

**MAY 8, 2019**  
**BUSINESS MEETING**

The work meeting of the Hope Township Committee convened at 7:00 P.M. at the Hope Township Municipal Building with the following members present: Mayor Timothy McDonough, Deputy Mayor Christopher John Kruk and Committeeman Terry Urfer, Don Whitmore and Ted Rodman. Also present was Municipal Clerk, Judith Fisher, RMC, Deputy Clerk Robin Keggan, Michael Selvaggi, Township Attorney and George Boesze, Zoning Official.

Under the provisions of the "Open Public Meetings Act", adequate notice of the meeting had been provided by publishing notice in The Star Gazette and The New Jersey Herald and by posting notices in the Hope Post Office and on the Township bulletin boards.

**Reports:**

**Mayor Tim McDonough:** .

**Deputy Mayor Christopher John Kruk:** .

**Committeeman Urfer:** .

**Township Engineer Report:** Relayed to the Township Committee that he received a letter from FEMA asking for flood plain certifications for the generators installed. He is looking into obtaining these. Mr. Urfer spoke to Mr. Rodman regarding an ongoing issue with the Campbell Foundry property and dumping of fill that has been going on there. He brought Mr. Rodman up to speed and alerted him to the fact that the permit process has been initiated by the people bringing the fill in and that once it is completed it will be passed onto him for his inspection. For the time being, the fill operation has been ceased. North Locust Lake also needs about 50-60 feet repaved and Mr. Rodman was directed to meet with Mr. Whitmore and Mr. Urfer to take a look at the road to determine best action to repair. It was noted that if enough money remains out of the capital put aside for this, they may repair the bottom of Ridgeway Avenue. The Clerk noted that if this were to occur, another Ordinance will need to be drafted by the CFO in that the current one in place only designates capital spending on North Locust Lake Road.

**Township Attorney:** Mr. Selvaggi spoke about the Ordinances he had drafted prior to the meeting and which were reviewed by the Township Committer and Zoning Official. The discussion was centered around the confusion that was surrounding the two different Ordinances and their wording (Maintenance of Vacant/Abandoned Properties with creditors vs. non-creditor wording). After discussion, it was determined to introduce both Ordinances as they both offer their own benefit to being on file with the municipality. The Zoning Official will further review the "creditor" ordinance and get back to Mr. Selvaggi with any further questions before the second reading/adoption of the same at the June 12, 2019 meeting.

**Payment of Bills:** \$786,619.54 – total bills for May 8, 2019. Mr. Urfer motioned to approve; Mr. Kruk seconded. Roll call: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes. Receipts for April 2019 - \$117,146.80.

**Warren County Health Department:** No report given for April due to retirement of Tracy Hess from the Health Department.

**Tax Collector:** No report given for April.

**Fire Department:** April Report – Total number of calls -; Man hours; Four work nights; Work Night Man hours; Special Details – 4; Total man hours – 60. Total Man hours for April 2019 – 297.53

**Brielle Walsh/Patti Whitmore:** Patti gave an update on the replacement of the cabinets/counters/oven at the Grange. Brielle stated she is still working on the Farmer's Market, which will be held on Sundays June 2 – August 25; from 9:00am to 1:00pm. It will be hosted by the Hope Township 4<sup>th</sup> and 5<sup>th</sup> grade Future Farmers.

**PROCLAMATION: 50<sup>TH</sup> ANNIVERSARY OF MUNICIPAL CLERKS WEEK May 5 – 11, 2019**

**WHEREAS**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world' and

**WHEREAS**, the Office of the Municipal Clerk is the oldest among public servants, and

**WHEREAS**, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

**WHEREAS**, the Municipal Clerk serves as the information center on functions of local government and community.

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and their annual meetings of their State, Provincial County and International Professional Organizations.

**WHEREAS**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**NOW, THEREFORE**, I, Timothy McDonough, Mayor of the Township of Hope, do recognize the week of May 5 through May 11, 2019 as Municipal Clerks Week and further extend appreciation to our Municipal Clerk Judith Fisher and our Deputy Clerk Robin Keggan and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the Communities they represent.

Dated: May 8, 2019

Timothy McDonough, Mayor Hope Township

Motion made by Mr. Urfer, seconded by Mr. Kruk and carried the following **Ordinance 2019-03** was introduced for First Reading. A voice vote was unanimous

**ORDINANCE 2019-03: An Ordinance of the Township of Hope, County of Warren, State of New Jersey Providing for the Appropriation of \$15,000.00 for "Road Repairs to North Locust Lake Road" from the General Capital – Capital Improvement Fund**

**BE IT ORDAINED** by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, as follows:

1. The sum of **\$15,000.00** shall be appropriated for the following items, from the Capital Improvements Budget for the year 2019

Road Repairs – North Locust Lake Road - \$15,000.00

2. The sum of \$15,000.00 is available in the Capital Improvement Fund

3. The appropriation herewith does not authorize any debt of the Township of Hope.

4. This Ordinance shall take effect immediately on final passage and publication as provided by law.

**NOTICE**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Hope held on May 8, 2019 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on June 12, at 7:00 PM, or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, County Route 611, Hope, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Motion made by Mr. Urfer, seconded by Mr. Kruk and carried to introduce the following **Ordinance 2019-04** for First Reading. A voice vote was unanimous

**ORDINANCE 2019-04:**

**2019-04 An Ordinance of the Township of Hope, County of Warren, State of New Jersey Amending and Supplementing Chapter IX, Property Maintenance Code, of the Township Municipal Code to Create Section 9-3 Entitled “Registration and Maintenance of Vacant and Abandoned Properties”.**

**WHEREAS**, the Mayor and the Township Committee of the Township of Hope find and determine that the Township of Hope contains structures which are vacant and/or abandoned in whole or in large part; and

**WHEREAS**, in many cases, the owners or responsible parties of these structures are neglectful of them by failing to maintain or secure them to an adequate standard or failing to restore them to productive use; and

**WHEREAS**, it has been established that vacant and abandoned structure cause severe harm to the health, safety and general welfare of the community, including diminution of neighboring property values, increased risk of fire and potential increases in criminal activity and public health risks; and

**WHEREAS**, the Township of Hope incurs disproportionate costs in order to deal with the problems of vacant and abandoned structures, including but not limited to, excessive police calls, fire calls and property inspections; and

**WHEREAS**, it is in the public interest for the Township to establish minimum standards of accountability on the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety and general welfare of the residents of the Township of Hope; and

**WHEREAS**, it is in the public interest for the Township of Hope to impose a fee in conjunction with registration of vacant and abandoned structures in light of the disproportionate costs imposed on the Township by the presences of these structures.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hope, Warren County, in the State of New Jersey as follows:

**Section 1**

The Revised General Ordinance of the Township of Hope, Chapter IX entitled Property Maintenance is hereby amended to include Article 9-3, the title section of which shall read as follows:

*Registration and Maintenance of Abandoned and Vacant Property*

**Section 2**

The Revised General Ordinance of the Township of Hope, Chapter IX, Property Maintenance, Section 9-3, Registration and Maintenance of Vacant and Abandoned Property, is hereby adopted to read as follows:

**§ 9-3.1 Definitions.** A. Owner shall include the title holder, any agent of the title holder having authority to act with respect to a vacant/abandoned property, any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17 as amended by P.L. 2009, c. 296), or any other entity determined by the Township of Hope to have authority to act with respect to the property.

B. Vacant Property shall mean any building used or to be used as a residence, commercial or industrial structure which is not legally occupied or at which substantially all lawful construction operations or occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including but not limited to any property meeting the definition of abandoned property in N.J.S.A. 55:19-54, 55:19-78, 55:19-79, 55:19-80 and 55:19-81; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this ordinance.

C. Abandoned Property shall be defined pursuant to N.J.S.A. 55:19-81 as follows: Any property that has not been legally occupied for a period of six months and which meets any one of the following additional criteria may be deemed to be abandoned property upon a determination by the public officer that:

a. The 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;

b. Construction was initiated on the property and was 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 a determination by the public officer pursuant to this section;

c. At least one installment of property tax remains unpaid and delinquent on that property in accordance with chapter 4 of title 54 of the Revised Statutes of the date of the determination by the public officer pursuant to this section; or

d. The property has been determined to be a nuisance by the public officer in accordance with section 5 of P.L.2003, c. 210 (C.55:1982). A property which contains both residential and non-residential space may be considered abandoned pursuant to P.L. 2003, c. 210 (C.55:19-78 et al.) so long as two-thirds or more of the total net square footage of the building was previously legally occupied as residential or commercial space and none of the residential or commercial space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer and the property meets the criteria of either subsection a. or subsection d. of this section.

D. Public Officer – The Zoning Officer or other official designated by the Township Committee.

**§ 9-3.2 Registration Requirements.** The Owner of any vacant or abandoned property shall, within 30 days after the building becomes vacant or abandoned; or within 10 calendar days of receipt of notice by the Township, file a registration statement for such vacant or abandoned property with the Township Clerk on forms provided by the Township for such purposes. Failure to receive notice by the Townships shall not constitute grounds for failing to register the property. Registration pursuant to this section shall conform to the following:

a. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.

b. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceedings on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number, and email (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

The initial registration shall be valid through December 31 of the initial registration year. Thereafter, the owner shall renew their registration annually on or before February 1 of each calendar year as long as the building remains a vacant and/or abandoned property, with renewal registrations being valid for one (1) calendar year.

c. The annual renewal shall be completed by January 1<sup>st</sup> each year. The initial registration fee shall be pro-rated for registration statements received less than 10 months prior to that date.

d. The owner shall notify the Public Officer within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Township Clerk for such purpose.

e. 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 owners of the building.

**§ 9-3.3 Access to registered properties.** The owner of any property registered pursuant to § 9-3.2 shall provide access to the Township to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. and 4:00 p.m., or such other time as may be mutually agreed upon between the owner and the Township.

**§ 9-3.4 Responsible Owner or Agent.** a. An owner who meets the requirements of this Section with respect to the location of his or her residence or workplace in the State of New Jersey may designate him or herself as agent or as the individual responsible for maintaining the property.

b. 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 brought to enforce code provisions concerning the registered building by service of the notice or 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 Township in writing of a change of authorized agent or until the owner files a new annual registration statement.

C. Any owner who fails to register vacant/abandoned property under the provisions of this Article shall further be deemed to consent to receive, by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record within the Township by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

**§ 9-3.5 Fee Schedule.** The initial registration fee for each building that becomes vacant/abandoned during any calendar year shall be five-hundred (\$500.00) dollars. The fee for first renewal is one thousand five hundred (\$1,500.00) dollars, and the fee for the second renewal is three thousand (\$3,000.00) dollars. The fee for any subsequent renewal beyond the second renewal is five thousand (\$5,000.00) dollars. All fees shall be submitted with the initial and renewal registrations required pursuant to section 132-2 (c). Neither the initial nor any renewal fee shall be subject to proration or refund based upon a change in status of the property to or from a vacant/abandoned condition during a calendar year for which the fee is applicable.

**§ 9-3.6 Requirements of Owners of Abandoned or Vacant Properties.** The owner of any building that has become abandoned or vacant property, and any person maintaining or operating or collecting rent for property that has become abandoned or vacant shall, within (30) days thereof:

1. Enclose and secure the building against unauthorized entry; and
2. 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 eight (8) inches by ten (10) inches; and

3. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete; and

4. Ensure that the exterior grounds of the structure, including yards, fences, sidewalks, walkways, right-of-ways, alleys, retaining walls, attached or unattached accessory structures and driveways, are well-maintained and free from trash, debris, loose litter, and grass and weed growth; and

5. Continue to maintain the structure in a secure and closed condition, keep the grounds in a clean and well-maintained condition, and ensure that the sign is visible and intact until the building is again occupied, demolished, or until repair and/or rehabilitation of the building is complete.

**§ 9-3.7 Violations.** a. A Summons shall issue to any owner that violates any provision of this Article or the rules and regulations issued hereunder shall be fined not less than \$100.00 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 chapter shall be recoverable from the owner and shall be a lien on the property.

b. For purposes of this section, failure to file a registration statement within 30 calendar days after a building becomes vacant property or within 120 calendar days after assuming ownership of a vacant property, whichever is later, or within 10 calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this ordinance.

### **Section 3**

This ordinance shall take effect immediately after passage.

#### **Section 4**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

#### **Section 5**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

#### **NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Hope held on May 8, 2019 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on June 12, at 7:00 PM, or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, County Route 611, Hope, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

---

Judith Fisher, Municipal Clerk

Motion made by Mr. Urfer, seconded by Mr. Kruk and carried to introduce the following **Ordinance 2019-05** for First reading. A voice vote was unanimous.

#### **2019-05 An Ordinance of the Township of Hope, County of Warren, State of New Jersey Amending and Supplementing Chapter IX, Property Maintenance Code, of the Township Municipal Code, to Create Section 9-4 Entitled “Registration and Maintenance of Vacant and Abandoned Residential Properties in Foreclosure by Creditors”**

**WHEREAS**, mortgage foreclosures often result in the abandonment and neglect of residential properties; and

**WHEREAS**, P.L. 2014, c. 35, authorizes municipalities to adopt ordinances for the purpose of regulating the care, maintenance, security and upkeep of the exterior of vacant and abandoned properties for which a creditor has filed an action to foreclose; and

**WHEREAS**, it is in the public interest for the Township of Hope to establish a mechanism to identify and track vacant and abandoned residential properties in the Township which are in foreclosure, to establish standards for the maintenance of those properties and to enforce those standards of maintenance;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hope, Warren County, State of New Jersey as follows:

#### **Section 1**

The Revised General Ordinances of the Township of Hope, Chapter IX entitled “Property Maintenance” is amended by the addition of a new section 9-4, the title section of which shall read as follows:

*Registration and Maintenance of Vacant and Abandoned Residential Properties in Foreclosure by Creditors*

#### **Section 2**

The Revised General Ordinance of the Township of Hope, Chapter IX, Property Maintenance, Section 9-4, Registration and Maintenance of Vacant and Abandoned Residential Properties in Foreclosure, is hereby adopted to read as follows:

**§ 9-4.1 Purpose.** The purpose of this chapter is to create a regulation regarding registration and maintenance of vacant and abandoned residential properties in foreclosure in accordance with the provisions of P.L. 2014, c.35.

**§ 9-4.2 Definitions.** A. “Creditor” shall mean, consistent with section 3 of P.L. 2008, c.86, a State chartered bank, savings bank, savings and loan association or any credit union, any person required to be licensed under the provisions of the “New Jersey Residential Mortgage Lending Act,” and any entity acting on behalf of the Creditor named in the debt obligation, including but not limited to, servicers.

- B. "Residential Property" shall mean, all lots or parcels designated within the Township of Hope, regardless of the zone district in which they are located in, that are not publicly owned.
- C. "Publicly Owned Residential Property" shall mean all lots or parcels owned by the Township of Hope, State of New Jersey, volunteer fire or ambulance service and/or civic organizations.
- D. "Vacant and Abandoned" shall mean, consistent with section 1 of P.L. 2010, c.70 (C.2A:50-73), residential real estate for which a notice of violation has been issued pursuant to Section 3-5 of this Chapter and subsection b. of section 1 of P.L. 2014, c.35. Where a notice of violation has not been issued pursuant to Section 3-5 of this Chapter and subsection b. of section 1 of P.L. 2014, c.35, residential property shall be deemed "Vacant and Abandoned" where a mortgaged property is not occupied by a mortgagor or tenant as evidenced by a lease agreement entered into prior to the service of a notice of intention to commence foreclosure according to section 4 of the "Fair Foreclosure Act," P.L. 1995, c.244 and at least two of the following conditions exist:
- (1) overgrown or neglected vegetation;
  - (2) the accumulation of newspapers, circulars, flyers or mail on the property;
  - (3) disconnected gas, electric, or water utility services to the property;
  - (4) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
  - (5) the accumulation of junk, litter, trash or debris on the property;
  - (6) the absence of window treatments such as blinds, curtains or shutters;
  - (7) the absence of furnishings and personal items;
  - (8) statements of neighbors, delivery persons, or government employees indicating that the residence is vacant and abandoned;
  - (9) windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
  - (10) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
  - (11) a risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
  - (12) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
  - (13) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
  - (14) a written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property; and
  - (15) any other reasonable indicia of abandonment.

**§ 9-4.3 Registration of Vacant and Abandoned Properties.** A. A Creditor filing a summons and complaint in an action to foreclose on a Vacant and Abandoned property, or a Creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes Vacant and Abandoned, shall within thirty (30) calendar days after the building becomes Vacant and Abandoned or within thirty (30) calendar days after assuming ownership of the Vacant and Abandoned property, whichever is later; or within ten (10) calendar days of receipt of notice from the Township, and annually thereafter, file a registration statement for such Vacant and Abandoned property with the municipal clerk on forms provided by the Township for such purposes. Any failure to receive notice from the Township shall not constitute grounds for failing to register the Vacant and Abandoned property.

B. Each Vacant and Abandoned property having a separate block and lot number as designated in the official tax maps of the Township shall be registered separately.

C. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the Creditor as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such Creditor in connection with the enforcement of any applicable code.

D. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the Abandoned and Vacant property. The individual or representative of the firm responsible for maintaining the Abandoned and Vacant property shall be available by telephone or in person on a twenty-four-hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

E. The registration shall remain valid through December 31st of the year in which it was filed. The Creditor shall be required to renew the registration annually as long as the building remains Vacant and Abandoned and shall pay a registration or renewal fee in the amount prescribed in Paragraph I. of this Section for each Vacant and Abandoned property registered.

F. The annual renewal shall be completed by February 1st each year.

G. The Creditor shall notify the municipal clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal clerk for such purpose.

H. 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 Creditor.

I. Fee Schedule. The initial registration fee for each Vacant and Abandoned property under the provisions of this Section shall be five hundred (\$500.00) dollars. The fee for the first annual renewal shall be one thousand five hundred (\$1,500.00) dollars and the fee for the second annual renewal shall be three thousand (\$3,000.00) dollars. The fee for any subsequent annual renewal beyond the second renewal shall be five thousand (\$5,000.00) dollars.

**§ 9-4.4 Creditor Responsibility for Vacant and Abandoned Properties.** A. A Creditor filing a summons and complaint in an action to foreclose on a residential property within the Township shall be immediately responsible for the care, maintenance, security, and upkeep of the exterior of the property, after the property becomes Vacant and Abandoned as defined in this Chapter.

B. Where a Creditor is located out-of-State, the Creditor shall be responsible for appointing an in-State representative or agent to act on the Creditor's behalf for the purpose of satisfying the requirements of Paragraphs C and D of Section 3-3. Notice of said representative or agent shall be provided to the Township clerk in a manner that is consistent with subsection a. of section 17 of P.L. 2008, c.127 (the "Save New Jersey Homes Act of 2008"), and shall further include the full name and contact information of the in-State representative or agent.

**§ 9-4.5 Notice.** A. Any public officer designated by the Township pursuant to Section 3-6 or authorized municipal official responsible for the administration of any property maintenance or public nuisance code shall be authorized to issue a notice to a Creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Township, if the public officer determines that the Creditor has violated this Chapter by failing to provide for the care, maintenance, security, and upkeep of the exterior of the property. Where a Creditor is an out-of-State Creditor, the notice shall be issued to the representative or agent that has been identified by the Creditor pursuant to Section 9-4.4 of this Chapter and the Save New Jersey Homes Act of 2008.

B. The notice referenced in Paragraph A of this Section shall require the Creditor to correct the violation(s) within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

C. The issuance of a notice pursuant to Paragraph A of this Section shall constitute proof that a residential property is "Vacant and Abandoned" for the purposes of this Chapter.

**§ 9-4.6 Enforcement Officers.** The duty of administering and enforcing the provisions of this Chapter is conferred upon the municipal clerk, construction official, zoning officer, State Police, and any other duly appointed representatives.

**§ 9-4.7 Violations and Penalties.** A. A Creditor subject to this Chapter that is found by the municipal court of the Township, or by any other 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 Chapter shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this sub-section shall commence 31 days following the Creditor's receipt of the notice, except where the violation is deemed to present an imminent risk to the public health and safety, in which case any fines shall commence 11 days following receipt of the notice.

B. An out-of-state Creditor subject to this Chapter that is found by the municipal court of the Township, or by any other 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 for each day of the violation. Any fines imposed on an out-of-state Creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of section 17 of P.L. 2008, c.127 (C.46:10B-51) for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

C. A Creditor subject to this Section that is found by the municipal court of the Township, or by any other court of competent jurisdiction, to be in violation of the requirement to register a Vacant and Abandoned property pursuant to Section 3-3 shall be subject to a fine not exceeding two thousand (\$2,000.00) dollars. Any fines imposed on a Creditor under this Paragraph shall commence 11 days following receipt of notice from the Township pursuant to paragraph A of Section 3-3.

D. No less than 20 percent of any money collected by the Township pursuant to this Section shall be utilized by the Township for municipal code enforcement purposes.

### **Section 3**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

### **Section 4**

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

### **NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Hope held on May 8, 2019 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on June 12, at 7:00 PM, or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, County Route 611, Hope, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

---

Judith Fisher, Municipal Clerk

### **RESOLUTIONS:**

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-26.

Roll Call Vote: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough - yes.

### **RESOLUTION 2019-26 Refunding Tax Sale Certificate 2017-003 That Was Redeemed**

**WHEREAS**, the property owned by Imperial Billiards Corporation known as block 2700 lot 1300 located at 2 Sandy Lane had unpaid 2016 property taxes and was sold at a Tax Sale held on 02 February 2017 by the Hope Township Tax Collector; and

**WHEREAS**, Henry Hansch, Jr of 504 Chandler Lane located in Whippany, NJ 07981 was the successful bidder of the above stated property. The amount of the Tax Sale consisted of unpaid 2016 property taxes, interest, and other costs, and totaled \$8,146.80 and is represented by Tax Sale Certificate 2017-003; and

**WHEREAS**, Imperial Billiards Corporation, the supposed owner of the property, paid \$31,891.34 on 02 May 2019 to the Hope Township Tax Collector to satisfy the outstanding Tax Sale Certificate, subsequent taxes, and attorney fees:

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Township Committee of the Township of Hope on this 08<sup>th</sup> day of May 2019 that the Chief Financial Officer be authorized to draw a check payable to Henry Hansch, Jr in the amount of \$31,891.34 for the redemption of Tax Sale Certificate 2017-003.

**BE IT FURTHER RESOLVED** that the satisfied executed Tax Sale Certificate 2017-003 be returned to Imperial Billiards Corporation of 2 Sandy Lane in Blairstown, NJ 07825.

#### **CERTIFICATION**

I, Judith M. Fisher, RMC, Municipal Clerk of the Township of Hope in the County of Warren, New Jersey hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Hope Township Committee on May 8, 2019.

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-27.

Roll Call Vote: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough - yes.

#### **RESOLUTION 2019-27 Appointment of Interim Municipal Court Administrator 5/08/2019 – 5/12/2020**

**WHEREAS**, Ms. Kathryn Eger was hired on May 24, 2017 as the North Warren Municipal Court of hope Municipal Court Administrator; and,

**WHEREAS**, Ms. Kathryn Eger is currently considered an Interim Municipal Court Administrator pursuant to N.J.S.A. 2B:12-11(e) since she was hired May 24, 2017 and does not hold a municipal court administrator certificate; and,

**WHEREAS**, the statute allows the governing body to appoint a person as Municipal Court Administrator that is not a certified Municipal Court Administrator, on an interim basis, for a period not to exceed one (1) year commencing on the date of the appointment (May 24, 2017); and,

**WHEREAS**, the statute further states, “Any person so appointed may, in consultation with the judge of the municipal court, be reappointed as a municipal court administrator, on an interim basis, for two (2) subsequent one-year terms. The municipal court administrator appointed on an interim basis may be reappointed for a fourth, and if necessary, a fifth additional one-year term, provided the municipal court administrator is currently enrolled in the certification program and need additional time to complete that program.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hope, Warren County, State of New Jersey, that it hereby appointed Kathryn Eger as Interim Municipal Court Administrator for a third one-year term commencing May 08, 2019 and ending May 12, 2020.

#### **CERTIFICATION**

I, Judith M. Fisher, clerk of the Township of Hope, do hereby certify that the foregoing resolution is a true and correct copy of a resolution duly adopted by the Township Committee at a business meeting held on May 8, 2020

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-28.

All in favor.

#### **RESOLUTION 2019-28 Delayed Introduction of the 2019 Municipal Budget**

**WHEREAS**, under provisions of N.J.S.A.40A:4-5, a municipality shall introduce the Local Municipal Budget no later than April 29 of the fiscal year; and,

**WHEREAS**, the Township of Hope has delayed the introduction of the 2019 Municipal Budget past the statutory deadline; and,

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Hope, Warren County, New Jersey, that the Township of Hope hereby petitions the Director

of the Division of Local Government Services to allow a delayed introduction of the 2019 Hope Township Municipal Budget; and,

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, 101 South Broad Street, P.O. Box 803, Trenton, New Jersey 08625-0803.

#### **CERTIFICATION**

I, Judith Fisher, Clerk of the Township of Hope, County of Warren do hereby certify foregoing to be a true and accurate copy of a Resolution adopted by the Hope Township Committee at a meeting of said Township Committee held on May 8, 2019.

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-29.  
Roll Call Vote: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough - yes.

#### **RESOLUTION 2019-29:** 2019 Municipal Budget

**WHEREAS**, the Township of Hope is holding a meeting on May 8, 2019, for the purpose of introducing the 2019 Municipal Budget and conducting other matters; and,

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Hope, Warren County, New Jersey, that the Township of Hope hereby petitions the Director of the Division of Local Government Services that the 2019 Local Municipal Budget be introduced and approved on May 8, 2019.

#### **2019 HOPE TOWNSHIP MUNICIPAL BUDGET**

Surplus anticipated general revenues	\$ 166,683.00
Total Miscellaneous revenue	299,133.00
Receipts from Delinquent Taxes	25,000.00
Local Property Taxes	<u>824,346.00</u>
Total General Revenues	<u>\$1,315,160.00</u>
Salaries and Wages	\$ 481,935.00
Total Operations	580,983.00
Capital Improvement Fund	105,000.00
Statutory Expenditures	8,550.00
Reserve for Delinquent Taxes	<u>138,692.00</u>
Total 2019 Municipal Budget	<u>\$1,315,160.00</u>
Municipal Tax Rate (Estimated)	\$0.37444

#### **CERTIFICATION**

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Hope at a regular meeting held May 8, 2019, at the Municipal Building, Hope, New Jersey.

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-30.  
Roll Call Vote: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes.

#### **RESOLUTION 2019-30 Special Items of General Revenue**

**WHEREAS**, the 2019 Local Municipal Budget was introduced on the 8th day of May, 2019; and,

**WHEREAS**, during the fiscal year 2019 the Township of Hope has been allocated a state grant for various programs in the amount of \$11,372.00.

**NOW, THEREFORE BE IT RESOLVED**, that petition be made herewith to the Director of the Division of Local Government Services that the 2019 Local

Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-Public and Private Revenues Offset with Appropriations:**"

<b>Drunk Driving Enforcement</b>	<b>\$ 1,025.00</b>
<b>Municipal Alliance Grant</b>	<b>3,042.00</b>
<b>Recycling Tonnage Grant</b>	<b><u>613.00</u></b>
	<b><u>\$ 4,680.00</u></b>

**CERTIFICATION**

I, Judith Fisher, Municipal Clerk of the Township of Hope, hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Hope Township Committee at the business meeting held on May 8, 2019.

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-31`. Roll Call Vote: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes.

**RESOLUTION 2019-31 Special Item of Revenue**

**WHEREAS**, the 2019 Local Municipal Budget was introduced on the 8th day of May, 2019; and,

**WHEREAS**, during the fiscal year 2019 the Township of Hope will receive revenue for Inter Local Agreements in the amount of \$85,441.00

**NOW, THEREFORE BE IT RESOLVED**, that petition be made herewith to the Director of the Division of Local Government Services that the 2019 Local Municipal Budget include a special item of revenue under the heading of "**Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services- Interlocal Municipal Service Agreements Offset With Appropriations:**

<b>North Warren Municipal Court Revenue</b>	<b><u>\$ 85,441.00</u></b>
	<b><u>\$ 85,441.00</u></b>

**Certification**

I, Judith Fisher, Clerk of the Township of Hope, County of Warren do hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Hope Township Committee at a meeting of said Township Committee held on May 8, 2019.

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-32. Roll Call Vote: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes.

**RESOLUTION 2019-32 Open Space Tax 2019**

**WHEREAS**, the provisions of the Township of Hope's open space ordinance allows the township committee to set the open space tax rate annually within a specified range; and,

**WHEREAS**, the township committee desires to set municipal open space tax rate at **\$0.0225** per \$100 of assessed valuation for the 2019 calendar year.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hope that election be made to set the municipal open space tax rate at **\$0.0225** per \$100 of assessed valuation for the 2019 calendar year.

The aforementioned **Resolution 2019-32** be adopted as read.

**CERTIFICATION**

It is hereby certified that this is a true and accurate copy of a Resolution adopted by the governing body of the Township of Hope at a regular meeting held May 8, 2019, at the Municipal Building, Hope, New Jersey.

### **Old Business:**

**Benbrook & Stevens:** No change in status.

**Service Electric & Centurylink Updates:** No update.

**Donnelly Energy:** The Mayor was authorized to sign the Contract for changes to be made to the Municipal Building, Community Center, Grange and DPW Garage that were identified as energy saving in a municipal audit on a motion by Mr. Urfer, seconded by Mr. Kruk.

Roll Call: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes.

### **New Business:**

**Summer Hours:** The Township Committee agreed to approve that between Memorial Day and Labor Day the Municipal Building will be closed on Fridays. Also, as is tradition, no work meetings of the Township Committee will take place during the months of June, July and August.

**Animal Control Officer:** On a motion made by Mr. Urfer; seconded by Mr. Kruk and polled as all in favor, it was decided to keep Alan DeCarolis on as Animal Control Officer the remainder of 2019. In November the Township Committee will review the direction they are taking as far as this position is concerned.

**NJDEP – Site Remediation and Waste Management Program:** On a motion made by Mr. Urfer; seconded by Mr. Kruk, and polled as all in favor, authorization was given to Mayor McDonough to sign the agreement previously provided to the Township Committee.

**Letter from Mayor Lance-** It was determined to carry this agenda item to the June 12, 2019 meeting to allow the members of the Township Committee to further study the letter they received from Mayor Steve Lance of Blairstown as it relates to a Fire Insurance Claims Ordinance. It was noted that Sharon Cooper has already stated that this would be a good Ordinance to put in place.

### **Approval of Minutes:** .

March 12, 2019; March 12, 2019 Executive Session; April 10, 2019 and April 29, 2019 minutes were approved upon a motion from Mr. Urfer; seconded by Mr. Kruk. All in favor.

### **Discussion:**

Mayor McDonough made note that Tea with Tim will take place on May 20, 2019 at 2 PM at the Dunkin Donuts in Hope.

Don Whitmore made mention of complaints he has received regarding the use of motorized bicycles on the towpath at Swayze Mill Park. The situation will be monitored going forward to see if further action needs to be taken.

Noise complaints have been received regarding the Inn at Millrace Pond and activities that are going on there. Will monitor the situation.

### **Public Participation:**

A resident spoke regarding the internet situation near his home and the hardship it is causing for his family. Mayor McDonough assured the resident that he and surrounding mayors/townships are all working diligently with Centurylink and Service Electric to rectify the situation. Mr. Kruk let the resident know that he may want to look into UBIFI for the time being.

Mike Israel (Borochowski) address Mayor McDonough and the Committee about problems he has been having involving his property. The Township Committee listened to Mr. Israel and at the conclusion of the discussion assured him they understood his situation. He left the meeting, but returned  
**(during Mr. Bodolsky's discussion with the Board and the recording of the meeting was paused several times due to his disturbance. Again, at 7:45 PM the recorder was placed on pause due to a disruption by Mr. Israel and was not turned back on until 7:48 PM at which point Mr. Israel left the Township Municipal Building)**

Tom Bodolsky (Township resident) spoke to the Township Committee regarding the upcoming application being made in White Township by Jandel and the horrific impact it will have on our small town. He urged the Committee to perhaps form a joint committee with surrounding towns to discuss this upcoming application. Mr. Urfer suggested that he bring this before the Planning Board at their June 3, 2019 meeting. Mr. Bodolsky distributed information he received (map with drawings of warehouse buildings/traffic studies of similar projects) to the Township Committee for their use and information.

Seeing there was no other business for tonight, this meeting of the Hope Township Committee was adjourned at 9:33 p.m. on a motion made by Mr. Urfer, seconded by Mr. Kruk. Motion carried.

Respectfully submitted,

Judith M. Fisher RMC  
Municipal Clerk