

Mr. Nolan offered the following Resolution and moved on its adoption:

R-10-79

**RESOLUTION AUTHORIZING
NEW JERSEY NATURAL GAS COMPANY
TO EXCECISE ITS FRANCHISE RIGHTS
IN THE BOROUGH OF HIGHLANDS**

WHEREAS the New Jersey Natural Gas Company obtained the consent of this municipality to exercise its franchise rights by ordinance dated April 5, 1960, to lay and maintain gas mains, pipes and service pipes, in and under the surface of any or all of the roads, streets, avenues, highways and public places, for the purpose of furnishing gas therein; and

WHEREAS said consent is limited to a period of fifty (50) years, and, by the terms thereof, expires on June 3, 2010; and

WHEREAS, New Jersey Natural Gas Company is desirous of obtaining consent of the municipality to continue serving the Municipality;

NOW, THEREFORE, BE IT RESOLVED, that New Jersey Natural Gas Company be and is hereby authorized to lay, maintain and operate its conductors, mains, and pipes, together with the appurtenances thereto, in all the public streets, alleys, squares and public places in this municipality which are under the control and jurisdiction of the Borough for the purpose of conducting gas, or any mixture of gases of various types including natural gas, for the purpose of transmitting and distributing such gas in this municipality for a period of fifty (50) years from the date hereof, upon the following terms and conditions:

New Jersey Natural Gas Company shall agree that, in all cases in which street openings or excavations are made for the purposes aforesaid, the pavement and the surface of the streets, alleys, squares or roadways shall be restored to the same condition as existed prior to the opening thereof; and

That the New Jersey Natural Gas Company shall conduct the work or the laying or maintaining of gas pipes therein in a careful and prudent manner.

BE IT FURTHER RESOLVED that New Jersey Natural Gas Company shall file with the Clerk of this Municipality, within sixty (60) days from the date hereof, its acceptance of the terms and provisions of the franchise consent herein granted and its agreement to be bound by the terms and provisions thereof.

BE IF FURTHER RESOLVED, that this resolution shall not become effective until it is approved by the Board of Public Utilities of the State of New Jersey.

Seconded by Mr. Francy and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mr. Francy, Ms. Kane

NAYES: None

ABSENT: Mr. O'Neil, Mayor Little

ABSTAIN: None

DATE: April 21, 2010

CAROLYN CUMMINS, BOROUGH CLERK

I hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on April 21, 2010.

BOROUGH CLERK/DEPUTY CLERK