

## **RENTAL AGREEMENT**

This Agreement is made by and between the New York State Department of Motor Vehicles (“DMV”), located at 6 Empire Plaza, Swan Street Building, Albany, New York 12228, and the Town of New Paltz (the “Town”), located at One Veterans Drive, New Paltz, New York 12561. DMV and the Town shall collectively be referred to herein as the “Parties”.

The purpose of this Agreement is for the rental of the Hearing Room located in the New Paltz Town Court, currently used by DMV for conducting DMV’s Safety and Business Hearings.

The Parties agree as follows:

1. **TERM & USE:** The term of this Rental Agreement shall be One Year, commencing on January 1, 2014 and expiring on December 31, 2014. The Town agrees to permit DMV to use the Hearing Room in the New Paltz Town Court, located at One Veterans Drive, New Paltz, New York for conducting DMV’s Safety and Business Hearings, on three Wednesdays each month, between the hours of 9:00 A.M. and 4:30 P.M.

2. **FEE:** DMV shall pay the Town the sum of One Thousand Eight Hundred Dollars (\$1,800.00) in advance for the use of the Hearing Room for One Year, at a periodic rate of Fifty Dollars (\$50.00) per diem. Payment shall be made upon DMV’s receipt of the Town’s invoice for payment and in accordance with Article XI-A of the NYS Finance Law. Should either party terminate this Agreement, as provided herein, the Town will reimburse DMV in the amount of Fifty Dollars (\$50.00) per diem for each full day of rental remaining from the date of termination to the expiration date of this Agreement.

The Town agrees to permit DMV to use the Hearing Room for additional days where feasible, upon DMV’s request, at the Fifty-Dollar (\$50.00) per diem rate for each additional day.

3. **CHANGE OF SCHEDULED USE OR LOCATION OF HEARING ROOM:** The Town shall make such Hearing Room available to DMV as scheduled. However, the Parties agree to make reasonable effort to accommodate each other’s scheduling needs concerning any change in the location or scheduled use of the Hearing Room.

- a. **NOTICE OF CHANGE:** In the event DMV requires a change of the dates the Hearing Room will be used, or the Town needs to change the Hearing Room another location, the party requesting the change must provide the other party with written notice of such changes no later than 45 days before the next scheduled use date.
- b. The Town agrees that any change in location shall be to similar accommodations located in the same building, where possible, or to a building located in the same town.

Such similar accommodations must (a) be within a reasonable distance from the current site, and (b) provide adequate parking, heating, air conditioning, lighting, rest room, and electrical facilities required for conducting DMV’s Safety and Business Hearings.

c. DMV's use of the Hearing Room less than three days per month in any month shall not constitute a waiver of DMV's right to use the room as scheduled in any subsequent month.

4. ACCESS TO HEARING ROOM: The Town shall provide access to the Hearing Room to all individuals required for the conduct of such hearings, including all parties and witnesses.

5. The Town shall provide janitorial and maintenance services to the premises, including snow removal; and DMV will make reasonable effort to keep the Hearing Room clean and orderly.

6. TERMINATION: Either party may terminate this Agreement upon sixty (60) days' written notice to the other party.

Notice of termination must be directed as follows:

TO DMV: Dale Schifter Solomon Senior Administrative Law Judge 30-56 Whitestone Expressway Flushing, NY 11354	TO TOWN: Toni Hokanson Town Supervisor Town of New Paltz One Veterans Drive New Paltz, NY 12561
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In Witness Whereof, the Parties hereto have executed this agreement by their duly authorized officer or representative.

**Dated:** \_\_\_\_\_

<b>Town of New Paltz</b> <b>By,</b>  _____ Toni Hokanson Town Supervisor	<b>New York State Department of Motor Vehicles</b> <b>By,</b>  _____ Maureen Younkin Director, Procurement Services
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