

County of Passaic

Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Clerk Of The Board

Date: Apr 09, 2024 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING THE COUNTY TO EXECUTE A FIRST AMENDMENT TO TRAIL EASEMENT AGREEMENT WITH NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AND 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.

Official Resolution#	
Meeting Date	4/9/2024
Introduced Date	4/5/2024
Adopted Date	
Agenda Item	63.
CAF#	
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

RESOLUTION AUTHORIZING THE COUNTY TO EXECUTE A FIRST AMENDMENT TO TRAIL EASEMENT AGREEMENT WITH NORTH JERSEY DISTRICT WATER SUPPLY COMMISSION AND 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, Passaic County Counsel is recommending that the Board authorize execution of a First Amendment to Trail Easement, attached hereto and made part hereof, in order to add Veolia Water New Jersey, Inc. as a grantor, being joint owners with NJDWSC of the affected parcels, and to specify that the Trail Easement Agreement between the County, NJDWSC and Veolia of North America, LLC concerns the following parcels: Block 462, Lot 1; Block 447, Lot 1; Block 429, Lot 1; Block 407, Lot 1 on the Official Tax Map of the Borough of Wanaque; 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 the First Amendment to Trail Easement with North Jersey District Water Supply Commission and Veolia Water New Jersey, Inc. as to the following parcels in the Borough of Wanaque necessary for the Highlands Rail Trail, Phase I: Block 462, Lot 1; Block 447, Lot 1; Block 429, Lot 1; Block 407, 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