

**COUNCIL OF THE BOROUGH OF ENGLEWOOD CLIFFS
BERGEN COUNTY, NEW JERSEY**

**RESOLUTION
RESOLUTION NO. 2026-144**

TITLE: RESOLUTION AUTHORIZING THE PUBLIC AUCTION OF AN EASEMENT FOR THE CELL TOWER LOCATED AT 10 KAHN TERRACE, ENGLEWOOD CLIFFS, NEW JERSEY, AND RESERVING THE RIGHT TO REJECT ANY AND ALL BIDS IN THE BEST INTEREST OF THE BOROUGH

WHEREAS, the Borough of Englewood Cliffs is the owner of certain real property located at 10 Kahn Terrace, Englewood Cliffs, New Jersey (the "Property"); and

WHEREAS, the Property includes a telecommunications facility (cell tower) and the Borough has determined that it is in the best interest of the Borough to grant an easement associated with said facility; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13 et seq., a municipality may authorize the sale or lease of municipal real property, or any interest therein, including easements, by public auction to the highest bidder; and

WHEREAS, the Mayor and Council have determined that the easement should be offered for public sale through a competitive public auction process to ensure transparency and maximize value to the Borough; and

WHEREAS, the Borough will establish minimum bid requirements, terms and conditions of sale, and auction procedures, all of which shall be set forth in a public notice in accordance with applicable law; and

WHEREAS, the Borough reserves the right to reject any and all bids received, in whole or in part, if it is determined to be in the best interest of the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Englewood Cliffs, County of Bergen, State of New Jersey, as follows:

1. Authorization of Auction
The Borough Administrator, in consultation with the Borough Attorney, is hereby authorized to proceed with the public auction of an easement associated with the cell tower located at 10 Kahn Terrace, Englewood Cliffs, New Jersey.
2. Public Notice
The Borough Clerk is hereby authorized and directed to advertise the public auction in accordance with N.J.S.A. 40A:12-13, including publication of the terms and conditions of sale, minimum bid (if applicable), and all other required details.
3. Terms and Conditions
The Borough Administrator and Borough Attorney are authorized to establish and finalize the terms and conditions of the easement, including but not limited to duration,

permitted use, access rights, asset acquisition via abatement, maintenance obligations, and any other provisions deemed necessary to protect the interests of the Borough.

4. Award of Bid

Following the public auction, the highest responsible bidder shall be recommended for award, subject to final approval by the Mayor and Council.

5. Right to Reject Bids

The Mayor and Council hereby expressly reserve the right to reject any and all bids received, in whole or in part, if it is determined to be in the best interest of the Borough.

6. Execution of Documents

Upon approval of the successful bidder, the Mayor and Borough Clerk are hereby authorized to execute all documents necessary to effectuate the easement, subject to review and approval by the Borough Attorney.

CERTIFICATION

I hereby certify that this resolution, consisting of 2 page(s), was adopted at the Reorganization Meeting of the Borough Council of the Borough of Englewood Cliffs, held on this 13th day of May 2026.

	Moved	Second	Ayes	Nays	Abstain	Absent
Biegacz			✓			
Liang			✓			
Patel	✓		✓			
Kapsaskis		✓	✓			
Lee			✓			
Koutroubas			✓			
Mayor Park						



Mark Park
Mayor



Beauty Nadim, RMC/CMR
Municipal Clerk