

**BEDMINSTER TOWNSHIP  
RESOLUTION #2016-080**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
BEDMINSTER CONSENTING TO SUBMISSION OF APPLICATIONS FOR  
DEVELOPMENT TO BE MADE BY VERIZON WIRELESS**

WHEREAS, New York SMSA Limited Partnership, d/b/a Verizon Wireless (“Verizon Wireless”), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may jointly use such poles erected within the public right-of-way in Bedminster Township; and

WHEREAS, Bedminster Township will agree to consent to allow Verizon Wireless to submit applications for development to its land use boards for approval to install Verizon Wireless equipment and facilities on such poles in such public rights-of-way under the conditions set forth below;

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BEDMINSTER, COUNTY OF SOMERSET, STATE OF NEW JERSEY THAT:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to submit applications for development to Bedminster Township’s land use boards for approval to install Verizon Wireless equipment and facilities on such poles in such public rights-of-way and, if and only if such land use approvals are obtained, jointly use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in Bedminster Township, all subject to the following:
  - A. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless Bedminster Township, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of Bedminster Township.
  - B. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include Bedminster Township as an additional insured.
  - C. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
  - D. Notwithstanding any provision contained herein, neither Bedminster Township nor Verizon Wireless shall be liable to

the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.

- E. This instrument shall be adopted on behalf of Bedminster Township by the Township Committee of Bedminster Township and attested to by the Bedminster Township Clerk who shall affix the Bedminster Township Seal thereto.
  - F. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is jointly using.
2. This resolution shall not grant consent to the filing of any application to install equipment on any light fixtures/light poles within the Planned Unit Developments.

**STATEMENT**

This resolution authorizes Verizon Wireless to submit applications for development to Bedminster Township’s land use boards for approval to install Verizon Wireless equipment and facilities on poles erected within the public right-of-way of Bedminster Township by parties that have the lawful right to maintain such poles.

ATTEST:

BEDMINSTER TOWNSHIP  
COMMITTEE:

By: \_\_\_\_\_  
Judith Sullivan, RMC  
Township Clerk

By: \_\_\_\_\_  
Steven E. Parker, Mayor

**CERTIFICATION**

I, Judith Sullivan, Township Clerk of Bedminster, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a Regular Meeting held on June 20, 2016.

\_\_\_\_\_  
Judith Sullivan, Township Clerk

| <b>Introduced</b> | <b>Seconded</b> | <b>Township Committee</b>          | <b>Aye</b> | <b>Nay</b> | <b>Abstain</b> | <b>Absent</b> |
|-------------------|-----------------|------------------------------------|------------|------------|----------------|---------------|
|                   |                 | <b>Steven E. Parker,<br/>Mayor</b> |            |            |                |               |
|                   |                 | <b>Bernie Pane</b>                 |            |            |                |               |
|                   |                 | <b>Lawrence F. Jacobs</b>          |            |            |                |               |
|                   |                 | <b>Staci Santucci</b>              |            |            |                |               |
|                   |                 | <b>Kenneth Olsen</b>               |            |            |                |               |