

SPECIAL COUNCIL MEETING

August 25, 2023

1:30 pm



**CITY OF AMSTERDAM
OFFICE OF THE CITY CLERK**

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**TO: Common Council
Media**

**FROM: Stefanie Gerken
City Clerk**

DATE: August 24, 2023

Alderwoman Collins and Alderman S. Gomula have called for an Emergency
Special Meeting on:

Friday August 25, 2023 at 1:30pm.

**#23/24-37- RESOLUTION AUTHORIZING INTERMUNCIPAL AGREEMENT WITH
CITY OF ONEONTA FOR LEASE OF LADDER TRUCK**

ADDITIONAL RESOLUTION(S) MAY BE CONSIDERED AT THIS TIME AS WELL.

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RESOLUTION #23/24-37

RESOLUTION AUTHORIZING INTERMUNCIPAL AGREEMENT WITH CITY OF ONEONTA FOR LEASE OF LADDER TRUCK

BY: MAYOR CINQUANTI

WHEREAS, the City of Oneonta having reached out to Amsterdam Fire Department due an emergency circumstance wherein the City of Oneonta is in need of a fire ladder truck due to equipment that is currently out of service; and

WHEREAS, the City of Amsterdam having inventory available to the City of Oneonta, more specifically the Tower 4 ladder truck, for use during this short term emergency; and

WHEREAS, the services provided to the citizens of the City of Amsterdam will not be compromised by leasing said ladder truck to the City of Oneonta; and

WHEREAS, the emergency for the City of Oneonta being circumstantially heightened due to arrival of students this weekend at SUNY Oneonta for the upcoming academic term; and

WHEREAS, the City of Amsterdam has the capability and desire to provide this emergency support to the City of Oneonta in this time of need; and

WHEREAS, a copy of the intermunicipal agreement being attached hereto; it is hereby

RESOLVED that the attached intermunicipal agreement with the City of Oneonta is hereby approved.

City of Amsterdam, NY

	Aye	Nay
Alderswoman Quist-Demars		
Alderman D. Gomula		
Alderswoman Collins		
Alderman S. Gomula		
Alderman Martuscello		

MICHAEL CINQUANTI, MAYOR
DATED: _____, 2023

INTERMUNICIPAL FIRE TRUCK LEASE AGREEMENT

This Inter-municipal Fire Truck Lease Agreement ("Agreement") is entered into on this _____ day of _____, **2023**, (the "Effective Date") by and between the City of Amsterdam, New York, a municipal corporation with a principal address at [Amsterdam Address], hereinafter referred to as "Lessor," and the City of Oneonta, New York, a municipal corporation with a principal address at 258 Main St, Oneonta, NY 13820 hereinafter referred to as "Lessee."

1. Purpose of Agreement: Lessor agrees to lease to Lessee and Lessee agrees to lease from Lessor, on the terms and conditions herein provided, a fire truck for the purpose of providing fire protection and emergency services to the City of Oneonta.

2. Term: The term of this lease shall commence on the Effective Date and shall continue for a period of [number of days] days, unless terminated earlier as provided in this Agreement.

3. Rent: Lessee shall pay Lessor a rent of five hundred dollars (\$500) per day for the use of the fire truck.

4. Use of Fire Truck: The fire truck shall be used exclusively for providing fire protection and emergency services within the City of Oneonta and areas within the Town of Oneonta to which the City of Oneonta is contracted to provide fire protection services. Lessee shall ensure that the fire truck is operated and maintained in a safe and responsible manner.

5. Maintenance and Repairs: Lessee shall be responsible for the routine maintenance and minor repairs of the fire truck during the term of this lease. Lessor shall be responsible for major repairs and replacements arising from normal wear and tear.

6. Insurance: Lessee shall maintain comprehensive liability insurance coverage for the fire truck during the term of this lease, naming Lessor as an additional insured. Proof of insurance shall be provided to Lessor upon request.

7. Indemnification: Lessee shall indemnify, defend, and hold harmless Lessor from any claims, liabilities, damages, or expenses arising out of the use, operation, or possession of the fire truck during the term of this lease.

8. Termination: Either party may terminate this Agreement with written notice to the other party in the event of a breach of any material term or condition herein. Additionally, this Agreement shall automatically terminate upon the expiration of the term specified in Section 2.

9. Governing Law: This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

10. Entire Agreement: This Agreement constitutes the entire agreement between the parties concerning the subject matter hereof and supersedes all prior and contemporaneous agreements and understandings, whether oral or written.

IN WITNESS WHEREOF, the parties hereto have executed this Inter-municipal Fire Truck Lease Agreement as of the Effective Date first above written.

City of Amsterdam, New York

By: _____

Name: _____

Title: _____

Date: _____

City of Oneonta, New York

By: _____

Name: _____

Title: _____

Date: _____