

**BOROUGH OF LEMOYNE  
CUMBERLAND COUNTY, PENNSYLVANIA  
RESOLUTION NO. 2020-18**

**A Resolution of the Borough of Lemoyne, Cumberland County, Authorizing Execution of a Cable Franchise Agreement between the Borough and Verizon Pennsylvania LLC**

**WHEREAS**, the Franchisee is a “cable operator” and the Borough is a “local franchising authority” in accordance with Title VI of the Communications Act (*see* 47 U.S.C. § 522(5), (10)) and the Borough is authorized to grant one or more nonexclusive cable franchises to operate a Cable System within the Borough pursuant to Title VI of the Communications Act; and

**WHEREAS**, the Borough granted to the Franchisee, effective as of October 2, 2008, a nonexclusive initial Franchise to install, maintain, extend, and operate a Cable System in the Borough for a term of ten (10) years (the “Initial Franchise”); and

**WHEREAS**, the Franchisee has operated a Cable System in accordance with the Initial Franchise as of the Effective Date on its existing Telecommunications Facilities consisting of a Fiber to the Premises Telecommunications Network (“FTTP Network”) in the Borough which also transmits Non-Cable Services pursuant to authority granted by applicable state law and Title II of the Communications Act, and which are not subject to Title VI of the Communications Act or this Agreement; and

**WHEREAS**, the Franchisee has requested that the Borough renew the Franchisee’s Franchise to provide Cable Service to residents of the Borough; and

**WHEREAS**, pursuant to and in accordance with applicable federal and state law, the Borough undertook a process to determine whether it should renew the Initial Franchise and the terms for such a renewal; and

**WHEREAS**, the Borough has examined the past performance of the Franchisee and has identified the Borough’s future cable-related needs and interests; and

**WHEREAS**, following good faith negotiations between the parties, the Borough and the Franchisee have agreed on the terms for a Franchise Renewal Agreement under which the Franchisee will continue to operate its Cable System in the Borough; and

**WHEREAS**, the Borough has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations.

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council does hereby approve the cable franchise agreement negotiated with the Franchisee, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

**Duly adopted** this 17<sup>th</sup> day of December 2020 by the Borough Council of Lemoyne, in lawful session duly assembled.

**BOROUGH OF LEMOYNE**

ATTEST: \_\_\_\_\_  
Borough Secretary

By: \_\_\_\_\_  
Borough Council President

(Seal)