

**COUNCIL OF THE BOROUGH OF PROSPECT PARK
PASSAIC COUNTY, NEW JERSEY**

RESOLUTION NO. 2022-79

Motion by:

Seconded by:

RESOLUTION #2022-79

TITLE: RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS FOR THE LEASE OF SPACE FOR CO-LOCATION ON THE TELECOMMUNICATIONS TOWER AND FOR SPACE FOR A FACILITY ON THE PROPERTY LOCATED AT BLOCK 22, LOT 11 OF THE BOROUGH OF PROSPECT PARK TAX MAP

WHEREAS, the Local Lands and Buildings Law, at N.J.S.A. 40A:12-14 allows a municipality to lease any real property not needed for public use to the highest bidder by open public bidding at auction or by submission of sealed bids; and

WHEREAS, the Borough Council of the Borough of Prospect Park previously solicited bids for the lease of the property located at Block 22, Lot 11 of the Borough of Prospect Park's tax map and for the construction of a cellular communications facility thereon; and

WHEREAS, the Borough Council awarded a contract for the lease of the property located at Block 22, Lot 11 of the Borough of Prospect Park's tax map and for the construction of a cellular communications facility thereon to Ominpoint Facilities Network and Omnipoint Communications, Inc. hereinafter referred to as Omnipoint; and

WHEREAS, Omni Point has constructed said telecommunications tower and additional space is available for carriers for co-location on the tower; and

WHEREAS, in the Agreement between the Borough and Omnipoint the Borough retained the rights to authorize solicitation for bids for lease of the space on the telecommunications tower; and

WHEREAS, the Mayor and Borough Council of the Borough of Prospect Park believe it in the best interest of the Borough of Prospect Park to solicit sealed bids for the lease of the co-location space and property located at Block 22, Lot 11 of the Borough of Prospect Park's tax map and for the co-location on the cellular telecommunications tower and facility thereon, since the property would best serve the public in that capacity; and

NOW THEREFORE BE IT RESOLVED, that the Borough of Prospect Park authorizes the solicitation of sealed bids for the lease of the space on the telecommunications tower for the collocation of carriers and the space necessary for any structures on the property located at Block 22, Lot 11 of the Borough of Prospect Park's tax map; and

BE IT FURTHER RESOLVED, that the Borough of Prospect Park hereby authorizes counsel, the Borough Engineer, and any other necessary Borough employees or officials to prepare all legal documents necessary to effectuate this Resolution, including but not limited to the Advertisement to Bidders and the Bid Specifications, to be approved by the Mayor; and

BE IT FURTHER RESOLVED, that the Borough hereby establishes a minimum bid for the solicitation to be an annual rent of \$40,800.00; and


BE IT FURTHER RESOLVED, that all successful bidders must comply with any and all requirements contained in the Borough's Land Lease Agreement with Omnipoint, including but not limited to the successful bidders' entering into a Construction Cost Sharing Co-Location Agreement with Omnipoint; and


BE IT FURTHER RESOLVED, that the Borough reserves the right to reject any and all bids; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be filed with the Clerk of the Borough of Prospect Park.

I hereby certify that this resolution, consisting of 1 page(s), was adopted at a special meeting of the Borough Council of the Borough of Prospect Park, held this 18th day of April, 2022.

	Moved	Second	Ayes	Nays	Abstain	Absent
Shah			✓			
Artis			✓			
Hussain			✓			
Matari			✓			
Ortiz	✓	✓	✓			
Perez		✓	✓			


 Mohamed T. Khairullah
 Mayor


 Beauty Nadim, CMR
 Acting Borough Clerk