

# County of Passaic

## Board of County Commissioners



### OFFICE OF COUNTY COMMISSIONERS

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Louis E. Imhof, RMC  
Clerk Of The Board

Date: Apr 09, 2024 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING THE COUNTY TO EXECUTE A TRAIL EASEMENT AGREEMENT WITH VEOLIA WATER NEW JERSEY, INC., FOR PROPERTY INTERESTS NEEDED FOR THE HIGHLANDS RAIL TRAIL, PHASE I, PURSUANT TO N.J.S.A. 40A:12-5

THIS RESOLUTION WAS REQUESTED BY:  
COUNTY COUNSEL

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

<b>Official Resolution#</b>	
Meeting Date	4/9/2024
Introduced Date	4/5/2024
Adopted Date	
Agenda Item	62.
CAF#	
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

**RESOLUTION AUTHORIZING THE COUNTY TO EXECUTE A TRAIL EASEMENT AGREEMENT WITH VEOLIA WATER NEW JERSEY, INC., FOR PROPERTY INTERESTS NEEDED FOR THE HIGHLANDS RAIL TRAIL, PHASE I, PURSUANT TO N.J.S.A. 40A:12-5**

**WHEREAS**, the County of Passaic (hereafter “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 (hereafter “Board”) is vested with managing the property, finances, and affairs of the County; and

**WHEREAS**, on June 12, 2018, the Board passed Resolution No. R20180475, authorizing the execution of a trail easement between the North Jersey District Water Supply Commission (hereafter “NJDWSC”) and the County, whereby NJDWSC granted the County access to certain parcels in the Borough of Wanaque for the creation of the Highlands Rail Trail, Phase I, subject to certain terms and conditions; and

**WHEREAS**, it has been discovered that two of the parcels needed for the Highlands Rail Trail, Phase I, namely, Block 303, Lot 1, and Block 301.01, Lot 1 on the Official Tax Map of the Borough of Wanaque are owned by Veolia Water New Jersey, Inc.; and

**WHEREAS**, Passaic County Counsel is recommending that the Board authorize the execution of a Trail Easement with Veolia Water New Jersey, Inc., such agreement attached hereto and made part hereof, in order to obtain the right to construct the Highlands Rail Trail, Phase I, over the two above-referenced parcels owned by Veolia Water New Jersey, Inc.; and

**WHEREAS**, this matter was discussed on April 4, 2024 via email by the Public Works Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:12-5, that the Board of County Commissioners of the County of Passaic hereby authorize the execution of Trail Easement with Veolia Water New Jersey, Inc. as to the following parcels in the Borough of Wanaque necessary for the Highlands Rail Trail, Phase I: Block 303, Lot 1, and Block 301.01, Lot 1.

**LET IT BE FURTHER RESOLVED**, the Director of the Board of County Commissioners, Clerk of the Board and County Counsel are hereby authorized to execute a Deed of Easement on behalf of Passaic County.

KJB

April 9, 2024