

**PUBLIC MEETING
MUNICIPAL BUILDING**

**September 12, 2023
DELRAN, NJ**

CALL TO ORDER

SALUTE TO THE FLAG

Sunshine Statement: Be advised that proper notice has been given by the Township Council in accordance with the sunshine law in the following manner. Notice advertised in the Burlington County Times and Camden Courier Post on January 6, 2023 and posted on the bulletin board on the same date.

ROLL CALL: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell were present.

ALSO PRESENT: Mr. Catrambone, Mayor, Mr. Kalac, Solicitor, Mr. Bellina, Administrator, and Ms. Eggers, Township Clerk

PRESENTATION OF PROCLAMATION

Prostate Cancer Awareness Month – Mr. Catrambone reported that he and council have proclaimed September, National Prostate Awareness Month in Delran Township.

ORDINANCE(S) ON SECOND READING

**TOWNSHIP OF DELRAN
BURLINGTON, NEW JERSEY**

ORDINANCE 2023-15

**ORDINANCE OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON,
STATE OF NEW JERSEY, AMENDING VARIOUS SECTIONS OF THE
MUNICIPAL CODE OF THE TOWNSHIP OF DELRAN TO REMOVE
REFERENCES TO SEWER AUTHORITY**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Delran, in the County of Burlington and State of New Jersey, that:

SECTION 1. Chapter 20 Administration of Government, Article III Township Council, § 20-15E(5) “Sewerage Authority.” of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§20-15E(5) Sewerage [~~Authority~~] **Utility**. The Council, pursuant to N.J.S.A. 40:14A-4(a), shall appoint all members of the Sewerage [~~Authority~~] **Utility**.

SECTION 2. Chapter 20 Administration of Government, Article XVII Delran Development Agency, § 20-92 “Functions and duties.” of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§20-92 Functions and duties.

The Agency shall promote and encourage the establishment of desirable industrial and commercial development within the Township. It may from time to time cause advertisements or publications to be placed or distributed in accordance with available funds provided by the Council. The Agency shall function as a public relations arm of the Township in promoting the benefits of the Township to desirable industrial and commercial development. The Agency shall meet at least quarterly and shall submit a copy of the minutes of its meeting to the Business Administrator, Mayor, each member of Council, Planning Board and Zoning Board of Adjustment and to the [~~Delran Sewerage Authority~~] **Department of Sewer Utility** and the Fire Commissioners of the Township. The Agency shall prepare such reports as it deems desirable for distribution to the Mayor and Council, and each year in November shall prepare a detailed report of its activities for the preceding year for submission to the Mayor for inclusion in his or her annual report.

SECTION 3. Chapter 150 Fees, § 150-6 “Uniform construction code.”, paragraph D “waiver of fees” of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§150-6D Waiver of fees.

(1) In the case of construction by the Township of Delran, Delran Board of Education, the Delran Fire Department, the [~~Delran Sewerage Authority~~] **Department of Sewer Utility** and the Delran Emergency Squad, all construction, inspection, plan review or other fees of whatever nature set forth in this chapter may be waived by the Construction Official. The waiver of such fees is limited to the fees which represent income to the Township of Delran; such a waiver shall not include payments to third-party inspection agencies or other fees that are mandated by the State of New Jersey.

SECTION 4. Chapter 310 Subdivision of Land, Article II Minor Subdivision Procedure, § 310-7 “Minor subdivision procedure.”, paragraph E of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§310-7E. Filing copies of approval. The Secretary shall file a signed plan of such minor subdivision, in acceptable form, with the Burlington County Planning Board, and forward a properly signed copy of the plan to the Township Clerk, Board Engineer, Construction Code Official, Tax Assessor and Tax Collector and [~~Sewerage Authority~~] **Department of Sewer Utility**, and also file the original and one copy of the plan in the Planning Board file for the particular application concerned.[1]

SECTION 5. Chapter 310 Subdivision of Land, Article IV Major Subdivision Procedure, § 310-14 “Submission of preliminary plat.”, paragraph B(4) of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§310-14B(4) [~~Sewerage authority of~~] Delran Township **Department of Sewer Utility**.

SECTION 6. Chapter 310 Subdivision of Land, Article IV Major Subdivision Procedure, § 310-20 “Approval by Board; signing and filing of plat.”, paragraph C(2) of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§310-20C(2) The Board Engineer shall not issue such a written statement unless he or she has received a certificate from the [~~Delran Sewerage Authority~~] **Department of Sewer Utility** certifying that a copy of the plat of utilities insofar as it relates to the sewers has been filed with it and that the sewers have been satisfactorily installed or a bond conditioned for their installation has been filed with the Authority.

SECTION 7. Chapter 310 Subdivision of Land, Article IV Major Subdivision Procedure, § 310-21 “Distribution of approved plats.”, paragraph D(9) of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§310-21D(9) Delran Township [~~Sewerage Authority~~] **Department of Sewer Utility**.

SECTION 8. Chapter 310 Subdivision of Land, Article VIII Design Standards, § 310-38 “Sanitary sewers” of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§310-38 Sanitary sewers.

- A. All sanitary sewer systems, sewage and industrial waste treatment works shall comply with the rules and regulations established by the Department of Environmental Protection of the State of New Jersey, as amended and revised.
- B. Sanitary sewer pipe shall be sized for full flow from the tract, unless the [~~Delran Sewerage Authority~~] **Department of Sewer Utility** requires pipe sized to accommodate future extensions.
- C. Minimum grades at terminal runs of all sanitary sewer lines shall be 0.8%, with 1% or greater preferred.
- D. Manholes shall be placed at every point where the sanitary sewer line changes direction. In no instance shall the spacing exceed 400 feet.
- E. Prior to final approval, the Engineer for the Sewerage [~~Authority~~] **Utility** shall approve all sanitary sewer designs which will become a part of, or connect to, the Sewerage [~~Authority~~] **Utility** facilities.

SECTION 9. Chapter 310 Subdivision of Land, Article VIII Design Standards, § 310-42 “Utilities” of the Municipal Code of the Township of Delran, be amended by inserting the text **underlined and marked in bold** and deleting text enclosed in brackets and crossed out to read as follows:

§310-42 Utilities.

- A. Easements. In larger developments, easements along rear property lines or elsewhere for utility installation may be required. Such easements shall be at least 20 feet wide and located in consultation with the [~~sewerage authority~~] **Sewer Utility**, Public Service Electric and Gas Co. and the New Jersey American Water Co. No trees, shrubs, fences or other obstructions shall be permitted on the easements.
- B. Underground wiring. All electric telephone, television and other communication service facilities, both main and service lines, shall be provided by underground cables, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services.

SECTION 10. Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part hereof, and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 11. All other ordinances, codes or parts thereof that are in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Township ordinances, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Township’s ordinances are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 12. This Ordinance shall take effect upon passage and publication as required by law.

Mr. Lyon made a motion to open the meeting to the public, seconded by Mr. Smith. All were in favor, motion approved.

There were no comments

Mr. Lyon made a motion to close the public portion, seconded by Mrs. Apeadu. All were in favor, motion approved

Mr. Jeney made a motion, seconded by Mr. Smith to adopt Ordinance 2023-15 on second reading.

There being no questions, the roll was called.

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
BURLINGTON, NEW JERSEY**

ORDINANCE 2023-16

**ORDINANCE OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON,
STATE OF NEW JERSEY, ESTABLISHING POLICY FOR PROPERTY TAX
EXEMPTION ON DWELLING HOUSE OF ONE HUNDRED PERCENT TOTALLY
DISABLED VETERAN OR SURVIVING SPOUSE.**

WHEREAS, Pursuant to N.J.S.A 54:4-3.32 Return of certain taxes collected on exempt property; The governing body of each municipality, by appropriate resolution, may return all taxes collected on property which would have been exempt had proper claim in writing been made therefor in the manner provided by P.L.1948, c.259 (C.54:4-3.30 et seq.). The governing body of each municipality, by appropriate resolution, may also return to the veteran or the veteran's surviving spouse all property tax payments made since the time of the veteran's actual disability or since the time of the veteran's death. No refunds shall be made under this section for any year or portion thereof prior to the effective date of P.L.1948, c.259.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Delran, County of Burlington, State of New Jersey, that the following criteria shall be used when approving an application for a Totally Disabled Veteran Exemption:

1. The amount of any cancellation of property taxes collected (to be refunded to approved applicant) or property taxes due (to be credited to approved applicant in the event property taxes on the dwelling house have not yet been collected) will be calculated from the later of the three following dates:
 - a) Date of the applicant's property's Deed, or
 - b) Department of Veteran's Affairs 100% permanent/total disability **effective date** as issued to the applicant in writing, or
 - c) January 1st of the year in which a completed application has been submitted to the Township of Delran.
2. In no event will any cancellation or reimbursement be approved for property taxes collected or due for any period prior to January 1st of the year in which a completed application has been submitted to the Township of Delran.

NOW THEREFORE BE IT FURTHER RESOLVED by the Governing Body of the Township of Delran, County of Burlington, State of New Jersey, that this Ordinance shall take effect immediately upon final passage and publication in the manner according to law.

Mr. Jeney made a motion to open the meeting to the public, seconded by Mr. Lyon. All were in favor, motion approved.

There were no comments

Mr. Jeney made a motion to close the public portion, seconded by Mr. Smith. All were in favor, motion approved

Mr. Jeney made a motion, seconded by Mr. Lyon to adopt Ordinance 2023-16 on second reading.

There being no questions, the roll was called.

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

**TOWNSHIP OF DELRAN
BURLINGTON, NEW JERSEY**

ORDINANCE 2023-17

ORDINANCE OF THE TOWNSHIP OF DELRAN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, REPEALING ARTICLE III PROPERTY MAINTENANCE BY CREDITORS, SECTIONS 257-19 TO 257-23, AND ESTABLISHING ARTICLE III, VACANT AND ABANDONED PROPERTIES, SECTION 257-19, REGISTRATION OF FORECLOSING MORTGAGES AND VACANT PROPERTY OF THE MUNICIPAL CODE OF THE TOWNSHIP OF DELRAN

WHEREAS, Chapter 244 of the Township of Delran of Code requires registration of vacant and abandoned properties to prevent blight and the associated negative impacts that surround them; and

WHEREAS, New Jersey recently adopted P.L. 2021, c.444, explicitly authorizing municipalities to adopt ordinances to address blight through registration of foreclosing mortgages vacant and abandoned properties; and

WHEREAS, P.L. 2021, c.444 allows municipalities, by ordinance, to require commercial lenders foreclosing on properties to register with the municipality and provide notice of pending foreclosures to the municipality; and

WHEREAS, this legislation defines “vacant and abandoned” and permits an annual registration fee of \$500 per property plus \$2,000 per property if it is vacant and abandoned or becomes vacant and abandoned at any time after the foreclosure is filed; and

WHEREAS, P.L. 2021, c.444 also allows municipalities to administer the registration program by contracting with third-parties or other public entities; and

WHEREAS, the Township Council of the Township of Delran (“Township Committee”) has determined it is in the Township of Delran’s (“Township”) best interest to amend, repeal, and replace certain sections of Chapter 244 to conform to P.L. 2021, c.444; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Township of Delran, County of Burlington, State of New Jersey, that the following Ordinance is hereby adopted so as to repeal, Article III, “Property Maintenance by Creditors” Section 257-19 to 257-23 and to replace it with, Article III, “Vacant and Abandoned Properties”, Section 257-19 to 257-“Registration Of Foreclosing Mortgages And Vacant Property” of the Code of the Township of Delran to read as follows (underlined text illustrates additions, strikethrough text illustrates deletions):

SECTION 1. Article III “Property Maintenance by Creditors” is repealed as follows:

~~§ 257-19. **Creditor responsibility.** Pursuant to the provisions of the Public Laws of 2014, Chapter 35, a creditor filing a summons and complaint to foreclose a lien on a residential property that is vacant and abandoned, whether the filing of the summons and complaint is made before or after a 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. This obligation applies whether the determination that the property is vacant and abandoned is made by the public officer pursuant to the provisions of this chapter, any other chapter of the Code of the Township of Delran, pursuant to the provisions of N.J.S.A. 2A:50-73 or otherwise.~~

~~§ 257-20. **Notice to creditor; time to correct violations.** If the public 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 this chapter or any other chapter of this Code, the public 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. The notice shall require the person or entity to correct the violation 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. The issuance of this notice shall constitute evidence that a property is "vacant and abandoned" for purposes of N.J.S.A. 2A:50-73.~~

~~§ 257-21. **Designated representative of out-of-state creditor; violation.** 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 municipal Clerk pursuant to Paragraph (1) of N.J.S.A. 46:10B-51. 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 for each day of the violation commencing on the day after the ten-day period set forth in Paragraph (1) of N.J.S.A. 46:10B-51 with respect to notifying the municipal Clerk that an action to foreclose on the property has been filed.~~

~~**§ 257-22. Violations and penalties.** Except as set forth in § 257-21 and herein, any person, firm, corporation or entity violating any provision of this article shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article I, of this Code. A creditor required to care for, maintain, secure and keep up a property under this chapter cited in a notice issued pursuant to § 257-20 shall be subject to a fine of \$1,500 for each day of the violation.~~

~~**§ 257-23. Additional notice required.** Notice of violations of property maintenance, building or other property codes for any property declared vacant and abandoned pursuant to this article shall be given to a foreclosing creditor pursuant to the procedures of § 257-20 of this Code as required by P.L. 2014, c. 35.~~

SECTION 2. Article III, “Vacant and Abandoned Properties”, Section 257-19 “Registration Of Foreclosing Mortgages And Vacant Property” is hereby established as follows:

§ 257-19. REGISTRATION OF FORECLOSING MORTGAGES AND VACANT PROPERTY.

§ 257-19.1. Purpose and intent.

It is the purpose and intent of the Council to establish a process to address the deterioration, crime, and decline in value of Township neighborhoods caused by property with foreclosing or foreclosed mortgages located within the Township, and to identify, regulate, limit and reduce the number of these properties located within the Township. It has been determined that owner-occupied structures are generally better maintained when compared to vacant structures, even with a diligent off-site property owner. Vacant structures or structures owned by individuals who are economically strained and unable to meet their mortgage obligations are often not properly or diligently maintained, which contribute to blight, declined property values, and have a negative impact on social perception of the residential areas where they are located. It is the Council's further intent to establish a registration program as a mechanism to help protect neighborhoods from becoming blighted through the lack of adequate maintenance of properties that are in foreclosure or foreclosed, and to provide a mechanism to avert foreclosure actions through timely intervention, education, or counseling of property owners.

§ 257-19.2. Definitions.

The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

CREDITOR — A mortgagee or an agent or assignee of a mortgagee, such as the servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the creditor for purposes of this section. For purposes of this section, a creditor shall not include the state, a political subdivision of the state, a state, county, or local government entity, or their agent or assignee, such as the servicer.

DEFAULT — The mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or other evidence of the debt, referred to in the mortgage.

ENFORCEMENT OFFICER — Any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector, building inspector, or other person authorized by the Township to enforce the applicable code(s).

EVIDENCE OF VACANCY — Any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; past due utility notices and/or disconnected utilities; accumulation of trash junk or debris; abandoned vehicles, auto parts and/or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers and/or mail; statements by neighbors, passersby, delivery agents or government agents; and/or the presence of boards over doors, windows or other openings in violation of applicable code.

FORECLOSURE or FORECLOSURE ACTION — The legal process by which a mortgagee, or other lien holder, terminates or attempts to terminate a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. The legal process is not concluded until the property obtained by the mortgagee, lien holder, or their designee, by certificate of title, or any other means, is sold to a nonrelated bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

LIENHOLDER or MORTGAGE HOLDER – Any person or entity holding a note, mortgage or other interest secured by the building or any part thereof.

MORTGAGEE — The creditor, including, but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the real property, excluding governmental entities.

NUISANCE – Any property that is determined by the Township's Code Enforcement Officer, or

such other public officer designated or appointed by the Township Committee pursuant to N.J.S.A. 40:48-2.5, to be a nuisance if any one of the following applies:

- A. The property is found to be unfit for human habitation, occupancy or use pursuant to N.J.S.A. 40:48-2.3;
- B. The condition and vacancy of the property materially increases the risk of fire to the property and adjacent properties;
- C. The property is subject to unauthorized entry leading to potential health and safety hazards; the owner has failed to take reasonable and necessary measures to secure the property; or the Township has secured the property in order to prevent such hazards after the owner has failed to do so;
- D. The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds has created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards; or
- E. The dilapidated appearance or other condition of the property materially affects, including the economic welfare of, the residents of the area in close proximity to the property and the owner has failed to take reasonable and necessary measures to remedy the conditions.

OWNER — Every person, entity, or mortgagee, who alone or severally with others, has legal or equitable title to any real property as defined by this section; has legal care, charge, or control of any such property; is in possession or control of any such property; and/or is vested with possession or control of any such property. The property manager shall not be considered the owner.

PROPERTY MANAGER — Any party designated by the owner as responsible for inspecting, maintaining and securing the property as required in this section.

REAL PROPERTY — Any residential or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the Township limits.

REGISTRABLE PROPERTY —

- A. Any real property located in the Township, whether vacant or occupied, that is encumbered by a mortgage subject to an ongoing foreclosure action by the mortgagee or trustee, has been the subject of a foreclosure action by a mortgagee or trustee and a judgment has been entered, or has been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of a "foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a nonrelated bona fide purchaser in an arm's length transaction or the foreclosure action has been dismissed; or
- B. Any property that is vacant for more than 30 days or any cancellation of utility or service, whichever occurs first.

RESPONSIBLE PARTY — The title holder of a vacant and abandoned property or a creditor responsible for the maintenance of a property.

STREET ADDRESS — An address at which a natural person who is the responsible party or an authorized agent actually resides or actively uses for business purposes, and shall include a street name or rural delivery route.

UTILITIES AND SERVICES — Any utility and/or service that is essential for a building to be habitable and/or perform a service necessary to comply with all Township codes. This includes, but is not limited to, electrical, gas, water, sewer, lawn maintenance, pool maintenance, and snow removal.

VACANT AND ABANDONED PROPERTY — Any residential or commercial building which is not legally occupied by an owner, a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, and two or more of the conditions in 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, delivery persons, or government employees indicating that the property 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 public or any adjoining or adjacent property owners 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 a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
- O. Any other reasonable indicia of abandonment.

§ 257-19.3. Applicability and jurisdiction.

This section applies to foreclosing, foreclosed, and vacant property within the Township.

§ 257-19.4. Establishment and administration of registry.

- A. The Township shall create and maintain a registry cataloging each registrable property within the Township, containing the information required by this section. This registry shall assist the Township with regulating the maintenance, security, and upkeep of properties which may become vacant and abandoned during the foreclosure process, in order to prevent the deleterious effects of blight associated with vacant and abandoned properties that are not maintained.
- B. The Township may, at its discretion, create, maintain, and administer this registry independently, retain the professional services of a third party pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., or participate in a shared services agreement with other local units, counties, and/or county improvement authorities for the creation, maintenance, and administration of the registry pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.
- C. Any third parties retained to create, maintain, and/or administer the registry shall have the authority, on behalf of the Township, to:
 - 1. Identify properties subject to the registration requirement;
 - 2. Maintain and update the registration list;
 - 3. Communicate with creditors and/or in-state representatives;
 - 4. Invoice and collect payment of fees;
 - 5. Monitor compliance; and

6. Such other functions, within the scope of P.L. 2021, c. 444, which may be deemed necessary to carry out its function on behalf of the Township.
- D. Any third parties retained to create, maintain, and/or administer the registry shall be required to comply with the following reporting and payment requirements:
1. Any and all amounts collected by the third party as part of its administration of the Township's registry, including registration fees, interest, and penalties, shall be paid, in full, directly to the Township, or Burlington County, and/or county improvement authority, as applicable, not less than once per year, or as otherwise directed by the Township's public officer. No fees, payments, expenses, or other deductions shall be made from this payment; payment for any third-party's services under this article shall be made by the Township, or as applicable, the county/county improvement authority, directly to the third party, under the terms and conditions outlined within the contract for professional services.
 2. Not less than once per year on the first business day of each calendar year, or as otherwise may be requested by the Tax Collector, any third party administering the Township's registry shall file with Tax Collector a certification identifying:
 - a. The address, block, lot, and contact information of any property for which registration fees under this article are due and owing at the time of the certification;
 - b. The amount of the registration fees, and separately, any interest, fines, and other penalties due and owing at the time of the certification; and
 - c. The date on which the property became eligible for inclusion on the Township's registry.
- E. The Township's code enforcement officer or his/her designee shall serve as the municipal official responsible for notifying creditors, establishing and maintaining the registry, determining eligibility for designation as a vacant and abandoned property under this article, and for imposing fees, penalties, and/or violations. The responsibilities herein may be designated to a third party, pursuant to the terms and conditions of a contract for professional services consistent with P.L. 2021, c. 444

§ 257-19.5. Certificate of Registration for Vacant and Abandoned Property.

- A. Within 30 days of the effective date of this article, any creditor who has initiated a summons and complaint with the New Jersey Superior Court in an action to foreclose on

a commercial and/or residential mortgage for a property located within the Township of Delran: (i) prior to the effective date of this article, and (ii) which is pending as of the effective date of this article, shall provide notice in accordance with Subsection B of § 257-19.5B

B. Within 10 days of filing a summons and complaint with the New Jersey Superior Court in an action to foreclose on a commercial and/or residential mortgage for a property located within the Township of Delran, the creditor shall notify the Township Clerk, or his/her designee, of the action. Such notice shall include:

1. The address, block, and lot of the subject property;
2. The date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing;
3. Whether the property is vacant and abandoned in accordance with the definition of "vacant and abandoned" in § 257-19.2, Definitions;
4. The full name, address, telephone number, and email address for the representative of the creditor who is responsible for receiving notice of complaints of property maintenance and code violations;
5. The full name, address, telephone number, and email address of any person or entity retained by the creditor or a representative of the creditor to be responsible for any care, maintenance, security, or upkeep of the property; and
6. If the creditor is out-of-state, the full name, address, and telephone number of an in-state representative or agent who shall be responsible for any care, maintenance, security, or upkeep of the property, and for receiving notice complaints of property maintenance and code violations.
7. The notice requirements herein represent a continuing obligation throughout the pendency of the foreclosure action. After initial notice to the Township, creditors subject to the notice requirement shall update the Township's property registration program within 10 days of any change in the information contained in the original or any subsequent notices.

C. Creditors of any commercial and/or residential mortgage required to notify the Township pursuant to this section shall:

1. Register the property with the Township's property registration program as a property in foreclosure, within 30 days of notifying the Township;
2. Be subject to the registration fee, notice requirements, and penalties for noncompliance established within this Article II;
3. Update the property registration within 10 days of any change in the information contained in the original notice to the Township;
4. If an out-of-state creditor, appoint an in-state representative or agent to act for the foreclosing creditor, whose contact information shall be contained within the initial notice to the Township;
5. Within 10 days of the property becoming vacant and abandoned at any time during the pendency of the foreclosure action, the creditor shall:
 - a. Assume responsibility for the care, maintenance, upkeep, and security of the exterior of the property, which shall include:
 - i. Keeping the property free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including but not limited to furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned;
 - ii. Keeping the property free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure;
 - iii. Keeping all pools and spas free from stagnant water so the water structure remains clear of pollutants and debris.
 - b. Secure the property against unauthorized entry, which shall include but not be limited to the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or

structure must be repaired. Broken windows shall be secured by reglazing of the window;

- c. Post a sign on the inside of the property, visible to the public, no smaller than 18 inches by 24 inches, containing the name, address, telephone number, and email address of the creditor, or an out-of-state creditor's in-state representative or agent, for the purpose of receiving service of process;
 - d. If different than the person receiving service of process, the sign posted inside the property must also include the name, address, telephone number, and email address of the person responsible for day-to-day supervision and management of the building;
 - e. Post the property with "no trespassing" signs of a nature sufficient to give notice to any person entering upon the property that it is against the law to enter the property without permission of the creditor;
 - f. Acquire and maintain a vacancy insurance policy which covers any damage to any person or any property caused by any physical condition of the property while registered with the Township's property registration program;
 - g. Provide proof, within 10 days of receiving a request by the Township or its designee, that the above conditions have been satisfied.
 - h. Cure any violations of the above requirements within 30 days of receiving a notice of violation, or if deemed to present an imminent threat to public health and safety, within 10 days of receiving such notice.
6. Update the property registration within 10 days of the creditor becoming aware that the property is deemed vacant and abandoned as defined herein.
- D. If at any time the creditor is deemed to be in violation of the above requirements, and/or if the property is deemed to be in violation of any other applicable local or state maintenance, health, or safety codes, the Code Official or his/her designee shall notify the creditor using the contact information provided in the property registry established by this Article III.

§ 257-19.6. Fees, violations and penalties.

- A. All fees, penalties, and/or fines established within this article and assessable pursuant to the Township's authority outlined within P.L. 2021, c. 444 shall be deemed a municipal charge in accordance with N.J.S.A. 54:5-1, et seq.
- B. Creditors required to notify the Township and register a property as one in foreclosure shall be required to pay the following annual registration fee, per property, due at the time of registration: \$500.
- C. If a property registered with the Township's registration program as a property in foreclosure is vacant and abandoned at the time of registration, or becomes vacant and abandoned at any time during the pendency of the foreclosure proceeding, the creditor shall pay an additional annual registration fee, per property, due at the time the determination that the property is vacant and abandoned is made, of: \$2,000.
- D. Violations.
 - 1. An out-of-state creditor subject to the notice and registration requirements of this Article II, found 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. The violation shall be deemed to commence on the day after the creditor's initial ten- or thirty-day requirement to notify the Township of applicable foreclosure actions.
 - 2. A creditor subject to the notice and registration requirements of this Article III, found to be in violation of any part of this ordinance [with the exception of a violation pursuant to Subsection D.1.], shall be subject to a fine of \$1,500 for each day of the violation. The violation shall be deemed to commence on the thirty-first day following the creditor's receipt of a notice of violation, or if deemed to present an imminent threat to public health and safety, on the eleventh day following the creditor's receipt of such notice.
 - 3. Each day that a violation continues shall constitute an additional, separate, and distinct offense.
- E. If the Township expends public funds in order to abate a nuisance or correct a violation on a commercial property in situations in which the creditor was given notice pursuant to this Article II, but failed to abate the nuisance or correct the violation as directed, the Township shall have the same recourse against the creditor as it would have against the title owner of the property, including but not limited to the recourse provided under N.J.S.A. 55:19-100, et seq.

- F. Twenty percent of any money collected pursuant to this section shall be utilized by the municipality for code enforcement purposes.

§ 257-19.7. Provisions Supplemental.

The provisions of this section are cumulative with and in addition to other available remedies. Nothing contained in this section shall prohibit the Township from collecting on fees, fines, and penalties in any lawful manner; or enforcing its codes by any other means, including, but not limited to, injunction, abatement, or as otherwise provided by law or ordinance.

§ 257-19.8. Public Nuisance.

All registrable property is at risk of being a public nuisance and if vacant or blighted can constitute a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare, and safety of the residents of the Township.

§ 257-19.9. Opposing, Obstructing Enforcement Officer; Penalty.

Whoever opposes obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this section shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

§ 257-19.10. Immunity of Enforcement Officer

Any enforcement officer or any person authorized by the Township to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this section.

§ 257-19.11. Amendments.

Registration fees and penalties outlined in this section may be modified by resolution, administrative order, or an amendment to this section, passed and adopted by the Council.

SECTION 3: Ordinances, resolutions, regulations or parts of ordinances, resolutions, and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 4: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 5: This Ordinance shall take effect immediately upon final passage and publication in the manner according to law.

Mr. Jeney made a motion to open the meeting to the public, seconded by Mrs. Apeadu. All were in favor, motion approved.

There were no comments

Mr. Lyon made a motion to close the public portion, seconded by Mrs. Apeadu. All were in favor, motion approved

Mr. Jeney made a motion, seconded by Mrs. Apeadu to adopt Ordinance 2023-17 on second reading.

There being no questions, the roll was called.

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes: 5

Nays: None

Motion Approved

CONSENT AGENDA

- a. **Resolution 2023-133** Authorizing Grass Cutting Charges for 85 N. Chester Avenue
- b. **Resolution 2023-134** Approving Raffle License #634 for Friends of Ron, Inc.
- c. **Resolution 2023-135** Authorizing CME Associates to Perform Engineering Services and Architectural Services for Municipal Building Security Improvements
- d. **Resolution 2023-136** Authorizing CME Associates to Perform Engineering Services for Creek Road Sanitary Sewer Extension
- e. **Resolution 2023-137** Authorizing the Purchase of Two (2) 2024 Police Interceptor Utility Vehicles T2776 20-FLEET-01189
- f. **Resolution 2023-138** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 118.12 Lot 35 Partial Tax Year 2023 and Thereafter
- g. **Resolution 2023-139** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 117.01 Lot 46 Partial Tax Year 2023 and Thereafter
- h. **Resolution 2023-140** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 118.03 Lot 15 Partial Tax Year 2023 and Thereafter
- i. **Resolution 2023-141** Authorizing the Cancellation of Taxes of a Totally Disabled Veteran Located at Block 148 Lot 13 Partial Tax Year 2023 and Thereafter

- j. Resolution 2023-142** Canceling Grass Cutting Fees for 50 Alden Avenue
- k. Approval of Minutes**
 - August 1, 2023 Special Meeting
 - August 8, 2023 Public Meeting
- l. Authorizing the payment of bills including all purchases made under the Cooperative Purchasing Agreement**
- m. Accepting the report of the CFO including the August YTD Revenue Report, YTD Budget Report and August Check Register.**
- n. Accepting the report of the Tax Collector and Township Clerk**
- o. A motion granting mercantile licenses to:**
 - Anise Viet Cuisine, 4004 Route 130 N.
 - Loyalty Auto Group, 209 A-4 Carriage Lane
 - Vale Auto Sales, LLC, 209 A-1B Carriage Lane
 - CARCNY, LLC, 8012 Route 130

Mr. Jeney made a motion, seconded by Mrs. Apeadu to adopt the above Consent Agenda.

There being no questions, the roll was called.

Roll Call: Mrs. Apeadu, Mr. Smith, Mr. Jeney, Mr. Lyon and Mr. Burrell voted aye.

Ayes:

Nays: None

Motion Approved

REPORTS

Emergency Services – No report

Boards/Committees – Deb Hammond, Chairperson of the Delran Green Team gave a brief overview of the Green Team. She explained that they have started a new tradition of planting a kindergarten grove. The grove is a cluster of smaller trees, planted with the assistance of the

current kindergarten class and their families. The trees were planted at Conrow Park.

The Community Solar program that was introduced in January is completely full. Participants will reap financial benefits from participating in this opportunity.

The Green Team also began a free Halloween shop five years ago in an attempt to reuse rather than dispose of Halloween costumes. The next Halloween shop will be on Saturday, October 7th from 10:00 AM – 1:00 PM at Delran Community Park. Anyone who would like to donate a used costume can do so between September 23rd and October 6th and again from November 1st through November 8th. Costumes can be dropped at the municipal building.

Ms. Hammond reported that the Green Team is collecting soft plastic in an attempt to collect 500 pounds by December 31, 2023 and earn a Trex bench for the township. Plastic can be brought to the municipal building or Ashley Crossing.

The Green Team is also working on a project at Lake Lonnie. A grant was received which will be used to create nature trails, geo caches and some other surprises.

Ms. Hammond states that since 2019, The Green Team has planted 60 trees that all have tags indicating its common name, species and the year planted. Volunteers are always needed to help with planting.

Mr. Bellina – Mr. Bellina explained that the Brown Street Baseball Field project will begin on Thursday of this week and will last approximately 12 weeks.

The 2023 Road Program project is underway. Concrete work, storm basin and sewer repairs will be completed first with paving to take place in the second or third week of October.

Ms. Eggers – No report

Mr. Catrambone – Mr. Catrambone met with the DEP commissioner and various elected officials on Friday. They toured the berm on River Drive and the area around the sewer plant. They discussed the possibility of the DEP assisting with the work that needs to be done there.

Mr. Catrambone explained that storm water improvements are underway in the vicinity of Red Stone Ridge and Dorado Drive. During the recent rain, the mayor and some police officers inspected the area to make sure that there were no safety issues. Once completed, residents should see a big improvement in that area.

He also advised people to be extra careful when driving, now that school is back in session and various roadways are under construction.

Mr. Kalac – No report

Mrs. Apeadu – Mrs. Apeadu reported that the governor signed a bill that will provide property tax relief to senior citizens. Details will be posted to Ms. Apeadu’s Facebook page. She also stated that she will be volunteering at Shop Rite’s “Stamp Out Hunger” event this Saturday. Ms. Apeadu cautioned driver’s to be careful when driving now that school is in session.

Mr. Smith – Mr. Smith advised that since September is Prostate Cancer Awareness month, people should take the opportunity to schedule check-ups. Mr. Smith also mentioned that the Delran High School football team will be having a home game this Thursday against Willingboro.

Mr. Jeney – Mr. Jeney announced that the Green Team will be unveiling the memorial tree at the public meeting on Tuesday, October 10, 2023. For a \$100 donation an honor leaf will be added to the memorial tree which will be in the municipal building lobby. For a donation of \$350, in addition to the honor leaf, an actual tree will be planted in one of the township’s parks. Donations will only be used to purchase, plant and maintain trees in Delran.

Mr. Lyon – Mr. Lyon asked residents to be mindful of workers when driving through construction zones. He also hopes that the Delran Coffee Shop is up and running again after suffering a recent fire.

Mr. Burrell – Mr. Burrell asked everyone to remember all the people who lost their lives on 9/11. He also reported that Delran Township will be having a town-wide yard sale on Saturday, September, 23rd from 8:00 AM – 2:00 PM. Those residents who cannot have sales at their homes, can set up in the municipal building parking lot.

PUBLIC PORTION

Mr. Lyon made a motion, seconded by Mr. Smith to open the meeting to the public All were in favor; the motion was approved.

Chris DeGaetano, 129 Red Stone Ridge – Mr. DeGaetano reported that his neighbor at 127 Red Stone Ridge has been flying a drone around the neighborhood. He reported that it is loud, intrusive and has crashed multiple times. Mr. DeGaetano asked council to consider an ordinance banning the use of drones in residential areas. Mr. Burrell stated that council will review options to see what can be done about this issue.

Jill DeGaetano, 129 Red Stone Ridge – Ms. DeGaetano explained that she has four daughters who swim in their pool regularly. Their neighbor at 127 Red Stone Ridge harasses the girls by flying and dropping his drone directly over where they are swimming. Ms. DeGaetano is concerned for their safety.

Mr. Lyon made a motion, seconded by Mr. Smith to close the meeting to the public All were in favor; the motion was approved.

Mr. Lyon made a motion to adjourn the meeting, seconded by Mr. Jeney. All were in favor; the meeting was adjourned.

Submitted,

Jamey Eggers
Municipal Clerk