

AGREEMENT AR

MEMORANDUM OF AGREEMENT

Between the **County of Rensselaer**
and the

Cornell Cooperative Extension Association of Rensselaer County

PAYMENT OF COUNTY APPROPRIATIONS

Dated 3/25/10,

WHEREAS, (1) the Cornell Cooperative Extension Association of Rensselaer County has been duly organized and has been approved by Cornell University;

(2) the purpose of this agreement is to carry out in a legal and proper manner the provisions of Subdivision 8 of Section 224 of the County Law of the State of New York as amended, and to provide for the expenditure of the money appropriated by the government of Rensselaer County for the support and maintenance of the work of the Cooperative Extension in said county and in the conduct of the extended educational programs of the New York State College of Agriculture and Life Sciences, the College of Human Ecology, and other units at Cornell University;

(3) the County of Rensselaer has appropriated \$ 459,116.00 for the Cooperative Extension program and \$ 45,412.00 for Rental – Cooperative Extension, by its Resolution G/110/10.

NOW THEREFORE, it is agreed by the parties hereto:

FIRST, that the Cornell Cooperative Extension Association shall expend the funds in accordance with an agreement between the Association and Cornell University as agent for the state for the cooperative management of the educational work of the Cornell Cooperative Extension Association and the proper employment and supervision of the staff employed therefore, and in accordance with the attached budget of the Association submitted to Cornell University and to the government of that county. The budget may be amended by formal action of the Association Board of Directors in consultation with the representative(s) of the County of Rensselaer and with Cornell University.

SECOND, that the Cornell Cooperative Extension Association shall render an annual program report to the government of said county accounting for receipts, expenditures, and financial condition of said Association.

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OFFICE OF THE RENSSELAER
COUNTY ATTORNEY

THIRD, that funds appropriated by the County of Rensselaer shall be paid to the bonded treasurer of the Association quarterly on the first day of each quarter, in such manner as may be agreed upon by and between the parties hereto.

It is understood that the aforementioned budget shall be considered to be executory only insofar as funds shall be made available therefore by the Legislature of the State of New York, the Federal Government, and the County.

In accordance with the provisions of Subdivision 8 of Section 224 of the County Law of the State of New York as amended, this agreement shall be nonexecutory until the Association has effectuated an agreement with Cornell University.

FOURTH, the Cornell Cooperative Extension Association of Rensselaer County expressly acknowledges and agrees that this contract will be considered executory to the extent New York State or Federal funding is relied upon by the County for the payment of any goods, labor or services to be furnished by Cornell Cooperative Extension Association of Rensselaer County under the terms and provisions of this agreement, and that in the event such funding shall not be forthcoming, this agreement may be terminated by the County upon reasonable prior written notice to Cornell Cooperative Extension Association of Rensselaer County as specified in Subdivision 8 of Section 224 of the County Law of the State of New York as amended.

FIFTH, the Cornell Cooperative Extension Association of Rensselaer County, as a subordinate governmental agency pursuant to County Law 224 serving to the extent not inconsistent with this status, hereby covenants and agrees to indemnify and hold harmless Rensselaer County with respect to any claims or causes of action arising from any act or omission on the part of Cornell Cooperative Extension Association of Rensselaer County, its officers, employees and agents, as the result of any services to be provided by the Cornell Cooperative Extension Association of Rensselaer County under the terms, provisions and conditions of this agreement.

The Cornell Cooperative Extension Association of Rensselaer County further agrees to maintain in full force and effect during the term of this agreement Workers' Compensation insurance coverage as may be required by law, and liability insurance coverage with liability limits and amounts reasonably satisfactory to Rensselaer County. Cornell Cooperative Extension Association of Rensselaer County further agrees to provide to Rensselaer County satisfactory proof of such insurance coverages.

SIXTH, This agreement shall commence on January 1, 2010 and shall terminate on December 31, 2010.

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IN WITNESS WHEREOF the parties hereto have caused this agreement to be duly signed and executed by the County Executive of the County of Rensselaer and by the President of the Cornell Cooperative Extension Association of Rensselaer County, the day and year first above written.

The County of Rensselaer By Kathleen M. Jrmirno
County Executive of the County of Rensselaer
Date 3/25/10

The Cornell Cooperative Association of Rensselaer County : David J. Dietrich
By David Dietrich, President
Date: 1/20/2010

Approved as to form
Stephen A. Pechenik 3/8/10
STEPHEN A. PECHENIK
Rensselaer County Attorney

Approved by the
Rensselaer County Bureau of Budget
David A. Snyder
David A. Snyder
Deputy Director of Budget
3/24/10