

ORDINANCE NO.: 23-05

AN ORDINANCE AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE TOWER LEASE AGREEMENT AND REPEATER UTILIZATION AGREEMENT WITH NORTH JERSEY POLICE RADIO ASSOCIATION PURSUANT TO NJSA 40A:12-5 (a)(1)

WHEREAS, the Borough of Pompton Lakes has a need to lease tower space to provide for a location to operate public safety radio communications; and

WHEREAS, the Borough desires to enter into a tower lease agreement and repeater utilization agreement with North Jersey Police Radio Association (NJPRA) for a radio tower owned by the NJPRA and located in Pompton Lakes; and

WHEREAS, NJSA 40A:12-5(a)(1) requires that the acquisition of leased property by a municipality be authorized by ordinance; and

WHEREAS, the Treasurer of the Borough has certified that funds are available to pay for the yearly rental cost associated with the lease.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Pompton Lakes, County of Passaic and State of New Jersey as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute a one year tower lease agreement and repeater utilization agreement with North Jersey Police Radio Association, effective January 1, 2023, for the purpose of providing a location for the operation of public safety communications.
2. The cost of said tower lease agreement shall not exceed \$13,368.49 annually.
3. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
4. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
5. This Ordinance shall take effect after approval of the Mayor or in accordance with law and publication and passage according to law.

NOTICE

NOTICE IS HEREBY GIVEN, that the above Ordinance was introduced and passed on first reading at the regular meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey held in the Municipal Building on the 11th day of January, 2023, and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 25th day of January, 2023 at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

APPROVED:

MICHAEL SERRA, MAYOR

**ELIZABETH BRANDSNESS, RMC
MUNICIPAL CLERK**