

08-14
March 25, 2014

RESOLUTION

WHEREAS, certain property located at 18 Central Avenue, known as the "Select-O Flash" site (the "Property") in the Township of West Orange (the "Township") has been deemed to be an unsafe structure and an imminent hazard pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32 by the Township Construction Official; and

WHEREAS, the Construction Department has found the Property to be abandoned and left open to the public in violation of N.J.A.C. 5:23-2.32; and

WHEREAS, the Construction Official has determined that the Property is unfit for human habitation, occupancy or use, pursuant to Township Code 14-17 *et seq.*; and

WHEREAS, the Construction Department posted on the door of the Property a notice that the Property has been determined to be an imminent hazard; and

WHEREAS, an inspection by the Township Fire Prevention Bureau has disclosed that the fire protection, fire sprinkler, fire alarms and/or standpipe system at the Property have not been maintained, in violation of N.J.A.C. 5:70-3.311.2.2; and

WHEREAS, the Construction Official has recently received multiple reports of certain individuals occupying and vandalizing the Property; and

WHEREAS, the Construction Official has Ordered that the Property be boarded and padlocked to prevent individuals from entering the Property, as authorized by N.J.S.A. 40:48-2.3, N.J.A.C. 5:23-2.32(b)(5), and Township Code 14-17.3(d); and

WHEREAS, pursuant to N.J.S.A. 40:48-2.12f and 40:48-2.5, the Township is authorized to place a lien on the Property for the costs it incurs in boarding and padlocking the Property; and

WHEREAS, the Construction Official will prepare a detailed statement of all costs associated with the boarding and padlocking of the Property, pursuant to N.J.S.A. 40:48-2.5; and

WHEREAS, the statement of costs will be filed with the Township Tax Assessor and a copy thereof will be forwarded to both parties with an interest in the Property, Valerie and Joe Shondel, 20 Pepperidge Tree Terrrace, Kinnelon, NJ 07405 and Valley National Bank, P.O. Box 558, Wayne, NJ 07470, by registered mail, pursuant to N.J.S.A. 40:48-2.5; and

WHEREAS, New Jersey Statutes and the Township's Ordinances permit the Township to take the emergent action described herein and place a lien against the real Property in the amount of the costs incurred by the Township in boarding and padlocking the Property;

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that a lien in the amount of \$1,943.18 shall be placed against 18 Central Avenue, West Orange as the amount of the costs incurred by the Township in boarding and padlocking the Property, and be it further

RESOLVED, that the Township shall continue to take all necessary and appropriate steps to safeguard the premises for the benefit of the neighborhood and the Township.

**Karen J. Carnevale,
Municipal Clerk**

**Susan McCartney,
Council President**

**John O. Gross,
Chief Financial Officer**

01-2030-00-9402-60
Account #

1,943.18
Amount \$

Adopted: March 25, 2014