

RESOLUTION NO. 174-22

PROPOSED LOCAL LAW NO. 10 OF 2022 LOCAL LAW AUTHORIZING SUBLEASE AGREEMENT WITH NYSEG FOR USE OF EXISTING TOWER AT BLUE MOUNTAIN IN TOWN OF INDIAN LAKE

DATED: JUNE 2, 2022

BY MR. FARBER:

BE IT RESOLVED, that proposed Local Law No. 10 of the year 2022 entitled respectively, "LOCAL LAW AUTHORIZING SUBLEASE AGREEMENT WITH NYSEG FOR USE OF EXISTING TOWER AT BLUE MOUNTAIN IN TOWN OF INDIAN LAKE" be and the same are hereby introduced to the Board of Supervisors, and be it further

RESOLVED, that a copy of the aforesaid proposed Local Law be laid upon the desks of each member of the Hamilton County Board of Supervisors, and be it further

RESOLVED, that the Hamilton County Board of Supervisors shall hold a public hearing on said proposed Local Law at the County Office Complex, Route 8, Lake Pleasant, New York, on the 7th day of July, 2022, at 11:00 AM, and be it further

RESOLVED, that the Chairman of the County Board of Supervisors publish or cause to be published a public notice in the official newspaper of the County of said public hearing at least five (5) days prior thereto.

Seconded by Mr. Frey and adopted by the following vote:

AYES: RHODES, SNYDER, TOMLINSON, WELLS, FREY, BAIN, ARSENAULT, FARBER AND MAURO

NAYS: NONE

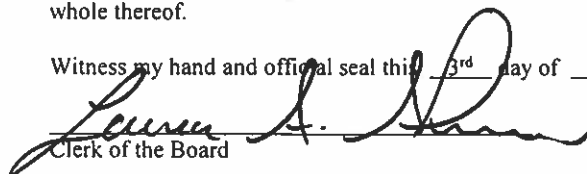
STATE OF NEW YORK)

COUNTY OF HAMILTON) SS:

SUPERVISORS' CHAMBERS)

I, Laura A. Abrams, Clerk of the Board of Supervisors of Hamilton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 2nd day of June, 2022 and the same is true and correct transcript there from and the whole thereof.

Witness my hand and official seal this 3rd day of June, 2022.


Clerk of the Board

PROPOSED LOCAL LAW NO. 10 of 2022

LOCAL LAW AUTHORIZING SUBLEASE AGREEMENT WITH NYSEG FOR USE OF
EXISTING TOWER AT BLUE MOUNTAIN IN TOWN OF INDIAN LAKE

WHEREAS, in the Town of Indian Lake at Blue Mountain on lands leased by New York State Electric and Gas Corporation (NYSEG) exists a communications tower, and

WHEREAS, Hamilton County wishes to utilize such communications tower to enhance existing emergency management communications, and

WHEREAS, NYSEG is willing to enter into a 25 year sublease agreement allowing Hamilton County to enhance said communications, now, therefore,

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HAMILTON, AS FOLLOWS:

Section 1. NYSEG is the tenant of premises in the Town of Indian Lake at Blue Mountain, said real property more particularly described as set forth in a certain deed dated December 21, 2010 and recorded in the Hamilton County Clerk's Office December 28, 2010 at Liber 252, Page 113.

Section 2. NYSEG has agreed to sublease to the County of Hamilton space on the said existing tower as more particularly set forth in the said sublease agreement.

Section 3. The term of the proposed sublease is twenty-five (25) years.

Section 4. An analysis of the potential environmental impacts of the said aforesaid sublease, if any, has been done under the State Environmental Quality Review Act (SEQRA) with Hamilton County acting as lead agency; in view of the existing tower, this legislative body determines that the proposed action constitutes a Type II action, and accordingly adopts a Negative Declaration, with a determination of no significant effect on the environment.

Section 5. This Local Law is enacted to amend and supercede County Law Section 215(3) so as to authorize the County of Hamilton to enter into a lease of private property identified and as set forth hereinbefore, the purpose of superceding County Law Section 215 is to authorize the County to enter into a lease for a term exceeding five (5) years.

Section 6. The Chairman of the Board of Supervisors is authorized to enter into any and all agreements and execute all documents deemed necessary by the County Attorney for the lease of the above-described property from New York State Electric and Gas Corporation for a period of twenty-five (25) years.

Section 7. This Local Law shall take effect upon filing in accordance with the provisions of the Municipal Home Rule Law of the State of New York.