

County of Passaic

Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Date: Feb 02, 2024 - 12:00 PM

Agenda: RESOLUTION APPROVING THE PASSAIC COUNTY SURROGATE'S COURT FIVE (5)
YEAR CAPITAL PLAN, PURSUANT TO N.J.S.A. 22A:2-51.1, ET SEQ.

THIS RESOLUTION WAS REQUESTED BY:
FINANCE

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	2/2/2024
Introduced Date	1/9/2024
Adopted Date	
Agenda Item	1.
CAF#	
Purchase Req. #	
Result	

Administration and Finance

COMMITTEE NAME

RESOLUTION APPROVING THE PASSAIC COUNTY SURROGATE'S COURT FIVE (5) YEAR CAPITAL PLAN, PURSUANT TO N.J.S.A. 22A:2-51.1, ET SEQ.

WHEREAS, the County of Passaic ("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 ("Board") is vested with managing the property, finances, and affairs of the County; and

WHEREAS, pursuant to N.J.S.A. 22A:4-17.2(a), the Passaic County Treasurer shall return to the Passaic County Surrogate two dollars (\$2.00) of each fee received for the probate of a will; for the grant of general administration; for the grant of letters of guardianship; for the grant of letters of trusteeship; for the filling of inventories; for the filling of accountings; and for any other proceeding filed, recorded or issued in the Passaic County Surrogate's Court, and such sums shall be returned within ten (10) days of receipt by the County Treasurer; and

WHEREAS, monies received by the Passaic County Surrogate pursuant to N.J.S.A. 22A:4-17.2(a) shall be used to upgrade and modernize the services provided by the Passaic County Surrogate's Court, and such monies shall not be used for budgetary reductions by the County, except as otherwise stated under N.J.S.A. 22A:4-17.2(c); and

WHEREAS, N.J.S.A. 22A:2-51.1 sets forth the requirements of dedicated check off fee revenues allocated for the upgrading and modernizing the services provided by the offices of constitutional officers; and

WHEREAS, pursuant to N.J.S.A. 22A:2-51.1(a), each constitutional officer shall prepare and submit to the Board, for its approval, a five (5) year capital plan, setting forth the capital purposes to which the check off fee revenues are to be applied, which purposes shall include improving recording and election related records when applicable; and

WHEREAS, any dispute concerning the use of the check off fee revenues shall be submitted to and resolved by the Passaic County Assignment Judge, who shall be the final arbiter of such disputes; and

WHEREAS, pursuant to N.J.S.A. 22A:2-51.1(c), check off fee revenues shall not be used for budgetary reduction by the County, and the Director of the Division of Local Government Services in the Department of Community Affairs shall require the amendment of any county budget that is not in compliance with the requirements of N.J.S.A. 22A:2-51.1(c); and

WHEREAS, interest earned on check off fee revenues held in a dedicated or trust account shall accrue to that account and shall be used only for the purposes of check off fee revenues; and

WHEREAS, the Passaic County Surrogate's Court five (5) year capital plan is attached hereto and made part of this Resolution, which the Passaic County Chief Financial Officer is recommending to the Board for approval; and

WHEREAS, this matter was discussed at the January 10, 2024, Administration & Finance Committee meeting, and is being recommended to the Board for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 22A:2-51.1, et seq., the Board of County Commissioners of the County of Passaic approves the attached Passaic County Surrogate Court's five (5) year plan for the purposes stated therein, in accordance with the requirements set forth in N.J.S.A. 22A:2-51.1, et seq.

LET IT BE FURTHER RESOLVED, that the Clerk of the Board, County Counsel, Chief Financial Officer, Passaic County Surrogate, and Director of the Board are authorized to take any action necessary to carry out the purpose of this Resolution.