

RESOLUTION NO. 2010227

RE: AUTHORIZING OPTION TO RENEW LEASE AGREEMENT WITH AMERICAN TOWER MANAGEMENT, INC. (FORMERLY FIVE STATES COMMUNICATIONS, INC.) PROVIDING COMMUNICATION SERVICES FOR THE COUNTY'S GOVERNMENTAL COMMUNICAITONS SYSTEM

LEGISLATORS SURMAN, HUTCHINGS, and ROMAN offer the following and move its adoption:

WHEREAS, by Resolution No. 28 of 1995 this Legislature authorized the County Executive to enter into a lease with Five States Communications, Inc. (Five States) to provide communications services to the County's governmental communications system located on Clove Mountain in the Town of Unionvale, and

WHEREAS, said lease was amended on two occasions pursuant to Resolution Nos. 249 of 1995 and 271 of 1996, and

WHEREAS, on October 12, 2000 an Assignment and Assumption of Ground Lease Agreement was made by and between Five States Communications, Inc. and American Tower Management, Inc., and

WHEREAS, said ground lease is connected to the lease that the County entered into with Five States, and

WHEREAS, Five States sold its business to American Tower Management, Inc. in October 2000, and

WHEREAS, the existing agreement dated August 22, 1995 terminates on December 31, 2010 unless the County exercises its option to renew for an additional term of fifteen (15) years on or before September 1, 2010, and

WHEREAS, by renewing the agreement at this time, the lease will remain free of charge until December 31, 2025, and

WHEREAS, it is in the County's best interest to exercise the renewal option at this time, now therefore, be it

RESOLVED, that the County Executive is hereby authorized to execute the renewal option with American Tower Management, Inc. in substantially the same form as annexed hereto, and be it further

RESOLVED, that in all other respects the lease agreement authorized by Resolution No. 18 of 1995 and amended by Resolution Nos. 249 of 1995 and 217 of 1996 remains unchanged.

CA-137-10 CAB/ca/R-0650
7/23/10 Fiscal Impact: See attached statement

STATE OF NEW YORK
COUNTY OF DUTCHESS ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of August 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of August 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

