

BOROUGH OF BUENA
MUNICIPAL UTILITIES AUTHORITY

RESOLUTION AUTHORIZING ACCEPTANCE OF LEASE AMENDMENT NO. 3 FOR
THE UTILIZATION OF A PORTION OF THE BOROUGH OF BUENA MUNICIPAL
UTILITIES AUTHORITY ELEVATED WATER TANK SITE LOCATED ON PROPERTY
DESIGNATED AS LOT 32 BLOCK 145 ON THE BOROUGH OF BUENA TAX MAP AS AN
UNMANNED MOBILE RADIO BASE STATION TO ENHANCE CELLULAR
TELEPHONE RECEPTION

R-19-2021

WHEREAS, the Borough of Buena Municipal Utilities Authority (hereinafter the “Authority”) has entered into an Agreement with New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility Corporation for a lease of an unmanned mobile radio base station, which the AT&T Mobility Corporation will be able to use for cellular telephone communications; and

WHEREAS, the Authority and AT&T Mobility Corporation have negotiated the terms of that Agreement and same has been accepted by the parties.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Buena Municipal Utilities Authority as follows:

1. The Authority has agreed to amend Sections 3 of the Original Agreement, the annual base rental for the balance of the Current Term from and after the first day of the month following the day that Tenant commences the installation of the Replacement Antennas in the Expansion Area and for each year of each Renewal Term shall be based on the following schedule:

Period	Annual Base Rental
Current Term	\$2,116.00/month totaling \$25,392.00/yr.
Renewal Term Beginning 11/9/2024	\$1,900.00/month totaling \$22,800.00/yr.
Renewal Term Beginning 11/9/2028	\$2,090.00/month totaling \$25,080.00/yr.
Renewal Term Beginning 11/9/2032	\$2,299.00/month totaling \$27,588.00/yr.
Renewal Term Beginning 11/9/2038	\$2,528.90/month totaling \$30,346.80/yr.

2. The amount of the annual rental for each renewal term shall be increased to 10% from 3% as provided in Section 3 of the Original Agreement.
3. The Authority's Solicitor, Robert Casella and/or Michael Testa Jr., Esquire of the Law firm Testa, Heck, Testa & White, PA is hereby authorized to facilitate the execution of the Lease Amendment No. 3 in furtherance of the purposes set forth in this Resolution.

BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY

By: 
JOSEPH SANTAGATA, CHAIRMAN

Attest:


CHERYL M. SANTORE, SECRETARY

I, Cheryl M. Santore, Secretary of the Borough of Buena Municipal Utilities Authority, do hereby certify that the foregoing Resolution was adopted at a meeting of the Borough of Buena Municipal Utilities Authority held on July 28, 2021.


CHERYL M. SANTORE, SECRETARY

CERTIFICATE OF INCUMBENCY AND AUTHORITY

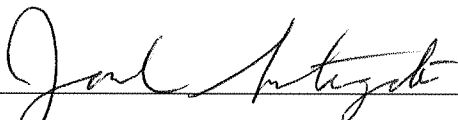
Complete Organization Name: BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY

Type of Entity: GOVERNMENTAL ENTITY - WATER/SEWER AUTHORITY

The undersigned members and/or owners and/or shareholders and/or employed management and/or officers of the organization referenced above hereby certify that the individual(s) named below are all members and/or owners and/or shareholders and/or employed management and/or officers of the said organization:

And that JOSEPH SANTAGATA (print name) CHAIRMAN (print title), has the authority to sign, seal, deliver, negotiate, accept and enter into agreements, contracts, purchases and other instruments or documents by and on behalf of said organization in accordance with the agreement of said organization and under the authority of the said organization, and that any of the foregoing actions taken by the person referenced above on behalf of said organization with New Cingular Wireless PCS, LLC a Delaware limited liability company and/or is subsidiaries and affiliates and the officers, directors and employees of each, is hereby adopted, ratified and confirmed by the said organization.

WITNESS our hands as of the 28th day of JULY, 2021

SIGNATURE: 

PRINT NAME: JOSEPH SANTAGATA

TITLE: CHAIRMAN

SIGNATURE: 

PRINT NAME: CHERYL M. SANTORE

TITLE: SECRETARY / TREASURER