

**ALEXANDRIA TOWNSHIP COMMITTEE MEETING
MINUTES
May 8, 2019**

This meeting was advertised in the Hunterdon County Democrat, and notice posted in the
the
Alexandria Township Municipal Offices and the Alexandria Township Website,
(www.alexandrianj.gov) as required by the Open Public Meetings Act.

Meeting Called to order at 7:41 PM.

ROLL CALL:

PRESENT: Mayor Garay, Committeeman Pfefferle, Committeeman Kiernan, Township Attorney Dragan, CFO Steinberg

ABSENT: None

FLAG SALUTE:

Mayor Garay led the flag salute.

Mayor Garay took a moment to thank the following Township Volunteers/Employees for going above and beyond:

1. EC Chair Jay Arancio was the Head Coach for the Township's Strike Out for Hunger softball team called Alexandria Anarchy. Jay organized a team and practices. The game was held on May 4th. The Alexandria Anarchy won the semi-final game placing them in the Championships. Comm. Pfefferle hit a "thunderous" triple which tied the game. The Township lost the Championship game by one run. Over 369 pounds of food was collected at the game and 405 pounds during practices. Jay was commended and awarded the Strike Out Hunger Spirit Award and was presented the game ball at the semi-final game.
2. Township Employees: Township Administrator/Clerk Bobrowski, Deputy Clerk Houck, Tax Collector Boxwell, and Finance Assistant Courter organized and ran the Township's Easter Egg Hunt held at the park on April 19th. Over 10,000 eggs for each egg hunt were stuffed and an appearance by the Easter Bunny was made. There was a huge turnout of children for both the afternoon egg hunt and the evening flash light hunt.

TOWNSHIP COMMITTEE OVERSIGHT REPORTS:

Environmental Commission (EC)/Personnel-Mayor Garay

EC Member Jackie Freedman noted the following happening in April:

- Stream Clean-up was conducted on April 13th. Approximately two dozen people came out to clean streams on Kappus Road and Creek Road,
- Well Water Test Kit Distribution was held on April 19th. Results will take a few weeks.
- Autumn Fest-working on budget and vendor list

- Energy Congregation-asking for the Township Committee for consideration in the Energy Congregation program. There are several municipalities who have already signed on for the Energy Congregation. Some of these towns are: Frenchtown, Lambertville, Kingwood, Clinton Township, and Pennington.

Aging Coordinator Report/Mayor Garay:

Linda Harris noted that Township Resident/Author Pete Tucker was a guest speaker at their May meeting. The event was held at the Alexandria Presbyterian Church and approximately 40 people came out to here Mr. Tucker speak. A night time event will be held later in the year for those that could not attend the event during the day.

Finance Update/Comm. Pfefferle:

Budget Adoption is on tonight’s agenda.

DPW/Park & Rec-Comm. Kiernan:

Comm. Kiernan noted that the Del Val Chargers Jr. Lacrosse held a lacrosse tournament called “Ice Bowl” on April 27th & 28th. There was a large number of attendees but everything ran smoothly. Additional parking was made available to accommodate the large turnout.

Committee Kiernan read the following April DPW report prepared by DPW Foreman Heiser:

April Road Report

- Belgium Block repairs from winter time
- Removed loose gravel on Whitehall Rd. after recent grading
- Cleaned out inlets of pipes on Goritz Rd. due to washed out edges, also cleaned run-offs and scour holes on north end of township
- Removed big stump on Woolf Rd. and filled with D.G.A. along road edge
- Dug out edge of road and swale and filled with Rip-Rap, also fixed berm and planted grass seed on Schoolhouse Rd. all across from Mr. Reid’s farm
- Removed stumps and tapered bank on Mt. Salem Rd. at the beginning of the new asphalt on Mechlin Corner Rd. side
- Cut trees and cleaned up stumps on Rick Rd. on corner below Swift Farm
- Started on the swale at the corner of Rick and Schoolhouse roads. We are going to go back and taper the banks on the south side and address the standing water issues when it dries out a bit
- Started on catch basin repairs throughout the township

Dumpster

We did not receive any new dumpsters for clean-up. The guys put couches, mattresses etc. on the ground to be picked up the following week. Premier has not answered their phone. Their driver showed up to get a dumpster that wasn’t here and was coerced into taking one away so we could load our garbage out. As of May 2 I still could not get ahold of their office

Park

- Mowing in the park
- Mike Gallagher (PT) had 36 Hrs. mowing and 1 Hr. weed whacking
- Rich Robbins 14 Hrs. mowing. 8 were before Mike Gallagher started the rest due to impending weather
- Bob Taylor had had 2 Hrs. mowing and 3 Hrs. pruning bushes buy the municipal building and picking up garbage that was blown around
- Garbage cans were cleaned 3 times for a total of 5 Hrs.

Equipment Maintenance

- Mike Hammerstone is back from his injury and has started on the roadside tractor. It is currently laying in three pieces in our shop. Parts are on order and should be put back together soon.
- Weekly maintenance of Mowers is happening (grease, blade sharpening Etc.)

AGRICULTURE/OPEN SPACE COMMISSION:

Chair Evans thanked Township Administrator/Clerk Bobrowski for a potential farmland preservation applicant that she forwarded to the Commission. Chair Evans followed up with the Township Committee on the pending appointment of Keith Kiskel. Mayor Garay advised Chair Evans that the Township Committee would be discussing Mr. Kiskel's appointment in Executive Session. The Commission will be conducting interviews for potential properties for preservation.

TOWNSHIP ADMINISTRATOR REPORT:

Township Administrator/Municipal Clerk Bobrowski reported the following:

- Finalized Evaluation Forms
- Will be attending a Township Administrator Conference on May 15th & 16th
- Met with Township Attorney Dragan on April 17th for a County Ag. Board Meeting to discuss the Peacefield Management Property closing.
- Will be sitting with Hunterdon Administrators to discuss a County Co-op that is forming for Health Benefits that is compatible with the current State Health Plan with savings to the Townships.
- Over saw zoning complaints and followed up on them for the Zoning Officer
- Dealt with personal issues

Township Administrator/Clerk Bobrowski advised the Township Committee that there is pending State Legislation that will require schools who have elections held at their facility to hold teacher in service on the days of the elections. School will be closed for students. On April 23rd, Hunterdon County Clerk Melfi held a training session at the Old Court House for Municipal Clerks on new voting machines that will be used in Raritan Township. The voting machines were purchased with a grant.

Township Administrator/Clerk Bobrowski will confirm if the school will be closed for the General Election on November 5th as indicated by School Board Member Beth Kelly.

BUDGET ADOPTION:

Mayor Garay noted that the current Township Committee made a decisive decision for future Committees to establish fiscal stability moving forward with this budget. Mayor Garay read the following state that is included in the Budget package for future Township Committees so they understand what this Committee was trying to achieve with the budget:

The 2019 Township of Alexandria municipal budget starts an effort to address a structural imbalance evident in previous budgets of not addressing the funding of capital needs (road maintenance and repair, acquisition of equipment, etc.) through the annual budget instead of a dependency on debt. The 2019 budget anticipates the use of over \$1.3 million in surplus to offset an appropriation to retire outstanding Bond Anticipation Notes, which put a timeline pressure on the Township to permanently finance the outstanding balance, which would have had a direct impact on municipal taxes as there is no sizeable deviation in the Township debt structure for the next twelve years. The aforementioned action allows the Township to re-establish how it evaluates, plans for, but also the future impact, on the residents of the Township of Alexandria.

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve the 2019 Budget.

Roll Call: Aye: Garay, Pfefferle, Kiernan
Nay: None
Abstain: None

Motion Carried

ROLL CALL	Moved	Seconded	Ayes	Nays
Michele Garay Mayor			X	
R. Christian Pfefferle Committeeman	X		X	
Jim Kiernan Committeeman		X	X	

OLD BUSINESS:

- Penn East Update

EC Member Freedman advised that no application has been submitted to date to the New Jersey Department of Environmental Protection.

NEW BUSINESS:

- Resolution 2019-060 Extending 2018 Agreement Between Alexandria, Bethlehem and Holland Townships, and Haines and Kibblehouse, Stavola Construction Materials and Campbell Foundry for Road Maintenance Materials in 2019 as Allowed in the 2018 Awarded Contract.

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve Resolution 2019-060.

Roll Call: Aye: Garay, Pfefferle, Kiernan
Nay: None
Abstain: None

Motion Carried

Resolution #2019-60

RESOLUTION EXTENDING 2018 AGREEMENT BETWEEN ALEXANDRIA, BETHLEHEM AND HOLLAND TOWNSHIPS, AND HAINES AND KIBBLEHOUSE, STAVOLA CONSTRUCTION MATERIALS AND CAMPBELL FOUNDRY FOR ROAD MAINTENANCE MATERIALS IN 2019 AS ALLOWED IN THE 2018 AWARDED CONTRACT

WHEREAS, Bethlehem Township received bids on February 21, 2018 for the purchase of road maintenance and repair materials; and

WHEREAS, the Townships of Alexandria and Holland were included in that bid; and

WHEREAS, the bids were awarded in 2018, with the option to extend the contract for an additional year; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Alexandria, County of Hunterdon, State of New Jersey, that Bethlehem Township be authorized to exercise the option to extend the contract for an additional year with Haines & Kibblehouse (aka Warren Materials), Stavola Construction Materials and Campbell Foundry, for the following items:

Item	Description	Qty	Unit	Unit Price	Bidder
1	Superpave HMA 19M-64 (FDS)	250	Ton	\$59.85	Haines &Kibblehouse (aka Warren Materials)
2	Superpave HMA 19M-64 (FOB)	100	Ton	\$49.85	Haines &Kibblehouse (aka Warren Materials)
3	Superpave HMA 9.5M-64 (FDS)	100	Ton	\$62.85	Haines &Kibblehouse (aka Warren Materials)
4	Superpave HMA 9.5M-64 (FOB)	100	Ton	\$52.85	Haines &Kibblehouse (aka Warren Materials)
6	Hot Mix Asphalt, Mix I-5 Surface Course (FOB)	600	Ton	\$52.85	Haines &Kibblehouse (aka Warren Materials)
7a	Hot Mix Asphalt, Mix I-5 Surface Course (FDS)	400	Ton	\$62.85	Haines &Kibblehouse (aka Warren Materials)
8	Hot Mix Asphalt, Mix I-2, Base Course (FOB)	400	Ton	\$48.00	Haines &Kibblehouse (aka Warren Materials)
9a	Hot Mix Asphalt, Mix I-2, Base Course (FDS)	200	Ton	\$58.00	Haines &Kibblehouse (aka Warren Materials)
10	Densely Graded Aggregate (DGA) (FOB)	100	Ton	\$10.50	Stavola Construction Materials
11a	Densely Graded Aggregate (DGA) (FDS)	600	Ton	\$15.75	Stavola Construction Materials

Item	Description	Qty	Unit	Unit Price	Bidder
14	3/4" Clean Crushed Stone (FOB)	100	Ton	\$13.50	Stavola Construction Materials
15a	3/4" Clean Crushed Stone (FDS)	400	Ton	\$17.78	Haines & Kibblehouse (aka Warren Materials)
16	1-1/2" Clean Crushed Stone (FDS)	100	Ton	\$17.78	Haines & Kibblehouse (aka Warren Materials)
17a	Screenings (FDS)	100	Ton	\$14.75	Stavola Construction Materials
18a	Rip Rap, R4 – 6" to 8" clean (FDS)	600	Ton	\$23.00	Haines & Kibblehouse (aka Warren Materials)
19	NJDOT Type 'E' Precast Concrete Storm Inlet with 24" knockouts on 3 sides (30" high inside) (FDS)	3	Each	\$595.00	Campbell Foundry
20	NJDOT Type 'E' Precast Concrete Storm Inlet with 24" knockouts on 3 sides (36" high inside) (FDS)	2	Each	\$660.00	Campbell Foundry
21	NJDOT Type 'E' Precast Concrete Storm Inlet with 24" knockouts on 3 sides (42" high inside) (FDS)	2	Each	\$730.00	Campbell Foundry
22	NJDOT Type 'E' Precast Concrete Storm Inlet with 24" knockouts on 3 sides (48" high inside) (FDS)	2	Each	\$795.00	Campbell Foundry
23	15" Class III Reinforced Concrete Pipe (RCP) – (FDS)	610	LF	\$10.80	Campbell Foundry
24	18" Class III Reinforced Concrete Pipe (RCP) – (FDS)	150	LF	\$13.65	Campbell Foundry

- Resolution 2019-061 Hiring Michael Gallagher for Part-Time Seasonal Park Maintenance

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve Resolution 2019-061.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

RESOLUTION 2019-061 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY APPOINTMENT OF MICHAEL GALLAGHER FOR SEASONAL PARK MAINTENANCE

WHEREAS, the Township of Alexandria needs someone for Part-Time Seasonal Park Maintenance, and;

WHEREAS, the Township Committee and Township Administrator advertised the position of Part-Time Seasonal Park Maintenance on the Township website, and;

WHEREAS, Michael Gallagher applied for the position and;

WHEREAS, based on his experience, the Township Committee wishes to hire Michael Gallagher as seasonal help for maintaining the Township Park during the months of April until November as conditions at the park are warranted for these services.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body, of the Township of Alexandria, County of Hunterdon, State of New Jersey, that Michael Gallagher be appointed as Part-Time Seasonal Help for Park Maintenance effective immediately at an hourly rate of \$20.00. Hours of work will be at the discretion of the DPW Foreman on an "as needed" basis at the park.

- Ordinance 2019-003 Pertaining to "Properties, Vacant or Abandoned" To Add Registration and Other Requirements-**1st Reading**

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve Ordinance 2019-003 on 1st Reading. Public Hearing is scheduled for June 12, 2019.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

***AN ORDINANCE AMENDING CHAPTER 137 OF THE CODE OF THE TOWNSHIP OF ALEXANDRIA ,
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY PERTAINING TO "PROPERTIES, VACANT
OR ABANDONED" TO ADD REGISTRATION AND OTHER REQUIREMENTS***

Ordinance # 2019-003

BE IT ORDAINED by the Township Committee of the Township of Alexandria, in the County of Hunterdon, State of New Jersey that the following amendments shall be made to Chapter 137 of the Code of the Township of Alexandria, entitled "Properties, Abandoned or Vacant " to provide as follows (new language appears underlined thus; language to be stricken is shown ~~thus~~):

SECTION 1. Subsection 137-2. Definitions shall be amended to include the following new terms:

CREDITOR - A state-chartered bank, savings, bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the New Jersey Residential Mortgage Act, P.L. 2009, c. 53 (N.J.S.A. 17:11C-51 et seq.), any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time, and any entity acting on behalf of the creditor named in the debt obligation, including, but not limited to, services.

VACANT AND ABANDONED RESIDENTIAL PROPERTY - Consistent with section 1 of P.L. 2010, c. 70 (N.J.S.A. 2A:50-73) residential real estate, where a notice of violation has been issued

pursuant to Sec. 137-9 of this article and subsection b. of section 1 of P.L. 2014, c. 35 (N.J.S.A. 40:48-2.12s). Residential property shall further be deemed vacant and abandoned where a mortgaged property is not occupied by a mortgagor or tenant and at least two of the following conditions exist:

- A. Overgrown or neglected vegetation;
- B. The accumulation of newspapers, circulars, flyers or mail on the property;
- C. Disconnected gas, electric or water utility services to the property;
- D. The accumulation of hazardous, noxious or unhealthy substances or materials on the property;
- E. The accumulation of junk, litter, trash or debris on the property;
- F. The absence of window treatments such as blinds, curtains or shutters;
- G. The absence of furnishings and personal items;
- H. Statements of neighbors, association management, delivery persons, or government employees indicatint that the residence is vacant and abandoned;
- I. Windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
- J. Doors to the property that are smashed through, broken off, unhinged or continuously unlocked;
- K. A risk to the health, safety or welfare of the building, 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;
- L. 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;
- M. 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;
- N. A written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;
- O. Any other reasonable indicia of abandonment.

VACANT PROPERTY - OTHER Any building used or to be used for residential or commercial purposes which is not legally occupied 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 Alexandria Township's maintenance requirements as set forth in this or any other applicable Township ordinance, 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 ordinance.

SECTION 2. Section 137-3 "Requirements for all Owners of Vacant or Abandoned Property shall be amended to read as follows:

Sec. 137-3 Requirements for All Owners or Creditors of Vacant or Abandoned Property.

The Owner, as defined under this ordinance or Creditor, as defined under this ordinance, of any building that has become vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant shall, within 30 days of its vacancy:

A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Code of the Township of Alexandria, or as otherwise provided by law.

B. Post a sign on the building indicating the name, address and telephone number of the Owner or Creditor (as applicable), the Owner's or Creditor's (as applicable) 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 place 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" x 24".

C. 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.

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

E. Ensure that the vacant property is inspected on a monthly basis by the owner's authorized agent and prepare inspection reports, which shall be forwarded to the Zoning Officer no later than the end of each month.

F. Ensure that the vacant property remains free of all litter, rubbish, garbage, debris, unclaimed newspapers, unclaimed mail or other paper.

G. Ensure that the lawn, grasses and/or weeds are maintained at a height no greater than 10 inches.

H. The owner and/or creditor, as applicable, of any vacant building shall acquire and otherwise maintain liability insurance by procuring a vacancy policy in an amount of not less than three hundred thousand (\$300,000.00) dollars for buildings designed primarily for use as residential units and not less than one million (\$1,000,000.00) dollars for any other building including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. The owner and/or creditor, as applicable, shall provide evidence of the insurance to the Township Clerk.

I. Notify the Township Clerk that the property has become vacant or abandoned and file the required registration statement as set forth in this ordinance. Such notice shall include the information provided in Section 3b above, together with the street address, block and lot of the property.

SECTION 3 Section 137-4 "Creditor Responsibility" shall be replaced with the following new section:

Section 137-4 *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 30 calendar days after the building becomes vacant and abandoned or within 30 calendar days after assuming ownership of the vacant and abandoned property, whichever is later; or within 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 for the Township for such purposes. Any failure to receive notice by 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 following:

(1) The name, street address, telephone number and email address of a person 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; and

(2) The name, street address, telephone number and email address of the firm and also, the actual name(s) of the firms individual principal(s) responsible for maintaining the vacant and abandoned property. The individual or representative of the firm responsible for maintaining the vacant and abandoned 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.

D. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31 of the year in which it was filed. The creditor shall be required to renew registration annually as long as the building remains vacant and abandoned and shall pay a registration or renewal fee in the amount prescribed in Sec. 137-5 of this chapter for each vacant and abandoned property registered.

E. The annual renewal shall be completed by January 1 of each year. The initial registration fee shall be prorated for registration statements received less than 10 months prior to that date.

F. The creditor shall notify the Municipal Clerk within 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.

G. 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.

SECTION 4. Section 137-5 "Notice to Creditors" shall be replaced with the following new section:

Section 137-5 Fee Schedule.

The initial registration fee for each vacant and abandoned property under the provisions of this Chapter shall be \$500. The fee for the first annual renewal shall be \$1,500, and the fee for the second annual renewal shall be \$3,000. The fee for any subsequent annual renewal beyond the second renewal shall be \$5,000.

Vacant Property Fee Schedule

<u>Registration or Renewal</u>	<u>Fee</u>
<u>Initial registration</u>	<u>\$ 500.00</u>
<u>First renewal</u>	<u>\$1,500.00</u>
<u>Second renewal</u>	<u>\$3,000.00</u>
<u>Any subsequent renewal</u>	<u>\$5,000.00</u>

SECTION 5. Former Section 137-4 "Creditor Responsibility" shall be renumbered and amended as to read as follows:

Section 137-6. Creditor Responsibility

A. In addition to the above ordinance provisions, pursuant to the provisions of the New Jersey Creditor Responsibility Law at N.J.S.A. 46:10B-51 (P.L. 2014, c. 5) a creditor filing a summons and complaint to foreclose a lien on a residential property that is vacant and/or abandoned, whether the filing of the summons and complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security and upkeep of the exterior of the residential property.

B. Pursuant to the above-referenced New Jersey Creditor Responsibility Law statute (as may be amended from time to time), prior to filing a registration statement a foreclosing creditor shall, within 10 days of serving a summons and complaint to foreclose on a mortgage on any residential property in Alexandria Township, provide a Notice to the Township Clerk that a summons and complaint in an action to foreclose a mortgage has been filed against the subject property. The Notice shall contain the following information: street address, lot and block of the property, full name and contact information of an individual located within the State who is authorized to accept service on behalf of the creditor; and name and contact information for the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations.

C. In addition to the above, an *out-of-State* creditor shall include the full name and contact information of the in-State representative or agent in the Notice required to be

provided to the Township clerk pursuant to paragraph one of N.J.S.A. 46:10B-51 and on the Registration form and any renewal thereof. ~~An out-of-State creditor found by a court of competent jurisdiction to have violated this provision shall be subject to a fine of \$2,500.00 for each day of the violation commencing on the day after the 10-day period set forth in paragraph one of N.J.S.A. 46:10b-51 with respect to notifying the Township Clerk that an action to foreclose on the property has been filed.~~

D. The Notice required to be provided by the creditor under this section may contain information about more than one property and shall be provided by both mail and electronic means. However, per Subsection 137-4B above, registration statements may not contain information for multiple lots and blocks

E. If the property being foreclosed is an affordable unit pursuant to the "Fair Housing Act", P.L. 1985, c. 222 (C.52:27D-301, et al), then the creditor shall identify that the property is subject to the Fair Housing Act.

SECTION 6. Former Section 137-5 "Notice to creditors" shall be renumbered and amended to read as follows:

Section 137-7. Notice to Creditors and Property Inspections.

A. The Township Clerk shall forward a copy of the notice provided by the creditor pursuant to Section ~~137-4~~ 137-6 above, the registration statement and/ or renewal of the registration statement to the Zoning Officer or other authorized municipal official responsible for administration of this chapter or other public nuisance ordinance. However, the Township Clerk's failure to forward such notice, registration or renewal thereof, shall not relieve the creditor of its obligations under this chapter.

B. After filing a registration statement or a renewal of a registration statement, the owner or creditor, as applicable, 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 Municipal Code following reasonable notice, during the period covered by the initial registration or any subsequent renewal.

~~B~~ C. If the Zoning Officer, or other authorized municipal official, determines that a creditor obligated to care, maintain, secure and keep up a vacant and abandoned property has failed to do so in violation of the provisions of the Code, the Zoning Officer or other authorized municipal official shall issue a notice of violation to the creditor that has filed a summons and complaint to foreclose on the property in question. In the case of 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 137-6C. of this article and paragraph (1) of subsection a. of section 17 of P.L. 2008, c. 127 (N.J.S.A. 46:10B-51), as same may be amended from time to time. The notice shall require the person or entity to correct the violation within thirty (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. This issuance of this notice shall constitute evidence that a property is "vacant and abandoned" for purposes of N.J.S.A. 2A:50-73.

€D. If the violation remains uncorrected after the timeframe set forth in Subsection ~~B~~ C above, the Township may take any action necessary including, but not limited to, assigning the work to a private contractor, proceeding with the abatement on its own or any other legal action deemed necessary. If the Township must hire a private contractor or take the task of abatement upon itself, the officer acting under the direction of the municipality shall certify the cost of abatement to the governing body, which shall examine such certificate and if found correct, shall cause the cost as shown to be charged against said property, or, in the event the governing body finds the cost excessive, to cause the reasonable cost thereof to be charged against said property. The amount so charged shall immediately become a lien among the property and shall be added to and become and form part of the taxes next to be assessed and levied upon such property, to bear interest at the same rate as other taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

SECTION 7. Former Section 137-6 "Administration" shall be renumbered as follows:

Section 137-8 Administration

The Mayor and Township Committee may issue rules and regulations for the administration of the provisions of this ordinance.

SECTION 8. Former Section 137-7 "Violations and penalties" shall be renumbered and amended to read as follows:

Section 137-9. Violations and Penalties.

- A. Any owner who is not in full compliance with this ordinance, or who otherwise violates any provisions of this chapter or the rules and regulations issued hereunder shall, upon conviction, be subject to a fine of not less than \$500.00 and not more than \$2,000.00 for each offense or imprisonment for a period not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof. Each day on which such violation exists shall constitute a separate violation. The court before which any person is convicted of violating this chapter shall also have the power to impose a penalty, pursuant to N.J.S.A. 26:3-70 et seq. and the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.) of not more than \$500 nor less than \$5.00.

B. A creditor found to be in violation of the requirement to register a vacant and abandoned property pursuant to this chapter, or who is required to care for, maintain, secure and keep up a property under this chapter and who is cited in notices issued pursuant to this chapter shall be subject to a fine of \$2,000.00 for each day of the violation. The penalties set forth in this sub-section are separate and apart from the remedy provided for in Section 7a hereof and the remedy provided by N.J.S.A. 40:48-2.13 and 40:48-2.14. The remedy in this sub-section shall be in addition to all remedies available to the Township in law or in equity.

C. For purposes of this chapter, failure to file the notices required by this chapter, failure to provide correct information on the notices, failure to file the registration statement or annual renewal thereof, failure to submit inspection reports, failure to comply with the

provisions of this chapter, or such other matters as may be established by the rules and regulations of the Zoning Officer or his designee, shall be deemed to be violations of this ordinance

D. An out-of-State creditor found by a court of competent jurisdiction to have violated the requirement to appoint an in-state representative or agent pursuant to this chapter shall be subject to a fine of \$2,500.00 for each day of the violation commencing on the day after the 10-day period set forth in paragraph one of N.J.S.A. 46:10b-51 with respect to notifying the Township Clerk that an action to foreclose on the property has been filed.

⊕ E. Fines assessed under this chapter shall be recoverable from the Owner and shall be a lien on the property.

SECTION 9. Former Section 137-8 "Effect on other laws; interpretations of provisions" shall be renumbered as follows:

Section 137-10. Effect on other laws; interpretations of provisions.

Nothing in this chapter is intended nor shall be read to conflict or prevent the Township from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Code of the Township of Alexandria.

SECTION 10. This ordinance supersedes and repeals any ordinances, sections or portion(s) of the Alexandria Township Code or any other Township ordinance or portion of the Code to the extent they are inconsistent herewith.

SECTION 11. All other language contained in the Alexandria Township Code not specifically changed by this ordinance amendment shall remain in full force and effect.

SECTION 12. If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 13. The sections, subsections and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

SECTION 14. This ordinance shall take effect immediately upon final passage and publication in accordance with law.

- County Aggregation Program

- Resolution 2019-062 Approving Grant Agreement In Connection With The Purchase Of A Development Easement From Alice C. Miller and Harold M. Miller, Jr. B-9, Lot-10 and Block 10, Lot 74.

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve Resolution 2019-062.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

RESOLUTION 2019-062 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY APPROVING GRANT AGREEMENT IN CONNECTION WITH THE PURCHASE OF A DEVELOPMENT EASEMENT FROM ALICE C. MILLER AND HAROLD M. MILLER, JR., BLOCK 9, LOT 10 AND BLOCK 10, LOT 74

WHEREAS, the Township of Alexandria, by Resolution #2018-092 adopted on August 8, 2018 , previously agreed to fund an approximately 20% cost share to purchase a development easement on property in the Township of Alexandria known as Block 9, Lot 10 and Block 10, Lot 74 consisting of approximately 67.29+/- acres, with one non-severable exception area totaling approximately 1.5+/- acres, owned by Alice C. Miller, which farm is contained in Alexandria Township's Municipal Planning Incentive Grant list of farms and for which the property owner made an application to the Hunterdon County Planning Incentive Grant Program; and

WHEREAS, upon review of the title work, the property is owned by Alice C. Miller and Harold M. Miller, Jr., her husband (hereinafter "Owners" or "Miller")

WHEREAS, the Township has received for approval and execution from the SADC, a Planning Incentive Grant Agreement ("Grant Agreement") which authorizes a grant from the SADC in the amount of \$303,548.75 to the Township which equates to 60% of the CMV of \$9,500.00 per acre and 60% of the total purchase price of the easement (\$492,068.50) , based on the final surveyed acreage of 63.9050 +/- net acres; and

WHEREAS, the Grant Agreement further provides that the County of Hunterdon will hold title to the easement since the County of Hunterdon will be providing a 20% cost share of the acquisition, in addition to the Township; and

WHEREAS, the Grant Agreement requires authorization from the Township for the SADC to electronically deposit the grant funds in the County's designated bank account on or before the closing date of the purchase of the development easement; and

WHEREAS, the CFO has certified the availability of funds from the Township's farmland and open space trust account for the Township's anticipated 20% cost share of \$94,259.87 toward the easement purchase;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Alexandria, County of Hunterdon, State of New Jersey:

1. Approves and accepts the Grant Agreement provided by the SADC for the funding of the development easement purchase on the farm owned by Alice C. Miller and Harold M. Miller, Jr., her husband, known as Bl. 9, Lot 10 and Bl. 10, Lot 74 in the Township of Alexandria and County of Hunterdon, whereby the SADC's cost share grant will be \$303,548.75 or 60% of the total purchase price (\$492,068.50) of the easement. The Township Committee further authorizes the aforesaid grant funds to be electronically deposited in the County of Hunterdon's designated bank account on or before the closing date established by the Township and the County.

2. On behalf of the Township, the Mayor, Deputy Mayor and Township Clerk, as necessary, are hereby authorized to execute the aforesaid Grant Agreement and any other documentation needed to complete and fund the development easement purchase on the above-mentioned property.

3. The Township further authorizes the CFO to pay the Township's 20% cost share due in connection with the closing.

BE IT FURTHER RESOLVED, that the Municipal Clerk is directed to forward certified copies of this Resolution to the Hunterdon County Agricultural Development Board and the New Jersey State Agriculture Development Committee as may be requested and required.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

- Bathroom Facilities at Municipal Offices

Placement of a facility will need to be determined.

- Barn Roof Discussion

Mayor Garay noted that she attended a Board of Education last night and there was discussion of combining roof projects for the Township Schools and the park barn. The Board of Education will appoint 2-3 board members to work with the Township. Mayor Garay noted that the park barn roof has severe roof leaks and a plan is needed to repair/replace the roof. During the budget there was discussion on potential uses of the

barn. The Township Committee will be conducting a walk-through of the barn with the Township Engineer. The public can attend the walk-through if they would like. A date needs to be confirmed so that the walk-through can be advertised.

ENGINEER’S REPORT:

Township Committee reviewed the attached Engineer Report prepared by Township Engineer Decker.

Mayor Garay noted that she spoke with Holland Township Mayor Dan Bush in regards to the raceway in Little York. Mayor Garay will ask Township Engineer Decker to reach out to Holland Township’s Engineer, Maser Engineering to make contact with the homeowner in Holland Township so that a remedy can be made to the raceway in Holland Township.

APPROVAL OF MINUTES:

- April 10, 2019 Township Meeting
- April 10, 2019 Executive Session
- April 24, 2019 Work Shop Meeting

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve the above meeting minutes.

Roll Call: Aye: Garay, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

BILL LIST:

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve the May 8, 2019 bill list with the exception of a Premier Disposal bill (have not been answering phones to pick up full dumpsters) and a bill for Alexandria Presbyterian Church (55+ clean-up fee for speaker-church is reducing fee)

Roll Call: Aye: Garay, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

PUBLIC COMMENT ON GENERAL MATTERS:

Resident Floyd Evans commented on the new layout of the meeting room and that he liked the old layout better. Township Committee advised that the meeting room layout was changed for security reasons.

Resident John Peck commented on the need of the Mt. Salem Church to be repainted. Mr. Peck advised the Committee that he has been in contact with a painting company who are willing to paint the Mt. Salem Church free of charge. The company can paint in September and will take 3 to 4 days.

CORRESPONDENCE/ANNOUNCEMENTS:

None

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to go into Executive Session. (9:12 PM)

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Open Public Meetings Act RESOLUTION- Executive Session

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

_____ A confidential or excluded matter under Federal or State Law or Court Rule.

_____ A matter involving information that may impair the Township's rights to receive funds from the United States Government.

_____ A matter constituting an unwarranted invasion of an individual's privacy rights.

_____ Collective Bargaining Agreement or negotiation of the Agreement.

_____ Matters involving the purchase, lease or acquisition of real property with public funds which it could adversely affect the public interest if discussion were disclosed.

_____ Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.

 X Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.

Delaware River Tubing

Penn East Pipeline Co. LLC v. Kroese, et. al.

 X Matters falling within the attorney-client privilege.

**NJ Clown Farm
Shared Service**

Personnel matters involving a specific employee or officer of the Township.
Open Space Commission Appointment

Deliberations of the Township occurring after a public hearing that may result in the imposition of a specific penalty or suspension or loss of a license or permit.

3. It is anticipated at this time that the above matter will be made public: at the conclusion of the litigation and at such time as attorney client confidentiality is no longer needed to protect confidentiality and litigation strategy.
4. The executive session minutes will be placed on file in the township clerk's office, and will be available to the public as provided for by New Jersey law.
5. This Resolution shall take effect immediately.

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to return to Public Session **(9:45 PM)**.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to appoint Keith Kiskel to the Open Space Commission.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Comm. Pfefferle showed the Township Committee photos he obtained regarding a 48 inch deep ditch filled with water on Myler Road that was brought to his attention. DPW Foremen Heiser will be advised of the situation and will need to determine a solution to the water sitting in the ditch and not draining.

Mayor Garay showed photos to the Township Committee of signage that has been made up for dumpster day to assist residents on those days as to the hours, have dumpster card ready, entrance to the dumpsters and how to exit the yard. Mayor Garay would like to have residents next year apply for a photo ID at the Municipal Offices to use the dumpsters and stickers be used each year for each time they recycle at the DPW garage on the 3rd Saturday. Mayor Garay feels that residents having to come to the Municipal Offices to obtain this ID will cut down on residents coming to dumpster day saying they never received a card and to prevent abuse of the dumpsters by people who aren't residents but are given the card by a friend/family member to use the dumpsters.

The following matters were discussed in Executive Session:

- Delaware River Tubing
No Update
- Clown Farm
Court was held on April 17th. Mr. Burger plead guilty to the zoning summonses for signage/use regulations in an AR zone and agreed to pay \$10,000.00 for the violations. All violations against Denise Burger were dismissed. Court Administrator Signorile advised the Township that the 1st check payment in the amount of \$500.00 made by Mr. Burger bounced. Mr. Burger was to appear in Court on May 1st to address the bounced check but he paid the bounced check and the \$30.00 bank fee and made the May 1st payment of \$500.00.
- Penn East
No Update
- Shared Services
Township Committee discussed that going into a shared service for the Lester D. Wilson roof is not a good long term plan for the Township.
- Open Space Commission Appointment
Township Committee reviewed a resume supplied by Keith Kiskel.

MOTION TO ADJOURN

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to adjourn at 9:45 PM.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Meeting Adjourned at 9:45 PM.

Respectfully Submitted:

Michele Bobrowski, CMC/RMC

Township Clerk

I hereby certify that I have reviewed these Minutes of the Township Committee Meeting of May 8, 2019 and certify that said Minutes were approved unanimously by the Township Committee on the 12th day of June 2019.

Michelle Garay, Mayor

