



Vineland, New Jersey

ORDINANCE NO. 2025- 43

AN ORDINANCE AMENDING ORDINANCE NO. 2001-2 TO ALLOW FOR UP TO FIVE (5) ADDITIONAL FIVE (5) YEAR RENEWAL TERMS FOR AN EXISTING CELL TOWER LEASE BETWEEN THE CITY AND SPRINT SPECTRUM, L.P. FOR SPACE ON A MUNICIPAL WATER TOWER LOCATED AT 382 WEST BUTLER AVENUE.

WHEREAS, pursuant to Ordinance No. 2001-2, the City of Vineland ("City") accepted the bid of SPRINT SPECTRUM, L.P. ("Lessee") to lease space on a municipal water tower owned by the City and located on a portion of real estate known as 382 West Butler Avenue, Vineland, also known as Block 1053, Lot 3, on the Tax Map of the City of Vineland upon which is constructed a water tower facility; and

WHEREAS, the initial term of the lease was 10 years commencing June 6, 2001, with the lease subject to 3, five-year renewal terms; and

WHEREAS, the current lease term is set to expire on January 6, 2026; and

WHEREAS, the City and Lessee now desire to amend Ordinance No. 2001-2 to allow for up to five (5) additional five-year renewal terms for the cell tower lease agreement, extending beyond the current expiration date of January 6, 2026; and

WHEREAS, the Council of the City has determined that extending the Lessee's right to renew the lease is in the best interests of the City and its residents, and is authorized pursuant to N.J.S.A. 40A:12-14 and other applicable laws.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VINELAND AS FOLLOWS:

SECTION 1. Amendment to Ordinance No. 2001-2. Ordinance No. 2001-2 is hereby amended as follows:

- (a) The term of the lease agreement between the City and Lessee is hereby extended for up to five (5) additional and successive five-year automatic renewal terms, commencing on January 7, 2026 and expiring no later than January 6, 2051, provided that Carrier may elect not to renew the lease at the end of any Renewal Term by providing City sixty (60) days' written notice prior to the expiration of the then current Renewal Term.
- (b) All other terms and conditions of the original lease agreement, as previously amended, shall remain in full force and effect, except as explicitly modified by this Ordinance.

SECTION 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 3. Repealer. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its passage and publication as required by law.

Passed first reading: May 13, 2025

Passed final reading: May 27, 2025

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President of Council pfs

Approved by the Mayor:

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Mayor arf

ATTEST:

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City Clerk rgf