

USE AGREEMENT

AGREEMENT BETWEEN THE TOWN OF PITKIN AND THE PITKIN HISTORICAL AND COMMUNITY ASSOCIATION, FOR THE COLLABORATIVE USE OF THE TOWN HALL AND THE NEWCOMB COMMUNITY CENTER, RESPECTIVELY.

RECITALS

WHEREAS, the Town of Pitkin and the Pitkin Historical and Community Association own separate buildings within the town, namely the Town Hall and the Newcomb Community Center, that have traditionally been shared for community and Town functions, and,

WHEREAS, the Town of Pitkin and the Pitkin Historical and Community Association recognize that there are utility costs, as well as costs for maintaining access, general use/wear and tear, and building maintenance/upkeep to the individual party's resulting from the continued use of aforementioned buildings, and,

WHEREAS, in recognizing the need to address liability issues and recover a portion of operational costs, the town of Pitkin recently passed a "Use Agreement" policy for the Town Hall that requires a signed use agreement and various deposits for events that are held in the building, a minimum of \$500/week, and,

WHEREAS, the PHCA's Newcomb Center has a use-fee for private events in the sum of \$150 per use. and has traditionally allowed community events to be held at no cost, and,

WHEREAS, the PHCA has asked that the Town supplement the Newcomb Center's winter propane costs associated with keeping the building open year-round as a service to the community, which the Town Board has approved in its annual budget for the third year, and,

WHEREAS, in addition to its availability and use by the community, the Newcomb Community Center has been used to host multiple public Town meetings each month, with permission by the PHCA, at no additional cost to the Town, and,

WHEREAS, the Town Hall has been traditionally used by the PHCA, with permission from The Town, for multiple weeks each July for PHCA fundraising activities, at no cost to the PHCA, and,

WHEREAS, the town of Pitkin recognizes the need for the continued use of the Newcomb Community Center in which to host Town meetings, and does not wish to take advantage of the generosity of the PHCA, and,

WHEREAS, the Town will continue to plan, fund, and implement specific ADA requirements for the Town Hall downstairs meeting room, in which the Town will eventually hold smaller meetings— especially in the winter months— to consciously help reduce cost of utilities to both parties, and,

WHEREAS, the PHCA recognizes it's desire to continue the use of Town Hall for PHCA fundraising activities, and does not wish to take advantage of the generosity of the Town.

NOW, THEREFORE, THE TOWN OF PITKIN and THE PITKIN HISTORICAL AND COMMUNITY ASSOCIATION AGREE TO THE FOLLOWING USE AGREEMENT:

1. TERM

- Effective Date: This agreement will begin on _____ and will continue for a period of _____ years unless _____.
- Renewal: At the end of the initial term of agreement, both parties must consent to amend and/or extend the agreement for a period of _____ years.

2. OBLIGATIONS OF USE FOR THE TOWN HALL BY THE PHCA:

- Terms of Use: The PHCA must uphold the Town Hall Terms of Use. The required deposits will be waived (see Appendix A). The dates required for PHCA's fundraising activities must be scheduled in advance. The PHCA will pay the Town a sum of [\$500.00] for the building's use.
- Designation of Contact Person: The contact person designated by PHCA for questions related to this use agreement, actual use or maintenance needs of the building is the Town Hall Commissioner.
- Access: Access to the building for fundraising activities must be coordinated with the contact person listed above. The key will be provided on an as-needed basis or at the discretion of the responsible party.
- Supervision: Upholding the terms of the *current* Use Agreement during fundraising activities is ultimately the responsibility of the PHCA president.

3. OBLIGATIONS OF USE FOR THE NEWCOMB COMMUNITY CENTER BY THE TOWN:

- Terms of Use The Town must uphold the Newcomb Community Center Use Policy, while the required deposits will be waived (see Appendix B). Town functions to be held in the NCC must be scheduled in advance. The Town will pay the PHCA a sum of \$2,400 annually, which will be for the *supplementation of winter propane and the continued use of the building for Town meetings*.
- Designation of Contact Person: The contact person designated by the PHCA for questions related to this use agreement, actual use or maintenance needs of the building is The PHCA Treasurer.
- Access: Access to the building for scheduled Town events must be coordinated with the contact person listed above. The key will be provided on an as-needed basis or at the discretion of the responsible party.
- Supervision: Upholding the terms of the *current* Newcomb Community Center Rental Agreement Provisions during Town meetings will ultimately be the responsibility of the Pitkin Mayor.

4. AMMENDMENTS

SIGNATURES

APPENDIX A

TOWN HALL USE AGREEMENT
SEE ATTACHED

APPENDIX B

NEWCOMB COMMUNITY CENTER USE POLICY
SEE ATTACHED