

**BOROUGH OF SPRING LAKE HEIGHTS
MONMOUTH COUNTY, NEW JERSEY
ORDINANCE NO. 2025-09**

**ORDINANCE APPROVING LEASE AGREEMENT WITH NEW CINGULAR
WIRELESS PCS, LLC FOR TELECOMMUNICATIONS TOWER AND FACILITIES IN
AND UPON BLOCK 24, LOT 18**

WHEREAS, the Borough of Spring Lake Heights (“Borough”) previously issued a request for bids (“RFB”) for the lease of a portion of Borough-owned property designated on the Borough Tax Map as Block 24, Lot 18 and commonly known as 525 Old Mill Road (the “Premises”), for the construction of a communications tower and facilities, as well as the placement of and continuing operations of wireless telecommunications; and

WHEREAS, in response to the Borough’s RFB, on February 22, 2024, it received and opened two bids for the lease of the Premises; and

WHEREAS, the Borough Council determined that the bid from New Cingular Wireless, PCS, LLC (“New Cingular”) was responsive to the RFB and proceeded to award a bid for the lease of the Premises to New Cingular under Resolution R2024-73 adopted on March 18, 2024, the terms of which are incorporated by reference herein; and

WHEREAS, consistent with the bid award to New Cingular, the Borough seeks to enter into a lease agreement with New Cingular for their use of the Premises; and

WHEREAS, the Borough’s entry into a lease agreement for this purpose, and the approval of a lease through an Ordinance, is authorized under the relevant provisions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Spring Lake Heights in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. Lease Agreement between Borough and New Cingular.

- a. The Borough hereby approves entry into a lease agreement between the Borough and New Cingular regarding its use of the Premises, subject to final negotiations and the review and final approval of the Borough Attorney as to legal form.
- b. The Mayor is hereby authorized to execute the lease agreement on behalf of the Borough.
- c. The Mayor, Borough Administrator, and all other relevant Borough officials are hereby authorized to take all actions necessary to effectuate the purposes of this ordinance.

SECTION 2. Severability.

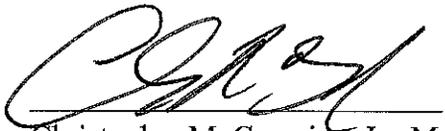
The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

All ordinances and resolutions and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

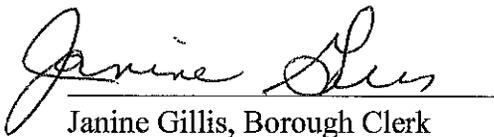
This ordinance shall take effect upon final adoption and publication under law.



Christopher M. Campion, Jr., Mayor

5/21/2025

Date



Janine Gillis, Borough Clerk

May 21, 2025

Date