

TOWN of NEW HARTFORD

ONEIDA COUNTY

NEW HARTFORD POLICE DEPARTMENT

32 KELLOGG ROAD, NEW HARTFORD, NEW YORK 13413-2850

Telephone: 1-315-724-7111

Fax: 1-315-724-8618

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TOWN OF NEW HARTFORD
TOWN CLERK

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December 19, 2008

Mr. James Cox
Executive Vice President
Marquee Cinemas Corporation
552 Ragland Road
Beckley, WV 25801

Dear Mr. Cox;

Pursuant to my phone conversation with David Harjung on December 19, 2008, I have prepared this letter to establish the formal agreement between the Marquee Cinemas Corporation, and the New Hartford Police Department.

At your request the New Hartford Police Department has agreed to provide Supplemental Police Services to you at the Marquee Cinemas located in The Orchard, located within the Town of New Hartford. The New Hartford Police Department will have a dedicated Police presence at the Marquee Cinemas consisting of one Uniform Police Officer and one Marked Patrol Car.

The following are the terms that will govern this agreement;

- ① JPC
- JPC 8:00
1. A member of the New Hartford Police Department will be assigned to the Marquee Cinemas every, Friday, Saturday and Sunday, during the time frame of ~~7:00~~ 8:00 PM to approximately 12:30 AM.
 2. A marked police car belonging to the New Hartford Police Department will also be assigned to this location.
 3. The member of the New Hartford Police Department will be on duty (working over-time) and in uniform, as an employee of the Town of New Hartford.

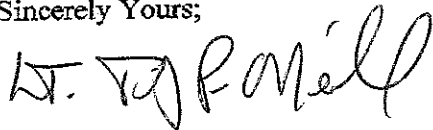
* SUNDAY IF NEEDED AT A LATER DATE * JPC JPC

4. The Marquee Cinemas will reimburse the Town of New Hartford for the cost of the Police Officer's overtime.
5. The Marquee Cinemas will reimburse the Town of New Hartford for the use of the Police Car at the rate of \$20.00 per night.
6. At the end of each month, the New Hartford Police Department will send a bill for reimbursement to: Ms. Jeanelle Campbell, Accounts Payable, Marquee Cinemas Corporation, 552 Ragland Road, Beckley, West Virginia, 25801.
7. Said reimbursement will be paid to the Town of New Hartford in the form of a check made payable to the Town of New Hartford, within 30 days of receipt of said bill. Payment will be mailed to Chief Raymond Philo at the New Hartford Police Department, 32 Kellogg Road, New Hartford, New York 13413.
8. Either party can terminate this agreement with 30 days written notice.

If you are in agreement with the terms, conditions and obligations as outlined within this agreement, please sign at the bottom of this document.

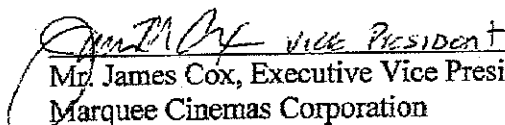
The New Hartford Police Department is very pleased to be able to provide this service to Marquee Cinemas. If the New Hartford Police Department or I can be of any further assistance to you, please do not hesitate to contact me. Thank You.

Sincerely Yours;



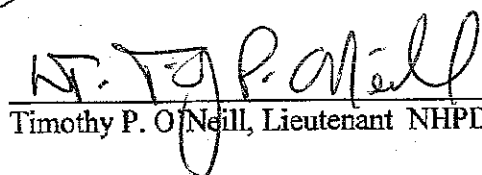
Timothy P. O'Neill
Lieutenant
New Hartford Police Department

I, James Cox, Executive Vice President, Marquee Cinemas Corporation, 552 Ragland Road, Beckley, WV 25801, have reviewed the terms and conditions of this agreement and I find them in accordance with the arrangement that I wish to engage in with the New Hartford Police Department. My signature below acknowledges Marquee Cinemas Corporation's obligations per this agreement.



Mr. James Cox, Executive Vice President
Marquee Cinemas Corporation

12/19/08
Date



Timothy P. O'Neill, Lieutenant NHPD

12/23/2008
Date