

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

**A RESOLUTION OF THE
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
CONSENTING TO A REQUEST BY AT&T REPRESENTATIVES TO CHANGE OUT
EQUIPMENT IN PLACE PURSUANT TO AN EXISTING LEASE BY AND BETWEEN
THE AUTHORITY AND AT&T FOR PORTION OF LOT 34, BLOCK 16, CRYSTAL
SPRINGS DRIVE, HARDYSTON TOWNSHIP, NEW JERSEY**

WHEREAS, the Hardyston Township Municipal Utilities Authority (the “Authority”) owns and operates a water system servicing the residents of Hardyston Township (the “System”); and

WHEREAS, the System includes a water storage facility located on Block 16, Lot 34 in Hardyston Township (the “Property”); and

WHEREAS, on December 13, 2000, the Authority entered into a lease agreement with AT&T Wireless PCS, LLC, by and through its manager AT&T Wireless Services, Inc., d/b/a AT&T Wireless Services (“AT&T”) for a portion of the Property (the “Lease Agreement”); and

WHEREAS, on September 14, 2015, the Authority entered in an amendment to the Lease Agreement that, among other things, provided for a rent payment guaranty, an extension of the lease term and additional renewal terms (the “Amendment”); and

WHEREAS, AT&T, via letter dated July 2, 2018, has requested the Authority’s consent to replace obsolete equipment with new technology; and

WHEREAS, Section 2 of the Lease Agreement requires that AT&T must first obtain the Authority’s written consent, as well as the approval of the Hardyston Township land use board properly vested with jurisdiction to grant such approvals; and

WHEREAS, AT&T’s request appears to be reasonable; and

NOW, THEREFORE, BE IT RESOLVED by the Board of the Hardyston Township Municipal Utilities Authority as follows:

1. That, subject to the approval of the Hardyston Township land use board, or a determination by same that it does not have jurisdiction over AT&T’s request, the the Executive Director be and is hereby authorized and directed to provides the Authority’s written consent to AT&T in connection with AT&T request to upgrade equipment as outlined in AT&T’s request attached hereto as **Exhibit A**.
2. This Resolution shall take effect immediately.

	YES	NO	ABSTAIN	ABSENT
Chairman Cicerale				
Vice Chairman Kula				
Secretary Marples				
Treasurer Albanese				
Roof				
Kaminski				
O'Grady				

Certified to be a true copy of the Resolution
adopted by the HTMUA at a meeting held on
August 6, 2018

_____, Secretary