

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) issued a Summons bearing Complaint No. SC-035023 for failure to maintain the exterior premises of certain real property located at 3 Wildwood Avenue, West Orange, New Jersey (the “Property”); and

WHEREAS, the Property was examined by Forester John Linson, who determined that six (6) ash trees on the Property were in dead and hazardous condition (the “Trees”), and recommended that the Trees be removed for safety immediately; and

WHEREAS, the owner of the Property (the “Owner”) was issued the Summons and failed to remove the dead Trees from the Property; and

WHEREAS, the West Orange Municipal Court (the “Court”) entered a Consent Order on March 3, 2016 (the “March 3 Consent Order”), permitting the Township or a third-party vendor to enter onto the Property to remove the hazardous Trees; and

WHEREAS, the March 3 Consent Order was served on the Owner via first class mail; and

WHEREAS, the Trees were removed from the Property by Montclair Tree Experts, Inc., a third-party contractor hired by the Township to remove the Trees; and

WHEREAS, the itemized bill for the removal of the Trees, a copy of which is annexed hereto as **Exhibit A**, reflects that the total cost of the services associated with the removal of the Trees was \$5,800.00; and

WHEREAS, the March 3 Consent Order permitted the Township to seek reimbursement for the expenses incurred to abate the violation; and

WHEREAS, on April 11, 2016, the Township requested reimbursement by the Owner for the expenses incurred to abate the violation; and

WHEREAS, the Owner failed to reimburse the Township for the expenses incurred to abate the violation; and

WHEREAS, the March 3 Consent Order permits the Township to record a lien on the Property, and to collect statutorily authorized interest on that lien as set forth in N.J.S.A. 54:4-67;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that a lien in the amount of \$5,800.00 shall be placed against 3 Wildwood Avenue, West Orange for the cost of services required to remove the Trees on the Property; and be it further

RESOLVED that a copy of this Resolution shall be made available in the Clerk's office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Victor Cirilo
Council President

Adopted: May 3, 2016