

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOUNT
OLIVE APPROVING RIGHT-OF-WAY USE TO CROSS RIVER FIBER**

WHEREAS, Cross River Fiber NJ, Inc. (“Cross River Fiber”), seeks to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the public right-of-way within the Township of Mount Olive for 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, NJSA 48:3-19 requires Cross River Fiber to obtain the consent of the Township of Mount Olive for the joint use of any existing utility poles; and

WHEREAS, NJSA 54:30-124(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 may by any municipal, regional or county governmental agency; and

WHEREAS, it is in the best interest of the Township of Mount Olive and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Right-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 the Mayor and Township Council of the Township of Mount Olive is hereby authorized to grant Cross River Fiber a non-exclusive use of the public Right-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 Business Administrator are hereby authorized to execute any and all documented necessary to effectuate this resolution.

TOWNSHIP OF MOUNT OLIVE

Colleen Labow, Council President

I hereby certify the above to be true and correct copy of a resolution passed by the Township Council at a duly convened meeting held on

Lisa Lashway, Township Clerk