

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2020-052

A motion was made by Mayor McEvoy; seconded by Councilman Ryan that the following resolution be adopted:

**APPROVING MUNICIPAL RIGHTS-OF-WAY USE TO
CROSS RIVER FIBER, LLC**

WHEREAS, Cross River Fiber, LLC ("Cross River") a New Jersey limited liability company with offices located at 461 Headquarters Plaza, Morristown, New Jersey 07960 has requested permission to occupy the municipal rights-of-way within the Township of Verona ("Township") for the purpose of installing and operating a dark fiber system; and

WHEREAS, Cross River proposes to place its telecommunication facilities aerially on existing utility poles or in underground conduit in the municipal rights-of-way within the Township for the purpose of owning, constructing, installing, operating, repairing, and maintaining a dark fiber system; and

WHEREAS, it is deemed to be in the best interest of the Township and its citizenry particularly including commercial and industrial citizens, for the Township Committee to grant permissions to Cross River to occupy the municipal rights-of-way within the Township for this purpose; and

WHEREAS, the granting of such permissions is and shall be conditioned upon Cross River entering into a written agreement with the Township which is attached hereto as Exhibit "A"; and

WHEREAS, as set forth in the attached agreement, the granting of such permissions is and shall be conditioned upon Cross River Fiber paying all reasonable actually incurred by the Township in connection with Cross River's request, pursuant to *N.J.S.A. 54:30A-124*;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, and State of New Jersey, as follows:

1. Permission is hereby granted to Cross River, for the non-exclusive use of the municipal rights-of-way within the Township for the purpose of construction, installation, operation, and/or maintenance of a dark fiber system for a period of no less than fifteen (15) years.
2. The Township Manager and the Township Clerk are authorized to execute the agreement between the Township and Cross River Fiber, LLC attached hereto as Exhibit "A."
3. Cross River Fiber is authorized to present the foregoing Resolution and agreement to the New Jersey Board of Public Utilities for ratification, if required, pursuant to *N.J.S.A. 48:2-14*.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD FEBRUARY 10, 2020.


JENNIFER KIERNAN
MUNICIPAL CLERK

