

RESOLUTION NO. 35-2021

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, AUTHORIZING THE DEMOLITION OF A STRUCTURE UNFIT FOR HUMAN HABITATION LOCATED AT 154 OCEAN AVENUE

Councilmember Leckstein offered the following resolution for approval; seconded by Councilmember Catalano:

WHEREAS, there exists a structure on property located at 154 Ocean Avenue in the Borough, which property is also known and designated as Lot 2 in Block 34 on the Tax Assessment Map of the Borough of Sea Bright; and

WHEREAS, the aforesaid structure has been in a state of disrepair since 2010; has not been occupied as a residence since that time; was further damaged during Superstorm Sandy in 2012; and has no connections to utilities; and

WHEREAS, the Code Enforcement Official of the Borough served property maintenance code violations and other notices upon the owner of the property, who resides outside of the Borough, as early as March 2010; and

WHEREAS, further notices were provided to the owner of the property by the Code Enforcement Official in 2013 and upon the failure of the owner to take appropriate remedial action, an abandoned property notice was served upon the owner which notice was dated June 8, 2015; and

WHEREAS, a hearing was scheduled for August 11, 2015 rescheduled to October 6, 2015, and to December 15, 2015 at the request of the property owner for the purpose of providing the owner with an opportunity to present testimony and other evidence as to why the property should not be determined abandoned and the property owner failed to appear at such hearings; and

WHEREAS, the owner was provided yet another opportunity for a hearing to be held on August 17, 2016 and, again, failed to appear; and

WHEREAS, on January 16, 2020, the Code Enforcement Official of the Borough determined, based on his inspection; that the structure at 154 Ocean Avenue was so deteriorated and dilapidated as to be dangerous, unsafe, insanitary and otherwise unfit for human habitation or occupancy and that it was in such a state of disrepair that it was unreasonable to expect the structure to be repaired and, therefore, ordered the property owner to demolish and remove the structure, said Order being issued on January 16, 2020; and

WHEREAS, a second Notice and Order that the structure was unfit for human occupancy and was dangerous, unsafe and must be demolished was served upon the property owner on February 5, 2020; and

WHEREAS, the Borough Council in August, 2020 authorized the Code Enforcement Official to obtain quotations for demolition of the structure and only after such quotations were obtained did the property owner contact the Code Enforcement Official; and

WHEREAS, since September, 2020, the Code Enforcement Official has provided the property owner with every opportunity to demolish the structure or, in the alternative, provide proof that the owner had entered into an agreement for the repair, rehabilitation, restoration or rebuilding of the structure; and

WHEREAS, despite the property owner's representations that he was in the process of obtaining estimates for the demolition of the structure, he has provided no proof of same to the Borough nor has any action been taken to demolish the structure; and

WHEREAS, the Code Enforcement Official has advised the Borough Council that the structure remains unfit for human habitation, occupancy or use; is dangerous and unsafe and should be demolished; and

WHEREAS, the Borough Council hereby finds that the dilapidated appearance and condition of the property materially affects the safety and welfare, including the economic welfare, of the residents of the area in close proximity to the property and that the property owner has failed to take any reasonable and necessary measures to remedy the conditions or to demolish the structure; and

WHEREAS, under such circumstances the Borough is authorized by the Uniform Construction Code and by N.J.S.A.40:48-2.3 to demolish such a structure;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth and State of New Jersey that the Code Enforcement Official and Borough Administrator be and are hereby authorized and directed to obtain updated proposals for the demolition of the aforesaid structure and, upon receipt of certification from the Chief Financial Officer that funds are available to pay the cost thereof, are hereby directed to enter into a contract for the immediate demolition of the structure located at 154 Ocean Avenue.

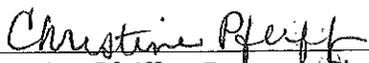
BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to provide copies of the Resolution to the property owner; the Code Enforcement Official; the Borough Administrator; the Chief Financial Officer; the Borough Attorney and the Chief of Police.

Roll Call:	Birdsall,	Booker,	Catalano,	Keeler,	Lamia,	Leckstein
	Absent	Yes	Yes	No	Yes	Yes

January 19, 2021

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on January 19, 2021.


Christine Pfeiffer, Borough Clerk

