

TOWNSHIP OF LUMBERTON

RESOLUTION 2015-03-076

**AUTHORIZING A RIGHT-OF-WAY AGREEMENT WITH FIBERTECH
TECHNOLOGIES NETWORKS, L.L.C. FOR USE OF PUBLIC RIGHT-OF-WAY**

WHEREAS, the Lumberton Township Committee has received a request from Fibertech Technologies Networks, L.L.C. (Fibertech) for use of public right-of-way; and

WHEREAS, the Township Committee has determined that Fibertech has been approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State of New Jersey by Order of Approval under BPU Docket No. TE05080683; and

WHEREAS, the Township Committee has determined that the grant of the right to use Township right-of-way is in the best interests of the Township and beneficial to its citizenry;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lumberton, County of Burlington, State of New Jersey that a grant for use of Township Right-of-Way is hereby approved and municipal consent is granted for a period of fifty (50) years from the date of adoption of this resolution;

AND BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to enter into and execute such agreements as may be necessary to effectuate the purposes and intent of this resolution, provided, however, that such agreement shall include provisions to hold the Township harmless as to all claims, liability and costs whatsoever from any injury or damage arising or resulting from the construction, installation, operation, repair, maintenance, connection, disconnection, replacement or removal of the telecommunications system envisioned hereunder, to provide for appropriate insurance to cover any such claims in an amount determined by the Township Attorney and pay the sum of One Thousand Seven Hundred and Fifty Dollars (\$1750.00) to the Township to defray its costs with respect to this grant of municipal consent and related agreements.

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the Resolution adopted by the Southampton Township Committee at their meeting held on March 24, 2015.



Stephanie N. Yurko, RMC
Municipal Clerk