

**RESOLUTION 2016-42
BOROUGH OF FRANKLIN
ACCEPTING THE BID BY CELLCO PARTNERSHIP, d/b/a VERIZON WIRELESS
FOR THE LEASE OF SPACE
ON THE EVANS STREET WATER TANK, 19 EVANS STREET,
FOR THE INSTALLATION OF
CELLULAR COMMUNICATION EQUIPMENT**

WHEREAS, the Borough of Franklin sought Bids from cellular communication service providers in order to enter into a lease and install cellular communication equipment on the Borough of Franklin's water tank located at 19 Evans Street (Block 1302, Lot 21) and the bid opening date was March 9, 2016.

WHEREAS, the sole Bidder was Cellco Partnership d/b/a Verizon Wireless ("Verizon") with a bid in the amount of \$2,500.00 per month (\$30,000.00 per year) for the first year of the lease term. Verizon's bid meets the Borough of Franklin's minimum rent amount.

WHEREAS, Verizon's bid included certain exceptions and clarifications that the Borough of Franklin is addressing through the Borough Attorney and Administrator. The parties reasonably believe that the exceptions and clarifications can be resolved to the Borough of Franklin's satisfaction and will be contained in the final lease agreement to be signed by the Mayor and Borough Clerk.

WHEREAS, the Mayor and Council desire to accept the bid, subject to resolution of Verizon's exceptions and clarifications, in accordance with the New Jersey Local Lands and Building Law, N.J.S.A. 40A:12-14, et seq.

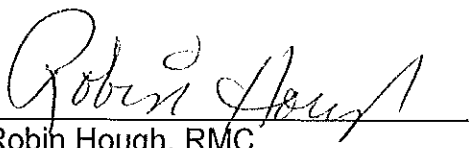
NOW, THEREFORE, BE IT RESOLVED by the Franklin Borough Mayor and Council that the Bid submitted by Verizon for leasing space on the Borough's water

tank located at 19 Evans Street is hereby accepted subject to the parties resolving Verizon's exceptions and clarifications.

This resolution shall take effect immediately, however, it shall be void and of no effect in the event that the Borough of Franklin and Verizon are unable to resolve any remaining issues concerning the terms of the lease, or if Verizon fails or refuses to execute the final lease, provide proof of insurance, provide the required bond(s) and/or meet the other requirements of the lease in a timely manner.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true copy of a Resolution adopted by the Franklin Borough Mayor and Council at a regular meeting of said Governing Body conducted on Tuesday, March 22, 2016.


Robin Hough, RMC
Borough Clerk