

AGREEMENT

THIS AGREEMENT, made on _____, 2024, between, Veolia Water New Jersey Inc. ("Applicant") with an address at 461 From Road, Suite 400, Paramus, New Jersey 07652 and Passaic County ("County"), with an address at 401 Grand Street, Room 417, Paterson, New Jersey 07505 ("Applicant" and "County" collectively referred to as the "Parties").

WITNESS:

WHEREAS, Applicant filed an Application for Site Plan Approval ("Application") to construct and develop real property on a Passaic County roadway located at 1 Beacon Hill Road, known as Block 7801, Lot 65, West Milford, New Jersey ("Project"); and

WHEREAS, a Site Plan, originally dated May 12, 2023, ("Site Plan"), prepared by Joseph P. Dennis, P.E. was submitted for approval to the Passaic County Planning Board ("County Board"), received County Board approval with conditions on June 26, 2023 ("Site Plan Approval"), subject to certain terms and conditions set forth therein; and

WHEREAS, the Site Plan Approval, specifically requires the Applicant to enter into an agreement to dedicate 8 feet of its property that extends 33 feet from the roadway centerline towards the Project, at a later date when requested by the Passaic County Engineer ("County Engineer") or the County Board, at no cost to the County; and


WHEREAS, the Applicant submits this Agreement to comply with the terms of the Site Plan Approval.

NOW, THEREFORE, for good and valuable consideration received by Applicant, and for further good cause, Applicant herewith agrees to the following:

1. In consideration of the County Board's Site Plan Approval, Applicant agrees to provide a future Dedication to the County for the Union Valley Road Master Plan Right-of-Way, if and when requested by the County Engineer or the County Board.
2. The Parties understand and acknowledge that the Union Valley Road Master Plan currently provides for a right-of-way of 66 feet and is depicted on the Applicant's Site Plan.
3. The Parties further understand and acknowledged that the Applicant's Site Plan provides a 25 foot wide right-of-way in partial compliance with the Union Valley Road Master Plan right-of-way, leaving the Applicant with providing for an additional future right-of-way dedication equal to 8 feet.
4. The Parties further understand and acknowledge that, if and when, the County Engineer, or the County Board, demand the additional right-of-way dedication, Applicant will be required to submit a right-of-way dedication of an additional 8 feet, equal to half of the 16 feet not provided as a right-of-way on Applicant's Site Plan.

5. This Agreement is intended to provide to the County the right-of-way dedication described herein which shall be memorialized in a Deed of Dedication between the Applicant and the County.

Witness:



Name: Phillip Gyp
Title: CAPEX Analyst

**VEOLIA WATER
NEW JERSEY INC.**

By: 

Name: Alan Weland
Title: General Manager & Vice President

COUNTY OF PASSAIC

Name: Louis E. Imhof III
Title: Clerk to the Board


By: _____
Name: Pat Lepore
Title: County Commissioner Director

**RECORD AND RETURN TO:
OFFICE OF THE COUNTY COUNSEL
401 GRAND STREET, ROOM 214
PATERSON, NJ 07505**

STATE OF New Jersey)
COUNTY OF Bergen)

I CERTIFY that on January 9, 2024, Alan Weiland, personally known to me or proven to me under oath and to my satisfaction, personally appeared before me and did acknowledge under oath and to my satisfaction that:

- (a) This person is the GM+VP (title) of Veolia Water New Jersey Inc, the owner of the Property;
- (b) This document was signed and delivered by voluntary act within the signer's authority;
- (c) This person attested to the truth of these facts.


Notary Public LINDA B DICKEY
NOTARY PUBLIC
STATE OF NEW JERSEY
ID # 2380928
MY COMMISSION EXPIRES DECEMBER 17, 2028

STATE OF NEW JERSEY)
COUNTY OF PASSAIC)

I CERTIFY that on _____, 2024, Pat Lepore, personally known to me or proven to me under oath and to my satisfaction, personally appeared before me and did acknowledge under oath and to my satisfaction that:

- (a) This person is the Director of the Board of County Commissioners of COUNTY OF PASSAIC,
- (b) This document was signed and delivered by voluntary act within the signer's authority;
- (c) This person attested to the truth of these facts.

Notary Public of State of New Jersey



County of Passaic

Department of Planning & Economic Development
401 Grand Street, Room 417
Paterson, New Jersey 07505

www.passaiccountynj.org

Andras Holzmann AICP, PP
Director

PLANNING BOARD
TEL (973) 569-4040
FAX (973) 569-4041

June 26th, 2023

West Milford Planning Board
1480 Union Valley Road
West Milford, NJ 07480

Re: Site Plan Review – Bald Eagle Village Wastewater Treatment Plant Upgrades; 1 Beacon Hill Road, West Milford; Block 7800, Lot 65 (Passaic County File Number SP-23-022)

The above referenced site plan prepared by Joseph P. Dennis, P.E. (N.J. Lic. No. 57803) and dated May 12th, 2023 was reviewed by the Passaic County Planning Board on June 22nd, 2023 pursuant to the provisions of the Passaic County Site Plan Resolution.

Passaic County Standards and Requirements: All submissions must consist of 2 paper copies plus a PDF digital file of all plans and technical reports. Signed and sealed copies of all plans and technical reports must be submitted to the Department of Planning & Economic Development at 401 Grand Street, Room 417, Paterson, NJ 07505.

This site plan application has been granted **conditional approval** pending receipt in an acceptable form of the following:

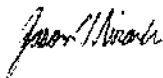
1. The name and address of the applicant and the owner must be noted on the cover sheet.
2. The applicant shall clarify if the wastewater plant serves only Bald Eagle Village or other residences not within Bald Eagle Village.
3. The applicant shall enter into an "if and when" agreement to install sidewalk and full-height curbing along the Union Valley Road frontage of the site at a later date, if and when requested by the County and at no cost to the County. An agreement template, for the applicant's review and signature, is attached.
4. The Master Plan right-of-way width of Union Valley Road is 66 feet, while the existing right-of-way is noted as 50 feet. The applicant shall enter into an "if and when" agreement to provide a right-of-way dedication for the full half-width of the Master Plan right-of-way at a later date, if and when requested by the County and at no cost to the County. An agreement template, for the applicant's review and signature, is attached.
5. The applicant shall confirm if the "STOP" sign on Beacon Hill Road is in compliance with MUTCD standards. If not, the sign must be replaced.

Passaic County Planning Board
Bald Eagle Village Wastewater Treatment Plant Upgrades (SP-23-022)
1 Beacon Hill Road, West Milford
Block 7800, Lot 65

6. The applicant shall confirm whether Beacon Hill Road is public or private. If it is a private road, a thermoplastic stop bar must be installed at the "STOP" sign by the applicant. If it is a public road, the applicant shall request that the Township of West Milford install the stop bar.
7. If Beacon Hill is a private road, the applicant shall provide a departure sight triangle exhibit in plan and profile for the intersection and remove any obstructions within the required sight triangles.
8. The applicant shall submit a draft easement for the curb radii along Union Valley Road.
9. The applicant shall demonstrate that the on-site detention system can, at a minimum, detain the 25-year storm for a one-hour duration. The applicant shall provide calculations demonstrating the same.
10. A trench drain must be installed at the site driveway, as drainage would otherwise flow unimpeded to Union Valley Road.
11. The following note shall be added to the plan "Upon obtaining the Certificate of Occupancy from the Township of West Milford, the applicant must submit an inspection report from a professional engineer on the conditions of the stormwater system. The applicant shall address any recommendations, if any, within 90 calendar days of the report. The inspection report is to be performed and submitted every two (2) years to the West Milford Construction Official and the Passaic County Planning Board."
12. The applicant shall submit a copy of any NJDEP permits needed for the site.
13. The applicant shall provide the Corridor Enhancement Fee of \$3,721.00 payable to Passaic County.
14. Note: For future submissions, the applicant shall submit a PDF of the plans that is not scanned.

Subsequent submissions must include a cover letter indicating how each condition has been addressed. Plans submitted without a cover letter will be considered incomplete.

Best Regards,



Jason Miranda, AICP
Senior Planner

Cc: Veolia Water New Jersey

Brittney Kovary, P.E.

File