

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 401 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF PASSAIC AS TO THE LINCOLN AVENUE CULVERT 1600-151 OVER MORSETOWN BROOK PROJECT, 65 LINCOLN AVENUE, BLOCK 6401, LOT 6.01 IN THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Board of County Commissioners of the County of Passaic (hereinafter, “the County”) is undertaking an improvement project know has Lincoln Avenue Culvert No. 1600-151, over Morsetown Brook Project, 65 Lincoln Avenue, Block 6401 Lot. 6.01 in the Township of West Milford (hereinafter, “the Township”); and

WHEREAS, to successfully complete this improvement project, the County desires to acquire a portion of property owned both by the Township of West Milford and the Township of West Milford Board of Education, specifically “one permanent bridge and maintenance easement containing an area of 738 square feet” and “one temporary construction easement of an area containing 977 square feet”; and

WHEREAS, the temporary construction easement is expected to be in place for approximately one year; and

WHEREAS, the County has provided to the Township and Board of Education an appraisal report which has determined the fair market value of such property as one-thousand dollars (\$1,000.00), and the County proposes to pay that sum to the Township of West Milford and the Township of West Milford Board of Education, in lieu of litigating an action under eminent domain; and

WHEREAS, both the Township of West Milford and the Township of West Milford have previously reviewed the appraisal, and both wish to accept this offer so as to all with improvement project to move forward; and

WHEREAS, the Township Attorney has reviewed the proposed agreement, herein attached at Exhibit A, which will convey the Township’s ownership of the above referenced property for the consideration of \$500.00, and in accord with the project’s articulated goals.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey, as follows:

1. The Township of West Milford shall enter such agreement with the Board of County Commissioners of the County of Passaic Administrator as to the above-described property, located at Lincoln Avenue Culvert No. 1600-151, over Morsetown Brook Project, 65 Lincoln Avenue, Block 6401 Lot. 6.01 in the Township of West Milford.
2. The Administrator and Township Attorney shall be empowered to take all necessary further steps to accomplish the intent of the County acquiring the property as described herein, to ensure the matter is recorded of record with the Passaic County Clerk.
3. The Clerk shall forward a courtesy copy of this Resolution to the Deputy County Counsel for the County of Passaic.
4. This Resolution shall take effect immediately.

Adopted: December 7, 2022

Adopted this 7th day of December, 2022
and certified as a true copy of an original.

William Senande, Township Clerk