B.

LOCAL LAW NO. 25 – 2008

A LOCAL LAW AUTHORIZING THE LEASE OF COUNTY PROPERTY LOCATED IN THE TOWN OF MARCELLUS, COUNTY OF ONONDAGA TO NEW CINGULAR WIRELESS PCS, LLC, AT&T MOBILITY

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 a communications tower located at 2724 Rose Hill Road, Marcellus, NY.

Section 2. New Cingular Wireless PCS, LLC, AT&T Mobility, desires to lease space on said Tower, and approximately 290 square feet of space on the ground from the County, and it is the desire of the County to authorize the lease of said space.

Section 3. The term of the proposed lease is five years, with four renewals of five years each.

Section 4. The rent to be paid to the County for the lease of the tower space is $2,000.00 per month during the first year of said lease, with an increase of 3% every year thereafter. The amount of the proposed rent is fair and reasonable.

Section 5. An analysis of the potential environmental impacts of the aforementioned lease, if any, has been done under the State Environmental Quality Review Act (SEQRA). The County of Onondaga hereby is authorized and designated to act as lead agency, and, as lead agency hereby determines that the proposed action is an Unlisted Action under SEQRA.

Section 6. The Environmental Assessment Form filed with the County Legislature is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is hereby accepted by the County.

Section 7. The County of Onondaga does hereby make and adopt a Negative Declaration for the project and determines that the proposed action will not have a significant effect on the environment.

Section 8. The portion of the tower property to be leased is not currently needed for County purposes pursuant to Section 215 of the County Law.

Section 9. This Legislature hereby authorizes the lease of said property as provided for herein, and further authorizes the County Executive to enter into agreements to implement the intent of this local law.

Section 10. This local law shall take effect upon filing in accordance with the provisions of the Municipal Home Rule Law, subject to permissive referendum.

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ADOPTED

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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 5th DAY OF November, 2008.

Deborah A. Mahuro

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK