

**BOROUGH OF HILLSDALE**  
**RESOLUTION 18036**

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**RESOLUTION CONSENTING TO AN EXTENSION OF THE LEASE  
AGREEMENT WITH SPRINT SPECTRUM REALTY COMPANY, LLC  
FOR THE CELL TOWER LOCATED AT 383 HILLSDALE AVENUE  
(HILLSDALE FIRE DEPARTMENT).**

**WHEREAS**, on September 25, 1998, the Borough of Hillsdale entered into a Lease Agreement (the "Site Agreement") with Sprint Spectrum Realty Company, LLC, (formerly a limited partnership), a Delaware limited liability company, successor in interest to Sprint Spectrum L.P., a Delaware limited partnership (hereinafter, "Sprint") allowing Sprint to place a cell tower at the property located at 383 Hillsdale Avenue (the "Site"), which is the location of the Hillsdale Fire Department; and

**WHEREAS**, the Lease Agreement is set to expire on January 28, 2019; and

**WHEREAS**, The current term of the Lease will expire on January 28, 2019. Notwithstanding anything to the contrary in the Lease, commencing on January 29, 2019, the term of the Lease is sixty (60) months ("New Initial Term"). The Lease will be automatically renewed for two (2) additional terms of sixty (60) months each (each a "New Renewal Term(s)"). Each New Renewal Term will be deemed automatically exercised without any action by either party unless Sprint gives written notice of its decision not to exercise any options to Landlord before expiration of the then current term. All references in the Lease to Renewal Terms shall include the New Initial Term and the New Renewal Term(s); and

**WHEREAS**, starting on the first day of the New Initial Term and every year thereafter, Sprint will pay rent in equal annual installments of Thirty-Five Thousand Fifty-Seven and 97/100 Dollars (\$35,057.97). Rent for any partial years will be prorated. Commencing on January 29, 2020, the rent will be increased annually by four percent (4%) of the then current rent; and

**WHEREAS**, Sprint and the Borough desire to extend the term of the Lease in accordance with the First Amendment to Lease Agreement (hereinafter, "The First Amendment"); and

**WHEREAS**, The First Amendment includes modifications to certain provisions of the Lease with regard to rent, term and options of renewal; and

**WHEREAS**, the Borough of Hillsdale and Sprint desire to execute The First Amendment.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby authorizes Mayor John Ruocco to sign the extension of the Lease Agreement and all other appropriate Borough professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of said document.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
DeRosa, Anthony			X				
Horvath, Zoltan			X				
Karcich, Scott	X		X				
Lundy, Abby			X				
Pizzella, Frank		X	X				
Segalas, Steven			X				
Ruocco, John							

Adopted: January 16, 2018

Attest: Denise Kohan  
Denise Kohan  
Municipal Clerk

John Ruocco  
John Ruocco  
Mayor