

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 216 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING HIGH SPEED INTERNET ACCESSIBILITY

WHEREAS, rural areas of the State of New Jersey are serviced by service providers with respect to aerial line high-speed internet service; and

WHEREAS, having access to aerial line high-speed internet service is a necessary and vital part of living in today's society; and

WHEREAS, the recent pandemic of COVID-19 further illustrates just how vital access to aerial line high-speed internet has become to society, especially during times of crisis or emergencies and how not having access to aerial line high-speed internet has the potential to cripple a community, particularly a rural one, denying the community the capacity for remote student learning and remote working arrangements with a resident's employer; and

FURTHERMORE, that during a time of crisis not having access to aerial line high-speed internet has the potential to shut down all functions of government by denying essential employees and elected officials from the ability to work, communicate, distribute information, conduct meetings, and perform the other requirements of a functioning government through remote capabilities; and

WHEREAS, the Township of West Milford believes that the service providers of aerial line high-speed internet in the State of New Jersey are more than capable of and financially sound enough to achieve a 100% rate of aerial line high-speed internet accessibility but choose not to pursue that goal unless forced to through regulation because the providers feel it is not profitable; and

WHEREAS, not having access to aerial line high-speed internet service is a plight on students, reducing their educational opportunities and ability to learn in a modern world; and

WHEREAS, not having access to aerial line high-speed internet service could potentially have life and death consequences for the elderly or those with various health complications; and

WHEREAS, not having access to aerial line high-speed internet service causes a great burden to businesses, places them at a disadvantage, and reduces chances for economic development in rural areas; and

WHEREAS, not having access to aerial line high-speed internet service can cause rural healthcare facilities to shut down because they cannot access required networks to function, thereby further creating negative impacts on New Jersey residents' health; and

WHEREAS, as applied to the Township of West Milford, the Highlands Water Protection & Planning Act and its implementing rules that it imposes upon the municipal government has delivered an unintended penalty of being good stewards of the water supply while preventing the municipality from ever having the population density to cost-justify a telecommunications infrastructure build out in the Township; and

WHEREAS, the Township of West Milford being located 100% in the Highlands Preservation Zone has served as a good steward of its natural resources and should be rewarded with some consideration requiring deployment of aerial line high-speed internet access to the businesses and residents of the Township of West Milford; and

WHEREAS, other rural municipalities experience this same burden due to their rural characteristics and environmental stewardship; and

WHEREAS, the Township of West Milford is desirous of assisting and cooperating with other public entities and State officials to pursue a petition before the Board of Public Utilities to enact regulations requiring a 100% rate of aerial line high-speed internet accessibility in each individual municipality throughout the State of New Jersey; and

WHEREAS, unless the Board of Public Utilities requires service providers of aerial line high-speed internet to provide 100% aerial line high-speed internet access in the Township of West Milford and all municipalities throughout New Jersey, the State will have unintentionally subverted the public's significant investment in the Highlands Preservation Zones, farmland and open space preservation by not allowing those Highlands Preservation Zone businesses to be economically competitive and viable over the long term.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of West Milford in Passaic County that the Board of Public Utilities is requested to order all service providers of aerial line high-speed internet to provide aerial line high-speed internet service to all municipalities throughout the State with each municipality being afforded a 100% rate of aerial line high-speed internet accessibility; and

BE IT FURTHER RESOLVED, that our State representatives use their authority to require service providers of aerial line high-speed internet to achieve a 100% rate of high-speed internet access for each individual municipality throughout the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Municipal Clerk for the Township of West Milford be directed to send a copy of this resolution to the Governor of the State of New Jersey, the Senate President of the New Jersey State Senate, the Speaker of the Assembly of the State of New Jersey, the Passaic County Board of Chosen Freeholders, and the Board of Public Utilities; and

BE IT FURTHERMORE RESOLVED, that the Municipal Clerk for the Township of West Milford be directed to send a copy of this resolution to the Municipal Clerks of all 565 municipalities in the State, encouraging them to pass similar resolutions so that during times of crisis and emergency all New Jersey residents have access to the vital resource of aerial line high-speed internet access thus allowing employees to work remotely, healthcare providers to function, governments to continue to function ensuring the health, safety, and welfare of residents, and also so that all children in the State of New Jersey have an equal opportunity to access information critical to furthering their educations.

Adopted: July 8, 2020

Adopted this 8th day of July, 2020
and certified as a true copy of an original.

William Senande, Township Clerk