**TOWNSHIP OF FREDON**

RESOLUTION# 2021-28

RESOLUTION APPROVING RIGHT-OF-WAY USE TO CROSS RIVER FIBER

WHEREAS, Cross River Fiber LLC ("Cross River Fiber"), seeks to place telecommunication

facilities aerially on utility poles or in an underground conduit in the Public Rights-of-Way within the Township Of Fredonfor the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities

to provide local exchange and interexchange telecommunications services throughout the State;

and

WHEREAS, N.J:S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the

Township of Fredonfor the joint use of any existing utility poles; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may .

impose reasonable fees for actual services made by any municipal, regional or county

governmental agency; and

WHEREAS, it is the in the best interests of the Township Of Fredonand its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a

telecommunications system subject to the terms and conditions of the attached Use Agreement

with Cross River Fiber.

NOW THEREFORE BE IT RESOLVED, by Fredon Township Committee of the County of Sussex, State of New Jerseyis hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to

execute any and all documents necessary to effectuate this Resolution.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed by the Fredon Township Committee at a Regular Meeting of that body held on February 8, 2021.

 ­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Suzanne Boland, RMC

 Municipal Clerk