

County of Passaic
Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Date: Jul 14, 2026 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING EXECUTION OF A RIGHTS-OF-WAY USE
AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND PILOT FIBER NJ, LLC, FOR THE
INSTALLATION OF TELECOMMUNICATIONS SERVICES ALONG COUNTY
RIGHT-OF-WAYS, PURSUANT TO N.J.S.A. 40:20-1

THIS RESOLUTION WAS REQUESTED BY:
ENGINEERING

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	7/14/2026
Introduced Date	7/7/2026
Adopted Date	
Agenda Item	48.
CAF#	
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

**RESOLUTION AUTHORIZING EXECUTION OF A RIGHTS-OF-WAY USE AGREEMENT
BETWEEN THE COUNTY OF PASSAIC AND PILOT FIBER NJ, LLC, FOR THE
INSTALLATION OF TELECOMMUNICATIONS SERVICES ALONG COUNTY
RIGHT-OF-WAYS, PURSUANT TO N.J.S.A. 40:20-1**

WHEREAS, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic (hereafter “Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, the County maintains and controls certain public rights-of-way within its jurisdiction, and it is the policy of the County that no person or entity may locate, place, attach, install, operate, or maintain facilities within the County’s public rights-of-way without first obtaining the consent of the County; and

WHEREAS, Pilot Fiber NJ, LLC, (hereafter “Pilot Fiber”) was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State of New Jersey by Order of Approval in Docket No. TE25030109 on July 16, 2025, and pursuant to such authority may locate, place, attach, install, operate, and maintain facilities within public rights-of-way for the purpose of providing telecommunications services; and

WHEREAS, Pilot Fiber proposes to place its telecommunications facilities aerially on utility poles or in underground conduit within the public rights-of-way of the County for the purpose of owning, constructing, installing, operating, repairing, and maintaining a telecommunications system; and

WHEREAS, the County and Pilot Fiber desire to enter into a Rights-of-Way Use Agreement, attached to and made part of this Resolution, granting Pilot Fiber a non-exclusive license to use the County’s public rights-of-way for a term of fifty (50) years, under which Pilot Fiber shall, among other obligations, indemnify, defend, and hold the County harmless, maintain the required liability insurance, and obtain all permits required before performing any work; and

WHEREAS, the Passaic County Engineer is recommending approval of the Rights-of-Way Use Agreement between the County and Pilot Fiber; and

WHEREAS, this matter was discussed at the July 1, 2026 meeting of the Public Works Committee and is being recommended to the Board for approval.

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40:20-1, that the Passaic County Board of County Commissioners hereby authorizes a Rights-of-Way Use Agreement between the County of Passaic and Pilot Fiber NJ, LLC, for the non-exclusive use of the County’s public rights-of-way for the provision of telecommunications services, as recommended by the County Engineer; and

LET IT BE FURTHER RESOLVED, that the Clerk to the Board, County Counsel, and the Director of the Board are authorized to execute the Rights-of-Way Use Agreement and take any other steps necessary to carry out the purpose of this Resolution.

KJB

July 14, 2026