

**RESOLUTION NO. 135-2023**  
**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
SEA BRIGHT AUTHORIZING EXECUTION OF A RIGHT OF WAY AGREEMENT  
WITH MUNISITE HOLDING GROUP PARTNERS, LLC**

Councilmember Bieber introduced and offered for adoption the following Resolution;  
seconded by Councilmember Booker:

**WHEREAS**, pursuant to N.J.S.A. 48:17-8 provides that any telegraph or telephone company organized under the laws of any state, or of the United States, may erect construct and maintain the necessary poles, wires, conduits and other fixtures for its lines, in, upon, along, over and under any public street, road or highway, upon first obtaining the consent in writing of the owner of the soil to the erection of such poles and such consent previously has been provided to such companies of the erection of such poles; and,

**WHEREAS**, Munisite Holding Group Partners, LLC ("Munisite") previously requested approval of a Right of Way Agreement (ROWA) with the Borough of Sea Bright (the "Borough") on September 19, 2022, whereby Munisite can locate, place, attach, install, operate, control, maintain, upgrade and enhance Small Wireless Facilities (SWF) in the Borough's rights of way; and,

**WHEREAS**, pursuant to N.J.S.A. 48:3-11, *et. seq.*, Munisite, as a Licensee, must petition the borough for consent for the foregoing; and,

**WHEREAS**, the Borough has adopted Ordinance No. 07-2023 regulating the deployment, placement, operation and permitting of SWF's.

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. The Mayor is authorized to sign and the Clerk to attest a Small Wireless Facility Right of Way Agreement with Munisite in the form as attached to Ordinance No. 07-2023.
2. All terms of deployment, operation, permitting as well as all other facets of SWFs within the Borough shall be in accordance with Ordinance No. 07-2023.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the following:

1. Munisite
2. Borough Engineer
3. Borough Attorney

<b>Roll Call:</b>	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Absent	Yes

August 15, 2023

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey at a Council Meeting held on August 15, 2023.

  
Christine Pfeiffer, Borough Clerk