

**TOWNSHIP OF WYCKOFF
340 FRANKLIN AVENUE
COUNTY OF BERGEN, STATE OF NEW JERSEY**

ORDINANCE #1998

**AN ORDINANCE PROVIDING FOR THE SITE LEASE FOR THE
OPERATION OF WIRELESS COMMUNICATION ANTENNAS AND
RELATED FACILITIES AT 340 FRANKLIN AVENUE (1 SCOTT PLAZA)
WYCKOFF, NJ TO DISH WIRELESS, LLC**

WHEREAS, the Township of Wyckoff wishes to lease space at the Sports Lighting Tower located at 1 Scott Plaza, Wyckoff, New Jersey for the operation of wireless communication antennas, equipment and related facilities; and

WHEREAS, in accordance with the provisions of *N.J.S.A. 40A:12-14(a)* the Township advertised for sealed bids for the lease of the aforementioned space; and

WHEREAS, as a result of the advertisement for bids the Township received one (1) sealed proposal from the following telecommunication company:

DISH Wireless, LLC
3 ADP Boulevard
Roseland, New Jersey 07068

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Wyckoff in the County of Essex, State of New Jersey, as follows:

SECTION 1. In accordance with the provisions of *N.J.S.A. 40A:12-14(a)*, the Township of Wyckoff shall lease space at the Sports Lighting Tower located at 1 Scott Plaza, Wyckoff, New Jersey to DISH Wireless, LLC for a term of five (5) years commencing the first day of the month following the commencement of the bidder's installation known as the "Commencement Date". The specifications prepared for the bid are incorporated herein by reference and are made a part of the Lease Agreement.

SECTION 2. The rent to be paid by DISH Wireless, LLC for the first five (5) year term shall be \$32,000 per year. Every year, on the anniversary of the commencement date, there shall be a yearly increase in rent of 3.0%.

SECTION 3. The Mayor and Municipal Clerk are hereby authorized to execute any and all documents for the lease of the space to DISH Wireless, LLC.

SECTION 4. If any section, sub-section, paragraph, sentence, or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 5. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. This ordinance shall take effect after final passage and publication as prescribed by law.

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE RIDGEWOOD NEWS, A NEWSPAPER PUBLISHED IN THE COUNTY OF BERGEN AND CIRCULATED IN THE TOWNSHIP OF WYCKOFF, IN BOTH THE ISSUE OF NOVEMBER 17, 2023 AND DECEMBER 8, 2023.

NANCY A. BROWN
MUNICIPAL CLERK

INTRODUCTION: November 9, 2023

PUBLIC HEARING: December 5, 2023

EFFECTIVE DATE: December 8, 2023