

197 Route 18, Suite 3000  
East Brunswick, NJ 08816  
732-207-3912  
Hoplitecommunications.com



## SCHEDULE A 5G TELECOMMUNICATIONS CONSULTING SUMMARY OF SERVICES

June 12, 2021

Attn: Borough Clerk  
Borough of Midland Park  
280 Godwin Avenue  
Midland Park, NJ 07432

Dear Sir or Madam,

It is with great pleasure that I present this 5G telecommunications consulting services proposal to the Borough of Midland Park and look forward to working with the Borough as your expert telecommunications consultant, including ensuring that Midland Park is utilizing compliant and reliable telecommunications ordinances to govern the impending 5G rollouts and to draft, revise and adjust them accordingly.

Small cell technology, including small cells, in the public rights-of-way and on private property will be widely deployed by all major carriers in the coming months in order to develop novel 5G networks. The nature and scale of the deployment will be unfamiliar to counties and municipalities and will present unique safety, aesthetic and monetization challenges.

As the Borough's expert 5G consultant, Hoplite Communications, LLC, will endeavor to resolve these challenges and ensure a safe and orderly 5G deployment in the coming days.

### Hoplite Services – No Cost to Municipality

1. Hoplite legal consulting services will be no cost to the municipality.
2. Hoplite will provide these services via fees charged to the applicable wireless service provider as an objectively reasonable pass-through expense and as an objectively reasonable reflection of costs.
3. As a result, Hoplite services will be no cost to the municipality:

### Hoplite Proposed Services

In order to ensure a safe and orderly 5G rollout in the Borough, Hoplite proposes to offer the following small cell consulting services:

1. Small Cell Right-of-Way Ordinance: As our capstone service, Hoplite will work with the mayor, council, administrator, attorney and other interested parties to draft a customized small cell wireless ordinance that meets municipal expectations and requirements and

provides for the safe and orderly deployment of small cell technology. If the Borough already has such an ordinance in place, Hoplite will review same to ensure it is compliant with Federal and state regulations and recommend revisions as necessary.

2. Rights-of-Way Use Agreement Negotiation: Hoplite will represent the municipality in the drafting, negotiating, redlining and execution of agreements between municipality and wireless service provider pertaining to any use of the public right-of-way for small cell or similar wireless telecommunications facilities. This shall include any master lease or license agreement, individual site agreement, right-of-way use agreement, franchise agreement or pole attachment agreement that is required to memorialize the relationship between wireless service provider and government and outline the rights and restrictions governing wireless deployment.
3. Pole Attachment Agreement Negotiation: The Borough may prefer a separate pole attachment agreement for utilization of existing Borough-owned utility poles, to distinguish it from a master right-of-way agreement which specifically grants access to the public ways. Hoplite will assist the Borough in drafting one or both agreements, as is preferred by the Borough.
4. Carrier Deployment Plan: Hoplite will work with the municipality and each carrier to develop a safe and orderly deployment plan depicting all proposed small cell locations within the municipal boundaries and which is compliant with local laws and requirements, as well as state and federal laws, and which also meets carrier coverage and capacity requirements.
5. Review of Applications for Small Cell New Build, Expansion, Upgrade, and Maintenance. Hoplite will review and provide expert recommendations for all construction, development and land use applications. This includes, but is not limited to, including applications for zoning, planning, UCC construction, street opening and any other permits or approvals as required by local, state or federal law. This review will include recommendations on permit issuance as well as health and safety, traffic flow and right-of-way safety and appearance, applicable fees and other applicable requirements. This review will be conducted for each instance of construction and maintenance, including initial site installation, as well as modification, upgrade, replacement, and removal of same.
6. Construction Oversight. Hoplite will provide construction oversight to ensure approved work is completed in compliance with municipal guidelines and state and federal law, including FCC compliance, as well as in accordance to approved plans and drawings and per the terms of any right-of-way agreement.
7. Post Construction Compliance. Hoplite will inspect any and all construction, maintenance and modifications of wireless telecommunications facilities to ensure compliance with applicable right-of-way agreements, as well as the 5G small cell ordinance.

## Fee Schedule

Hoplite shall provide wireless telecommunications small cell consulting services at **no cost** to the municipality per the following schedule:

<u>Description of Service</u>	<u>Borough Fee</u>	<u>Carrier Fee</u>
<b>Small Cell Ordinance</b>	\$0	N/A
Hoplite to work with Borough mayor, council, administrator, attorney and other interested parties to draft a customized small cell wireless ordinance that serves the Borough and provides for safety and orderly deployment of small cell technology. This small cell ordinance will form the capstone for the below Hoplite services.		
<b>Carrier Deployment Plan</b>	\$0	Billed at \$350/hour
Hoplite will work with each carrier as well as the municipality to develop a safe and orderly small cell deployment plan that is compliant with Borough laws and requirements, as well as state and federal laws, and which also meets carrier needs.		
<b>Small Cell Application – New Build / Expansion / Upgrade / Maintenance – Single Site</b>	\$0	Billed at \$350/hour
Review of development and land use applications. Review to include recommendations on health and safety, traffic flow and ROW safety and appearance, applicable fees and other applicable requirements. Per small cell node, per build or upgrade.		Per application
<b>Franchise Agreement / Pole Attachment Agreement / Right-of-Way Agreement</b>	\$0	Billed at \$350/hour
On behalf of the Borough, draft and review franchise agreements, right-of-way agreements and pole attachment agreements with each carrier, as applicable or required, to ensure compliance with applicable laws, standards and regulations		
<b>Construction Oversight</b>	\$0	Billed at \$350/hour
On behalf of the Borough, to ensure compliance with Borough guidelines and state and federal law, including FCC compliance.		
<b>Annual Report</b>	\$0	N/A
Summary of status of cell sites in the Borough to include health and electromagnetic safety reports		
<b>GIS System</b>	\$0	N/A
Hoplite will develop a GIS mapping system for participating municipalities. This system will include all wireless locations in each town. Information for each site will include coordinates, deployed equipment and a health and safety report. This map will be available to the public and municipal officials.		

## 5G Technology Summary

To recap, 5G technology will be widely deployed in the coming months. The nature of the deployment will be unfamiliar to Midland Park and will present unique safety, aesthetic and monetization challenges. Hoplite proposes to manage and resolve these challenges for the

maximum benefit of the Borough as well as its businesses and residents. That way, you will be well positioned as 5G deployments begin in earnest.

Very truly yours,



Peter J. Lupo, Esq.  
Chief Operations Officer  
Attorney at Law, New Jersey and New York  
Hoplite Communications, LLC



A Service Disabled Veteran Owned Small Business