**GREENWICH TOWNSHIP**

**MINUTES OF THE TOWNSHIP COMMITTEE MEETING**

**APRIL 18, 2023**

**7:00 p.m.**

Mayor Reinhart called the meeting to order stating “adequate notice of this meeting was provided in compliance with the Open Public Meeting Act by notifying the South Jersey Times on January 4, 2023.”

**Roll Call**: Mayor Reinhart, Deputy Mayor Orr and Committeeman Werley were present. Also present were Kim Fleetwood, Treasurer , Thomas Seeley, Esq., Township Solicitor and Lisa Garrison, Township Clerk

**Flag Salute**: Mayor Reinhart

**Approval of Minutes:** On motion of Mayor Reinhart, seconded by Deputy Mayor Orr to approve the minutes of November 15, 2022, unanimously carried. On motion of Deputy Mayor Orr, seconded by Mayor Reinhart to approve the minutes of March 21, 2023, unanimously carried.

**Public Hearing Ordinance No 64-2023:** On motion of Deputy Mayor Orr, seconded by Mayor Reinhart to open the public hearing, unanimously carried. There being no comment forthcoming from the public, on motion of Deputy Mayor Orr, seconded by Mayor Reinhart to close the public hearing, unanimously carried. On motion of Deputy Mayor Orr, seconded by Mayor Reinhart to adopt the following ordinance upon roll call vote. Ayes: Orr, Werley, Reinhart Nays: None Abstain: None Absent: None

**ORDINANCE NO. 64-2023**

**AN ORDINANCE PROVIDING FOR ESCROW FEES FOR DEVELOPMENT APPLICATION**

**BE IT ORDAINED**, by the Township Committee of the Township of Greenwich, County of Cumberland, and State of New Jersey, as follows:

**SECTION 1.**

1. Escrow Deposits.

The Land Use Board shall require escrow deposits in accordance with the provisions of the Ordinance. Such escrows shall be used to pay the cost of any professional fees incurred for review of and/or testimony concerning an application for development submitted by an applicant.

1. Subject to the provisions of Paragraph ( c ) below, each applicant shall, prior to the application being ruled complete pursuant to the provisions of the Municipal Land Use Law, submit the following sum(s) to be held in escrow in accordance with the provisions hereof:

|  |  |  |  |
| --- | --- | --- | --- |
| **Development Application Fee Schedule** | | | |
| **Type of Application** | | **Application Fee** | **Escrow Fee** |
| Certificate of Appropriateness | | $50 | $100 |
| Minor subdivision | | $250 | $350 per lot |
| Major subdivision, preliminary | | $350 | $500 plus $75 per lot |
| Major subdivision, final | | $250 | $500 plus $50 per lot |
| Minor site plan | | $250 | $1,000 |
| Major site plan (residential), preliminary | | $350 | $500 plus $75 per dwelling unit |
| Major site plan (residential), final | | $250 | $500 plus $50 per dwelling unit |
| Major site plan (commercial), preliminary | | $350 | $500 plus $750 per acre |
| Major site plan (commercial), final | | $250 | $500 plus $500 per acre |
| Waiver of site plan approval | | $200 | $750 |
| Conditional use | | $200 | $1,250 |
| Appeal per N.J.S.A. 40:55D-70.a | | $200 | $500 |
| Interpretation per N.J.S.A. 40:55D-70.b | | $200 | $500 |
| Variance per N.J.S.A. 40:55D-70.c | | $200 | $5001 |
| Variance per N.J.S.A. 40:55D-70.d | | $250 | $1,250 |
| Variance per N.J.S.A. 40:55D-34 | | $200 | $500 |
| Variance per N.J.S.A. 40:55D-36 | | $200 | $500 |
|  | Conceptual (informal) plan |  |  |
|  | Minor subdivision or site plan | $150 | $750 |
|  | Major subdivision or site plan | $150 | $1,000 |
| Extension of approval | | $150 | $750 |
| Certificate of nonconformity | |  |  |
|  | Issued by Land Use Board | $200 | $750 |
| Resubmission of incomplete application | | $250 | - - - - - |
| Tax Map revisions from subdivision | | $250 per lot | - - - - - |
| Redevelopment plan revision | | $250 | $1,500 |
| Request for rezoning | | $250 | $1,000 |

For any type of application for which a fee is not specifically set forth in this Ordinance, the Board may require an escrow deposit based on estimates provided by the Board’s professionals.

For any applications which the Board considers sufficiently minor in nature as to not require professional reviews, the Board may waive the escrow requirement.

1. Within forty-five (45) days after the filing of an application for development, the Land Use Board shall review said application for development to determine whether the escrow amount set forth above is adequate. In conducting such review, said Board shall consider the following criteria:
2. The presence or absence of public water and/or sewer servicing the site.
3. Environmental considerations, including but not limited to geological, hydrological and ecological factors.
4. Traffic impact of the proposed development.
5. Impact of the proposed development on existing aquifer and/or water quality.
6. Impact of the proposed development on off tract facilities.
7. Surface drainage impact on the site or on surrounding properties or facilities.
8. Impact on Historic Conservation District and State and National Register Districts for applications for major subdivisions of more than three houses or for applications for commercial or industrial development;
9. Impact on potentially historical and/or archaeological significant sites throughout the township for applications for commercial and industrial development.

Upon completion of said review and within said forty-five (45) day period, the Board shall adopt a resolution specifying whether the escrow amount specified above is sufficient, excessive or insufficient. In the event the Board shall determine that said amount is excessive, it shall, in the resolution, specify the amount that shall be deemed sufficient. In the event the Board shall determine that the amount specified above is insufficient, it shall so specify and shall further set forth the amount required to be posted in light of the criteria specified herein. In the event the Board shall determine that it is appropriate that no escrow be posted, it shall so specify in its resolution. In the event that the escrow is fully expended and further review is required, the Board shall determine what additional amount should be placed in escrow and shall notify the applicant thereof in writing. No further review of the application shall be made until after the additional sum is deposited. Failure to make an escrow deposit under this Ordinance after written notice shall be grounds for disapproval of an application..

1. No application for development shall be deemed complete until such time as the applicant shall have posted with the Township of Greenwich in cash, certified check or money order the amount of escrow deposit determined by the Land Use Board to be required in accordance with the provisions of this Ordinance.
2. All such escrow funds shall be utilized by the Board to pay the cost of any professional fees incurred by the Board for review and/or testimony in connection with the particular application for development. The first $200.00 of such professional expense shall be paid by the Township. All amounts in excess of the first $200.00 shall be paid from the escrow deposit by the applicant. All sums not actually so expended shall be refunded to the applicant within one hundred twenty (120) days after certification by the Board Chair that said application has been finally determined. “Finally determined” shall be (1) denial of preliminary approval; or (2) denial of final approval; or (3) compliance with all conditions following final approval; or (4) withdrawal of application of (5) expiration of approval.
3. Resubmission or Revision of Any Application:

The provisions of this Ordinance shall be applicable to any resubmission or revision of a development plan or application as if same were an initial development application. The escrow deposit required by this Ordinance shall, therefore, be the same for a resubmission or revision of a development plan or application as for a new application which shall be in addition to the amounts paid or owed for the original application and for any previous resubmissions or revisions. Escrow deposits on account of a revised plan or application may, in the discretion of the reviewing agency, be waived for any revision not involving any additional cost or review by professional personnel or hearing expenses.

**SECTION 2**. This Ordinance shall take effect immediately upon adoption and publication in the manner prescribed by law.

**Introduction 2023 Municipal Budget of the Township of Greenwich.** On motion of Mayor Reinhart, seconded by Deputy Mayor Orr to introduced the 2023 Municipal Budget, unanimously caried upon roll call vote. Ayes: Orr, Werley, Reinhart Nays: None Abstain: None Absent: None

**Introduction Proposed Ordinance No. 65-2023, “**2023 “CAP” Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A.40a;4-45.14) On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the introduction of the following proposed ordinance, unanimously carried upon roll call vote. Ayes: Orr, Werley, Reinhart Nays: None Abstain: None

**PROPOSED ORDINANCE NO. 65-2023**

**2022 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

(N.J.S.A. 40A:4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS,** N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Greenwich, in the County of Cumberland finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to $4,064.74 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS,** the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Greenwich, in the County of Cumberland, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2023 budget year, the final appropriations of the Township of Greenwich shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to $14,226.66 and that the CY 2023 municipal budget for the Township of Greenwich be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED** that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED** that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**Introduction Proposed Ordinance No. 66-2023** “An Ordinance Amending Code of the Township of Greenwich to be Entitled “Vacant and Abandoned Properties: Notice, Registration and Fees”, Providing for Purpose, Intent and Maintenance of Certain Real Property by Mortgagees; Providing for Penalties and Enforcement as Well as the Regulation, Limitation and Reduction of Registrable Real Property Within the Township; Providing for Severability, Repealer, Codification, and an Effective Date. On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the introduction of the following proposed ordinance, unanimously carried upon roll call vote. Ayes: Orr, Werley, Reinhart Nays: None Abstain: None

**PROPOSED ORDINANCE NO. 66-2023**

**AN ORDINANCE AMENDING CODE OF THE TOWNSHIP OF GREENWICH TO BE ENTITLED, “VACANT AND ABANDONED PROPERTIES: NOTICE, REGISTRATION AND FEES,” PROVIDNG FOR PURPSOE, INTENTN AND APPLICABILITY OF THE ORDINANCE REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES, PROVIDNG FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE TOWNSHIP; PROVIDNG FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE**

**WHEREAS,** the Township Committee of the Township of Greenwich desires to protect the public health, safety and welfare of the citizens of the Township and maintain a high quality of life for the citizens of the Township through the maintenance of structures and properties in the Township; and

**WHEREAS,** properties that are neglected and have unsecured, accessible structures have a negative impact on community value, create conditions that invite criminal activity, and foster an unsafe and unhealthy environment for children; and

**WHEREAS,** the continued mortgage foreclosure rates have serious negative implications for all communities trying to manage the consequences of properties that have defaulted mortgages, are in the foreclosure process, foreclosed upon and/or mortgagee owned; and

**WHEREAS,** properties with defaulted mortgages that are neglected and have unsecured accessible structures have a negative impact on community value, create conditions that invite criminal activity, and foster an unsafe and unhealthy environment for children; and

**WHEREAS,** often times, the foreclosing party property owners are often out of state, and there is no local contact for such a property, which makes it difficult to notice the proper party of the violations of the Township Code, and to maintain the requisite level of maintenance and security on such structures or lots; and

**WHEREAS,** the Township Committee recognizes there are a large number of properties with defaulted mortgages and subject to foreclosure action or foreclosed upon, (hereinafter referred to as “registrable properties located through the Township which lead to a decline in property value, create nuisances and lead to a general decrease in neighborhood and community aesthetic; and

**WHEREAS,** the Township Committee has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

**WHEREAS,** the Township Committee recognizes in the best interest of the public health, safety and welfare a more regulated method is needed to discourage registrable property owners and mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

**WHEREAS,** the Township Committee has a vested interest in protecting neighborhoods against decay caused by registrable property and concludes it is in the best interests of the health, safety and welfare of its citizens and residents to impose registration requirements of registrable property located with the Township to discourage registrable property owners and mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

**WHEREAS,** the Township Committee desires to amend the Township’s code in order to establish a property registration process that will identify multiple parties responsible to address safety and aesthetic concerns to minimize the negative impact and conditions that occur as a result of vacancy, absentee ownership and the foreclosure process; and

**WHEREAS,** upon passage, duly noticed public hearings, as required by law, will have been held by the Township Committee, at which public hearings all residents and interested person were given an opportunity to be heard.

**NOW, THEREFORE, BE IT ORDAINED,** by the Township Committee of the Township of Greenwich, County of Cumberland, State of New Jersey finds that the implementation of the following changes and additions will assist the Township of Lawrence in protecting neighborhoods from the negative impact and conditions that occur as a result of vacancy, absentee ownership and lack of compliance with existing Greenwich Township regulations and laws.

**SECTION 1:**

The foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof.

**SECTION 2:**

The Greenwich Township Committee does hereby amend the Greenwich Township Code to rescind in its entirety Chapter 12, Property Maintenance, 12-3.1 – 12-3.7, and replace with an Ordinance entitled “Vacant and Abandoned Properties: Notice, Registration and Fees” to read as follows:

**VACANT AND ABANDONED PROPERTIES: NOTICE, REGISTRATION AND FEES**

**1. PURPOSE AND INTENT**

It is the intent of this Chapter, as further detailed within its enabling Ordinance, to enable the Township to engage in the identification, registration, monitoring, and migration of properties that are or may become vacant and abandoned to the fullest extent permitted by P.L. 2021, c. 444, in order to combat the immeasurable and deleterious effects of blight arising from residential and commercial properties that become vacant or abandoned during the foreclosure process.

**2. DEFINITIONS**

(a) All words, terms, and phrases used within this Article shall be defined and interpreted consistent with their meanings as outlined within P.L. 2021, c. 444as may be amended from time to time.

(b) A “creditor” shall mean: a State chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the “New Jersey Residential Mortgage Lending Act.” Sections 1 through 21 39 of P.L. 2009, c. 53 (C.17:11C-51 through C.17:11C-89”) and any entity, agent, or assignee acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. A creditor shall not include the State, a political subdivision of the State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.

(c) A property shall be deemed “vacant and abandoned” for purpose of this Chapter if

(1) The property is not legally occupied by a mortgagor or tenant, and

(2) The property is not legally reoccupied, because of at least two (2) of the following

Conditions:

(a) overgrown or neglected vegetation;

(b) the accumulation of newspaper, circulars, flyers, or mail on the property;

(c ) disconnected gas, electric, or water utility services to the property;

(d) the accumulation of hazardous, noxious, or unhealthy substances or

materials on the property

(e) the accumulation of junk, litter, trash or debris on the property;

(f) the absence of window treatments such as blinds, curtains or shutters;

(g) the absence of furnishing and personal items;

(h) statements of neighbors, delivery persons, or government employees

indicating that the property is vacant and abandoned;

(i) windows or entrances to the property that are boarded up or closed off, or

multiple window panes that are damaged, broken and unrepaired;

(j) doors to the property that are smashed through, broken off, unhinged, or

continuously unlocked;

(k) a risk to the health, safety or welfare of the public or any adjoining or

adjacent property owners due to acts of vandalism, loitering, criminal

conduct, or the physical destruction or deterioration of the property;

(l) an uncorrected violation of a municipal building, housing or similar code

during the preceding year, or an order by municipal authorities declaring

the property to be unfit for occupancy and to remain vacant and

unoccupied.

(m) the mortgagee or other authorized party has secured or winterized the

property due to the property being deemed vacant and unprotected or in

danger of freezing.

(n) a written statement issued by a mortgagor expressing the clear intent of all

mortgagors to abandon the property; or

(o) any other reasonable indicia of abandonment.

**3. ESTABLISHMENT AND ADMINISTRATION OF REGISTRY**

(a) The Township of Greenwich shall create and maintain a registry of all commercial and/or

residential properties within its municipal boundary for which a summons and complaint

in an action to foreclose has been filed with the New Jersey Superior Court, pursuant to

its authority granted by P.L. 2021, c. 444. This registry will be formed and maintained to

assist the Township with regulating the maintenance, security, and upkeep of properties

which may become vacant and abandoned during the foreclosure process, in order to

prevent the deleterious effects of blight associated with vacant and abandoned properties

that are not maintained.

(b) The Township of Greenwich may, at its discretion, create, maintain and administer this

registry independently, retain the professional services of a third part pursuant to the

Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., or participate in a Shared

Services Agreement with other local units, counties, and/or County Improvement

Authorities for the creation, maintenance and administration of the registry pursuant to

the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.

(c ) Any third parties retained to create, maintain, and/or administer the registry shall have the

Authority, on behalf of the Township to:

(1) Identify properties subject to the registration requirement;

(2) Maintain and update the registration list:

(3) Communicate with creditors and/or in-state representatives;

(4) Invoice and collect payment of fees;

(5) Monitor compliance; and

(6) Such other functions, within the scope of P.L. 2021, c. 444, which may be

deemed necessary to carry out its function on behalf of the Township.

(d) Any third parties retained to create, maintain and/or administer the registry shall be

required to comply with the following reporting and payment requirements:

(1) Any and all amounts collected by the third party as part of its administration of

the Township’s registry, including registration fees, interest, and penalties, shall

be paid, in full directly to the Township as directed by the Township. No fees,

payments, expenses, or other deductions shall be made from this payment;

payment for any third party’s services under this Chapter shall be made by the

Township directly to the third party, under the terms and conditions outlined

within the contract for a shared service.

(2) Not less than once per year on the first business day of each calendar year, or as

otherwise may be requested by the Tax Collector, any third party administering

the Township’s registry shall file with the Tax Collector a certification identifying:

( a) The address, block, lot and contact information of any property for which

registration fees under this Chapter are due and owing at the time of the

certification;

(b) The amount of the registration fees, and separately, any interest, fines, and

other penalties due and owing at the time of the certification; and

(c) The date on which the property became eligibility for inclusion on the

Township’s registry.

(e ) The Township’s Clerk or his/her designee shall serve as the municipal official responsible

for notifying creditors, establishing and maintaining the registry, determining eligibility

for designation as a vacant and abandoned property under this Chapter, and for imposing

fees, penalties, and/or violations. The responsibilities herein may be designated to a third

party pursuant to the terms and conditions of a contract for professional services

consistent with P.L. 2021, c. 444.

**4. REGISTRATION, NOTICE, AND OTHER CREDITOR REQUIREMENTS**

(a) Within 30 days of the effective date of this Ordinance, any creditor who has initiated a

summons and complaint with the New Jersey Superior Court in an action to foreclose on

a commercial and/or residential mortgage for a property located within the Township of

Greenwich: (i) prior to the effective date of this Ordinance, and (ii) which is pending as

of this Chapter.

(b) Within 10 days of filing a summons and complaint with the New Jersey Superior Court in

an action to foreclose on a commercial and/or residential mortgage for a property located

with the Township of Greenwich, the creditor shall notify the Township Clerk, or his/her

designee, of the action. Such notice shall include:

(1) The address, block, and lot of the subject property;

(2) The date the summons and complaint in an action to foreclose on a mortgage was

filed against the subject property, the court in which it was filed, and the docket

number of the filing;

(3) Whether the property is vacant and abandoned in accordance with the definition

in this Chapter;

(4) The full name, address and telephone number for the representative of the creditor

who is responsible for receiving notice of complaints of property maintenance and

code violations;

(5) The full name, address, and telephone number of any person or entity retained by

the creditor or a representative of the creditor to be responsible for any care,

maintenance, security or upkeep of the property, and

(6) If the creditor is out-of-State, the full name, address, and telephone number of an

in-State representative or agent who shall be responsible for any care,

maintenance, security or upkeep of the property, and for receiving notice

complaints of property maintenance and code violations.

(7) The notice requirements herein represent a continuing obligation through the

pendency of this foreclosure action. After initial notice to the Township,

creditors subject to the notice requirement shall update the Township’s property

registration program within 10 days of any change in the information obtained

in the original or any subsequent notices.

( c) Creditors of any commercial and/or residential mortgage required to notify the Township

Pursuant to this section shall:

(1) Register the property with the Township’s property registration program as a

property in foreclosure, within 30 days of notifying the Township;

(2) Be subject to the registration fee, notice requirements and penalties for non-

compliance established within this Chapter;

(3) Update the property registration within 10 days of any change in the information

contained in the original notice to the Township.

(4) If an out-of-State creditor, appoint an in-State representative or agent to act for the

foreclosing creditor, whose contact information shall be contained within the

initial notice to the Township;

(5) Within 10 days of the property becoming vacant and abandoned at any time

during the pendency of the foreclosure action, the creditor shall:

(a) Assume responsibility for the care, maintenance, upkeep and security

of the exterior of the property;

(b) Secure the property against unauthorized entry;

( c) Post a sign on the inside of the property, visible to the public, containing

the name, address, and telephone number of the creditor, or an out-of-

State creditor’s in-State representative or agent, for the purpose of

Receiving service of process;

(d) Acquire and maintain a vacancy insurance policy which covers any

damage to any person or any property caused by any physical condition

of the property while registered with the Township’s property

registration program.

( e) Provide proof, within 10 days of receiving a request by the Township or

Its designee, that the above conditions have been satisfied.

(f) Cure any violations of the above requirements within 30 days of receiving

a notice of violation, or if deemed to present an imminent threat to public

health and safety, within 10 days of receiving such notice.

(6) Update the property registration within 10 days of the creditor becoming aware

that the property is deemed vacant and abandoned as defined herein.

(d) If at any time the creditor is deemed to be in violation of the above requirements, and/or

if the property is deemed to be in violation of any other applicable local or state

maintenance, health or safety codes, the Code Official or his/her designee shall notify

the creditor using the contact information provided in the property registry established by

this Chapter.

**5. FEES, VIOLATIONS AND PENALTIES**

(a) All fees, penalties, and/or fines established within this Chapter and assessable pursuant to

the Township’s authority outlined within P.L. 2021, c. 444 shall be deemed a municipal

charge in accordance with N.J.S.A. 54:5-1 et seq.

(b) Creditors required to notify the Township and register a property as one in foreclosure

shall be required to pay the following annual registration fee, per property, due at the

time of registration of $----------------.

(c ) If a property registered with the Township’s registration program as a property

in foreclosure is vacant and abandoned at the time of registration, or becomes vacant

and abandoned at any time during the pendency of the foreclosure proceeding, the

creditor shall pay an additional annual registration fee, per property, due at the time the

determination that the property is vacant and abandoned is made, of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(d) Violations

(1) An out-of-State creditor subject to the notice and registration requirements of this

Chapter, found to be in violation of the requirement to appoint an in-State

representative or agent, shall be subject tot a fine of $2,500 for each day of the

violation. The violations shall be deemed to commence on the day after the

creditor’s initial 10 or 30-day requirement to notify the Township of applicable

foreclosure actions.

(2) A creditor subject to the notice and registration requirements of this Chapter

found to be in violation of any part of this Ordinance (with the exception of a

violation pursuant to subsection (d)(1) of this Section, shall be subject to a fine

of $1,500 for each day of the violation. The violation shall be deemed to

commence on the 31st day following the creditor’s receipt of a notice of violation,

or if deemed to present an imminent threat to public health and safety, on the 11th

day following the creditor’s receipt of such notice.

(e) If the Township expends public funds in order to abate a nuisance or correct a violation

on a commercial property in situations in which the creditor was given notice pursuant to

this Chapter, but failed to abate the nuisance or correct the violation as directed, the

Township shall have the same resource against the creditor as it would have against the

title owner of the property, including but not limited to the recourse provided under N.J.S.A. 55:19-100 et seq.

**SECTION 3:**  All ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 4:** In the event that any section, clause, sentence phrase or provision of this Ordinance is declared unconstitutional, unenforceable, or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance, and the Ordinance shall be interpreted consistent with its original intent to the fullest extent permissible by law.

**Introduction Proposed Ordinance No. 67-2023 –** “An Ordinance Adopting International Property Maintenance Code and Implementing and Adopting a Continued Certificate of Occupancy Regulations and Applicable Fees. On motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the introduction of the following proposed ordinance, unanimously carried upon roll call vote. Ayes: Orr, Werley, Reinhart Nays: None Abstain: None

**Unfinished Business:**

Tennis Court - project is out to bid.

Historic District - no update.

Old Stone School House - no change

Alarm System - Mayor Reinhart will contact the current company for a quote.

Tax Sale Assignment – no change.

USDA Grant (Fire Company) - A meeting was held between Mayor Reinhart, Chief Reinhart and USDA regarding grant funding.

Parking Regulations - no change.

**New Business:**

Grant Administration Service - RFP will be issued.

Non Binary/Daniels Law Requirements - Mr. Seeley reviewed the requirements and will update the Personnel Manual.

**Committee Comments**:

None

**Payment of Bills**:

After review and discussion on motion of Deputy Mayor Orr, seconded by Committeeman Werley to approve the bill list in the amount of $170,932.76, unanimously carried.

**Public Comment**:

None

**Adjournment.**

A motion to adjourn was made by Deputy Mayor Orr, seconded by Mayor Reinhartand unanimously approved.

Respectfully Submitted,

Lisa Garrison

Borough Clerk