

**TOWNSHIP OF STILLWATER  
SUSSEX COUNTY, NEW JERSEY**

**RESOLUTION NO. 2023-157**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
STILLWATER AUTHORIZING INSTALLATION OF A FIBER CABINET IN THE  
POSSUM HILL UTILITY RIGHT OF WAY BETWEEN 910 AND 912 POSSUMM HILL  
ROAD**

**WHEREAS**, High Point Utilities LLC has submitted a zoning application on behalf of Altice / Cablevision to install a fiber cabinet in the Possum Hill Road utility right-of-way, between 910 and 912 Possum Hill Road, respectively Block 1501 Lots 25 and 27; and

**WHEREAS**, the application was appropriately deferred by the Zoning Officer, Tom Dixon, to the Township Committee for consideration of right-of-way encroachment approval since the Zoning Officer's authority is limited to zoning matters on private property; and

**WHEREAS**, the matter was subsequently forwarded to the Township Engineer for technical review and recommendation and said recommendation was thereafter provided.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that, pursuant to the recommendation of the Township Engineer, the application for a permit to install a fiber cabinet in the Possum Hill Road utility right-of-way, between 910 and 912 Possum Hill Road is approved with the following conditions:

1. The fiber cabinet shall be located offset from the edge of pavement behind the on-center alignment of the trench between existing utility poles #1152 and #1153 so as not to conflict with the existing line of sight for vehicles exiting the driveways of 910 and 912 Possum Hill Road.
2. The Applicant's Surveyor shall stakeout corner markers for Block 1501 Lots 25 and 27 to ensure the installation is within the Township right-of-way and not on private property.
3. All disturbance shall be restored by the Applicant to preexisting conditions and stabilized for erosion control to maintain existing drainage patterns of road runoff outside the edge of pavement.
4. In addition, pursuant to Township Code §350-12C, the Applicant shall "indemnify the Township and hold it harmless from all loss, damage, claim or expense, including expenses incurred in the defense of any litigation arising out of injury to any person or property resulting from any work done by the applicant under the permit."
5. The requirement for bonding under Township Code §350-12B, is hereby waived as is permitted in the case of a public utility "upon the presentation of satisfactory proof that

the utility is capable of meeting any claims against it up to the amount of the bond which would otherwise be required.”

6. Due to the limited nature of the proposed installation behind the edge of pavement, the requirement set forth in Township Code §350-13 for “deposit, in cash or certified check, to defray the expense of restoring the street to its preexisting condition should the permittee fail to do so,” is also hereby waived.
7. The submitted Certificate of Liability Insurance satisfies the requirements of Township Code §350-14 and must remain in full force and effect until the project is completed.

### **CERTIFICATION**

I hereby certify that the above Resolution was adopted by the Township Committee at their regular meeting held August 15, 2023, at the Stillwater Township Municipal Building, 964 Stillwater Road, Stillwater, Sussex County, New Jersey.

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Lynda Knott, RMC  
Township Clerk