

**BOROUGH OF RED BANK**

**COUNTY OF MONMOUTH**

**RESOLUTION NO. 10-226**

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT  
WITH 4CONNECTION, LLC/CABLEVISION LIGHTPATH-NJ, INC. CONSENTING TO THE  
USE OF PORTIONS OF THE BOROUGH-OWNED RIGHTS OF WAY**

Mr. DuPont offered the following resolution and moved its adoption:

**WHEREAS**, 4Connections is seeking the Borough's consent to use portions of the Borough owned Rights-of-Way within the Borough for the purpose of installing and operating telecommunication facilities; and

**WHEREAS**, NJSA 49:3-19 requires 4Connections to obtain the Borough's consent prior to installing such cables along, or within the Borough's Rights-of-Way; and

**WHEREAS**, the Borough has an interest in ensuring that the telecommunications cables and associated equipment that 4Connections is seeking to place within the Borough's Right-of-Way is installed, operated and maintained in a reasonably safe manner and do not constitute a general nuisance to the citizens of the Borough of Red Bank; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Municipal Clerk of the Borough of Red Bank are authorized to execute with 4Connections the attached agreement.

Seconded by Ms. Horgan and adopted on roll call by the following vote:

|              | <b>Yes</b> | <b>No</b> | <b>Abstain</b> | <b>Absent</b> |
|--------------|------------|-----------|----------------|---------------|
| Ms. Lewis    | ( x )      | ( )       | ( )            | ( )           |
| Mr. Zipprich | ( x )      | ( )       | ( )            | ( )           |
| Mr. DuPont   | ( x )      | ( )       | ( )            | ( )           |
| Ms. Horgan   | ( x )      | ( )       | ( )            | ( )           |
| Ms. Lee      | ( x )      | ( )       | ( )            | ( )           |
| Mr. Murphy   | ( x )      | ( )       | ( )            | ( )           |

Dated: October 11, 2010