement may be terminated by either party by providing written notice to the other if either is dissatisfied with the terms of the partnership agreement.

4. Any notice or other writing required or permitted to be given under this agreement or for the purposes hereof (referred to in this paragraph as a "notice") to any party shall be sufficiently given if delivered personally, or if sent by prepaid registered mail or if transmitted by fax or other form of recorded communication tested prior to transmission to such party:

a. In the case of a notice to the Town at:

P.O. Box 400
20 Pelham Town Square
Fonthill, ON L0S 1E0

Attention: Nancy J. Bozzato
Town Clerk

b. in the case of a notice to the Pelham Cares Inc. at:

124 Highway #20 East
P.O. Box 1173
Fonthill, ON L0S 1E0

Attention: Betty Brown
Coordinator Client Services

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written and as duly authorized by their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE

) TOWN OF PELHAM

)

) PER: David Augustyn
) DAVID AUGUSTYN - MAYOR

) PER: Nancy J. Bozzato
) NANCY J. BOZZATO - CLERK

)

) PELHAM CARES INC

)

) PER: Gil M. Helyar
President, Pelham Cares
Inc.