

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW #370 (1976)

Being a by-law to authorize the Mayor and Clerk to execute an interim agreement with Robran Limited for the pickup of garbage across the Town of Pelham.

WHEREAS Council deems it desirable to enter into an interim agreement with Robran Limited for the pickup of garbage across the Town;

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

(1) THAT the agreement hereto attached be made part of this by-law between Robran Limited and the Corporation of the Town of Pelham 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 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
21st. DAY OF June, 1976 A.D.


MAYOR


CLERK

THIS AGREEMENT MADE IN TRIPLICATE THIS 30th. DAY OF June, 1976 A.D.

BETWEEN:

ROBRAN CONSTRUCTION LIMITED,

Hereinafter called the

Party of the First Part,

- and -

THE CORPORATION OF THE TOWN OF PELHAM,

Hereinafter called the

Party of the Second Part.

1. DEFINITIONS in this Agreement:

(a) "TOWN CLERK" shall mean the Clerk of the Corporation of the Town of Pelham.

(b) "COUNCIL" shall mean the Council of the Corporation of the Town of Pelham.

(c) "TOWN" shall mean the Corporation of the Town of Pelham.

2. WHEREAS the Party of the Second Part has accepted the tender of the Party of the First Part being the lowest tender received for the pickup of garbage in the Town of Pelham;

AND WHEREAS the Party of the Second Part has made application to the Ontario Municipal Board for approval to enter into a five year agreement for the collection of garbage by the Party of the First Part in the Town of Pelham;

AND WHEREAS the Party of the Second Part can not enter or complete such an agreement until Ontario Municipal Board approval has been received;

AND WHEREAS five year agreement with the Party of the Second Part calls for the collection of garbage to commence on Thursday, July 1st., 1976;

AND WHEREAS the Parties deem it expedient to enter into a short term agreement pending the execution of the long term agreement for the collection of domestic household garbage in the Town of Pelham;

NOW THEREFORE this Agreement witnesseth that in consideration of the sum of One (\$1.00) Dollar now paid by the Party of the First Part to the Party of the Second Part (the receipt of which is hereby acknowledged), the Parties hereto mutually covenant and agree as follows:

(1) The Party of the First Part agrees:

(a) commencing July 1st., 1976 to collect domestic garbage in the Town of Pelham in accordance with the signed tendered document.

(b) to submit for approval of the Town Works Superintendent a schedule of routes and times of pickups across the Town of Pelham.

(c) to submit to the Town on a monthly basis an account, the first account to be submitted August 1st., 1976; the amount to be on the per capita amount as contained in the tendered document.

(d) to provide evidence of coverage for the Workmens Compensation and the necessary liability insurance as required to be filed in accordance with the tendered documents.

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(2) The Party of the Second Part agrees:

(a) to move expeditiously as possible for the obtaining of the necessary Ontario Municipal Board approval to enter into a five year contract in accordance with the tendered document.

(b) to execute the tendered document as soon as the necessary approvals are received.

Both parties to this Agreement mutually agree that this short term interim agreement will be terminated upon execution of the five year agreement.

This agreement is to come into force and take effect June 30th., 1976 at 12:01 p.m.

IN WITNESS WHEREOF THE PARTIES OF THE FIRST PART HEREUNTO SET ITS HAND AND SEAL AND THE TOWN HAS HEREUNTO AFFIXED ITS CORPORATE SEAL UNDER THE HANDS OF THE MAYOR AND CLERK.

Signed, Seal and Delivered

- In the Presence of -

(THE CORPORATION OF THE TOWN OF PELHAM
(*[Signature]*
(MAYOR
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(*[Signature]*
(CLERK
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(ROBRAN CONSTRUCTION LIMITED
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(*Robynne Cole*
(PRESIDENT
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