

RESOLUTION NO. 57- 12

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

August 27, 2012

Resolution of the Brick Township Municipal Utilities Authority Awarding a Public Contract to Celco Partnership d/b/a Verizon Wireless for the Lease Amount of \$40,000.00 Per Year to Allow Installation of Cellular Equipment on the Mantoloking Road Water Storage Tank Telecommunications Facility

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") presently owns and maintains a water storage tank at 535 Mantoloking Road, Brick Township, New Jersey, located on Block 190., Lot 14: and

WHEREAS, the Authority has received interest from telecommunication companies to lease space at the site and on the water storage tank; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-1 et seq. and N.J.S.A. 40A:12-1 et seq. the authority duly advertised for bids to allow for the installation of cellular equipment on the water tank; and

WHEREAS, the bid documentation established a minimum lease amount of \$40,000.0 per year; and

WHEREAS, one bid was received, from Celco Partnership d/b/a Verizon Wireless ("Celco"), which bid was publically opened on July 12, 2012 at 2:00 p.m.; and

WHEREAS, the bid submitted by Celco has been reviewed by the Authority's Deputy Executive Director, and Authority Solicitor; and

WHEREAS, the Authority's Deputy Executive Director and Solicitor are recommending award of the contract to Celco, with the proviso that the conditions set forth herein below shall be adhered to; and

WHEREAS, the Authority finds that the proposed consideration of \$40,000.00 per year from Celco is fair and adequate, and is a fair market value offer for the leased space.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY ON THIS DAY OF , 2012 AS FOLLOWS:

1. The Authority accepts the recommendations of its Deputy Executive Director and Solicitor and awards the contract to Celco Partnership d/b/a Verizon Wireless, for the bid price of \$40,000.00 per year, subject to all conditions outlined in the notice of bidders, specifications and contract documents.

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1037
FORKED RIVER, N.J. 08731

2. This award of contract is specifically contingent upon removal of the proposed revision to the lease agreement as proposed by Cellco, in Section 17.0 at page 10 of 12 ("Maintenance and Repair"). The paragraph proposed by Cellco at the end of Section 17.0 will not be approved or allowed by the Authority. In the event that Cellco does not agree to remove that provision from the proposed lease agreement, this Resolution is null and void and will have no other force or effect.

3. the Authority authorizes and directs the Chairman and Secretary to execute and all necessary documents in order to implement the intent of this Resolution.

4. A copy of this Resolution shall be forwarded by the Administrative Secretary of the Authority to the following:

- A. Honorable Joseph M. Veni, P.E., Chairman;
- B. James Lacey, Executive Director; and
- C. Stephen T. Specht, P.E., Deputy Executive Director
- D. Jerry J. Dasti, Esquire; and
- E. Richard Stanzione, Attorney for Cellco Partnership


CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 27th day of August, 2012, a quorum being present and voting in the majority.

**DASTI, MURPHY
McGUCKIN, ULAKY,
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PATRICK L. BOTTAZZI
Secretary

Prepared by:

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JJD/faw [BTMUA-Resolutions 2012-GL# 18583] [BTMUA Mantoloking Road Storage Tank]