

LOCAL LAW ___ OF 2024

A LOCAL LAW TO ENTER INTO A TEN-YEAR AGREEMENT WITH ARCHTOP FIBER LLC

- Explanation:** This Local Law shall allow the County of Sullivan to enter into a ten-year agreement with Archtop Fiber LLC
- Legislative Intent:** The Sullivan County Legislature, after consideration, declares that it is necessary to enter into a ten-year agreement with Archtop Fiber LLC to bring broadband services to Sullivan County. Archtop Fiber LLC shall install approximately 250 miles of fiber optics and connect twelve (12) County owned towers to the network. The County shall own the Network for ten years and at the end of the term, Archtop Fiber LLC, or its successors and or assigns, shall have the option to purchase the fiber and fixed wireless network from the County for one dollar (\$1.00) and thereafter enter into a lease agreement for use of space on the County owned communications towers.
- Legal Authority:** New York State County Law Section 215 provides that a County may contract, lease or transfer real property, for County purposes for terms not to exceed five (5) years with the privilege of renewal.
- New York State Comptroller Opinion 68-857 opines that a municipality may enter into leases for a term in excess of five (5) years if the municipality authorizes such leases by local law.
- New York State Municipal Home Rule Law Section 24 provides that any local law that changes a provision of law relating to contracts or leasing of real property is subject to referendum on petition (permissive referendum).
- Applicability:** The County is authorized, notwithstanding Section 215 of the County Law of the State of New York to enter into a ten-year contract with Archtop Fiber LLC to manage, operate and or control the County owned Network.
- Effective:** This Local Law shall become effective as of the date of filing with the Secretary of State.