

RESOLUTION OF TOWN APPROVING LEASE
option 2 3 of 3
TOWN BOARD OF THE TOWN OF WEBSTER
Monroe County, State of New York

Adopted _____

RESOLUTION:

- **APPROVAL OF LEASE FOR WIRELESS
TELECOMMUNICATIONS FACILITY ON TOWN
PROPERTY**

WHEREAS, Bell Atlantic Mobile Systems of Allentown, Inc. d/b/a Verizon Wireless (“*Verizon Wireless*”) proposes to construct and operate a wireless telecommunications facility on Town property located at 1209 Creekside Trail, Town of Webster, Monroe County, New York, Tax Map No. 065.05-1-47 (the “*Site*”); and

WHEREAS, the Town proposes to lease a portion of the Property consisting of approximately 10,000 square feet, and associated access and utility rights, to Verizon Wireless for the installation, operation and maintenance of Verizon Wireless’ telecommunications equipment (the “*Project*”) for an initial term of five (5) years with four (4) five (5) year automatic renewals, at an initial annual rent of \$20,400 with 2% annual increases, and such other terms and conditions as set forth in the Lease Agreement (the “*Lease*”); and

WHEREAS, the Town Board has determined that the rent to be paid by Verizon Wireless is fair and adequate; and

WHEREAS, the Site to be leased to Verizon Wireless is not needed for Town purposes; and

WHEREAS, in connection with the Lease, the Town Board (the “*Board*”) has conducted a full and comprehensive single agency review of potentially adverse environmental impacts from the Project pursuant to the State Environmental Quality Review Act (“*SEQRA*”), and by resolution dated the same date as this Resolution duly issued a Negative Declaration pursuant thereto; and

WHEREAS, the Board has reviewed the Project, the Lease, the acquisition of the access right-of-way and all other materials submitted in connection therewith; and

WHEREAS, it is acknowledged that resolutions approving a lease by a Town Board are adopted subject to a permissive referendum, in accordance with Town Law § 64(2).

NOW, THEREFORE BE IT RESOLVED that the Board hereby authorizes the Town Supervisor to enter into the Lease with Verizon Wireless on the material terms set forth above and having such other terms and conditions as agreed upon by the Town and Verizon Wireless; and

RESOLVED, that the Town Clerk is authorized and directed to publish notice of such resolution approving the Lease within ten (10) days from the date hereof stating that such resolution was adopted subject to a permissive referendum in accordance with Town Law § 90, and such resolution shall take effect thirty (30) days after its adoption, provided that no petition

for a permissive referendum meeting the requirements set forth in Town law § 91 has been filed within such 30-day period; and

IN WITNESS WHEREOF, this Resolution was properly adopted by the Board at its regularly scheduled meeting, the date of which is listed herein.

TOWN BOARD

The foregoing lease authorization resolution was put to a vote, which resulted as follows:

Voting _____
Voting _____
Voting _____
Voting _____
Voting _____

_____, Town Clerk
Town Board
Town of Webster
_____, 2024