

County of Passaic  
Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Louis E. Imhof  
Clerk Of The Board

Date: May 27, 2025 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING AN ENCROACHMENT PERMIT FOR A PROPOSED MIXED-USE BUILDING TO BE LOCATED AT 50 MARKET STREET IN THE CITY OF PATERSON FOR LIGHTS, SECURITY CAMERAS, ARCHITECTURAL CORNICES, AND A CELLAR ACCESS DOOR THAT WILL ENCROACH INTO THE COUNTY RIGHT-OF-WAY ALONG MARKET STREET IN THE CITY OF PATERSON, 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	5/27/2025
Introduced Date	5/22/2025
Adopted Date	
Agenda Item	51.
CAF#	
Purchase Req. #	
Result	

Public Works

COMMITTEE NAME

**RESOLUTION AUTHORIZING AN ENCROACHMENT PERMIT FOR A PROPOSED MIXED-USE BUILDING TO BE LOCATED AT 50 MARKET STREET IN THE CITY OF PATERSON FOR LIGHTS, SECURITY CAMERAS, ARCHITECTURAL CORNICES, AND A CELLAR ACCESS DOOR THAT WILL ENCROACH INTO THE COUNTY RIGHT-OF-WAY ALONG MARKET STREET IN THE CITY OF PATERSON, 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 as part of County Planning Board approval for Site Plan Application No. SP-24-003, has been made for the property located 50 Market Street (Block 4703 Lots 9 & 10) in the City of Paterson, New Jersey; and

**WHEREAS**, the encroachment permit application requests permission to allow 46-48 Market Street, LLC, owner of 50 Market Street in the City of Paterson, to install lights, security cameras, architectural cornices, and a cellar access door on the front of the mixed-use building that will encroach into the Market Street right-of-way in the City of Paterson; and

**WHEREAS**, 46-48 Market Street, 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, 46-48 Market Street, 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 46-48 Market Street, 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 May 14, 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 46-48 Market Street, LLC, owner of 50 Market Street in the City of Paterson (Block 4703 Lots 9 & 10) to install lights, security cameras, architectural cornices, and a cellar access door on the front of the mixed-use building that will encroach 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.