

ORDINANCE NO. 01-2024

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF LIVINGSTON, IN THE COUNTY OF
ESSEX, NEW JERSEY APPROVING RIGHT OF WAY
EASEMENT WITH JCPL TO INSTALL UTILITY LINES TO
SERVICE CELLULAR TOWER BEING CONSTRUCTED
ON TOWNSHIP OWNED BLOCK 5700 LOT 2**

WHEREAS, the Township of Livingston (the “Township”) is the owner of property described as Block 5700 Lot 2 commonly known as the Circle Firehouse site; and

WHEREAS, the Township has authorized the construction of a cellular tower to generate significant and recurring revenues for the Township; and

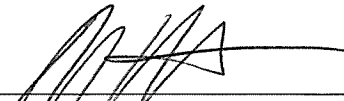
WHEREAS, the cellular tower requires the public utility company, Jersey Central Power and Light, (“JCPL”) to install underground electric service from Northfield Avenue to the cellular tower and, in connection therewith requires that the Township execute a right of way easement agreement authorizing such installation, all as provided by the statutes governing public utilities and JCPL’s “Tariff for Service”. Approved by the New Jersey Board of Public Utilities.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and the Township Council of the Township of Livingston, County of Essex, State of New Jersey:

- A. The Township hereby approves the right of way easement agreement in a form substantially similar to that attached hereto as Exhibit “A” in favor of JCPL for the installation of electric service to the cellular tower on Block 5700 Lot 2, and authorizes the Mayor to execute the agreement and any related documents.
- B. All Ordinances or parts thereof, inconsistent herewith, are hereby repealed to the extent of such inconsistency.
- C. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

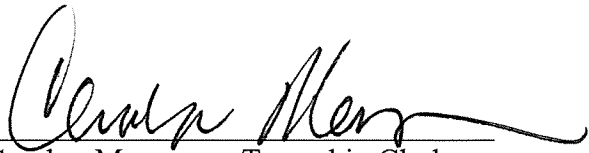
D. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: January 8, 2024



Al Anthony, Mayor

Adopted: January 22, 2024



Carolyn Mazzucco, Township Clerk