

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 1-2016

**AN ORDINANCE AUTHORIZING THE LEASE OF
COMMERCIAL ANTENNA SPACE ON THE NORTH
CHURCH STREET AND WESTFIELD ROAD WATER TOWERS**

WHEREAS, the North Church Street and Westfield Road water towers are currently used as antenna locations for unmanned wireless communications systems; and

WHEREAS, the Township's leases to AT&T Wireless for commercial radio antenna space on both water towers is set to expire November 2016; and

WHEREAS, the Township wishes to continue its relationship with AT&T Wireless and also consider offers from additional carriers to generate rental income by leasing additional commercial antenna space on the North Church Street and Westfield Road water towers.

NOW, THEREFORE, BE IT RESOLVED by the Township of Moorestown in Burlington County, State of New Jersey as follows:

1. The lease of commercial antenna space is hereby authorized pursuant to N.J.S.A.40A:12-14.
2. Each lease shall be awarded to the highest bidder(s) submitting a sealed bid. The minimum bid shall be \$3,600 per month per location, with a minimum annual rental increase of 3%. The Township reserves the right to reject all bids as may be in the best interest of the Township.
3. Said lease shall be for a term of five (5) years, and may include up to four (4) five (5) year renewal options for a maximum total term of twenty-five (25) years. The successful bidder shall submit such information as the Deputy Township Manager shall require to assure the Deputy Township Manager that the installation will not cause structural problems or radio frequency interference problems with other antenna installations on the existing water towers, or other Township owned water towers.
4. Other bidders desiring to install commercial antennas shall be required to lease space at the same rate as the high bidder, and shall also submit such information as the Township requires to assure the Deputy Manager that structural or radio frequency interference problems will not occur.
5. The successful bidder(s) shall be required to escrow sufficient funds with the Township to cover the costs associated with design and structural review as well as inspection costs to review installation and repainting. Unused escrow balances will be returned to the successful bidder.

6. The Deputy Township Manager is hereby authorized to draft specific terms and conditions of said lease and advertise same in accordance with N.J.S.A.40A:12-14.
7. The Township Manager or his designee shall report the bid results to the Township Council at the next regularly scheduled Council meeting.
8. All ordinances inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.
9. This ordinance shall take effect upon adoption and publication according to law, and shall be known as Ordinance No. 1-2016.

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NOTICE AND CERTIFICATION

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on January 25, 2016. This ordinance will be further considered for final passage by the Township Council at a meeting to be held at the Town Hall, Council Chamber, 111 West Second Street, Moorestown, New Jersey on February 8, 2016 at 7:30 pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC
Township Clerk