

RESOLUTION 2009-162

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE MAYOR TO SIGN A 50-YEAR FRANCHISE AGREEMENT WITH THE NEW JERSEY NATURAL GAS COMPANY

WHEREAS New Jersey Natural Gas Company, its successors and assigns, obtained the consent of the Township of Barnegat ("Municipality") to exercise its franchise rights by ordinance originally dated June 4, 1959, 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 4, 2009; 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 hereby is 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 the Township of Barnegat, for the purpose of conducting, transmitting and distributing gas, or any mixture of gases of various types, including natural 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 surface of the streets alleys, squares or roadways shall be restored to the same condition as existed prior to the opening thereof; and

New Jersey Natural Gas Company shall conduct the work of laying or repairing gas mains and pipe lines 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 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;

ALSO, BE IT 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.

CERTIFICATION

I, Kathleen T. West, Municipal Clerk, of the Township of Barnegat, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution namely Resolution 2009-162, was duly adopted by the Township Committee of said Township at their regular meeting held on the second day of February, 2009, at Pinewood Estates Fire Department, US Highway 72, Barnegat, New Jersey.

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Kathleen T. West, RMC
Municipal Clerk