

County of Passaic
Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Date: Jun 17, 2025 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING AN ENCROACHMENT PERMIT FOR AN EXISTING BUILDING GROUND FLOOR ENCROACHMENT THAT ENCROACHES INTO THE MARKET STREET RIGHT-OF-WAY, PURSUANT TO N.J.S.A. 40:20-1

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	6/17/2025
Introduced Date	6/10/2025
Adopted Date	
Agenda Item	43.
CAF#	
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

RESOLUTION AUTHORIZING AN ENCROACHMENT PERMIT FOR AN EXISTING BUILDING GROUND FLOOR ENCROACHMENT THAT ENCROACHES INTO THE MARKET STREET RIGHT-OF-WAY, PURSUANT TO N.J.S.A. 40:20-1

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, the County has a policy which prohibits the placement of encroachments on rights-of-way of the County of Passaic without a permit authorized by the County Commissioners; and

WHEREAS, an encroachment permit application, attached hereto and made a part hereof is required for County Planning Board approval for Site Plan Application No. SP-24-019, has been made for the property located 693-695 Market Street (Block 4011 Lot 16) in the City of Paterson, New Jersey; and

WHEREAS, the encroachment permit application from DGJS Property Holdings, LLC, owner of 693-695 Market Street in the City of Paterson, is for an existing building ground floor encroachment that encroaches into the Market Street Right of Way; and

WHEREAS, DGJS Property Holdings, LLC, shall hold the County of Passaic and its agents and employees harmless for any damages incurred as a result of this encroachment. Upon proper notice from the County of Passaic, DGJS Property Holdings, LLC, is to remove the encroachment at its expense should the County of Passaic require the use of the right-of-way for any other reason as may be required by the County of Passaic in the future; and

WHEREAS, should DGJS Property Holdings, LLC, modify or abandon the need for this encroachment, the part containing the encroachment of the structures shall be removed and, thus, this encroachment permission within the County right-of-way shall cease to exist; and

WHEREAS, this matter was discussed at the June 4, 2025 meeting of 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. 40:20-1, that the Board of County Commissioners of the County of Passaic authorizes the encroachment permit to DGJS Property Holdings, LLC, owner of 693-695 Market Street in the City of Paterson (Block 4011 Lot 16) for an existing building ground floor encroachment that encroaches into the Market Street Right of Way in the City of Paterson subject to the above-stated terms and conditions.

LET IT BE FURTHER RESOLVED, that the aforesaid encroachment permit is not to be considered a change of policy by the County of Passaic and future requests for encroachment permit shall be considered on a case-to-case basis.

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 an Encroachment Agreement on behalf of Passaic County.