

County of Passaic

Board of County Commissioners



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 County Counsel
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 Clerk Of The Board

Date: Feb 02, 2024 - 12:00 PM

Agenda: RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY INTERESTS
 REQUIRED FOR THE OLDHAM ROAD IMPROVEMENTS PROJECT IN WAYNE TOWNSHIP,
 PURSUANT TO N.J.S.A. 20:3-6

THIS RESOLUTION WAS REQUESTED BY:
 ENGINEERING

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	1/19/2024
Adopted Date	
Agenda Item	58.
CAF#	C-04-55-166-002-920
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY INTERESTS REQUIRED FOR THE OLDHAM ROAD IMPROVEMENTS PROJECT IN WAYNE TOWNSHIP, PURSUANT TO N.J.S.A. 20:3-6

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, pursuant N.J.S.A. 20:3-6, the County is first required to obtain the necessary real property acquisition through bona fide negotiations with the prospective property owner, such negotiations shall include an offer in writing by the County to the property owner holding the title of record to the property, setting forth the property and interest therein to be acquired, the compensation offered to be paid and a reasonable disclosure of the manner in which the amount of such offered compensation has been calculated; prior to such offer the County shall appraise said property and the owner shall be given an opportunity to accompany the appraiser during inspection; and

WHEREAS, the Board retained New Jersey Realty Advisory Group to complete a real property appraisal report relative to the value of the land that needs to be acquired and the value of damages associated with the acquisition of the necessary land and easements; and

WHEREAS, on November 9, 2021, the Board passed Resolution No. R20211038, approving an offer made to J. Muzikowski, owner of the property located at Block 1902, Lot 110; and

WHEREAS, on June 13, 2023, the Board passed Resolution No. R-23-0588, approving an offer made to L. & J. Rosen, owner of the property located at Block 1901, Lot 25; and

WHEREAS, due to design changes for the Oldham Road Improvements Project, and due to rejections of the County’s previous offers, the County revised its offers to the previously stated property owners; and

WHEREAS, the County made revised offers in writing to the property following property owners;

WHEREAS, the above property owners have agreed to and accepted the County’s offer for the easements needed to complete the Project; and

WHEREAS, County Counsel is recommending that the Board approves payments to the property owners herein and authorizes the purchase the above listed easements for the Oldham Road Improvements Project; and

WHEREAS, funds are available in Account No. C-04-55-166-002-920, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2023 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

WHEREAS, this matter was discussed at the November 29, 2023 meeting of the Public Works Committee and is being recommended to the Board for approval.

NOW, THEREFORE, LET IT BE RESOLVED, that pursuant to N.J.S.A. 20:3-6 the Passaic County Board of County Commissioners hereby authorizes of above purchases of real property interests necessary to complete the Oldham Road Improvements Project and authorizes payment to the property owner for the purchase of the above listed easements.

LET IT BE FURTHER RESOLVED, that the County Counsel is authorized and directed to

draft and prepare agreements reflecting the terms and conditions, as set forth in this Resolution, and consistent with the negotiations undertaken with Property Owners.

LET IT BE FURTHER RESOLVED, that the Clerk of the Board, County Counsel, and Director of the Board of County Commissioners are hereby authorized to execute the agreements and take any other steps necessary to carry out the purpose of this Resolution.

KJB

January 23, 2024