



Municipality of Princeton

Municipal Building
400 Witherspoon Street
Princeton, NJ 08540-3496

Department of Community Development
Office of the Engineer
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ROBERT V. KISER, P.E.
Director of Engineering

MEMORANDUM

TO: Robert Bruschi, Administrator

FROM: Robert V. Kiser, P.E., Director of Engineering

DATE: October 22, 2013

RE: **Resolution Authorizing the Bidding of "Stealth" Telecommunications Antenna Installations on Municipally Owned Property**

Attached herewith please find a Resolution prepared by Kevin Van Hise of Mason, Griffin and Pierson that authorizes the Municipality to solicit bids for the right to lease space on and adjacent to the Witherspoon Street Municipal Building and the Princeton Hook and Ladder fire station located at 27 North Harrison Street.

The bidding documents would provide for "stealth" type installations. On the Witherspoon Street building the installation would be required to be very similar to the Verizon installation that is currently located on the roof area of the building. On the fire house at 27 North Harrison Street the existing cupala would be replaced with a new cupala that would be wider and approximately ten 10' higher than the existing structure. The telecommunication antennas would be located on the inside of the new cupala in a "stealth" type fashion.

Council's consideration in authorizing the attached Resolution providing for the bidding of these two (2) installations that are anticipated to generate significant revenue for the Municipality would be appreciated.

Please contact either myself, Planning Director Lee Solow or Assistant Engineer Deanna Stockton if you have any questions.

Robert V. Kiser, P.E., Director of Engineering

RVK/rr

C: Linda McDermott, Municipal Clerk
Kathryn Monzo, Deputy Administrator/Director of Finance
Sandra Webb, CFO
Edwin W. Schmierer, Municipal Attorney
Kevin Van Hise, Esquire, Mason, Griffin & Pierson
Deanna Stockton, P.E., Assistant Engineer

**RESOLUTION 2013-R
OF THE MAYOR AND COUNCIL
OF THE MUNICIPALITY OF PRINCETON
COUNTY OF MERER
STATE OF NEW JERSEY**

WHEREAS, Princeton is aware that wireless telecommunications carriers have been actively looking at sites in the municipality to locate wireless communications antenna facilities in order to expand, enhance and/or maintain their voice and data communications networks in the Princeton area and avoid coverage gaps; and

WHEREAS, Princeton has two municipally owned sites, the Municipal Complex located at 400 Witherspoon Street (the "Municipal Complex"), and the Princeton Hook and Ladder fire station located at 27 North Harrison Street (the "Fire Station"), that potentially provide ideal locations for the installation of new wireless telecommunications facilities; and

WHEREAS, the Municipal Complex provides a suitable location due to its proximity near population and business centers of the community, the fact that it is one of the taller structures in the area providing for better coverage, and it already houses an existing wireless facility on the roof for a local carrier and the Township's Police and Emergency Services equipment; and

WHEREAS, the Fire Station is also located near population and business centers of the municipality, and its architectural features, including a cupola atop the building, give it sufficient height and make it uniquely situated to house a "stealth" antenna installation; and

WHEREAS, carriers have expressed their interest in leasing a portion of the Municipal Complex and Fire Station sites for the purposes of installing and operating wireless facilities should such locations be made available; and

WHEREAS, Princeton remains mindful of the communication needs of its residents, businesses and visitors, and the extreme disruption that can occur should carriers not be able to eliminate coverage gaps in their networks; and

WHEREAS, it is in the public interest to prevent the loss of wireless voice and data services to users within Princeton, prevent the creation of new coverage gaps in existing networks, and most

importantly, to preserve the ability of individuals within Princeton to reach emergency services and maintain wireless communication in times of need, the necessities of which have been seen during recent storm events that caused widespread disruptions to power and the loss of landline communications; and

WHEREAS, Princeton has ascertained that space is available at the Municipal Complex and the Fire Station that could accommodate “stealth” type installations of telecommunications antennas and associated equipment; and

WHEREAS, such spaces are not otherwise needed for other public purposes; and

WHEREAS, Princeton anticipates that leasing such sites could help meet the needs of carriers who might have coverage gaps(s) in the area and would improve wireless services for the general public; and

WHEREAS, making the Municipal Complex and Fire Station sites available to carriers would also further the purposes of co-location, a sound planning goal, would assist in reducing the dependence on stand-alone telecommunication towers in the area, and would result in compensation being paid to the municipality for the leasing of the sites; and

WHEREAS, for these reasons, Princeton believes that it would be in the best interests of both the general public and the municipality to grant non-exclusive leases for portions of the Municipal Complex and the Fire Station to one or more telecommunications providers for the installation and operation of wireless telecommunications antennas and associated equipment; and

WHEREAS, the use of space on the Municipal Complex and Fire Station for such purposes will not be detrimental to adjacent buildings, structures or properties, which will continue to be used for their primary public purposes.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Princeton as follows:

1. The preamble of this Resolution is incorporated herein as if fully restated.
2. Princeton, by and through its staff and professionals, is hereby authorized and directed to solicit bids for the right to lease space on and adjacent to the Princeton Municipal Building, located at

400 Witherspoon Street, for the installation, operation and maintenance of telecommunications antennas and associated equipment.

3. Princeton, by and through its staff and professionals, is hereby authorized and directed to also solicit bids for the right to lease space on and adjacent to the Princeton Hook and Ladder fire station building, located at 27 North Harrison Street, for the installation, operation and maintenance of telecommunications antennas and associated equipment.

4. Both the proposed Municipal Complex lease and the Fire Station lease shall be subject to the following essential (but not exclusive) terms:

- a. Each lease shall permit the successful bidder to construct and install a wireless telecommunications antennas facility ("facility") at the site.
- b. The facility shall not adversely interfere with existing radio or telecommunications systems of the municipality, any municipal operations, or other occupants, tenants and licensees of the property.
- c. The successful bidder shall be required, at its sole cost and expense, to obtain any and all required licenses, permits and approvals necessary to operate the facility, and shall comply with all applicable local, state and federal regulations.
- d. As a facility authorized by the municipality, being installed on and at existing municipal structures, pursuant to strict requirements to be set forth in the Bid Specifications, and under a lease agreement being entered into by the municipality, formal site plan approval shall not be required.
- e. All construction, engineering, site and development plans shall be subject to the review and approval of the Municipal Engineer and Planning Director.
- f. The successful bidder shall be responsible for all costs associated with the construction, maintenance and operation of the facility, including the costs of all necessary utilities.
- g. The length of each lease, including any and all option periods, shall not exceed 20 years.

h. Upon expiration or termination of the lease, the carrier shall remove the entirety of the facility and restore the property to its original condition, reasonable wear and tear excepted.

5. The municipal staff and professionals are hereby authorized and directed to prepare all necessary bid documents and other materials consistent with the terms hereof and to bid the above-described leases as soon as practicable. The staff and professionals are expressly authorized to include any additional terms and conditions they deem necessary and appropriate and to undertake any and all further actions necessary to effectuate the terms and intent hereof.

6. The Mayor and Council hereby reserve the right to reject any and all bids submitted for each proposed lease in accordance with applicable law. The decision to award a lease to the highest responsible bidder, or to reject all bids, for each such lease, will be made no later than the second regularly scheduled meeting of the Mayor and Council following the date on which the bids are received. If no action is taken by the Mayor and Council, all bids shall be deemed to have been rejected.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Ms. Butler								
Mrs. Crumiller								
Ms. Howard								
Mr. Liverman								
Mr. Miller								
Mr. Simon								
Mayor Lempert								

I, Linda S. McDermott, Clerk of the Municipality of Princeton, do hereby certify that the above is a true and complete copy of a resolution adopted by the Mayor and Council of said Municipality at a meeting held October 28, 2013.

IN WITNESS WHEREOF, I hereunto set my hand and affix the corporate seal of said Municipality, this ___ day of October, 2013.

Linda S. McDermott
Municipal Clerk