



TOWN OF AMENIA TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

RESOLUTION No. 139 of 2025

RE: AUTHORIZING THIRD AMENDMENT TO TOWER LEASE AGREEMENT WITH VERIZON WIRELESS OF THE EAST LP d/b/a VERIZON WIRELESS

WHEREAS, the Town of Amenia ("Town") owns real property located at 12 Washington Court, identified on Tax Grid No. 7167-00-410168, in the Town of Amenia, New York (the "Premises"); and

WHEREAS, the Town recognized the need to upgrade the municipal communication services for Fire, Police, Water Department, Highway Department and future municipal communication needs; and

WHEREAS, the Town desired to construct a municipal tower for municipal use and for other companies requiring electromagnetic signal distribution; and

WHEREAS, on or about October 17, 2002, the Town of Amenia entered into a Master Management Agreement with JNS Enterprises, Inc. whereby JNS was engaged to arrange for the development, construction and management of a municipal cell tower and to manage the ongoing operations; and

WHEREAS, the municipal cell tower was constructed along with an accessory structure for storage on the Premises; and

WHEREAS, on or about October 28, 2004, the Town and Orange County-Poughkeepsie Limited Partnership d/b/a Verizon Wireless now known as Verizon Wireless of the East LP d/b/a Verizon Wireless ("Verizon") entered into a Tower Lease Agreement whereby Verizon leased a portion of the cellular tower and the land owned by the Town located at 12 Washington Court, for the purpose of transmitting wireless signals and maintaining an equipment shelter; and

WHEREAS, on or about April 15, 2011, JNS entered into an Asset Purchase Agreement with Crown Communications, LLC ("Crown") whereby Crown agreed to accept and assume JNS' obligations under the Master Management Agreement; and

WHEREAS, the Town Board of the Town of Amenia, by Resolution No. 24 of 2011, agreed to, consented, and authorized the Assignment and Assumption Agreement; and

WHEREAS, on or about March 9, 2012, Crown and Verizon entered into a First Amendment to the Tower Lease Agreement, whereby Verizon was granted the right to substitute antennas on the tower without any fee increases, provided the number of antennas did not exceed 12 and the maximum allowable surface area of 10,140 sq. ft. was not exceeded; and

WHEREAS, on or about November 19, 2020, Crown and Verizon entered into a Second Amendment to the Tower Lease Agreement in order to modify certain terms of the Agreement and the First Amendment; and

WHEREAS, Verizon and the Town now wish to enter into a Third Amendment to the Tower Lease Agreement in order to modify certain terms of the Agreement, the First Amendment and the Second Amendment as described in the Third Amendment to the Tower Lease Agreement, a copy of which is affixed hereto; and

WHEREAS, pursuant to Town Board Resolution #20 of 2002, the Town Board, in accordance with New York State SEQRA Regulations, caused an Environmental Assessment Form to be drafted and, after careful evaluation, issued a Negative Declaration determining that the municipal tower would not have any significant adverse environmental impacts; and

WHEREAS, the Town Board of the Town of Amenia determines that this Third Amendment to the Tower Lease Agreement is a Type II action under the State Environmental Quality Review Act ("SEQRA") and therefore not subject to review under SEQRA; and

WHEREAS, it has been determined that the approval of this Third Amendment to the Tower Lease Agreement is subject to a Permissive Referendum.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein; and be it further

2. The Town Board hereby approves the Third Amendment to the Tower Lease Agreement, in substantially the same form as annexed hereto, and authorizes the Town Supervisor to sign the Third Amendment to the Tower Lease Agreement on behalf of the Town.

3. The Town Board hereby authorizes the Town Supervisor to sign any additional documents that may be necessary to effectuate the Third Amendment to the Tower Lease Agreement and to take such administrative and ministerial action as may be necessary to effectuate the terms of this Resolution.

4. This Resolution is adopted subject to Permissive Referendum.

5. The Town Clerk shall give Notice of Adoption of Resolution by publishing a copy of this Resolution, together with the Notice of Adoption thereof, in the official newspaper of the Town, and, in addition, the Town Clerk shall post or cause to be posted on the bulletin board maintained by the Town Clerk at Town Hall and on the Town's website, a copy of such Resolution and Notice of Adoption thereof, with the publication and posting to be done within ten (10) days of the date hereof.

Motion made by C/Rebillard

Seconded by C/Hamm

The foregoing resolution was voted upon with all councilmembers voting as follows:

Supervisor Blackman	Aye
Councilmember Rebillard	Aye
Councilmember Hamm	Aye
Councilmember Ahearn	Aye

Dated: Amenia, New York
December 4, 2025


Robin Shultz, Deputy Town Clerk



TOWN OF AMENIA TOWN BOARD

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PUBLIC NOTICE TOWN OF AMENIA

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

Notice is hereby given that the Town Board of the Town of Amenia, Dutchess County, New York, at a regular meeting thereof, held on December 4, 2025, duly adopted the following Resolution, subject to Permissive Referendum:

RESOLUTION No. 139 of 2025

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WITH VERIZON WIRELESS OF THE EAST LP d/b/a VERIZON WIRELESS**

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4. This Resolution is adopted subject to Permissive Referendum.

5. The Town Clerk shall give Notice of Adoption of Resolution by publishing a copy of this Resolution, together with the Notice of Adoption thereof, in the official newspaper of the Town, and, in addition, the Town Clerk shall post or cause to be posted on the bulletin board

maintained by the Town Clerk at Town Hall and on the Town's website, a copy of such Resolution and Notice of Adoption thereof, with the publication and posting to be done within ten (10) days of the date hereof.

Motion made by C/Rebillard

Seconded by C/Hamm

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Supervisor Blackman	Aye
Councilmember Rebillard	Aye
Councilmember Hamm	Aye
Councilmember Ahearn	Aye

Dated: Amenia, New York
December 4, 2025

DAWN MARIE KLINGNER, TOWN CLERK