



**BOROUGH OF EDGEWATER  
RESOLUTION**

| <b>COUNCILPERSON</b> | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>ABSENT</b> |
|----------------------|------------|-----------|----------------|---------------|
| <b>GUTIERREZ</b>     |            |           |                |               |
| <b>LAWLOR</b>        |            |           |                |               |
| <b>MONTE</b>         |            |           |                |               |
| <b>VIDAL</b>         |            |           |                |               |
| <b>MARTIN</b>        |            |           |                |               |
| <b>BARTOLOMEO</b>    |            |           |                |               |
| <b>MAYOR</b>         |            |           |                |               |

DATE: July 14, 2025

RESOLUTION No. 2025-169

INTRODUCED BY: \_\_\_\_\_

SECOND BY: \_\_\_\_\_

**LIGHTPATH RENEWAL OPTION**

**WHEREAS**, Resolution 08-254 authorized on October 20, 2008 provided Cablevision Lightpath-NJ public utility rights within the public right-of-way within the Borough of Edgewater; and

**WHEREAS**, the duration of consent of the original agreement was fifteen (15) years executed on March 18, 2009 with one (1) additional period of renewal; and

**WHEREAS**, Cablevision Lightpath-NJ has asked the Borough of Edgewater for a renewal of the initial fifteen (15) year term as per the Duration of Consent, Section 8, page 7 of the executed agreement; and

**WHEREAS** Cablevision Lightpath-NJ (“Lightpath”) is a telecommunications carrier authorized to provide service by the New Jersey Board of Public Utilities (“BPU”) and the Federal Communications Commission (“FCC”); and

**WHEREAS** Lightpath is seeking to lease or obtain conduit space and access to poles with other utilities, and these utilities have required that Lightpath obtain the approval of the Borough of Edgewater Governing body as a condition of such access; and

**WHEREAS** Lightpath as a public utility and common carrier, has requested permission to occupy the public rights-of-way for the purpose of constructing, installing, operating and/or maintaining a telecommunications system; and

**WHEREAS** it is deemed to be in the best interest of the Borough and its citizenry, particularly including commercial and industrial citizens, for the Borough of Edgewater Governing Body to grant permission to Lightpath to occupy the public rights-of-way within the Borough for this purpose; and

**WHEREAS** the permission granted herein is conditioned upon the execution of a written “Right-of-Way Use Agreement” between Lightpath and the Borough of Edgewater specifically setting forth the terms and conditions of the permission granted to Lightpath to occupy the public right-of-way; and

**WHEREAS** the permission granted herein is and shall be expressly conditioned upon the terms included herein; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Edgewater that:

1. The Borough of Edgewater Mayor and Council hereby authorize an extension of the referenced agreement for fifteen (15) years as per the Duration of Consent, Section 8, page 7 of the executed agreement.
2. Non-exclusive consent is hereby granted to Lightpath to install telecommunications facilities on utility poles or within underground conduits located in the public right-of-way in the Borough of Edgewater, in order to provide telecommunications services to the public, and to operate, maintain and repair said facilities, subject to compliance with the terms and conditions contained in an executed "Right-of-Way Use Agreement" between Lightpath and the Borough of Edgewater attached hereto and incorporated herein.
3. The within granted permission is conditioned upon Lightpath entering into the attached Agreement with the Borough and providing liability and property damage insurance coverage as set forth therein.
4. The Mayor and Municipal Clerk are hereby authorized to execute the attached Agreement.
5. A copy of this Resolution and the executed Agreement shall be filed in the Office of the Municipal Clerk.

**BE IT FURTHER RESOLVED** that Lightpath is authorized to present the foregoing Resolution to the New Jersey Board of Public Utilities for ratification, if required, pursuant to N.J.S.48:2-14.

I hereby certify that the above resolution was adopted by the Mayor and Council on July 14, 2025.

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Michael J. McPartland  
Mayor

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Stephanie Evans, RMC  
Borough Clerk