

RESOLUTION NO. 2023-99

**AUTHORIZING A LIEN AGAINST PRIVATE PROPERTY (BLOCK 127, LOT 32
AKA 158 8th AVENUE) TO COVER THE COSTS OF SECURING AN UNSAFE
STRUCTURE**

WHEREAS, as a result of an inspection by the Township Construction Official on March 20, 2023, an imminent hazard as defined by N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32, was determined to exist in the principal structure located on the property identified as Block 127, Lot 32 on the Tax Map of the Township of Florence and more commonly known as 158 8th Avenue, Roebling within the Township of Florence (hereinafter the “Subject Property”); and

WHEREAS, the Township served the property owner, Kenneth Babula, and all parties in interest with notice in accordance with the provisions of N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32 on March 21, 2023 with a notice to vacate and repair the property, and the Township gave the property owner the required opportunity to take action to correct the unsafe conditions or demolish the compromised structure by no later than April 11, 2023; and

WHEREAS, the subject property was the site of police and fire activity and remained open to the public subsequent to the notice; and

WHEREAS, the property owner failed to take action to correct the unsafe conditions, demolish the structure and/or otherwise comply with the Notice of Unsafe Structure within the time constraints set forth in the Notice; and

WHEREAS, due to the property owner’s failure to take timely corrective action, the Township solicited competitive quotes and contracted with BELFOR Property Restoration to secure the building to prevent further trespass and correct the unsafe conditions on the Subject Property; and

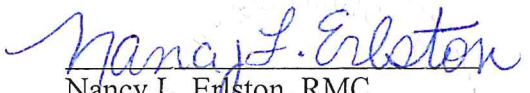
WHEREAS, N.J.S.A. 40:48-1 provides authority to a municipality to assess the cost of securing an unsafe property as a municipal lien against the premises and N.J.S.A. 40:48-2.5 permits the municipality to include the cost of filing legal papers, expert witnesses’ fees, search fees and advertising charges incurred in the course of any proceeding; and

WHEREAS, from the date of the Notice (March 20, 2023 to the date of this resolution), the Township has incurred \$587.17 in costs associated with securing the Subject Property, as set forth on the invoice attached hereto as “**Exhibit A**”; and

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, that the Township Tax Collector is hereby authorized to place a lien on Block 127, Lot 32, Florence Township, in the initial amount of \$587.17 representing the total costs to date incurred by the Township for securing the unsafe structure at this location.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed with the Florence Township Tax Collector and any other custodian of the records of tax liens and a copy shall be forwarded to the property owner by registered mail.

I, NANCY L. ERLSTON, Clerk of the Township of Florence, County of Burlington, State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the resolution approved by Township Council at their May 10, 2023 meeting.


Nancy L. Erlston, RMC
Township Clerk