

# County of Passaic

## Board of County Commissioners



### OFFICE OF COUNTY COMMISSIONERS

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Date: Mar 24, 2026 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING THE SETTLEMENT OF A DISPUTE RELATED TO  
PROPERTY INTERESTS ACQUIRED 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.  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	
Meeting Date	3/24/2026
Introduced Date	3/13/2026
Adopted Date	
Agenda Item	30.
CAF#	C-04-55-194-007-950
Purchase Req. #	
Result	

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A DISPUTE RELATED TO PROPERTY INTERESTS ACQUIRED 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**, the County has filed for condemnation to acquire various property interests necessary for the Oldham Road Improvements Project, and has acquired the necessary property interest located at 386 Oldham Road (Block 2000 Lot 5.01); and

**WHEREAS**, an independent panel of Condemnation Commissioners conducted a hearing to determine the just compensation the County must pay the owners of 38 Oldham Road for the property interests acquired through eminent domain, and the property owners have elected to appeal the decision of the Condemnation Commissioners to the Superior Court of New Jersey; and

**WHEREAS**, in lieu of conducting a jury trial to determine the just compensation the County must pay to the property owners of 386 Oldham Road, the County has settled with the property owner as follows:

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>PARTIAL FEE TAKING</u>	<u>TEMP.CONST.EASEMENT</u>	<u>AMOUNT</u>
N. Garrity	2000	5.01	2,921 square feet	3,215 square feet	\$56,520

**WHEREAS**, the above figures accepted by the property owners do not include the funds already deposited into Court through the condemnation process, which said property owners are entitled to withdraw; and

**WHEREAS**, County Counsel is recommending that the Board approves settlement of the dispute with the above-mentioned property owners affected by the Oldham Road Improvements Project; and

**WHEREAS**, funds are available in Account No. C-04-55-194-007-950, 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 2025 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 March 11, 2026 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 the settlement with the property owner of 386 Oldham Road in the Township of Wayne, in accordance with the above-described terms.

**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.