

RESOLUTION 2016-

**RESOLUTION AUTHORIZING A JURISDICTIONAL AGREEMENT
BETWEEN THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND
THE BOROUGH OF BELMAR**

WHEREAS, the Borough proposes to construct sidewalk and streetscape improvements along Route 71 (Main Street) extending from the intersection of Route 71 and Eighth Avenue south along Route 71 (Main Street) to the intersection of Route 71 (Main Street) and Fifth Avenue; and

WHEREAS, the Borough proposes to remove and replace the sidewalks at select locations, and repair and install sidewalks, handicap ramps, street trees, trash receptacles, brick pavers and decorative pedestrian lights, including conduit, and benches; and

WHEREAS, in order to prevent future legal or maintenance issues regarding the proposed improvements referenced above, it is necessary that the Borough and the State assign jurisdiction for highway maintenance and highway control in an equitable manner pursuant to *N.J.S.A. 27:7-1, et.seq.*;

NOW, THEREFORE, BE IT RESOLVED in consideration of the mutual covenants contained herein, the Borough and the State agree as follows:

First, the Borough agrees to:

- A) Assume the maintenance of decorative pedestrian lighting, including all meter cabinets, conduit and wiring, street trees, benches, trash receptacles, and brick pavers and enforce the Borough's Code regulating the maintenance of the sidewalks along Route 71 (Main Street) extending from the intersection of Route 71 and Eighth Avenue south along Route 71 (Main Street) to the intersection of Route 71 (Main Street) and Fifth Avenue, at the locations selected by the Borough, and accepting any obligation and/or jurisdiction which is currently owned or provided for by a different entity or individual not party to this Agreement.
- B) Endeavor, wherever possible, to utilize NJDOT acceptable material and construction policies and practices within the areas of State ownership

Second, the State agrees to:

- A) Assume or retain jurisdiction for highway maintenance and highway control in those areas on Route 71 between the curb lines.
- B) Assume or retain jurisdiction for maintenance of drainage.
- C) Assume or retain jurisdiction for the maintenance and control of all traffic signal systems.

This agreement will be binding upon execution of the permit and the agreement being signed by the Regional Maintenance Engineer and an authorized representative of the Borough.

NOW, THEREFORE, BE IT FURTHER RESOLVED the governing body/board resolves that Colleen Connolly or the successor to the office of Borough Administrator is hereby authorized to act as Belmar's authorized correspondent with regard to the Jurisdictional Agreement.

offered the above resolution and moved its adoption. Seconded by and adopted by the following vote:

Councilmembers:	AYES	NAYS	ABSTAIN	ABSENT
Ms. Keown-Blackburn				
Mr. Magovern				
Mr. Brennan				
Mrs. Nicolay				
Mayor Doherty				
Adopted:				