

TOWNSHIP OF WALL
RESOLUTION NO.23-0311

AUTHORIZATION TO EXECUTE A RIGHTS- OF-WAY AGREEMENT BY AND BETWEEN THE TOWNSHIP OF WALL (“MUNICIPALITY”) AND COMCAST BUSINESS COMMUNICATIONS, LLC, TO PERMIT THE INSTALLATION, USE AND MAINTENANCE OF TELECOMMUNICATIONS FACILITIES WITHIN PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATIONS SERVICES

WHEREAS, Comcast Business Communications, LLC (“CBC”), a local exchange and interexchange telecommunications services provider, with offices located at 1701 JFK Boulevard, Philadelphia, Pennsylvania 19103, is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to an Order dated February 15, 2001, issued by the New Jersey Board of Public Utilities (“NJBP”) in Docket No. TE00100789; and,

WHEREAS, CBC has requested the consent of the Municipality to occupy public rights-of-way within the Municipality for the purpose of constructing, installing, operating, repairing, maintaining, or replacing a telecommunications system; and,

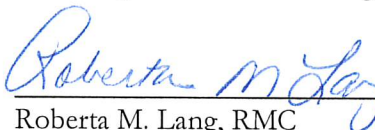
WHEREAS, it is deemed to be in the best interest of the Municipality and its citizenry, particularly including the commercial and industrial citizens, for the Municipality to grant municipal consent to CBC to occupy the public rights-of-way within the Municipality for this purpose; and,

WHEREAS, the granting of such consent is and shall be conditional upon CBC’s compliance with all existing and future applicable ordinances of the Municipality and its entering into a written agreement with the Municipality to, *inter alia*, indemnify and hold the Municipality harmless as to all claims and liability resulting from any injury or damage caused by CBC which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement and removal of its telecommunications system within certain public rights-of-way and its provision of liability insurance coverage for personal injury and property damage.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF WALL:

1. That non-exclusive consent is hereby granted to CBC to occupy the public rights-of-way within the Municipality for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications system for a period of fifty (50) years; and,
2. That the within granted permission is conditioned upon CBC entering into the attached Rights-of-Way Use Agreement with the Municipality and providing liability and property damage insurance coverage; and,
3. That the Mayor and Municipal Clerk are hereby authorized to execute the attached Rights-of-Way Use Agreement; and,
4. That a copy of this Resolution and the executed Rights-of-Way Use Agreement shall be filed in the Office of the Municipal Clerk.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Meeting held on March 22, 2023.



Roberta M. Lang, RMC
Township Clerk