

# #1260

## ORDINANCE OF THE TOWNSHIP OF HADDON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, AUTHORIZING THE LEASE OF THE BRIARWOOD STANDPIPE FOR THE INSTALLATION OF TELECOMMUNICATION FACILITIES AND EQUIPMENT

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**WHEREAS**, the Township of Haddon has received a request to install telecommunication facilities and equipment at the Briarwood Standpipe, which is situated on municipally owned property known as Block 11.04, Lot 2 on the official tax map of the Township of Haddon (“Township”); and

**WHEREAS**, the Township has deemed it in the best interest of the public health, safety and welfare to lease the aforesaid premises for purposes stated above to the highest bidder in accordance with the terms and conditions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, *et seq.*; and

**NOW THEREFORE**, be it Ordained by the Board of Commissioners of the Township of Haddon, County of Camden, State of New Jersey, as follows:

**SECTION 1:** The execution of the lease agreement attached hereto as Exhibit “A” between the Township of Haddon and the highest bidder, TTM Operating Corporation, Inc. (“Lessee”), to install telecommunication facilities and equipment at the Briarwood Standpipe is hereby authorized.

**SECTION 2:** The term of the lease agreement shall be for a period of five (5) years, with the option to extend such Lease for two (2) additional five (5) year terms by giving the Township written notice of Lessee’s intention to do so at least one hundred and twenty (120) days prior to the end of the current Lease term. The initial annual rent payable to the Township is \$6,000.00

**SECTION 3:** The purpose of the lease agreement is to provide for the installation of telecommunication facilities and equipment at the Briarwood Standpipe.

**SECTION 4:** The Mayor, Township Clerk and any other appropriate Township employee or elected official are hereby authorized and directed to enter into the aforementioned Lease Agreement and execute all other documents as may be required or appropriate to accomplish the above purpose, subject to the Township Solicitor reviewing and approving the form and content of same.

**SECTION 5:** All Ordinances or parts of Ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 6:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 7:** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

BOARD OF COMMISSIONERS

BY:

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RANDALL W. TEAGUE, MAYOR

BY:

\_\_\_\_\_  
PAUL DOUGHERTY, COMMISSIONER

BY:

\_\_\_\_\_  
JOHN C. FOLEY, COMMISSIONER

Adopted:

ATTEST:

\_\_\_\_\_  
DENISE P. ADAMS, TOWNSHIP CLERK

The foregoing Ordinance was introduced by the Mayor and Commissioners at the regular meeting held on April 27, 2010. This Ordinance will be considered for adoption on final reading and public hearing to be held on May 25, 2010 at 7:00 p.m. in the Meeting Room, Haddon Township Municipal Building, 135 Haddon Avenue, Westmont, New Jersey.

The purpose of this Ordinance is to provide for a lease to the highest bidder to install telecommunication facilities and equipment at the Briarwood Standpipe in accordance with the requirements of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, *et seq.* A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Township Clerk, Haddon Township Municipal Building, 135 Haddon Avenue, Westmont, New Jersey.