

**BOROUGH OF BLOOMFIELD
RESOLUTION 2022-04**

**A RESOLUTION OF THE BOROUGH OF BLOOMFIELD,
PERRY COUNTY, PENNSYLVANIA, IMPOSING A
FRANCHISE FEE PURSUANT TO THE FRANCHISE
AGREEMENT WITH ZITO MEDIA L.P.**

WHEREAS, on or about May 11, 2017, the Borough of Bloomfield (the "Borough") executed a Cable Franchise Agreement (the "Franchise Agreement") with Nittany Media, Inc.; and

WHEREAS, pursuant to the Franchise Agreement, Nittany Media, Inc. constructed, operated, and maintained cable television facilities (the "Cable System") over, under, and along the public rights-of-way of the Borough; and

WHEREAS, in August 2020, Zito Media, L.P. ("Zito") acquired Nittany Media, Inc. and assumed responsibility for the Franchise Agreement and the operation of the Cable System; and

WHEREAS, Section 6.1 of the Franchise Agreement provides that in the event the Borough desires to impose a franchise fee on Zito, the Borough shall provide at least thirty (30) days' advance notice of the meeting at which the franchise fee will be considered; and

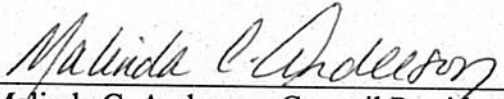
WHEREAS, the Borough has provided the requisite written notice to Zito on or about June 28, 2022; and

WHEREAS, the Borough has determined it to be in the best interest of the health, safety, and welfare of the Borough to impose a franchise fee pursuant to the terms of the Franchise Agreement and in accordance with this Resolution.

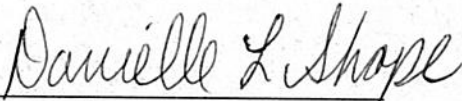
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bloomfield as follows:

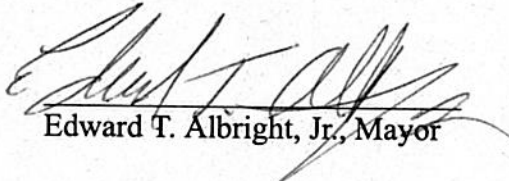
1. **Recitals.** The introductory recitals are incorporated herein by reference and made a part of this Resolution.
2. **Franchise Fee.** The Borough hereby imposes a Franchise Fee, as defined in Section 1.15 of the Franchise Agreement, in the amount of five percent (5%) on the revenues received by Zito, in accordance with Sections 1.15 and 6.1 of the Franchise Agreement.
3. **Notice.** Appropriate Borough staff are directed to deliver an executed copy of this Resolution to Zito within ten (10) business days of the date of this Resolution.
4. **No Other Changes.** Except as set forth in this Resolution, the Franchise Agreement shall remain in full force and effect in accordance with its terms.

DULY ADOPTED this 2nd day of August 2022, by the Borough Council of the Borough of Bloomfield, Perry County, Pennsylvania, in lawful session duly assembled.


Malinda C. Anderson, Council President

ATTEST:


Danielle L. Shope, Secretary


Edward T. Albright, Jr., Mayor