

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

RESOLUTION 2019-

**RESOLUTION AUTHORIZING APPROVAL OF RIGHT-OS WAY ACCESS
AGREEMENT TO ALTICE USA FOR INSTALLATION
OF FIBER CABLE CABINET**

Mayor Engelstad offered the above resolution and moved its adoption.

WHEREAS, Altice USA (“Altice”) was approved by the New Jersey Board of Public Utilities to provide cable television system operations in the Borough of Bradley Beach (“Borough”) via a System-Wide Franchise by Order of Approval in Docket No. CE10010023 dated June 7, 2010, and Order of Approval on Renewal in Docket No. CE16090919 entered March 4, 2017 and expiring on January 11, 2024; and,

WHEREAS, Pursuant to such authority granted by the New Jersey Board of Public Utilities, Altice may locate, place, attach, install, operate and maintain facilities within Public Rights-of-Way for purposes of providing cable services; and,

WHEREAS, Altice proposes to install a fiber communications cabinet in the Public Rights-of-Way within the Borough, at 200 Bradley Boulevard, Block 77, Lot 5.01, for the purpose of augmenting its cable service system in the Borough and to provide enhanced service to the Borough; and,

WHEREAS, it is in the best interests of the Borough and its citizenry for the Borough to grant consent to Altice to place its equipment in said Public Rights-of-Way within the Borough for this purpose; and,

WHEREAS, the consent granted to Altice herein is for the non-exclusive use of the Public Rights-of-Way within the Borough for the purpose of owning, constructing, installing, operating, and maintaining a cable service system, consistent with the System-wide Franchise approved by the New Jersey Board of Public Utilities.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Bradley Beach grants Altice USA the non-exclusive authority to enter the Borough Right-of-Way to install equipment to enhance services, as set forth in the attached Right-of-Way Agreement in substantially the form attached hereto as **Exhibit A**.

SO RESOLVED, AS AFORESAID.

Seconded by Councilman _____ and adopted on roll call by the following vote:

AYES	NAYS	ABSTAIN	ABSENT
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Mr. Weber
Mr. Goldfarb
Mr. Bonnell
Mr. Cotler
Mayor Engelstad

CERTIFICATION

I, Kelly Barrett, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the July 23, 2019 meeting.

KELLY BARRETT, RMC, CMR
Municipal Clerk