

RESOLUTION

WHEREAS, the Hunterdon County Educational Services Commission ("HCESC") desires to mount a repeater for HCESC's two-way radio system on a radio tower located on or near Marcella Avenue ("Radio Tower") owned by the Township of West Orange ("Township"); and

WHEREAS, HCESC and the Township have agreed to the terms and conditions of an Access and Use Agreement (the "Agreement"), annexed hereto as Exhibit "**A**"; and

WHEREAS, the Agreement grants HCESC access and use of the Radio Tower for one (1) year, unless extended as set forth in paragraph 3 of the Agreement; and

WHEREAS, HCESC has agreed to pay the Township an access and use rate of \$7,200.00 for the one (1) year term, to be paid in equal monthly installments of \$600.00 on the first day of the month; and

WHEREAS, HCESC shall use the Radio Tower for the sole purpose of installing, maintaining, repairing and operating a two-way radio system; and

WHEREAS, pursuant to the terms of the Agreement, all improvements, equipment, antennas and conduits shall be at HCESC's expense and their installation shall be subject to the Township's approval and discretion; and

WHEREAS, HCESC's ability to use the Radio Tower is contingent upon obtaining certain certificates, permits and other approvals which may be required by any federal, state or local authorities;

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute the Agreement, in the form annexed hereto; and it is further

RESOLVED, that this Resolution shall be made available in the Clerk's office for reasonable inspection in accordance with applicable law.

Karen J. Carnevale
Municipal Clerk

Jerry Guarino
Council President

Adopted: August 11, 2015