

**MINUTES  
TOWNSHIP OF PENNSAUKEN  
TOWNSHIP COMMITTEE MEETING  
DECEMBER 20, 2018 (5:30PM)**

A Meeting of the Pennsauken Township Committee was held on Monday, December 20, 2018 5:30 pm in the Public Meeting room of the Township of Pennsauken Municipal Building, 5605 N. Crescent Blvd. Pennsauken, NJ 08110.

Mayor Killion called the meeting to order at 5:30 pm, the roll was recorded as such:

**PRESENT:** Committeeman Figueroa, Committeeman Orth, Committeeman Taylor Deputy Mayor Betsy McBride and Mayor Killion.

Also present were Township Administrator John Kneib, Township Clerk Gene Padalino, Deputy Clerk Pamela Scott-Forman and Attorney Linda Galella of Parker McCay,

Roll call was followed by the Pledge to the Flag with a moment of silence.

Mayor Killion announced that the Meeting was being held in compliance with the "Senator Byron M. Baer Open Public Meetings Act".

**APPROVAL OF MINUTES-**

Closed Session- April 4, 2018

Closed Session-June 6, 2018

Closed Session-September 5, 2018

Meeting-December 6, 2018

Committeeman Taylor moved a motion to accept the minutes on the agenda  
Committeeman Orth seconded the motion  
An affirmative 5/0 Voice vote was recorded

**ORDINANCES- SECOND READING-( PUBLIC COMMENT)**

**ORDINANCE NO. 2018:18**

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF PENNSAUKEN, CHAPTER 141 THEREOF, ENTITLED "DEVELOPMENT REGULATIONS" SECTION 141-86 ENTITLED "SIGNS"

BE IT ORDAINED by the Township Committee of the Township of Pennsauken, in the County of Camden and the State of New Jersey as follows:

*Section G (1) shall read:*

*Permits. Any sign not requiring a permit under the Uniform Construction Code of the State of New Jersey, a zoning permit shall be required for all signs which exceed more than eight (8) square feet in residential districts and twelve (12) square feet in other districts provided, however, any illuminated sign and any sign incorporated into the architectural design of a building and made part thereof shall, as far as the permit is concerned, regardless of size, shall be covered under the Uniform Construction Code of the State of New Jersey.*

*Section G (2) (d) shall be added and read:*

*Any permit for the changing the face of an existing sign shall be subject to Section G (1) of this chapter and the fee shall be \$50.00.*

Mayor Killion asked if anyone from the public wished to be heard, no public wished to comment

Committeeman Orth moved the motion on Ordinance 2018:18 for final approval  
Deputy Mayor McBride seconded the motion

An affirmative roll call vote was recorded

**ORDINANCE NO. 2018:19**

AN ORDINANCE OF THE TOWNSHIP OF PENNSAUKEN AMENDING CHAPTER 251 OF THE CODE OF THE TOWNSHIP OF PENNSAUKEN ENTITLED RENTAL UNITS; ARTICLE II; SECTION 251-18

WHEREAS, the Township Committee desires to protect the public health, safety and welfare of the citizens of Pennsauken and maintain a high quality of life for the citizens of the Township through rental properties within the Township; and

WHEREAS, the Township Committee has already adopted an ordinance entitle Renal Units; and

BE IT ORDAINED by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the following replaces the current Chapter 251, Article II; Section 251-18 ANNUAL INSPECTIONS REQUIRED

All rental units, as defined in Section 251-17 of this Article, shall hereafter be inspected at least once within a twelve month period by the Building Department. Rental inspection applications shall be provided for that purpose and shall be obtained from the Building Department. Such inspection shall occur within a twelve month period as provided herein. Properties registered as a result of Chapter 244 (Property, Vacant, Foreclosed, Abandoned and Vacant Properties not in Default) are not subject to this Article. Any owner who is subject to the registration and fee requirements of Chapter 244, "Property, Vacant, Foreclosed, Abandoned and Vacant Properties not in Default", and has paid the required fees shall be exempt from the registration and inspection fees required under this Chapter, upon proof of payment.

Mayor Killion asked if anyone from the public wished to be heard, no public wished to comment

Committeeman Orth moved the motion on Ordinance 2018:19 for final approval  
Committeeman Figueroa seconded the motion  
An affirmative 5/0 roll call vote was recorded

**ORDINANCE NO. 2018:20**

ORDINANCE AMENDING CHAPTER 244 OF THE CODE OF THE TOWNSHIP OF PENNSAUKEN ENTITLED "PROPERTY, ABANDONED AND VACANT INCLUSIVE OF VACANT PROPERTIES NOT IN DEFAULT"

WHEREAS, the Township Committee desires to protect the public health, safety and welfare of the citizens of Pennsauken 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, the Township Committee has already adopted property maintenance ordinances 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 vacant property owners from allowing their properties to be abandoned, neglected or left unsupervised; and

WHEREAS, the Township Committee has an interest in protecting neighborhoods against decay caused by vacant property and concludes that it is in the best interests of the health, safety and welfare of its residents to impose registration requirements of vacant property located within the Township to discourage vacant property owners from allowing their properties to be abandoned, neglected or left unsupervised.

**BE IT ORDAINED** by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that the following replaces the current Chapter 244 of the Code of the Township of Pennsauken entitled "Property, Abandoned and Vacant".

# Chapter 244

## Property, Vacant, Foreclosed and Abandoned Inclusive of Vacant Properties Not in Default

[HISTORY: Adopted by the Township Committee of the Township of Pennsauken 1-18-17 by Ord. No. 2017:01. Amendments noted where applicable.]

### GENERAL REFERENCES

Brush, grass and weeds — See Ch. 111.

Unfit buildings — See Ch. 114.

Fire prevention — See Ch. 162.

Housing standards — See Ch. 184.

Multiple dwellings — See Ch. 207.

Property maintenance — See Ch. 243.

Solid waste — See Ch. 269.

Abandoned vehicles and equipment — See Ch. 296.

Public health nuisances — See Ch. 327.

Weeds — See Ch. 349.

### Article I

#### Definitions for Vacant, Foreclosed and Abandoned Properties

##### § 244-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

##### ABANDONED PROPERTY

Any property that is determined to be abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et seq.), as follows:

A. Property must not have been legally occupied for six months and must meet any one of the following criteria:

(1) Property is in need of rehabilitation, in the reasonable judgment of the public officer, and no rehabilitation has taken place during that six-month period.

(2) Construction was initiated and discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of determination that the building is abandoned.

(3) At least one installment of property tax remains unpaid and delinquent as of the date of determination.

(4) The property has been determined to be a nuisance by the public officer as defined in this section.

B. Exceptions to abandoned property.

(1) A property on which an entity other than the Township holds a tax sale certificate is not deemed to be abandoned if the owner of the certificate:

(a) Continues to pay all municipal taxes and liens when due; and

(b) Initiates foreclosure proceedings within six months after the property is eligible for foreclosure.

(2) A property used on a seasonal basis is deemed to be abandoned only if it meets any two of the criteria set forth in N.J.S.A. 55:19-81.

C. A property which contains both residential and nonresidential space may be considered abandoned pursuant to N.J.S.A. 55:19-78 et seq. so long as 2/3 or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer.

**ACCESSIBLE PROPERTY / STRUCTURE:**

Means a property that is accessible through a comprised/breached gate, fence, wall etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

**APPLICABLE CODES:**

Means to include, but not limited to the following Township of Pennsauken Codes: zoning, Property Rehabilitation and Maintenance Code, along with the State and County Building and Fire Codes.

**APPLICABLE ORDINANCES:**

Means to include, but not limited to, the Township of Pennsauken's Neighborhood Improvement Ordinance, Solid Waste Ordinance, as well as Residential and Commercial Recycling Ordinance

**DEFAULT:**

Shall mean that the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or the evidence of the debt, referred to in the mortgage.

**ENFORCEMENT OFFICER:**

Means any Law Enforcement Officer, Building Official, Zoning Inspector, Code Enforcement Officer, Fire Inspector or Building Inspector, or other person authorized by the Township to enforce the applicable code(s).

**EVIDENCE OF VACANTCY:**

Means any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation: past due utility notices and/or disconnected utilities: accumulation of trash, junk or debris: abandoned vehicles, auto parts or materials: the absence of furnishings and/or personal items consistent with habitation or occupancy: the presence of an unsanitary, stagnant swimming pool: the accumulation of newspapers, circulars, flyers, mail and/or mail being returned, or statement by neighbors, passers-by, delivery agents or government agents: or the presence of boards over doors, windows or other openings in violation of applicable codes.

**FORECLOSURE:**

Shall mean legal process by which a mortgagee, or other lien holder, terminates a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. This definition shall include, but is not limited to , public notice of default, a deed-in-lieu of foreclosure, sale to the mortgagee or lien holder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lien holder, or their designee, by certificate of title, or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

**LIENHOLDER OR MORTGAGE HOLDER:**

Any person or entity holding a note, mortgage or other interest secured by the building or any part thereof.

**MORTGAGEE:**

Means the creditor, including but not limited to, trustees, mortgage service companies, and lenders in a mortgage agreement, any agent, servant or employee of the creditor, any successor in interest, or any assignee of the creditor's rights, interests or obligations under the mortgage agreement.

**NUISANCE:**

Any property that is determined by the public officer to be a nuisance if any one of the following applies:

A. The property is found to be unfit for human habitation, occupancy or use pursuant to N.J.S.A. 40:48-2.3;

B. The condition and vacancy of the property materially increases the risk of fire to the property and adjacent properties;

C. The property is subject to unauthorized entry leading to potential health and safety hazards; the owner has failed to take reasonable and necessary measures to secure the property; or the Township has secured the property in order to prevent such hazards after the owner has failed to do so;

D. The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds has created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards; or

E. The dilapidated appearance or other condition of the property materially affects, including the economic welfare of, the residents of the area in close proximity to the property and the owner has failed to take reasonable and necessary measures to remedy the conditions.

**OWNER:**

Includes the title holder, any agent of the title holder having authority to act with respect to a vacant property, any holder of legal or beneficial title, any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51 (P.L. 2008, c. 127, § 17) or any other entity determined by the Township of Pennsauken. Also means the holder or holders of title to an abandoned property.

**PROPERTY MANAGEMENT COMPANY:**

Means a property manager, property management company or similar entity responsible for the maintenance and security of registrable real property within 20 driving miles of the Township of Pennsauken limits. Upon review of credentials the Township of Pennsauken, or its designee, may allow a non-local property manager to be listed.

**PUBLIC OFFICER:**

The compliance officer, or such other public officer designated or appointed by the Township Committee pursuant to N.J.S.A. 40:48-2.5.

**QUALIFIED REHABILITATION ENTITY:**

An entity organized or authorized to do business under the New Jersey Statutes which shall have as one of its purposes the construction or rehabilitation of residential or nonresidential buildings, the provision of affordable housing, the restoration of abandoned property, the revitalization and improvement of urban neighborhoods, or similar purpose, and which shall be well-qualified by virtue of its staff, professional consultants, financial resources, and prior activities set forth in P.L. 2003, c. 10 (N.J.S.A. 55:19-78 et seq.), to carry out the rehabilitation of vacant buildings in urban areas.

**REAL PROPERTY:**

Means any improved residential or commercial land, buildings, leasehold improvements and anything affixed to the land or portion thereof identified by a block and lot number, located in the Township of Pennsauken are considered improved land.

**REGISTRABLE PROPERTY:**

A. Any real property located in the township of Pennsauken, whether vacant or occupied, that is encumbered by a mortgage in default, is subject to an ongoing foreclosure action, is subject to an application for a tax deed or pending tax assessor's lien sale, or has been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

The designation of a "default/foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a nonrelated bona fide purchaser in an arm's length transaction or the foreclosure action has been dismissed and any default on the mortgage has been cured.

B. Any property that is vacant for more than thirty (30) days or any cancellation of utility or service, whichever occurs first.

**SEMI-ANNUAL REGISTRATION:**

Shall mean six (6) months from the date of the first action that required registration, as determined by the township of Pennsauken, or its designee, and every subsequent 6 months. The date of the initial registration may be different than the date of the first action that required registration.

**TOWNSHIP:**

The Township of Pennsauken, County of Camden, State of New Jersey.

**VACANT PROPERTY:**

Any building used or to be used which is not legally occupied as evidenced by the conditions set forth in the definition of "Evidence of Vacancy" or at which substantially all lawful construction operations or occupancy has ceased; provided, however, that any property that contains all building systems in working order, is fully compliant with our property maintenance codes and is being actively marketed by its owner for sale or rental shall not be deemed vacant. Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for the purposes of this article.

**Article II**

**Vacant and Foreclosed Property Registration and Maintenance Requirements**

**244-2. ESTABLISHMENT OF VACANT AND FORECLOSED PROPERTY REGISTRY:**

Pursuant to N.J.S.A. 55:19-78 et seq. the Township of Pennsauken, or its designee, shall establish a registry cataloging each Registrable Property within the Township, containing the information required by this chapter.

**244-3. REGISTRATION OF VACANT AND FORECLOSED PROPERTY:**

a) Any mortgagee who holds a mortgage on real property in default by the mortgagor and any owner of vacant property located in the Township of Pennsauken shall perform an inspection of the property to determine vacancy or occupancy. In addition, all owners and mortgagees of vacant property shall have a duty to inspect the property on a monthly basis to determine whether the property has become vacant.

b) Any mortgagee of a property in default by mortgagor or owner of vacant property located within the Township shall within ten (10) days after the property becomes Vacant, or within ten (10) days after assuming ownership of the property, whichever is later, register the Real Property with the Township Registry. The owner of vacant property and any mortgagee of a property owned by a mortgagor in default shall, within ten (10) days of the inspection, register the property with the Vacant & Abandoned Property office, or its designee, on forms or other manner as directed, and indicate whether the property is vacant or occupied. A separate registration is required for each individual property, whether it is found to be vacant or occupied.

c) Registration pursuant to this section shall contain the name, direct mailing address, a direct contact name of a person twenty-one (21) years or older, telephone number, and email address for the owner, Mortgagee/Trustee, and the Servicer of which must maintain an office in the State of New Jersey, and the name and twenty-four (24) hour contact phone number of the local property management company responsible for the security and maintenance of the property who has the authority to make decisions concerning the abatement of nuisance conditions at the property, as well as any expenditure in connection therewith.

d) After filing a registration statement or a renewal of a registration statement, the owner, Mortgager or Trustee of any vacant property shall provide access to the Township to conduct an exterior and interior inspection of the building to determine compliance with the Township Code, following reasonable notice, during the period covered by the initial registration or any subsequent renewal.

e) Owners of vacant property, foreclosed property or Mortgagees who have existing registrable property on the effective date of this ordinance have thirty (30) calendar days from the effective date to register the property with the Vacant & Abandoned Property Office, or its designee, on forms or other manner as directed, and indicated whether the property is vacant or occupied. A separate registration is required for each property, whether it is vacant or occupied.

f) If the owner of a registered property transfers the property to another person or entity or if the mortgage on a registrable property is sold or transferred, the new owner or Mortgagee is subject to all the terms of the chapter and within five (5) days of the transfer register the property and pay a registration fee or update the existing registration in accordance with the Chapter. Any previous unpaid semi-annual registration fees are the responsibility of the new Mortgagee or Trustee and are due and payable with their initial registration.

g) If the owner of a vacant property or Mortgagee of a property in default or of a foreclosed property sells or transfers the property or the mortgage in default to a non-arm's length related person or entity, the transfer is subject to all the terms of this chapter and within five (5) days of the transfer register the property and pay a registration fee or update the existing registration in accordance with the Chapter. Any previous unpaid semi-annual registration fees are the responsibility of the new Registrable property owner and are due and payable with their initial registration.

h) As long as the property is Registrable it shall be inspected by the owner or the Mortgagee, or its designee, monthly. If an inspection shows a change in the property's occupancy status the owner or mortgagee shall, within ten (10) days of that inspection, update the occupancy status of the property registration.

i) Until the mortgage or lien on the property in question is satisfied, or legally discharged, the desire to no longer pursue foreclosure, the filing of a dismissal of lis pendens and/or summary of final judgement and /or certificate of title, voluntary or otherwise, does not exempt any Mortgage holding the defaulted mortgage, from all the requirements of this article as long as the borrower is in default.

j) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.

k) Failure of the owner or Mortgagee to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement and any resulting monetary penalties

l) Pursuant to any administrative or judicial finding and determination that any property is in violation of this chapter, the Township may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

m) The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the owner or owners of the building or mortgagee.

n) The requirements of the Chapter shall also apply to in-state and out-of-state creditors who have filed a summons and complaint in an action to foreclose a property that is vacant or becomes vacant. Out-of-state creditors shall be required to appoint an in-state representative or agent, who shall be listed on the registration statement.

o) An owner who is a natural person or a mortgagee who meets the requirements of this article as to location of residence or office may designate himself or herself or itself as agent.

p) By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Construction/Code Enforcement Officer or his designee of a change of authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this article.

**244-4: FEE REQUIREMENTS AND SCHEDULE FOR ALL REGISTRABLE PROPERTY:**

a) A non-refundable semi-annual registration fee established by resolution by the Board, shall accompany each registration pursuant to this section

b) All registration fees must be paid directly from the Mortgagee, Trustee, Servicer or Owner. Third party registration fees are not allowed without the consent of the Township and/ or its authorized designee.

c) Properties subject to this section shall remain under the semi-annual registration requirement, and the inspection, security and maintenance standards of this section as long as they are registrable.

d) The following Semi-Annual (every six (6) month) registration fees for vacant and foreclosed property shall be as follows:

1st year:	\$500 (first six months)
	\$500 (second six months)
2nd year:	\$1000 (first six months)
	\$1000 (second six months)
3rd year	\$1500 (first six months)
	\$1500 (second six months)
and all subsequent 6 month periods	\$2000 (first six months)
	\$2000 (second six months)

**244-5: VACANT AND FORECLOSED PROPERTY MAINTENANCE REQUIREMENTS:**

a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

c) Property maintenance shall include, but not be limited to the care of the front, side and rear yards, including landscaping and curbside vegetation for grass, weeds, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed



specifically for residential installation and any ground cover and landscape as well as the removal of all trimmings.

d) All pools and spas shall be drained of any stagnant water so the water structure remains free and clear of pollutants and debris and shall comply with the regulations set forth in the Township Municipal Code.

e) Failure of the mortgagee and /or owner to properly maintain the property in accordance to the with the Township Municipal Code may result in a violation of and issuance of a citation or Notice of Violation and be subject to fines, penalties and liens as stated in this chapter. Pursuant to a finding and determination by the Township's Code Enforcement Officer, Hearing Officer, or a court of competent jurisdiction, the Township may take the necessary action to ensure compliance with this section.

**244-6: SECURITY REQUIREMENTS FOR VACANT AND FORECLOSED PROPERTY:**

a) Properties subject to these sections shall be maintained in a secure manner so as not to be accessible to unauthorized entry.

b) A "secure manner" shall include but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by re-glazing of the window.

c) Post a sign affixed to the building indicating the name, address, and telephone number of the owner, the owner's authorized agent for the purpose of service of process and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18 inches by 24 inches;

d) Post the property with "No Trespassing signs of a nature sufficient to give notice to any person entering upon the property that is against the law to enter the property without permission of the owner.

**244-7: PUBLIC NUISANCE:**

All registrable property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Township.

**244-8: VIOLATIONS AND PENALTIES FOR VACANT AND FORECLOSED PROPERTY:**

A. Other than an out-of-state creditor owner, any owner of vacant property or foreclosed property or mortgagee who is not in full compliance with this article or who otherwise violates any provision of this article or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$500.00 and not more than \$1,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this article shall be recoverable from the owner of vacant property or foreclosed property or mortgagee and shall be a lien on the property. For purposes of this subsection, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the requirements of § 187-30 of this article, or such other matters as may be established by rules and regulations promulgated hereunder, shall be deemed to be a violation of this article.

B. In accordance with P.L. 2014, c. 35, an out-of-state creditor owner that is subject to this article and is found by the Township of Pennsauken Municipal Court or by any court of competent jurisdiction to be in violation of the requirement to appoint an in-state representative or agent shall be subject to a fine of \$2,500.00 for each day of a violation. However, any fines imposed on a creditor for the failure to appoint an in-state representative or agent shall

commence on the day after the ten-day period set forth in Subsection a (1) of Section 17 of P.L. 2008, c. 127 (N.J.S.A. 46:10B-51), for providing notice to the Municipal Clerk that a summons and complaint in an action to foreclose a mortgage has been served.

C. In accordance with P.L. 2014, c. 35, an out-of-state creditor owner that is subject to this article and is found by the Township of Pennsauken Municipal Court or by any court of competent jurisdiction to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this article shall be subject to a fine of \$1,500.00 for each day of the violation. Any fine imposed pursuant to this subsection shall commence 31 days following receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.

D. In accordance with P.L. 2014, c. 35, no less than 20% of any money collected from out-of-state creditor owners under this article shall be utilized by the Township for municipal code enforcement purposes.

E. In accordance with P.L. 2014, c. 35, if the Construction/Code Enforcement Officer or his designee determines that violations of this article have occurred on vacant residential property for which a summons and complaint in an action for foreclosure have been filed by an owner who is a creditor, the Construction/Code Enforcement Officer or his designee shall issue a notice to the creditor to correct the violation within 30 days of receipt of the notice, or within ten (10) days of receipt of the notice if the violation presents an imminent threat to public health and safety. The notice shall include a description of the conditions that gave rise to the violation.

F. Each day a property remains unregistered, uninspected or unsecured when required to be by this ordinance is a separate offense for each day it shall continue to recur.

G. Any and all disputes over violations and penalties shall be within the jurisdiction of the Township Of Pennsauken Municipal Court.

### **Article III**

#### **Abandoned Property Designation Program**

##### **§ 244-8 Designation and powers of public officer.**

The public officer is hereby directed to identify abandoned properties within the Township, place said properties on an abandoned property list, and provide such notices and carry out such other tasks as are required to effectuate an abandoned property list as provided by law.

##### **§ 244-9 Abandoned property report.**

The public officer shall provide a report to Township Committee and the Township Administrator every six months with respect to the number and location of properties on the abandoned property list, the status of those properties, and any actions taken by the Township or by any qualified rehabilitation entity, designated pursuant to the authority granted the public officer, with respect to any property on the list or any other abandoned property within the Township of Pennsauken.

##### **§ 244-10 Establishment of and updates to abandoned property list.**

The public officer shall establish the abandoned property list and any additions or deletions thereto by authorizing the publication of the list in the official newspaper of the Township of Pennsauken, which publication shall constitute public notice, and, within 10 days after publication, shall send a notice, by certified mail, return receipt requested, and by regular mail, to the owner of record of every property included on the list. The published and mailed notices shall identify property determined to be abandoned, setting forth the owner of record, if known, the tax lot and block number and street address. The public officer, in consultation with the Tax Collector, shall also send out a notice by regular mail to any owner, mortgagee, servicing organization, or property tax processing organization that receives a duplicate copy of the tax bill pursuant to N.J.S.A. 54:4-64d. When the owner of record is not known for a particular property and cannot be ascertained by the exercise of reasonable diligence by the Tax Collector, notice shall not be mailed but instead shall be posted on the property in the manner as provided in

N.J.S.A. 40:48-2.7. The mailed notice shall indicate the factual basis for the finding of the public officer that the property is abandoned property, as that term is defined herein and in N.J.S.A. 55:19-54, and shall specify the information relied upon in making such finding. In all cases, a copy of the mailed or posted notice shall also be filed by the public officer in the office of the Camden County Clerk. This filing shall have the same force and effect as a formal notice under N.J.S.A. 2A:15-6. The notice shall be captioned with the name of the Township of Pennsauken as "plaintiff" and the name of the property owner as "defendant," as though an action had been commenced by the Township against the owner.

#### **§ 244-11 Appeals of abandoned property list inclusion**

A. An owner or lienholder may challenge the inclusion of his property on the abandoned property list by appealing that determination to the public officer within 30 days of the owner's receipt of the certified notice or 40 days from the date upon which the notice was sent. An owner whose identity was not known to the public officer shall have 40 days from the date upon which notice was published or posted, whichever is later, to challenge the inclusion of a property on the abandoned property list. For good cause shown, the public officer shall accept a late filing of an appeal. Within 30 days of receipt of a request for an appeal of the findings contained in the notice, the public officer shall schedule a hearing for redetermination of the matter. Any property included on the list shall be presumed to be abandoned property unless the owner, through the submission of an affidavit or certification asserting that the property is not an abandoned property, can demonstrate that the property was erroneously included on the list. The affidavit or certification shall be accompanied by supporting documentation, such as, but not limited to, photographs, repair invoices, bills and construction contracts. The sole ground for appeal shall be that the property in question is not abandoned property as that term is defined herein and in N.J.S.A. 55:19-54. The public officer shall decide any timely filed appeal within 10 days of the hearing on the appeal and shall promptly, by certified mail, return receipt requested, and by regular mail, notify the property owner of the decision and the reasons therefor.

B. The property owner may challenge an adverse determination of an appeal with the public officer pursuant to § 187-5A by instituting, in accordance with the New Jersey Court Rules, a summary trial proceeding in the Superior Court, Law Division, Camden County, which action shall be tried de novo. Such action shall be instituted within 20 days of the date of the notice of decision mailed by the public officer. The sole ground for appeal shall be that the property in question is not an abandoned property as that term is defined in N.J.S.A. 55:19-54. The failure to institute an action of appeal on a timely basis shall constitute a jurisdictional bar to challenging the adverse determination, except that, for good cause shown, the court may extend the deadline for instituting the action.

C. The public officer shall promptly remove any property from the abandoned property list that has been determined not to be abandoned on appeal.

D. The abandoned property list shall become effective, and the Township of Pennsauken shall have the right to pursue any legal remedy with respect to properties on the abandoned property list, at such time as any after one property has been placed on the list in accordance with the provisions of this section, upon the expiration period for appeal with respect to the property or upon denial of an appeal brought by the property owner.

#### **§ 244-12 Sale of tax lien.**

A. Notwithstanding the provisions of N.J.S.A. 54:5-19, or the provisions of any other law to the contrary, if a property is included on the abandoned property list and the property taxes or other Township liens due on the property are delinquent for six or more quarters as of the date of expiration of the right to appeal the property's inclusion on the list or, if an appeal has been filed, as of the date that all opportunities for appeal of inclusion on the list have been exhausted, then the tax lien on the property may be sold in accordance with the procedures of the Tax Sale Law, N.J.S.A. 54:5-1 et seq., on or after the 90th day following the expiration of that time of appeal or final determination on an appeal.

B. The Township of Pennsauken may, at its option, require that the sale of the tax sale certificate or any subsequent assignment or transfer of a tax sale certificate held by the Township

be subject to the express condition that the purchaser or assignee shall be obliged to perform and conclude any rehabilitation or repairs necessary to remove the property from the abandoned property list pursuant to N.J.S.A. 55:19-55 and to post a bond in favor of the Township to guarantee the rehabilitation or repair of the property. The public officer may waive a requirement to post a bond imposed by the Township for any purchaser, assignee or transferee of a tax sale certificate that provides documentation acceptable to the public officer that the purchaser, assignee or transferee is a qualified rehabilitation entity as defined in N.J.S.A. 55:19-80. The cost of rehabilitation and repairs and the cost of the bond shall be added to the amount required to be paid by the owner for redemption of the property. The purchaser, assignee or transferee of the tax sale certificate who is required to rehabilitate and repair the property shall be required to file the appropriate affidavits with the Tax Collector, pursuant to N.J.S.A. 54:5-62, representing the amounts of monies expended periodically toward the rehabilitation or repair of the property. A purchaser, assignee or transferee shall be entitled to interest on the amounts expended, as set forth in the affidavits, at the delinquent rate of interest for delinquencies in excess of \$1,500 in effect for the time period when the amounts were expended, pursuant to N.J.S.A. 54:4-67. The tax sale certificate purchaser, assignee or transferee, with the authority of the Township of Pennsauken, shall be permitted to enter in and upon the property for the purposes of appraising the costs of rehabilitation and repair and to perform all other acts required to guarantee the completion of the rehabilitation or repair of the property. No rehabilitation or repair work shall be commenced, however, until proof of adequate liability insurance and an indemnification agreement, holding the Township of Pennsauken harmless, has been filed with the Township Clerk.

C. Remediation by Township.

(1) If the Township of Pennsauken acquires the tax sale certificate for a property on the abandoned property list, then, upon 10 days' written notice to the property owner and any mortgagee as of the date of the filing of the notice pursuant to N.J.S.A. 55:19-55, the Township shall be permitted to enter upon the property and remediate any conditions that caused the property to be included on the abandoned property list. No remediation shall be commenced, however, if within that ten-day period the owner or mortgagee shall have notified the Township in writing that the owner or mortgagee has elected to perform the remediation itself. When the owner or mortgagee elects to perform the remediation itself, it shall be required to post bond in favor of the Township of Pennsauken in order to ensure performance. The amount and conditions of the bond shall be determined by the public officer.

(2) The cost of remediation incurred by the Township of Pennsauken, as so certified by the entity incurring the cost upon completion of the remediation, shall constitute a lien upon the property first in time and right to any other lien, whether the other lien was filed prior to or after the filing of any lien by the Township, except for Township taxes, liens and assessments and any lien imposed pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., together with any interest thereon. The certification of cost shall be filed and recorded as a lien by the entity incurring the cost with the Camden County Clerk.

D. Intent to maintain abandoned property.

(1) Failure of an owner or lienholder to remove the property from the abandoned property list within the period of time for appeal of inclusion of the property on the list pursuant to N.J.S.A. 55:19-55 shall be prima facie evidence of the intent of the owner to continue to maintain the property as abandoned property.

(2) The clearance, development, redevelopment, or repair of property being maintained as an abandoned property pursuant to Subsection C (1) of this section shall be considered a public purpose and public use, for which the power of eminent domain may be lawfully exercised.

**§ 244-13 Removal of property from abandoned property list.**

A. An owner may request removal of his/her/its property from the abandoned property list prior to sale of the tax sale certificate by paying all taxes and Township liens due, including interest and penalties, and:

(1) By posting a certified check, money order, or a bond equal to the cost of remediating all conditions because of which the property has been determined to be abandoned pursuant to N.J.S.A. 55:19-55 and by posting a certified check, money order, or a bond to cover the cost of any environmental cleanup required on the property, evidenced by a certification by a licensed engineer retained by the owner and reviewed and approved by the public officer, stating that the certified check, money order, or bond adequately covers the cost of the cleanup; or

(2) By demonstrating to the satisfaction of the public officer that the conditions rendering the property abandoned have been remediated in full; provided, however, that where the public officer finds that the owner is actively engaged in remediating the conditions because of which the property was determined to be abandoned pursuant N.J.S.A. 55:19-55, as evidenced by significant rehabilitation activity on the property, the public officer may grant an extension of time of not more than 120 days for the owner to complete all work, during which time no further proceedings will be taken against the owner or the property.

B. If the owner has posted a certified check, money order, or bond in order to have a property removed from the abandoned property list and the conditions because of which the property was determined to be abandoned have not been fully remediated within one year of the date of posting the cash or bond, or, in the case of a property which requires a remediation of any known, suspected or threatened release of contaminants, if the owner has failed to enter into a memorandum of agreement with the New Jersey Department of Environmental Protection or an administrative consent order, as the case may be, or if an agreement or order is in effect but the owner has failed to perform the remediation in conformance with the agreement or order, then the cash or bond shall be forfeited to the Township, which shall use the cash or bond and any interest which has accrued thereon for the purpose of demolishing or rehabilitating the property or performing the environmental remediation. Any funds remaining after the property has been demolished, rehabilitated or cleaned up shall be returned to the owner.

#### **§ 244-14 Expedited action to foreclose right of redemption.**

A. When a person or entity other than the Township of Pennsauken acquires a tax sale certificate for a property on the abandoned property list at tax sale, the purchaser may institute an action to foreclose the right of redemption at any time after the expiration of just six months following the date of the sale of the tax sale certificate.

B. Notwithstanding N.J.S.A. 54:5-104.34, when the Township of Pennsauken is the purchaser at tax sale of any property on the abandoned property list pursuant to N.J.S.A. 54:5-34, an action to foreclose the right of redemption may be instituted in accordance with the provisions of Subsection b of N.J.S.A. 54:5-77.

C. After the foreclosure action is instituted, the right to redeem shall exist and continue to exist until barred by the judgment of the Superior Court; provided, however, that no redemption shall be permitted except where the owner:

(1) Posts a certified check, money order, or a bond equal to the cost of remediating the conditions because of which the property was determined to be abandoned pursuant to N.J.S.A. 55:19-56, as determined by the court; or

(2) Demonstrates to the court that the conditions because of which the property was determined to be abandoned pursuant to N.J.S.A. 55:19-55 have been remedied in full.

#### **§ 244-15 Entry of final judgment barring right of redemption; grounds for reopening judgment.**

Once a final judgment barring the right of redemption with respect to a property on the list of abandoned properties has been recorded, no court shall reopen such judgment at any time except on the grounds of lack of jurisdiction or fraud in the conduct of the action; in any such proceeding, the provisions of N.J.S.A. 55:19-20 et al. shall be construed liberally in favor of the purchaser, assignee or transferee of the tax sale certificate.

**§ 244-16 Property deemed not abandoned; criteria; certification of abandonment provided upon request.**

A. If an entity other than the Township of Pennsauken has purchased or taken assignment from the Township of a tax sale certificate on a property that has not been legally occupied for a period of six months that property shall not be added to the abandoned property list pursuant to N.J.S.A. 55:19-55 if:

(1) The owner of the certificate has continued to pay all Township taxes and liens on the property in the tax year when due; and

(2) The owner of the certificate takes action to initiate foreclosure proceedings within six months after the property is eligible for foreclosure pursuant to either Subsection a or Subsection b of N.J.S.A. 54:5-86, as appropriate, and diligently pursues foreclosure proceedings in a timely fashion thereafter.

B. A property used on a seasonal basis shall be deemed abandoned only if it meets any two of the additional criteria set forth in N.J.S.A. 55:19-81.

C. A determination that a property is abandoned property under the provisions of this article and N.J.S.A. 55:19-78 et seq. shall not constitute a finding that the use of the property has been abandoned for purposes of municipal zoning or land use regulation.

D. Upon the request of a purchaser or assignee of a tax sale certificate seeking to bar the right of redemption on an abandoned property pursuant to Subsection b of N.J.S.A. 54:5-86, the public officer or the Tax Collector shall, in a timely fashion, provide the requester with a certification that the property fulfills the definition of an "abandoned property" according to the criteria established in N.J.S.A. 55:19-81 and N.J.S.A. 55:19-82.

**§ 244-17 Transfer of possession and control of abandoned property.**

A. A summary action or other action to transfer possession and control of abandoned property in need of rehabilitation to the Township of Pennsauken may be brought by the Township in the Superior Court, Camden County. If the court shall find that the property is abandoned pursuant to N.J.S.A. 55:19-81 and that the owner or party in interest has failed to submit and initiate a rehabilitation plan, then the court may authorize the Township to take possession and control of the property and to develop a rehabilitation plan.

B. Where the Township has been granted possession and control, the Township may commence and maintain further proceedings for the conservation, protection or disposal of the property, or any part thereof, that are required to rehabilitate the property, recoup the cost and expenses of rehabilitation, and for the sale of the property; provided, however, that the court shall not direct the sale of the property if the owner applies to the court for reinstatement of control and possession of the property as permitted by N.J.S.A. 55:19-92.

C. Failure by the owner, mortgage holder or lienholder to submit a plan for rehabilitation to the Township, obtain appropriate construction permits or, in the alternative, submit formal applications for funding the cost of rehabilitation to local, state or federal agencies providing such funding, within the initial six-month period, shall be deemed prima facie evidence that the owner has failed to take any action to further the rehabilitation of the property.

**§ 244-18 Property owner's defense against complaint; plan required.**

A. An owner may defend against a complaint filed pursuant to N.J.S.A. 55:19-84 by submitting a plan for the rehabilitation and reuse of the property which is the subject of the complaint and by posting a bond equal to 125% of the amount determined by the public officer or the court to be the projected cost of rehabilitation.

B. Any plan submitted by an owner to defend against a complaint shall be submitted within 60 days after the complaint has been filed, unless the court provides the owner with an extension of time for good cause shown.

C. A plan submitted by an owner pursuant to this section shall include, but not be limited to:

- (1) A detailed financial feasibility analysis, including documentation of the economic feasibility of the proposed reuse, including operating budgets or resale prices, or both, as appropriate;
- (2) A budget for the rehabilitation of the property, including sources and uses of funds, based on the terms and conditions of realistically available financing, including grants and loans;
- (3) A timetable for the completion of rehabilitation and reuse of the property, including milestones for performance of major steps leading to and encompassing the rehabilitation and reuse of the property; and
- (4) Documentation of the qualifications of the individuals and firms that will be engaged to carry out the planning, design, financial packaging, construction, and marketing or rental of the property.

D. The court shall approve any plan that, in the judgment of the court, is realistic and likely to result in the expeditious rehabilitation and reuse of the property which is the subject of the complaint.

(1) If the court approves the owner's plan, then it may appoint the public officer to act as monitor of compliance and progress. If the owner fails to carry out any step in the approved plan, then the Township may apply to the court to have the posted bond forfeited, to transfer possession of the building to the Township to complete the rehabilitation plan, and to grant authorization to use the bond proceeds for the rehabilitation.

(2) The owner shall provide bimonthly reports to the public officer on its activities and progress toward rehabilitation and reuse of the property.

E. The court may reject a plan and bond if it finds that the plan does not represent a realistic and expeditious means of ensuring the rehabilitation of the property or that the owner or his representative or agents, or both, lack the qualifications, background or other criteria necessary to ensure that the plan will be carried out successfully.

**§ 244-19 Owner's unsuccessful defense against complaint; mortgage holders or lienholders to be designated in possession of property.**

A. If an owner is unsuccessful in defending against a complaint filed pursuant to N.J.S.A. 55:19-84, the mortgage holder or lienholder may seek to be designated in possession of the property by submitting a plan and posting a bond meeting the same conditions as set forth in N.J.S.A. 55:19-87. Their plan must be submitted within 60 days following the court's rejection of the owner's plan, unless the court provides the mortgage holder or lienholder with an extension of time for good cause shown. If the court approves any such mortgage holder or lienholder's plan, it shall designate that party to be in possession of the property for purposes of ensuring its rehabilitation and reuse and may appoint the public officer to act as monitor of the party's compliance.

B. The mortgage holder or lienholder, as the case may be, shall provide bimonthly reports to the court and the public officer on its activities and progress toward rehabilitation and reuse of the property.

C. If the mortgage holder or lienholder fails to carry out any material step in the approved plan, then the public officer shall notify the court, which may order the posted bond forfeit, grant the Township possession of the property, and authorize the Township to use the proceeds of the bond for rehabilitation of the property.

D. Any sums incurred or advanced for the purpose of rehabilitating the property by a mortgage holder or lienholder granted possession of a property pursuant to Subsection A of this section, including court costs and reasonable attorneys' fees, may be added to the unpaid balance due that mortgage holder or lienholder, with interest calculated at the same rate set forth in the note or security agreement, or, in the case of a tax lienholder, at the statutory interest rate for subsequent liens.

**§ 244-20 Township to be designated in possession of property; submission of plan to court.**

A. If no mortgage holder or lienholder meets the conditions of N.J.S.A. 55:19-88, then the Township may submit a plan to the court which conforms with the provisions of N.J.S.A. 55:19-87. Such plan shall designate whether the Township or a qualified rehabilitation entity shall undertake the rehabilitation plan in accordance with the provisions of N.J.S.A. 55:19-90.

B. The court shall grant the Township or qualified rehabilitation entity possession of the property if it finds that:

- (1) The proposed rehabilitation and reuse of the property is appropriate and beneficial;
- (2) The Township or qualified rehabilitation entity is qualified to undertake the rehabilitation and reuse of the property; and
- (3) The plan submitted by the Township or qualified rehabilitation entity represents a realistic and timely plan for the rehabilitation and reuse of the property.

C. The Township or qualified rehabilitation entity shall take all steps necessary and appropriate to further the rehabilitation and reuse of the property consistent with the plan submitted to the court. In making its finds pursuant to this subsection, the court may consult with qualified parties, including the New Jersey Department of Community Affairs, and, upon request by a party in interest, may hold a hearing on the plan.

D. Where either a redevelopment plan pursuant to N.J.S.A. 40A:12-1 et seq. or a neighborhood revitalization plan pursuant to N.J.S.A. 52:27D-490 et seq. has been adopted or approved by the New Jersey Department of Community Affairs, as appropriate, encompassing the property which is subject of a complaint, the court shall make a further finding that the proposed rehabilitation and reuse of the property are not inconsistent with any provision of either plan.

**§ 244-21 Township exercise of rights to further rehabilitation and reuse of property; designation of qualified rehabilitation entity.**

A. The Township may exercise its rights under N.J.S.A. 55:19-78 et seq. directly or may designate a qualified rehabilitation entity for the purpose of exercising the Township's rights, where that designation will further the rehabilitation and reuse of the property consistent with Township plans and objectives. This designation shall be made by resolution of the Township Committee of the Township of Pennsauken.

B. Regardless of whether the Township exercises its rights directly or designates a qualified rehabilitation entity pursuant to this section, while in possession of a property pursuant to N.J.S.A. 55:19-78 et seq., the Township shall maintain, safeguard, and maintain insurance on the property. Notwithstanding the Township's possession of the property, nothing in N.J.S.A. 55:19-78 et seq. shall be deemed to relieve the owner of the property of any civil or criminal liability or any duty imposed by reason of acts or omissions of the owner.

**§ 244-22 Township deemed possessor of property; borrowing of funds; reporting and filing requirements.**

A. If the Township has been granted possession of the property pursuant to N.J.S.A. 55:19-89, the Township shall be deemed to have an ownership interest in the property for the purpose of filing plans with public agencies and boards, seeking and obtaining construction permits and other approvals, and submitting applications for financing or other assistance to public or private entities.

B. For purposes of any state program of grants or loans, including but not limited to programs of the New Jersey Department of Community Affairs and the New Jersey Housing and Mortgage Finance Agency, possession of a property under this subsection shall be considered legal control of the property.

C. Notwithstanding the granting of possession to the Township, nothing in N.J.S.A. 55:19-78 et seq. shall be deemed to relieve the owner of the property of any obligation the owner or any other person may have for the payment of taxes or other Township liens and charges, or



mortgages or liens to any party, whether those taxes, charges or liens are incurred before or after the granting of possession.

D. The granting of possession shall not suspend any obligation the owner may have as of the date of granting possession for payment of any operating or maintenance expense associated with the property, whether or not billed at the time of the granting of possession.

E. The court may approve the borrowing of funds by the Township to rehabilitate the property and may grant a lien or security interests with priority over all other liens or mortgages other than municipal liens. Prior to granting this lien priority, the court must find as follows:

(1) The Township sought to obtain the necessary financing from the senior lienholder, which declined to provide such financing on reasonable terms;

(2) The Township sought to obtain a voluntary subordination from the senior lienholder, which refused to provide such subordination; and

(3) Lien priority is necessary in order to induce another lender to provide financing on reasonable terms. No lien authorized by the court shall take effect unless recorded with the Clerk of Camden County.

F. Where the Township has been granted possession by the court in the name of the Township, the Township may seek the approval of the court to assign its rights to another entity, which approval shall be granted by the court when it finds that:

(1) The entity to which the Township's rights will be assigned is a qualified rehabilitation entity; and

(2) The assignment will further the purposes of this section.

G. Where the Township has designated a qualified rehabilitation entity to act on its behalf, the qualified rehabilitation entity shall provide bimonthly reports to the Township on its activities and progress toward rehabilitation and reuse of the property. The Township or qualified rehabilitation entity, as the case may be, shall provide such reports to the court as the court determines to be necessary. If the court finds that the Township or its designee has failed to take diligent action toward rehabilitation of the property within one year from the grant of possession, then the court may request that the Township designate another qualified rehabilitation entity to exercise its rights or, if the Township fails to do so, may terminate the order of possession and return possession and control of the property to its owner.

H. The Township shall file a notice of completion with the court, and shall also serve a copy on the owner and any mortgage holder or lienholder, at such time as the Township has determined that no more than six months remain to the anticipated date on which rehabilitation will be complete. This notice shall include an affidavit of the public officer, attesting that the rehabilitation is anticipated to be completed within that time period, and a statement setting forth the actions as it plans to undertake consistent with the plan.

#### **§ 244-23 Petition for reinstatement of control and possession by owner.**

A. An owner may petition for reinstatement of the owner's control and possession of the property at any time after one year from the court's removal of possession, but no later than 30 days after the Township has filed a notice of completion with the court or, in the event the notice of completion is filed within less than one year of the grant of possession, within 30 days after the Township has filed said notice.

B. The court may allow additional time for good cause if that additional time does not materially delay completion of the rehabilitation, place undue hardship on the Township or affect any of the terms or conditions under which the Township has applied for or received financing for the rehabilitation of the property.

C. Any petition to reinstate the owner's control and possession of the property filed pursuant to N.J.S.A. 55:19-92 shall:

(1) Include a plan for completion of the rehabilitation and reuse of the property consistent with the plan previously approved by the court;

(2) Provide legally binding assurance that the owner will comply with all conditions of any grant or loan secured by the Township or repay those grants or loans in full, at the discretion of the maker of the loan or grant; and

(3) Be accompanied by payment equal to the sum of all Township liens outstanding on the property; all costs incurred by the Township in bringing action with respect to the property; any costs incurred by the Township not covered by grants or loans to be assumed or repaid pursuant to this section; and any costs remaining to complete rehabilitation or reuse of the property, as determined by the public officer, which payment shall be placed in escrow with the Clerk of the court ending disposition of the petition.

**§ 244-24 Obligation of owner prior to grant of petition.**

A. Prior to the granting of a petition on the part of the owner by the court pursuant to N.J.S.A. 55:19-92, the owner may be required to post a bond or other security in an amount determined by the court, after consultation with the public officer, as likely to ensure that the owner will continue to maintain the property in sound condition. That bond or other security shall be made available to the Township to make any repair on the property in the event of a Code violation which is not corrected in timely fashion by owner. The bond or other security may be forfeited in full in the event that the owner fails to comply with any requirement imposed as a condition of the reinstatement petition filed pursuant to N.J.S.A. 55:19-92.

B. The owner may seek approval of the court to be relieved of this requirement after five years, which shall be granted if the court finds that the owner has maintained the property in good repair during that period, that no material violations affecting the health and safety of the tenants have occurred during that period, and that the owner has remedied other violations in a timely and expeditious fashion.

**§ 244-25 Failure of owner to petition for reinstatement of control and possession of property; granting of title to Township; authority to sell.**

If the owner fails to petition for the reinstatement of control and possession of the property within 30 days after the Township has filed a notice of completion or, in any event, within two years after the initial grant of possession, or if the owner fails to meet any conditions that may be set by the court in granting a reinstatement petition, the court may grant the Township title or authorize the Township to sell the property, subject to the provisions of N.J.S.A. 55:19-96.

**§ 244-26 Procedure for Township to place liens, obtain title and sell property.**

A. The Township, with the approval of the court, may place a lien on the property to cover any costs of the Township in connection with any proceeding under N.J.S.A. 55:19-78 et seq., incurred prior to the grant by the court of an order of possession, which may include costs incurred to stabilize or secure the property to ensure that it can be rehabilitated in a cost-effective manner. Any such lien shall be considered a Township lien for the purposes of N.J.S.A. 54:5-9, with the rights and status of a Township lien pursuant thereto.

B. Where the Township seeks to gain title to the property, it shall purchase the property for fair market value on such terms as the court shall approve and may place the proceeds of sale in escrow with the court.

C. The court may authorize the Township to sell the building free and clear of liens, claims and encumbrances, in which event all such liens, claims and encumbrances shall be transferred to the proceeds of sale with the same priority as existed prior to resale in accordance with the provisions of this section, except that municipal liens shall be paid at settlement. The proceeds of the purchase of the property shall be distributed as set forth in N.J.S.A. 55:19-97.

D. The Township may seek approval of the court to sell the property to a third party when the court finds that such conveyance will further the effective and timely rehabilitation and reuse of the property.

E. Upon approval by the court, the Township shall sell the property on such terms and at such price as the court shall approve and may place the proceeds of sale in escrow with the court.

The court shall order a distribution of the proceeds of sale after paying court costs in the order of priority set forth in N.J.S.A. 55:19-97.

**§ 244-27 Distribution of proceeds.**

A. The proceeds paid pursuant to Subsection c of N.J.S.A. 55:19-96 shall be distributed in the following order of priority:

- (1) The costs and expense of sale;
- (2) Other governmental liens;
- (3) Repayment of principal and interest on any borrowing or indebtedness incurred by the Township and granted priority lien status pursuant to Subsection a of N.J.S.A. 55:19-98;
- (4) A reasonable development fee to the Township consistent with the standards for development fees established for rehabilitation by the New Jersey Department of Community Affairs or the New Jersey Housing and Mortgage Finance Agency;
- (5) Other valid liens and security interest, in accordance with their priority; and
- (6) The owner.

**§ 244-28 Recourse of Township; public officer authority to place lien; remedies.**

A. With respect to any lien placed against real property pursuant to the provisions of N.J.S.A. 40:48-2.3 or 40:48-2.5, or N.J.S.A. 40:48-2.3a, or any receiver's lien pursuant to N.J.S.A. 2A:42-114 et seq., the Township shall have recourse with respect to the lien against any assets of the owner of the property if an individual, against any assets of any partner if a partnership, and against any asset of any owner of a ten-percent interest or greater if the owner is any other business organization or entity recognized pursuant to law.

B. The public officer, with the approval of the court, may place a lien on the property to cover any costs of the Township in connection with a proceeding under N.J.S.A. 55:19-78 et seq, incurred prior to the grant by the court of an order of possession under N.J.S.A. 55:19-78 et seq. which may include costs incurred to stabilize or secure the property to ensure that it can be rehabilitated in a cost-effective manner. Any such lien shall be considered a Township lien for the purposes of N.J.S.A. 54:5-9, with the rights and status of a Township lien pursuant thereto.

C. With the exception of the holding of special tax sales pursuant to N.J.S.A. 55:19-101, the remedies available under N.J.S.A. 55:19-78 et seq. shall be available to the Township with respect to any abandoned property, whether or not the Township has established an abandoned property list and whether or not the property at issue has been included on any such list.

**§ 244-29 Special tax sale and criteria for bidders.**

A. The Township may hold special tax sales with respect to those properties eligible for tax sale pursuant to N.J.S.A. 54:5-19 which are also on the abandoned property list.

B. The Township shall establish criteria for eligibility to bid on properties at the sale, which may include, but need not be limited to:

- (1) Documentation of the bidder's ability to rehabilitate or otherwise reuse the property consistent with Township plans and regulations;
- (2) Commitments by the bidder to take action to foreclose on the tax lien by a date certain; and
- (3) Such other criteria as the Township may determine are necessary to ensure that the properties to be sold will be rehabilitated or otherwise reused in a manner consistent with the public interest.

C. The Township may establish minimum bid requirements for a special tax sale that are less than the full amount of the taxes, interest and penalties due, the amount of such minimum bid to be at the sole discretion of the Township, in order to ensure that the properties to be sold will be rehabilitated or otherwise reused in a manner consistent with the public interest.

D. The Township may combine properties in said special tax sale into bid packages and require that bidders place a single bid on each package, rejecting any and all bids on individual properties that are submitted.

E. The Township may sell said properties subject to the provision that, if the purchaser fails to carry out any commitment that has been set forth as a condition of sale or misrepresents any material qualification that has been established as a condition of eligibility to bid pursuant thereto, then the properties and any interest thereto acquired by the purchaser shall revert to the Township, and any amount paid by the purchaser to the Township at the special tax sale shall be forfeit to the Township.

F. In the event there are two or more qualified bidders for any property or bid package in a special tax sale, the Township may designate the unsuccessful qualified bidder whose bid was closest to the successful bid as an eligible purchaser.

G. In the event that the selected purchaser of that property or bid package fails to meet any of the conditions of sale established by the Township pursuant to this section and his/her/its interest in the property or properties reverts to the Township, the Township may subsequently designate the entity previously designated as an eligible purchaser as the winning bidder for the property or properties and assign the tax sale certificates to that entity on the basis of that entity's bid at the special tax sale, subject to the terms and conditions of the special tax sale.

H. The Township shall provide notice of a special tax sale pursuant to N.J.S.A. 54:5-26. The notice shall include any special terms of sale established by the Township pursuant to this section. Nothing shall prohibit the Township from holding a special tax sale on the same day as a standard or accelerated tax sale.

**§ 244-30 Removal of property from abandoned property list.**

A property on which an entity other than the Township has purchased or taken assignment from the Township of a tax sale certificate which has been placed on the abandoned property list may be removed if the owner of the certificate pays all municipal taxes and liens due on the property within 30 days after the property is placed on the list; provided, however, that if the owner of the certificate fails to initiate foreclosure proceedings within six months after the property was first placed on the list, the property shall be restored to the abandoned property list in accordance with the provisions of N.J.S.A. 55:19-103.

**§ 244-31 Interested parties may request additions to the abandoned property list.**

A. Any interested party may submit a written request to the public officer asserting that any property within the Township should be included on the abandoned property list prepared pursuant to N.J.S.A. 55:19-55, specifying the street address and block and lot number of the property to be included and the grounds for its inclusion. Within 30 days of receipt of any such request, the public officer shall provide a written response to the party, either indicating that the property will be added to the list or, if not, the reasons for not adding the property. For the purposes of this section, the term "interested parties" shall include any resident of the Township, any owner or operator of a business within the Township or any organization representing the interests of residents, business owners or otherwise engaged in furthering the revitalization and improvement of the neighborhood in which the property is located.

B. Any interested party may participate in a redetermination hearing regarding the inclusion of a property on the abandoned property list. Upon written request by any interested party, the public officer shall provide that party with at least 20 days' notice of any such hearing. The party shall provide the public officer with notice, at least 10 days before the hearing, of its intention to participate and the nature of the testimony or other information that it proposes to submit at the hearing.

***BE IT ORDAINED***, that all ordinances or parts of ordinances inconsistent herewith to the extent of such inconsistency only, be and the same are hereby repealed.

**BE IT FURTHER ORDAINED**, this ordinance shall take effect upon due passage and publication according to law.

Mayor Killion asked if anyone from the public wished to be heard, no public wished to comment

Deputy Mayor McBride moved the motion on Ordinance 2018:20 for final approval  
Committeeman Figueroa seconded the motion  
An affirmative 5/0 roll call vote was recorded

**ORDINANCE 2018:21**

AN ORDINANCE TO AMEND CHAPTER 31:DEPARTMENT OF EMERGENCY MEDICAL SERVICES SECTION 8 FEES FOR EMERGENCY MEDICAL SERVICES IN THE CODE OF THE TOWNSHIP OF PENNSAUKEN

**BE IT ORDAINED**, by the Township Committee of the Township of Pennsauken County of Camden, State of New Jersey that Chapter 31, Section 8 entitled Fees for Emergency Medical Services is hereby amended as follows:

31-8 Fees for Emergency Medical Services

- A. Transportation  
to a local area hospital as a result of an emergency response is \$825.00 beginning January 1, 2019
- B. Mileage from  
the scene to an area hospital is \$17.00 per mile, beginning January 1, 2019

Additional charges (where applicable)

Treat without Transport	\$250.00
Disposable Cervical Collar	\$ 40.00
Oxygen Administration	\$ 50.00
Narcan Administration	\$ 95.00
EPI Pen Administration	\$150.00
CPAP Administration	\$ 95.00
Aspirin/per Admin	\$ 3.00
Lucas Compression Administration	\$ 95.00

Mayor Killion asked if anyone form the public wished to be heard, no public wished to comment

Committeeman Orth moved the motion on Ordinance 2018:21 for final approval  
Committeeman Taylor seconded the motion  
An affirmative 5/0 roll call vote was recorded

**RESOLUTION(s)- (Public May Comment) The Following Resolution(s) will be considered individually-**

**RESOLUTION 2018:345**

RESOLUTION RESCINDING RESOLUTION 2018:341 MOU WITH THE BOARD OF EDUCATION

**WHEREAS**, the Township of Pennsauken adopted Resolution 2018:341 at its meeting of December 6, 2018, and;

**WHEREAS**, there was a signature error on the resolution; and

**NOW, THEREFORE BE IT RESOLVED**, the Township Committee of the Township of Pennsauken, Camden County hereby rescinds Resolution 2018:341.

Committeeman Orth moved the motion on Resolution 2018:345  
Committeeman Taylor seconded the motion  
An affirmative 4/0/1 roll call vote was recorded  
Mayor Killion recused himself from the vote

**RESOLUTION 2018:346**

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN AUTHORIZING THE ACCEPTANCE OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWNSHIP OF PENNSAUKEN AND THE TOWNSHIP OF PENNSAUKEN BOARD OF EDUCATION FOR THE 2018-2019 YEAR

**WHEREAS**, the Township of Pennsauken Board of Education desires a law enforcement presence and services from the Township of Pennsauken through the Township of Pennsauken Police Department and whereas the Township and the Township of Pennsauken Police Department desire to provide said law enforcement and services ; and

**WHEREAS**, the Parties recognize the mutual interests can be furthered through the use of Police Officers assigned to a school and;

**WHEREAS**, the proper and respective Township and Board of Education officials are authorized to execute the attached MOU pursuant to resolutions of their respective governing bodies which are to be attached to this resolution; and

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Pennsauken hereby authorizes the acceptance of the attached Memorandum of Understanding between the Township of Pennsauken and the Township of Pennsauken Board of Education; and

Committeeman Orth moved the motion on Resolution 2018:346  
Committeeman Taylor seconded the motion  
An affirmative 4/0/1 roll call vote was recorded  
Mayor Killion recused himself from the vote

**RESOLUTION 2018:347**

RESOLUTION APPROVING REFUND OF PROPERTY TAXES AND PENDING MUNICIPAL LIENS FOR THE YEAR 2018

**WHEREAS**, THE TAX COLLECTOR OF THE TOWNSHIP OF PENNSAUKEN HAS COLLECTED FROM THE FOLLOWING LIST, EXCESS PAYMENT ON THE PROPERTY TAXES AND PENDING MUNICIPAL LIENS WHICH CREATED OVERPAYMENTS; AND

**WHEREAS**, THE TAX COLLECTOR OF THE TOWNSHIP OF PENNSAUKEN HAS DETERMINED THAT REFUNDS OF PROPERTY TAXES AND PENDING MUNICIPAL LIENS SHOULD BE EXECUTED AS INDICATED ON THE FOLLOWING LIST:

**NOW, THEREFORE, BE IT RESOLVED** BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN OF THE STATE OF NEW JERSEY, THAT THE FOLLOWING AMOUNTS BE REFUNDED.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>
804	30	SAFEGUARD PROPERTIES MANAGEMENT LLC 7887 SAFEGUARD CIRCLE	250.00

VALLEY VIEW, OH 44125  
 (REF: DUPLICATE PML PAYMENT)

3017 18 CARACCI (L/E J DUNLEAVY) 997.70  
 6754 ROGERS AVE  
 PENNSAUKEN, NJ 08109  
 (REF: TDV)

3202 10 BELL, JOSEPH M SR 1,083.55  
 7219 CEDAR AVE  
 PENNSAUKEN, NJ 08109  
 (REF: TDV)

3809 3 LERETA LLC 1,130.81  
 ATTN: CYMANTHA AYALA  
 1123 PARKVIEW DR  
 COVINA, CA 91724  
 (REF: DUPLICATE TAX PAYMENT)

4610 46 ALVARDO, EDNA 909.39  
 4217 ASHLEY CT  
 PENNSAUKEN, NJ 08110  
 (REF: DUPLICATE TAX PAYMENT)

4902 9 SAFEGUARD PROPERTIES MANAGEMENT LLC 250.00  
 7887 SAFEGUARD CIRCLE  
 VALLEY VIEW, OH 44125  
 (REF: DUPLICAYE PML PAYMENT)

5007 5 HENDRICKSON, THOMAS & JUDITH 236.08  
 6128 IRVING AVE  
 PENNSAUKEN, NJ 08109  
 (REF: TDV)

5618 7 LERETA LLC 1,395.72  
 ATTN: CYMANTHA AYALA  
 1123 PARKVIEW DRIVE  
 COVINA, CA 91724  
 (REF: DUPLICATE TAX PAYMENT)

**BE IT FURTHER RESOLVED**, THAT A CERTIFIED COPY OF THIS RESOLUTION IS FORWARDED TO THE TOWNSHIP OF PENNSAUKEN TAX ASSESSOR, TAX COLLECTOR, AND CHIEF FINANCIAL OFFICER.

Committeeman Orth moved the motion on Resolution 2018:347  
 Committeeman Taylor seconded the motion  
 An affirmative roll call vote was recorded

**RESOLUTION 20018:348**

RESOLUTION AUTHORIZING CANCELLATION OF PROPERTY TAXES FOR WHO ARE ENTITLED TO AN EXEMPTION DUE TO THE VETERAN ADMINISTRATION DETERMINATION OF 100% PERMANENTLY AND TOTALLY DISABLED.

WHEREAS, THE OWNERS AND RESIDENTS OF THE FOLLOWING PROPERTIES HAVE MET ALL THE REQUIREMENTS FOR A TOTALLY DISABLED VETERAN EXEMPTION AS PERSCRIBED BY NEW JERSEY STATUTE 54:4-3.30 FOR EXEMPT STATUS UNTIL SOLD; AND

WHEREAS, THE OWNERS AND RESIDENTS OF THE FOLLOWING PROPERTIES HAVE APPLIED TO THE TAX ASSESSOR OF THE TOWNSHIP OF PENNSAUKEN FOR TAX EXEMPT STATUS AND HAVE BEEN APPROVED BY THE TAX ASSESSOR OF THE TOWNSHIP OF PENNSAUKEN FOR TAX EXEMPT STATUS; AND

WHEREAS, THE TAX COLLECTOR OF THE TOWNSHIP OF PENNSAUKEN RECOMMENDS THE CANCELLATION OF TAXES FOR THE PROPERTIES AS DISCRIBED AS FOLLOWS:

<u>BLOCK / LOT</u>	<u>PROPERTY LOCATION</u>	<u>YEAR</u>	<u>AMOUNT TO CANCEL</u>
3017 18	6754 ROGERS AVE	2018	997.70
3202 10	7219 CEDAR AVE	2018	1,083.55
4610 46	4217 ASHLEY CT	2018	909.39
5007 5	6128 IRVING AVE	2018	1,124.31

BE IT RESOLVED, THAT THE TAXES ON THE AFORMENTIONED LIST BE CANCELLED AND THAT THE TAX ASSESSOR AND THE TAX COLLECTOR ARE HEREWITH AUTHORIZED AND INSTRUCTED TO ADJUST THEIR RECORDS ACCORDINGLY;

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE TAX ASSESSOR, TAX COLLECTOR, CHIEF FINANCIAL OFFICER, AND THE CAMDEN COUNTY BOARD OF TAXATION;

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN AND STATE OF NEW JERSEY; THAT THE AFOREMENTIONED EXEMPTIONS ARE GRANTED.

Committeeman Orth moved the motion on Resolution 2018:348

Committeeman Taylor seconded the motion

An affirmative roll call vote was recorded

**RESOLUTION(s) (PUBLIC MAY COMMENT) The Following Resolution(s) will be considered by consent agenda**

**RESOLUTION 2018:349 RESOLUTION APPROVING THE REFUND OF \$243.20 FOR A UCC PERMIT FOR THE PROPERTY LOCATED AT 1706 44<sup>TH</sup> STREET, PENNSAUKEN, NJ 08110**

WHEREAS, SolarCity Corporation DBA Tesla Energy, 1001 Lower Landing Road #601, Blackwood, NJ 08012, Attention: Permitting, paid for a UCC Permit for 1706 44<sup>th</sup> Street, Pennsauken, NJ 08110 in the amount of \$304.00; and

WHEREAS, THE Construction Official of the TOWNSHIP OF PENNSAUKEN is satisfied that the fee for the UCC Permit for the property known as 1706 44<sup>th</sup> Street, Pennsauken, NJ 08110 was paid, the contractor has cancelled their order for the roof top solar panels, and therefore deems the applicant is entitled to a \$243.20 refund.



NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the TOWNSHIP OF PENNSAUKEN, County of Camden and State of New Jersey that the sum of \$243.20 is returned to SolarCity Corporation DBA Tesla Energy, 1001 Lower Landing Road #601, Blackwood, NJ 08012, Attention: Permitting.

CERTIFIED COPY of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official and the Supervisor of Building Department.

**RESOLUTION 2018.350** RESOLUTION APPROVING THE REFUND OF \$38.00 FOR A UCC PERMIT FOR THE PROPERTY LOCATED AT 6020 HOLLINSHED AVENUE, PENNSAUKEN, NJ 08110

WHEREAS, Anthony Ocasio, 6020 Hollinshed Avenue, Pennsauken, NJ 08110 paid for a UCC permit for 6020 Hollinshed Avenue, Pennsauken, NJ 08110 in the amount of \$325.00

WHEREAS, THE Construction Official of the TOWNSHIP OF PENNSAUKEN is satisfied that the fee for the UCC permit for the property known as 6020 Hollinshed Avenue, Pennsauken, NJ 08110 was paid, the owner was charged for an in ground pool and instead of an above ground pool, and therefore deems the applicant is entitled to a refund of \$38.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the TOWNSHIP OF PENNSAUKEN, County of Camden and State of New Jersey that the sum of \$38.00 is returned to Anthony Ocasio, 6020 Hollinshed Avenue, Pennsauken, NJ 08110.

CERTIFIED COPY of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official and the Supervisor of Building Department.

**RESOLUTION 2018.351** RESOLUTION APPROVING THE REFUND OF \$308.80 FOR A UCC PERMIT FOR THE PROPERTY LOCATED AT 6430 IRVING AVENUE, PENNSAUKEN, NJ 08109

WHEREAS, SolarCity Corporation DBA Tesla Energy, 1001 Lower Landing Road #601, Blackwood, NJ 08012, Attention: Permitting, paid for a UCC Permit for 6430 Irving Avenue, Pennsauken, NJ 08109 in the amount of \$386.00; and

WHEREAS, THE Construction Official of the TOWNSHIP OF PENNSAUKEN is satisfied that the fee for the UCC Permit for the property known as 6430 Irving Avenue, Pennsauken, NJ 08109 was paid, the contractor has cancelled their order for the roof top solar panels, and therefore deems the applicant is entitled to a \$308.80 refund.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the TOWNSHIP OF PENNSAUKEN, County of Camden and State of New Jersey that the sum of \$308.80 is returned to SolarCity Corporation DBA Tesla Energy, 1001 Lower Landing Road #601, Blackwood, NJ 08012, Attention: Permitting.

CERTIFIED COPY of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official and the Supervisor of Building Department.

**RESOLUTION 2018.352** RESOLUTION APPROVING THE REFUND OF \$714.40 FOR A UCC PERMIT FOR THE PROPERTY LOCATED AT 6523 WALTON AVENUE, PENNSAUKEN, NJ 08109

WHEREAS, SolarCity Corporation DBA Tesla Energy, 1001 Lower Landing Road #601, Blackwood, NJ 08012, Attention: Permitting, paid for a UCC Permit for 6523 Walton Avenue, Pennsauken, NJ 08109 in the amount of \$893.00; and

WHEREAS, THE Construction Official of the TOWNSHIP OF PENNSAUKEN is satisfied that the fee for the UCC Permit for the property known as 6523 Walton Avenue, Pennsauken, NJ 08109 was paid, the contractor has cancelled their order for the roof top solar panels, and therefore deems the applicant is entitled to a \$714.40 refund.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the TOWNSHIP OF PENNSAUKEN, County of Camden and State of New Jersey that the sum of \$714.40 is returned to SolarCity Corporation DBA Tesla Energy, 1001 Lower Landing Road #601, Blackwood, NJ 08012, Attention: Permitting.

CERTIFIED COPY of this resolution will be forwarded by the Township Clerk to the Applicant, Construction Official and the Supervisor of Building Department.

**RESOLUTION 2018.353 RESOLUTION APPOINTING WILLIAM HERTLINE AS EMERGENCY MANAGEMENT COORDINATOR FOR THE TOWNSHIP OF PENNSAUKEN**

BE IT RESOLVED, by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey that it hereby appoints William Hertline as the Emergency Management Coordinator for the Township of Pennsauken for three (3) year term.

BE IT RESOLVED, that this appointment is effective January 1, 2019 and will expire December 31, 2021.

BE IT FURTHER RESOLVED, that a certified copy of this resolution will be forwarded by the Township Clerk to the Director of Public Safety, William Hertline, the Camden County Office of Emergency Management and Pennsauken Township CFO, Ronald Crane

**RESOLUTION 2018.354 RESOLUTION APPOINTING GREG SCHOEFIELD TO THE PENNSAUKEN SEWERAGE AUTHORITY FOR A 5 YEAR TERM THRU 2023**

BE IT RESOLVED, BY THE Township Committee of the Township of Pennsauken , in the County of Camden and State of New Jersey that the following individual is hereby appointed as a member of the Pennsauken Sewerage Authority for a full five (5) year term, Commencing January 1, 2019 and expiring December 31, 2023.

**GREG SCHOEFIELD**

IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded by the Municipal Clerk to the Pennsauken Sewerage Authority, Pennsauken Township CFO, Ronald Crane and Greg Schofield.

ADOPTED by the Mayor and Township Committee of the Township of Pennsauken at it meeting held on December 6, 2018.

**RESOLUTION 2018.355 RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING THE DISCHARGE OF FIREWORKS**

**BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, that the Governing body hereby authorizes D & M Fireworks, LLC of Bally, PA to discharge fireworks on January 4, 2019 at the Pennsauken Country Club located at 3800 Haddonfield Rd. Pennsauken, NJ in conjunction with the Township's Reorganization Meeting

**BE IT FURTHER RESOLVED**, that the Township Clerk will transmit certified copies of the Resolution to the appropriate individuals and Departments.

**RESOLUTION 2018.356** RESOLUTION OF THE TOWNSHIP OF PENNSAUKEN AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE GRANT FOR FISCAL YEAR 2020

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances on Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, school, nonprofits organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

Whereas, the Township of Pennsauken further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

Whereas, the Township Committee of the Township of Pennsauken has applied for funding to the Governors's Council on Alcoholism and Drug Abuse through the County of Camden ; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey, does hereby recognizes the following:

1. The Township Committee of the Township of Pennsauken does hereby authorize submission of a strategic plan for the Pennsauken Municipal Alliance grant for fiscal year 2020 in the amount of:

DEDR	\$ <u>28,157.16</u>
Cash Match	\$ <u>7,039.29</u>
In-Kind	\$ <u>21,117.87</u>

2. The Township of Pennsauken acknowledges the term and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION 2018.357** RESOLUTION ACCEPTING THE RESIGNATION OF CROSSING GUARD(S)(Thomas Hendrickson)

**BE IT RESOLVED** By the Township Committee of the Township of Pennsauken in the county of Camden and the State of New Jersey that Thomas Hendrickson has resigned from his position of Crossing Guard. There was not a deposit collected therefore no refund is due.

Thomas Hendrickson  
6128 Irving Ave.  
Pennsauken, NJ, 08110

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded by the Township Clerk to the Chief Financial Officer, Chief of Police and Human Resources.

Committeeman Figueroa moved the motion on the consent agenda

Committeeman Taylor seconded the motion

An affirmative 5/0 roll call vote was recorded on all but Resolution 2018:354 which passed on an affirmative roll call vote 4/0/1 Committeeman Orth recused himself from resolution 2018:354

**PAYMENT OF BILLS-**

Budgeted (November)	\$	10,124,472.87
Statutory Expenditures (November)	\$	32,670.18
Section 8 (November)	\$	47,490.00
Rehab (November)	\$	807.38

Committeeman Orth moved the motion to pay the submitted bills  
Committeeman Figueroa seconded the motion  
An affirmative 5/0 roll call vote was recorded

### **DEPARTMENT REPORT(s) and/ or Country Club Revenues to Date-**

The Township Clerk stated that there was a report from the Tax Collector.

Deputy Mayor McBride moved the motion to accept the reports as submitted  
Committeeman Figueroa seconded the motion  
An affirmative 5/0 voice vote was recorded

Mayor Killion opened the meeting to the public for comment

### **PUBLIC COMMENT**

Wayne Rodan of Walnut Avenue commented on the cost for rental inspections and broke down what each employee says is the time spent inspecting each unit. He asked Mayor & Committee to consider a graduated scale.

Mayor Killion thanked him for his comments and stated they would look into it.

Kathleen Kline of Prospect St in Merchantville also commented on the inspection cost and stated that the fee went up 300% which is one month's rental fee.

Mayor Killion thanked her also and repeated it would get looked into.

No others from the public wished to comment

Committeeman Orth moved a motion to close the floor for public comment  
Committeeman Figueroa seconded the motion  
A 5/0 affirmative voice vote was recorded

### **CLOSED SESSION- RESOLUTION(s)- (Public May Comment) The Following Resolution(s) will be considered individually**

#### **RESOLUTION 2018:358**

RESOLUTION AUTHORIZING A CLOSED SESSION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF PENNSAUKEN TO DISCUSS A MATTERS OF EMPLOYMENT (BOARDS AND COMMISSIONS, MUNICIPAL; PROFESSIONAL APPOINTMENTS)

**WHEREAS**, the Township Committee of the Township of Pennsauken is subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6- et. seq; and

**WHEREAS**, the Open Public Meetings Act of the State of New Jersey generally requires that all meetings of public bodies be open to the public; and

**WHEREAS**, the Open Public Meetings Act further provides that a public body may exclude the public from a portion of a meeting at which the public body discusses items enumerated in the Open Public Meetings Act at N.J.S.A. 10:4-12b, which items are recognized as requiring confidentiality; and

**WHEREAS**, it is necessary and appropriate for the Township Committee of the Township of Pennsauken to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12b.

**WHEREAS**, matters under discussion will not be disclosed until the need for confidentiality no longer exists; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Pennsauken, pursuant to the Open Public Meetings Act of the State of New Jersey that:

1. The Township Committee of the Township of Pennsauken shall hold a closed meeting from which the public shall be excluded, on December 20, 2018.

2. The general nature of the subjects to be discussed at said closed meeting shall be matters of employment - N.J.S.A. 10:4-12b (8) ;
  - a. Employment- Boards & Commissions / Municipal -Reorganization Appointments
  - b. Employment – Professional Appointments for Reorganization

ADOPTED at the Meeting of the Township Committee of the Township of Pennsauken on Thursday, December 20, 2018.

Committeeman Orth moved a motion to approve resolution 2018:358  
Committeeman Taylor seconded the motion  
A 5/0 affirmative roll call vote was recorded

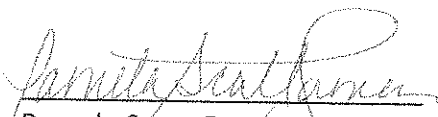
Mayor & Committee returned to the public and

Committeeman Figueroa moved a motion to adjourn  
Committeeman Orth seconded the motion  
An affirmative 5/0 voice vote was recorded

### **ADJOURNMENT**

Meeting adjourned at 6:36 pm

Respectfully submitted

  
Pamela Scott-Forman  
Deputy Clerk

**MINUTES APPROVED: JANUARY 17, 2019**