

RESOLUTION NO. 235-22

PROPOSED LOCAL LAW NO. 12 OF 2022 LOCAL LAW AUTHORIZING LEASE AGREEMENT FOR INSTALLATION OF COMMUNICATION TOWER IN TOWN OF MOREHOUSE

DATED: AUGUST 4, 2022

BY MR. FARBER:

BE IT RESOLVED, that proposed Local Law No. 12 of the year 2022 entitled respectively, "LOCAL LAW AUTHORIZING LEASE AGREEMENT FOR INSTALLATION OF COMMUNICATION TOWER IN TOWN OF MOREHOUSE" 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 1st day of September 2022, at 11:15 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. Rhodes and adopted by the following vote:

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

NAYS: NONE

ABSENT: SNYDER

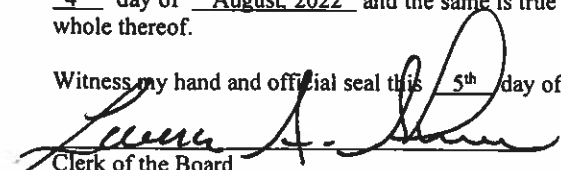
STATE OF NEW YORK)

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 4th day of August, 2022 and the same is true and correct transcript there from and the whole thereof.

Witness my hand and official seal this 5th day of August, 2022.


Clerk of the Board

PROPOSED LOCAL LAW NO. 12 OF 2022

LOCAL LAW AUTHORIZING LEASE AGREEMENT FOR INSTALLATION OF
COMMUNICATION TOWER IN TOWN OF MOREHOUSE

WHEREAS, in the Town of Morehouse certain lands owned by Daniel and Rebecca Virgil have been determined to be appropriate for installation of a communications tower, and

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

WHEREAS, said property owner is willing to enter into a 99-year lease 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. Daniel and Rebecca Virgil are the owners of premises in the Town of Morehouse, said real property more particularly described as set forth in a certain deed dated December 12, 2004 and recorded in the Hamilton County Clerk's Office December 14, 2004 at Book 232, Page 829.

Section 2. Said property owner has agreed to lease to the County of Hamilton the said property as more particularly set forth in the said lease agreement.

Section 3. The term of the proposed lease is ninety-nine (99) years.

Section 4. An analysis of the potential environmental impacts of the said aforesaid lease, if any, has been done under the State Environmental Quality Review Act (SEQRA) with Hamilton County acting as lead agency; 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 supersede 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 superseding 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 said landowner for a period of ninety-nine (99) 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