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**RESOLUTION 21-136**

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**Resolution Authorizing a Rights-of-Way Agreement with CELLCO Partnership d/b/a Verizon Wireless that Establishes an Administrative Procedure for Review of Applications by Verizon to Place New 5G Wireless Equipment within Municipal Rights-of-Way and to Require Site License Agreements for Each Installation**

**WHEREAS**, Cellco Partnership d/b/a Verizon Wireless, a Delaware General Partnership, (“Verizon”) is expanding its network to meet the demands of 5G telecommunications services and has identified additional locations in the Municipality of Princeton (“Municipality”) on which it wishes to locate, place, attach, install, operate, control and maintain its equipment in the public right-of-way on facilities owned by the Municipality and owned by third parties; and

**WHEREAS**, given the anticipated increase in requests for new equipment as the 5G network is built, the Municipality wishes to establish a procedure for administrative review of applications by Verizon to place new equipment, consistent with the Federal Communications Commission’s regulations and rulings; and

**WHEREAS**, the Municipality wishes to enter into a Rights-of-Way Use Agreement with Verizon that provides an administrative review process and compensation for use of facilities in the municipal right-of-way, including those owned by the Municipality; and

**WHEREAS**, the Rights-of-Way Use Agreement requires individual site license agreements specific to each approved location and structure, and describing the type of wireless equipment to be employed for each application that is reviewed and approved; and

**WHEREAS**, provided said individual site license agreements are not inconsistent with the terms and conditions of the Rights-of-Way Use Agreement, and have been reviewed and approved by the Municipal Engineer and the Municipal Attorney, the site license agreements do

not need further review and approval of the governing body; and

**WHEREAS**, a copy of the Rights-of-Way Use Agreement and the Site License Agreement template are on file in the office of the Princeton Clerk; and

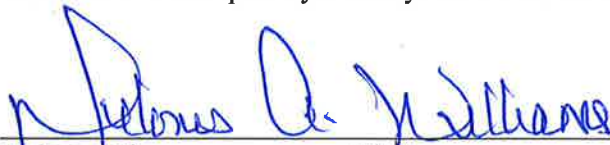
**WHEREAS**, the Princeton Municipal Attorney has reviewed the Rights-of-Way Use Agreement and the Site License Agreement template and approved them as to form and substance;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of Princeton on this 12<sup>th</sup> day of April, 2021 as follows:

1. The preamble to this resolution is hereby incorporated as if fully restated herein.
2. The Mayor and Clerk are hereby authorized and directed to sign the agreement entitled "Rights-of-Way Use Agreement," a copy of which is on file in the office of the Princeton Clerk, or such substantially similar agreement as may be approved by the Princeton Attorney and Princeton Engineer.
3. The Mayor or Administrator and Clerk are hereby authorized and directed to sign the Site License Agreement specific to each approved location, provided it is consistent with the Rights-of-Way Use Agreement and has been reviewed and approved by the Municipal Engineer and Municipal Attorney.
4. This resolution shall take effect immediately.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X	X		X			
Ms. Fraga		X			X			
Ms. Niedergang		X		X	X			
Ms. Pirone Lambros		X			X			
Ms. Sacks		X					X	
Mr. Williamson		X			X			
Mayor Freda		X						

I, Delores Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held on April 12, 2021.

  
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 Delores Williams, Municipal Clerk

**ATTACHMENTS:**

- Memo Verizon wireless agreement 03 31 21 (PDF)
- Verizon ROW lease 03 31 21 (PDF)
- Verizon ROW lease Exhibit 1A (PDF)
- Verizon ROW lease Exhibit 1B (PDF)