

ORDINANCE NUMBER 31-2022

Ordinance Of The City Of The City Of Lambertville Granting Permission To Jersey Central Power & Light Company To Place Certain Overhead Facilities On Existing Utility Poles Owned And/Or Occupied With Existing Permission By Jersey Central Power & Light Company And Located Within The City Of Lambertville Right-Of-Way On Ferry Street

WHEREAS, the City of Lambertville (the “City”) received correspondence from the property owner of 39 Ferry Street, LLC (the “Owner”), designated as Block 1045, Lot 4 on the tax maps of the City and more commonly known as 39 Ferry Street (the “Property”), on behalf of Jersey Central Power & Light Company (“JCP&L”), requesting that the City grant permission to JCP&L to attach certain utility line facilities to certain existing poles located in the City right-of-way near and adjacent to the Property to provide electric service to Owner; and

WHEREAS, JCP&L desires to attach 1/0 ACSR primary, 1/0 TPX secondary, overhead transformer and related equipment (“New Lines”) to three (3) existing poles owned and/or occupied with existing permission by JCP&L; and

WHEREAS, the three (3) existing poles, which are owned and/or occupied with existing permission by JCP&L, are currently identified as BT70033L, NJ245L, and BT70034L] and are located on Ferry Street in the City (“Existing Poles”); and

WHEREAS, the Owner has requested permission from the City for JCP&L to attach its New Lines to the Existing Poles because the Owner has requested electric service from JCP&L and JCP&L requires the Owner to obtain City approval as a condition of providing electric service in accordance with JCP&L’s Tariffs; and

WHEREAS, the Owner’s request has been reviewed by the City’s relevant professionals and the Owner has confirmed, to the best of the Owner’s knowledge, the following:

- (1) the New Lines are being requested for JCP&L’s use, as a public utility, for the provision of electric service;
- (2) the installation of the New Lines by JCP&L, which will include approximately 37 feet of lines, but no less than no less than 18.5 feet, will meet the requirements of the City Code of Ordinances;
- (3) as installed, the New Lines will not interfere with other JCP&L’s facilities as currently located on the Existing Poles; (4) as installed, the New Wires will not cause interference with other existing JCP&L signals; and (5) the alternates to such placement, which include installing underground wires, are not available here based on existing facilities and Board of Public Utilities voltage requirements.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the City of Lambertville, in the County of Hunterdon, State of New Jersey, as follows:

Section 1. Grant of Permission.

The Governing Body hereby grants permission and consents to the non-exclusive use of the City’s right-of-way for the installing, operating, maintaining, improving, renewing, inspecting, replacing, repairing, relocating, improving, and removing the New Lines across, along the Existing Poles the New Lines. The Governing Body hereby further grants permission and consents to JCP&L the right to trim, remove, clear, keep clear, and otherwise control any or all trees or vegetation that may interfere or threaten with construction, operation, maintenance, or repair of the New Lines.

Section 2. Condition of Grant of Public Street Rights-of-Way.

The non-exclusive grant provided to JCP&L by the City shall in no way prevent or prohibit the City from using any of its roads, streets or other public properties or affect its jurisdiction over them or any part of them, and the City shall retain power to make all necessary changes, relocations, repairs, maintenance, establishment, improvement, and/or dedication of same as the City may deem fit, including the dedication, establishment, maintenance, and improvement of all new rights-of-ways, thoroughfares and other public properties of every type and description.

Section 3. Location of Facilities.

The New Lines to be attached to the Existing Poles in the public right-of-way along Ferry Street in the City and shall be attached at no cost to the City.

Section 4. Work in the Rights-of-Way.

All work involved in attaching the New Lines by JCP&L, shall be in conformance with all applicable laws, ordinances, rules, regulations and requirements.

Section 5. Payment of Reasonable Costs.

The Owner shall compensate the City for its reasonable costs, not to exceed \$2,500.00, incurred for its professional, legal and engineering work and review and other reasonable costs and services rendered by the City in connection with the Owner's request, pursuant to N.J.S.A. 54:30A-124.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

INTRODUCED FOR FIRST READING: October 20, 2022

SECOND READING AND PUBLIC HEARING: November 1, 2022