

RESOLUTION NO. 2023-291

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING CHARGES ASSOCIATED WITH THE DEMOLITION OF 108 EAST NAVASINK DRIVE, PURSUANT TO CHAPTER 148 AND AUTHORIZING SAID CHARGE TO BECOME A LIEN AND TO BE ADDED TO AND BECOME A PART OF THE TAXES TO BE ASSESSED AND LEVIED ON SAID PROPERTY

WHEREAS, Chapter 148 of the Little Egg Harbor Township Code provides for the repair, closing and demolition of structures within the Township which are unsafe and unfit for human habitation; and

WHEREAS, in accordance with the terms of N.J.S.A. 40:48-2.4 et seq. and Chapter 148 of the Township Code, the Township provided notice and opportunity to the property owner of a hearing regarding the condition of the building and premise at 108 E. Navasink Drive, determined said building was unfit for human habitation, occupancy or use and issued an order setting forth the reasons for the decision and requiring the repair, alteration or improvement of said building or ordering its demolition if left in a state of disrepair; and

WHEREAS, said owner failed to comply with the order to repair or demolish; and

WHEREAS, the Township filed a Verified Complaint in Superior Court of New Jersey, Chancery Division, Ocean County, Docket No. OCN-C-27-23 and the Honorable Mark A. Troncone, P.J.Ch., executed an Order that the Township should act to abate the nuisance and that any and all funds expended to abate the nuisance shall become a Municipal Lien against the Defendant's real property; and

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Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

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WHEREAS, the Township has gone out to bid for proposals to demolish the building pursuant to said Court Order but desires to establish the associated costs of attorney fees incurred to obtain the Order to demolish as a lien prior to proceeding with demolition; and

WHEREAS, it is the desire of the Township to place liens against the property, to provide reimbursement to the Township for the additional incidental costs of demolition as set forth herein in accordance with the terms of the Order.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the following charge based on the Certification of the Chief Financial Officer has been found to be correct and the cost as shown shall be charged against such property:

Block 325.105, Lot 5	108 E. Navasink Drive	\$1,226.00
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The amount so charged shall forthwith become a lien upon such land and shall be added to and become a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes and shall be collected and enforced by the Township of Little Egg Harbor Tax Collector.

2. That the Township Clerk is hereby authorized and directed to file a statement of the amount due the Township for the associated costs as delineated on the Certification for the costs allowed by the Court in seeking demolition, along with a copy of this Resolution, with the Tax Collector of the Township of Little Egg Harbor.

3. That the Tax Collector shall file, by registered mail, with the owners of said property and parties in interest a copy of the municipal lien certificate.

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CERTIFICATION

I, KELLY LETTERA, CMC, RMC, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on this **9th** day of **November, 2023**.



KELLY LETTERA, CMC, RMC
Township Clerk
Little Egg Harbor Township

r|m|sh|c

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CERTIFICATION

I, RODNEY R. HAINES, of full age, hereby certifies as follows:

1. I am the Chief Financial Officer and Township Administrator for the Township of Little Egg Harbor, and I am familiar with the facts contained herein.
2. Attached hereto as Exhibit "A" are invoices from Charlie's Auto Collision Repair, Inc. for removal of a Red Jeep Wrangler, New Jersey License #GNK33K and removal of a Welcraft boat, New Jersey License #8626GB, from 108 East Navasink Drive, Little Egg Harbor, New Jersey also known as Block 325.105, Lot 5 on the Tax Map of the Township of Little Egg Harbor. The invoices for the removal of the Jeep and boat, \$538 and \$688 respectively, total \$1226.00. Said Jeep and boat were obstructing the ability of the Township to effectuate Judge Troncone's Order dated April 23, 2023, Docket No. OCN-C-27-23.
3. The above invoices represent public funds expended by the Township of Little Egg Harbor necessary to abate the nuisance at the property located at 108 East Navasink Drive, Little Egg Harbor, New Jersey also known as Block 325.105, Lot 5 on the Tax Map of the Township of Little Egg Harbor.
4. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: _____


RODNEY R. HAINES
CHIEF FINANCIAL OFFICER/
ADMINISTRATOR
Township of Little Egg Harbor

Charlie's Auto Collision Repair INC

671 Route 9 South, Little Egg Harbor NJ, 08087
Phone: 609-296-4848

INVOICE

To:

Service For:

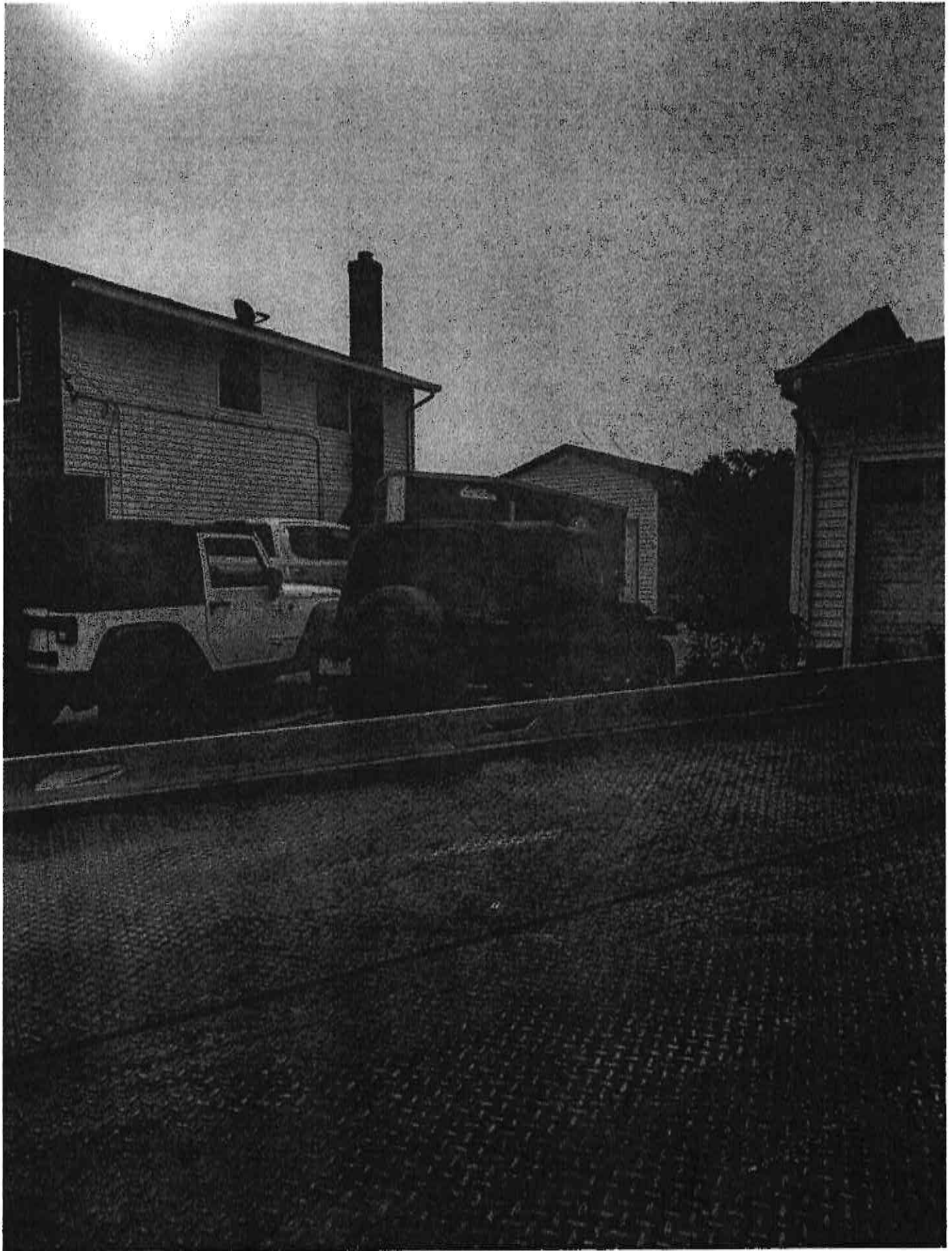
Invoice Date:
Invoice Number:
Job Number: 13871

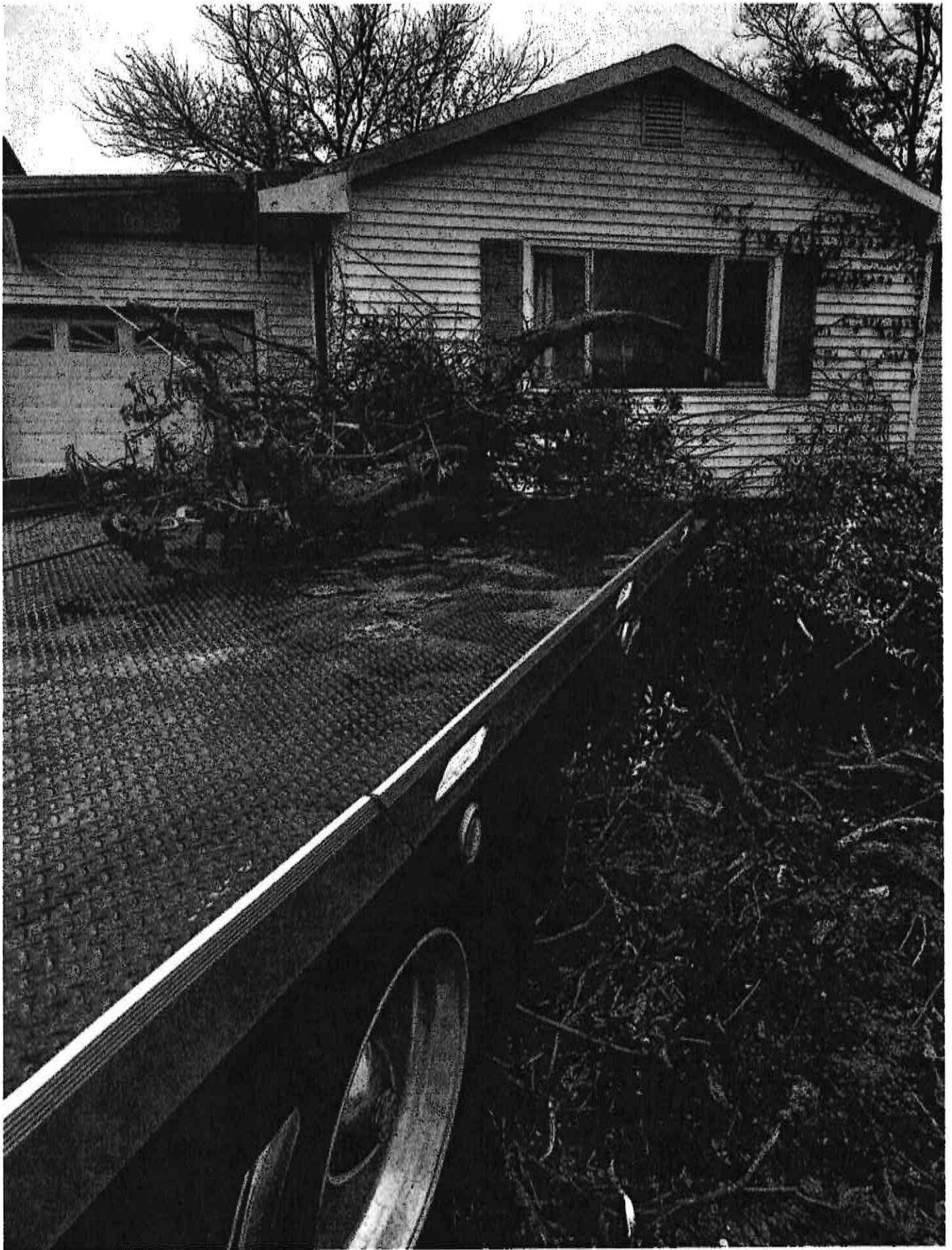
Acct	Reference(1)		Reference(2)	
LEH				
Vehicle Details				Odometer
Red / Jeep / Wrangler / State: NJ / Lic. #: GNK33K / VIN: 1J4FY29P7XP434782				
PickUp At		DropOff At		
108 East Navasink		Township yard		
Call Time	Dispatch Time	Arrive Time	In-Tow Time	Drop-Off Time
10:00 AM				2:00 AM
Date	Item	Qty	Rate	Charge
10/30/2023	Tow Hookup-LEH PD	1	\$110.00	\$110.00
10/30/2023	Tow miles-Round trip	12	\$4.00	\$48.00
10/30/2023	Winching	1	\$200.00	\$200.00
10/30/2023	Clean Up	1	\$150.00	\$150.00
10/30/2023	Administrative Fee	1	\$30.00	\$30.00

Item	Amount
Sub Total	\$538.00
Sales Tax	\$0.00
Total Due	\$538.00

Name: _____ Date: _____
NOT RESPONSIBLE FOR DAMAGE, FIRE, THEFT OR CONTENTS LEFT IN VEHICLE.

Paid on: _____ Amount Paid: _____





Charlie's Auto Collision Repair INC

671 Route 9 South, Little Egg Harbor NJ, 08087
Phone: 609-296-4848

INVOICE

To:

Service For:

Invoice Date:
Invoice Number:
Job Number: 13870

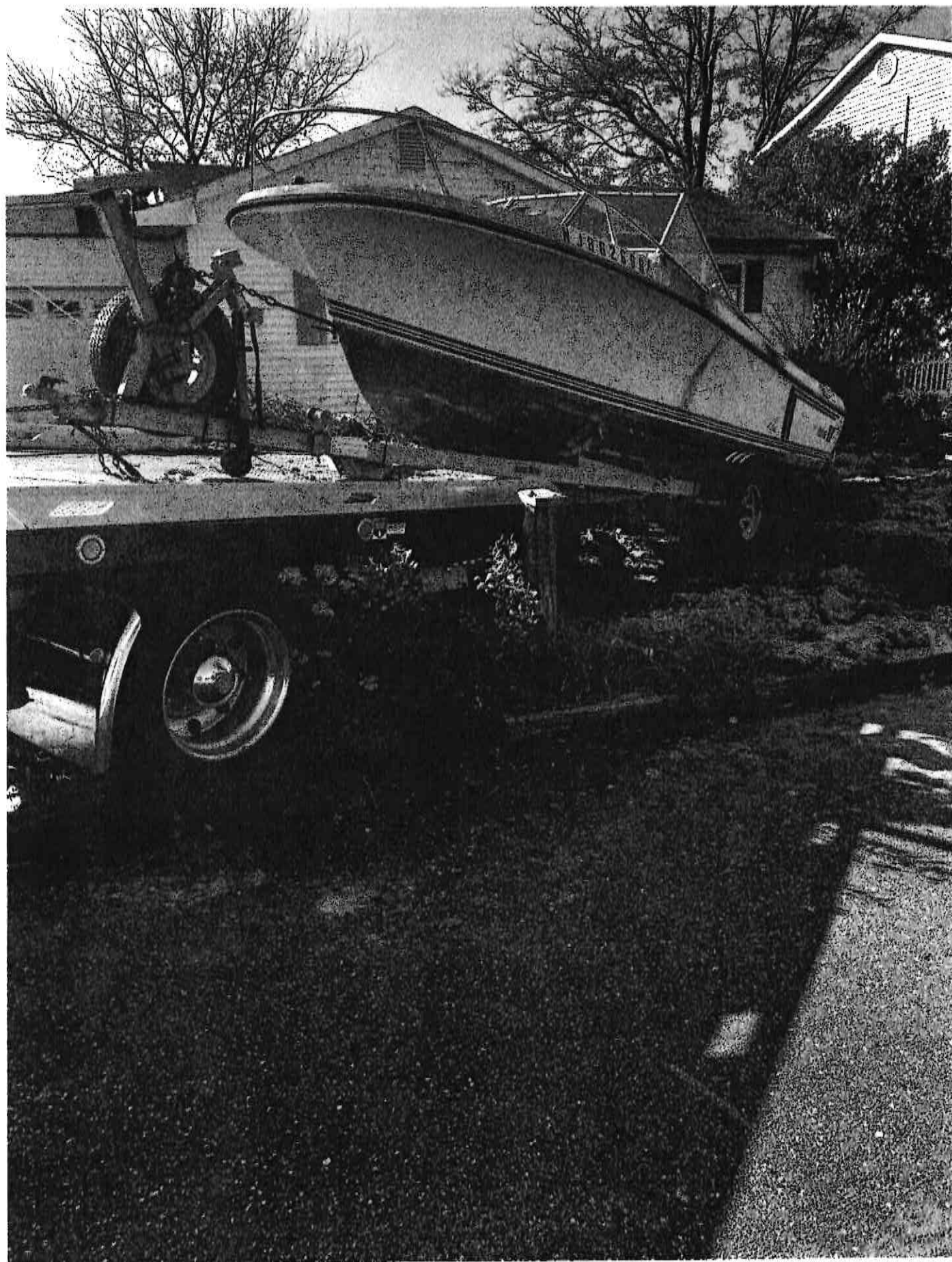
Acct	Reference(1)		Reference(2)	
LEH	LABOR=NEEDED TO USE BOBCAT		TO LIFT MOTOR	
Vehicle Details				Odometer
BOAT / WELCRAFT / State: NJ / Lic. #: 8626GB /				
PickUp At		DropOff At		
108 East Navisink		Township yard		
Call Time	Dispatch Time	Arrive Time	In-Tow Time	Drop-Off Time
9:30 PM				11:30 PM
Date	Item	Qty	Rate	Charge
10/30/2023	Tow Hookup-LEH PD	1	\$110.00	\$110.00
10/30/2023	Tow miles-Round trip	12	\$4.00	\$48.00
10/30/2023	Winching	1	\$350.00	\$350.00
10/30/2023	Extra Man	1	\$100.00	\$100.00
10/30/2023	Labor	1	\$50.00	\$50.00
10/30/2023	Administrative Fee	1	\$30.00	\$30.00

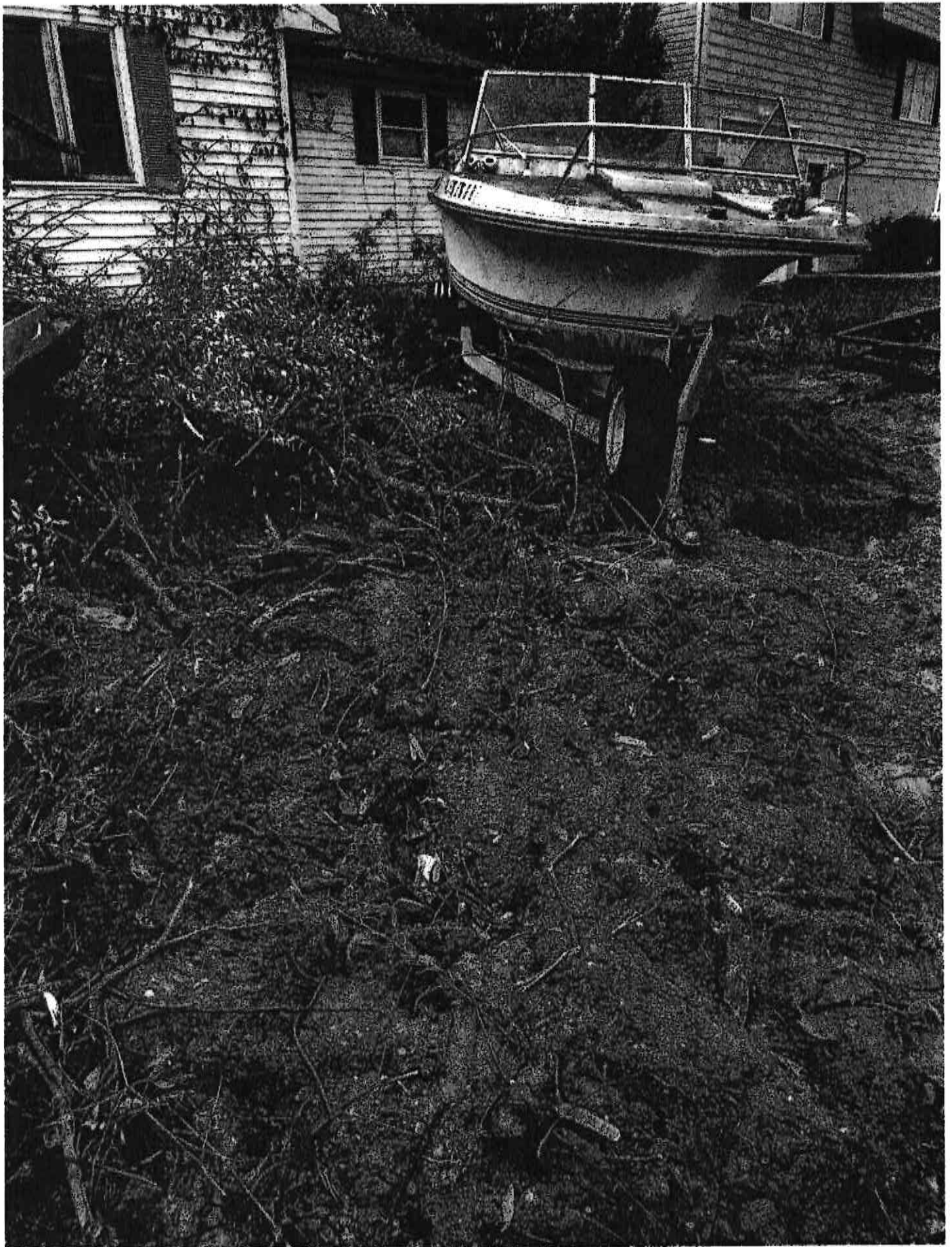
Item	Amount
Sub Total	\$688.00
Sales Tax	\$0.00
Total Due	\$688.00

Name: _____ Date: _____

NOT RESPONSIBLE FOR DAMAGE, FIRE, THEFT OR CONTENTS LEFT IN VEHICLE.

Paid on: _____ Amount Paid: _____





ROTHSTEIN, MANDELL, STROHM, HALM & CIPRIANI, P.A.

Danielle A. Rosiejka, Esq. Attorney ID No.: 022982012

98 East Water Street

Toms River, New Jersey 08753

Attorney for Plaintiff, Township of Little Egg Harbor

<p>TOWNSHIP OF LITTLE EGG HARBOR,</p> <p>Plaintiff,</p> <p>v.</p> <p>GARY KOZLOWSKI; JOHN AND JANE DOES 1-10; ABC LLC's 1-10; and ZYZ CORPS 1-10.</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION, OCEAN COUNTY</p> <p>DOCKET NO. OCN-C-27-23 CIVIL ACTION</p> <p>ORDER</p>
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THIS MATTER being brought before the Court by Danielle A. Rosiejka, Esq. on behalf of the law firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., attorney for Plaintiff, Township of Little Egg Harbor, seeking relief by way of summary action pursuant to N.J. Ct. R. 4:67- 1(a). Based upon the facts set forth in the verified complaint filed herewith and the Court having determined that this matter may be commenced by order to show cause as a summary proceeding pursuant to N.J. Ct. R. 4:52 and the court having established a return date of April 28, 2023 and having reviewed such evidence and heard such testimony as deemed necessary and appropriate.

IT IS ON THIS 28th day of April, 2023;

ORDERED that the court finds the Defendant's property is a continuing public nuisance and is a danger to the health safety and welfare of the members of the Township of Little Egg Harbor and must be immediately abated; and it is further

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ORDERED that the Plaintiff is hereby granted access on and over the Defendant's property, located at 108 East Navasink Drive in Little Egg Harbor Township, New Jersey, for the purpose of demolishing the structure to cure and abate the public nuisance; and it is further

ORDERED that the Plaintiff shall cure and abate the condition at the Defendant's property between the hours of 9:00 am and 4:00 p.m. on any weekday, Monday through Friday after first having served this order on the Defendant; and it is further

ORDERED that Pursuant to N.J.S.A. 40:48-2.12(f) the Township is acting as set forth in the Verified Complaint to expend public funds to abate the nuisance on the Defendant's property. Upon the completion of such action / abatement by the Plaintiff any and all funds expended by the Plaintiff to abate the nuisance shall become a Municipal Lien against the Defendant's real property; and it is further

ORDERED that copies of this Order be served upon all parties within seven (7) days of the date herein.

This motion was: unopposed.

Mark A. Troncone
Hon. Mark A. Troncone, P.J.Ch.P.

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