A.

LOCAL LAW NO. 11 - 2005

A LOCAL LAW AUTHORIZING THE LEASE OF COUNTY PROPERTY LOCATED IN THE COUNTY OF ONONDAGA TO NEXTEL WIP LEASE CORPORATION DOING BUSINESS AS NEXTEL PARTNERS

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. The County of Onondaga is the owner of property located at 6660 East Seneca Turnpike, Jamesville New York, consisting of a water tower and surrounding land.

Section 2. Nextel WIP Lease Corporation, doing business as Nextel Partners, has expressed an interest in leasing approximately seven hundred forty four (744) square feet of land and space on the water tower for the installation, operation and maintenance of telecommunications equipment.

Section 3. The term of the proposed lease is five (5) years with four (4) five-year renewals.

Section 4. The amount of the proposed rent is Twelve Thousand and No/Dollars ($12,000.00) per year during the first year with an increase of four per cent (4%) per year thereafter. The amount of the proposed rent is fair and reasonable.

Section 5. That portion of the water tower and surrounding land to be leased is not currently needed for County purposes pursuant to Section 215 of the County Law.

Section 6. Nextel WIP Lease Corporation will provide insurance and will pay for all utilities consumed by its equipment.

Section 7. An analysis of the potential environmental impacts, if any, of the aforementioned lease has been done under the State Environmental Quality Review Act (SEQRA).

Section 8. The County of Onondaga is hereby authorized, directed and designated to act as the lead agency.

Section 9. As lead agency the County hereby determines that the proposed action is an Unlisted Action under SEQRA and a Short Environmental Assessment Form has been prepared.

Section 10. The Short Environmental Assessment Form prepared by and filed with this Legislature is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is hereby accepted by the County.

Section 11. Onondaga County does hereby make and adopt a Negative Declaration for the project, and has determined that the proposed action will not have a significant effect on the environment.

Section 12. The Onondaga County Executive, or his designee, is authorized to take such action to comply with the requirements of SEQRA, including without limitation, the execution of documents and filing of same and any other actions to implement the intent of this resolution.

Section 13. The County Executive is hereby authorized to enter into any and all agreements and execute all documents for the lease of the above described premises to Nextel WIP Lease Corporation for a period of five (5) years with four (4) five-year renewals.

Section 14. This Local law supersedes the public bidding requirements of Section 215 of the County Law and is subject to a permissive referendum.

Section 15. This Local Law shall take effect in accordance with Sections 20, 21, and 24 of the Municipal Home Rule Law.

LL Nextel Lease
LHT/JLT 9.28.05
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ADOPTED

DEC - 6 2005

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE 6th DAY OF December, 2005.

Deborah L. Fitzpatrick

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

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