

County of Passaic

Board of County Commissioners



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Clerk Of The Board

Date: Mar 26, 2024 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING EXECUTION OF AN "IF AND WHEN AGREEMENT"
BETWEEN VEOLIA WATER NEW JERSEY ("APPLICANT") AND THE COUNTY OF PASSAIC
("COUNTY").

THIS RESOLUTION WAS REQUESTED BY:
PLANNING AND ECONOMIC
DEVELOPMENT

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	3/26/2024
Introduced Date	3/19/2024
Adopted Date	
Agenda Item	36.
CAF#	
Purchase Req. #	
Result	

Planning and Economic Development

COMMITTEE NAME

RESOLUTION AUTHORIZING EXECUTION OF AN “IF AND WHEN AGREEMENT” BETWEEN VEOLIA WATER NEW JERSEY (“APPLICANT”) AND THE COUNTY OF PASSAIC (“COUNTY”).

WHEREAS, the Passaic County Department of Planning and Economic Development is in receipt of an “If and When Agreement” between Veolia Water New Jersey and the County of Passaic; and

WHEREAS, the agreement is being required as part of the Site Plan Approval for an application at an existing wastewater treatment facility in West Milford; and

WHEREAS, the site has frontage along Union Valley Road in West Milford; and

WHEREAS, Union Valley Road has a Master Plan right-of-way of 66 feet and the existing right-of-way at this location is 50 feet; and

WHEREAS, there is an 8-foot discrepancy between the current right-of-way line and the Master Plan right-of-way line along the frontage of the property; and

WHEREAS, this “If and When Agreement” (attached hereto and made a part hereof) is being required by the Planning Board to allow for the County to request a right-of-way dedication at a future date; and

WHEREAS, the dedication would be provided by owner if and when requested by the County and at no cost in the County; and

WHEREAS, the agreement is requested in the attached Passaic County Planning Board correspondence dated June 26, 2023 (copy attached hereto); and

WHEREAS, the agreement has been reviewed by the Planning and Engineering staff and deemed acceptable; and

WHEREAS, this matter was discussed at the March 13, 2024, meeting of the Planning and Economic Development Committee and is being recommended to the Board for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, the Passaic County Board of Commissioner authorizes the execution of an “If and When Agreement” between Veolia Water New Jersey and the County of Passaic; and

LET IT BE FURTHER RESOLVED, that the Clerk to the Board, the County Counsel, the Director of the Board and the Director of the Planning & Economic Development are authorized to take any other steps necessary to carry out the purpose of this Resolution.

JDP

March 26, 2024