

RESOLUTION 2015-236

**Township of Ocean, Ocean County
RESOLUTION AUTHORIZING EXECUTION OF RIGHTS-OF-WAY USE AGREEMENT
WITH CROSS RIVER FIBER, INC.**

WHEREAS, Cross River Fiber, Inc. (“Cross River”) is a public utility and telecommunications carrier as defined by N.J.S.A 48:2-13; and

WHEREAS, Cross River is authorized to provide service by the New Jersey Board of Public of Utilities and the Federal Communications Commission; and

WHEREAS, Cross River is seeking to install telecommunications facilities on utility poles or within underground conduits located in the public right-of-way in the **Township of Ocean** in order to provide telecommunications services to the public, and to operate, maintain and repair facilities; and

WHEREAS, N.J.S.A 48:17-10 through 48:17-12 permits municipalities to enter into a Rights-of-Way Use Agreement with a telecommunications carrier; and

WHEREAS, the **Township of Ocean** desires to enter into a Rights-of-Way Use Agreement with Cross River that sets forth the terms of use, occupancy and manner in which Cross River will utilize the **Township of Ocean** Rights of Ways (“Use Agreement”); and

WHEREAS, the Use Agreement shall be effective for an initial ten (10) year term and contain three (3) additional renewable ten (10) year terms; and

WHEREAS, annexed hereto is a copy of the Use Agreement to be entered into by and between the **Township of Ocean** and Cross River;

NOW, THEREFORE, BE IT RESOLVED by the municipal council of the **Township of Ocean**, being the governing body thereof, that the Mayor be and hereby is authorized to execute and the Municipal Clerk be and hereby is authorized to witness, the annexed Rights-of-Way Use Agreement between the **Township of Ocean** and Cross River Fiber, Inc.

CERTIFICATION

I, Diane B. Ambrosio, RMC, Clerk of the Township of Ocean, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution to be a true copy of a resolution adopted by the Township Committee of the Township of Ocean on the 11th day of June 2015.

Diane B. Ambrosio, RMC
Municipal Clerk