

JACKSON TOWNSHIP RENT CONTROL BOARD
MEETING OF MARCH 12, 2015
MINUTES

Chairman Bob Skinner called the meeting to order at 7:35 pm followed by a flag salute, moment of silence for our troops and reading of the Sunshine Law by Mr. Rumpf.

PRESENT: E. Bannon, G. Miller, R. Schleckser, N. Stallone, S. Brown, K. Lowe, B. Skinner, B. Rumpf, Esq. and L. Amoruso, CPA
Stephanie Brown is sworn in by Mr. Rumpf.

MINUTES OF FEBRUARY 26, 2015 - Motion to approve BANNON/ Schleckser
E. Bannon, G. Miller, R. Schleckser, N. Stallone, K. Lowe, B. Skinner - Ayes Brown - Abstain

CORRESPONDENCE

Applications received from Fountainhead & Pleasant Gardens Vacancy Decontrol information received
Correspondence regarding Daniel Flanagan received

RESOLUTIONS

Land O' Pines CPI Increase 1.6% effective July 1, 2015 MOTION by SCHLECKSER / Bannon
E. Bannon, G. Miller, R. Schleckser, B. Skinner - Ayes N. Stallone, K. Lowe, S. Brown - Abstain

FOUNTAINHEAD CPI & REAL ESTATE TAX INCREASE

Present representing Fountainhead Park is Lori Greenberg, Esq. Ms. Greenberg objects to tenants sitting on the board, specifically Gary Miller who is president of a mobile home organization. The Rent Control Ordinance on the Township web site says no tenants are allowed on the Board.

Mr. Rumpf will look into the Ordinance on the web site.

Ms. Greenberg stated she has a newspaper article from December 18, 2015 where Mr. Miller objected to Fountainhead's license renewal at the Jackson Township Council Meeting.

Mr. Rumpf stated that membership in an organization outside of the township does not preclude Mr. Miller from service on the board. The comments made by Mr. Miller have no bearing on the CPI or the Real Estate Tax increase being heard this evening.

Mr. Miller stated that this is not the first time he has made comments regarding Fountainhead Park, it is the third year he has stated that Fountainhead needs to be addressed as a senior park, not an adult park, there is no such thing. He did not address the council to hold up on issuing the license for the park.

Mr. Rumpf asks if Mr. Miller can act in an impartial manner on the application this evening, Mr. Miller replies that he can.

Mr. Rumpf states that it is his legal opinion that there is no reason why Mr. Miller cannot be on the board.

Mr. Skinner stated that he is very disturbed regarding correspondence being sent by Ms. Greenberg regarding Mr. Miller and Ms. Williams.

Ms. Greenberg stated she feels the board is one-sided as there are no landlord representatives on the board Mr. Skinner reminds Ms. Greenberg that the members of the board are appointed by Township Council. The board is very open to have individuals of various backgrounds as members. The board is professional, members are not paid and is impartial.

Ms. Greenberg stated that every other board that she represents, except for one, has landlord representatives on the board.

Mr. Miller stated that he has advocated to have landlords on the board, feels it would be a benefit.

Ms. Greenberg stated she recommended Nancy Viviano, but Council did not want her.

CPI Increase Application

Mr. Clem Caldarise of Fountainhead management and Lou Amoruso, Board Accountant are sworn in by Mr. Rumpf. Mr. Amoruso stated the application is seeking a 1.6% CPI Increase effective April 1, 2015 for those sites as listed, and has no issues with the application. Ms. Greenberg notes that Fountainhead is in agreement with Mr. Amoruso's calculations.

Mr. Schleckser notes that the landlord was previously requested to include the names of tenants on the application, there are no names on this one.

Mr. Caldarise stated that the rent is based on the space, the board's previous accountant, Mr. Winters requested space numbers and street addresses. Once names are made public, they can be used to send correspondence by associations.

Mr. Schleckser stated this was prior to decontrol, names are needed to monitor the rent increases

Mr. Caldarise stated he provides copies of the leases to the board.

Ms. Greenberg stated that she will email a listing of names of tenants to the accountant prior to the next meeting.

Mr. Rumpf noted that board members have requested for some time a listing of tenants names.

Ms. Greenberg asks the board to approve the application pending the receipt of the tenant names.

Mr. Stallone asks Mr. Amoruso if he is comfortable with the application pending receipt of listing of name.

Mr. Amoruso stated he is.

Mr. Miller stated that his organization sends information addressed to "resident" or "occupant" does not use names for mailings.

Mr. Caldarise will send the names to the accountant.

The board members are polled and are in favor of moving on the application as submitted.

Mr. Bannon notes this is provided the information is received by the next meeting.

PUBLIC (on the application) - Joe Mercante of Fountainhead asks why he did not receive notice of the increase. Ms. Greenberg responded that he is not in this group that is receiving the increase.

Shari Williams of 4 Columbine asked why there is a difference between the CPI and the COLA amounts.

Ms. Greenberg stated that Jackson chose to use an annual number and use the Philadelphia CPI and annualize it.

Public Closed

MOTION to approve CPI of 1.6% effective April 1, 2015 for those lots as listed BANNON / Lowe
E. Bannon, G. Miller, R. Schleckser, N. Stallone, S. Brown, K. Lowe, B. Skinner - ayes

Fountainhead Real Estate Tax Increase - Mr. Amoruso has reviewed the application seeking a real estate tax increase of \$1.54 per site per month, effective April 1, 2015 and has no issues with the application. Ms. Greenberg states Fountainhead is in agreement with Mr. Amoruso's calculations.

PUBLIC (on the application) - None Open / Close

MOTION to approve real estate tax increase of \$1.54 per site per month, effective April 1, 2015 for those sites as listed. SCHLECKSER / Bannon

E. Bannon, G. Miller, R. Schleckser, N. Stallone, S. Brown, K. Lowe, B. Skinner - Ayes

OAK TREE MOBILE HOME PARK (Allied Ordnance) - CPI & REAL ESTATE TAX INCREASE

Johanna DiAmbrosio of Oak Tree Park is sworn in by Mr. Rumpf. Lori Greenberg, Esq. is representing the park.

Mr. Amoruso has reviewed the application seeking a CPI increase of 1.6% effective April 1, 2015 and has found no issues with the application. Ms. Greenberg stated that the park is in agreement with Mr. Amoruso's calculations and added that tenant names are included in this application.

Mr. Miller asks if #567 & #569 Diamond Road are single family houses.

Ms. Greenberg stated they are and are on the same block and lot as the park and cannot be broken out by "house". Tax bills state "land" and "buildings".

Mr. Miller stated he went to the previous Jackson Township Administrator, Mr. Torres, and was told they were separated. Mr. Miller does not know of any single family dwelling with annual taxes of \$447.67. He feels the tax burden for the two residences are being borne by the tenants.

PUBLIC (on the application) - None

MOTION to approve CPI of 1.6% effective April 1, 2015 for Oak Tree Mobile Home Park STALLONE / Bannon
E. Bannon, G. Miller, R. Schleckser, N. Stallone, S. Brown, K. Lowe, B. Skinner - Ayes

Real Estate Tax Increase - Mr. Amoruso has reviewed the application seeking a real estate tax increase of \$1.03, maximum of \$38.33 per site per month effective April 1, 2015 and has no issues with the application.

Ms. Greenberg stated the park is in agreement with Mr. Amoruso's calculations.

PUBLIC (on the application) - None Open / Close

MOTION to approve Real Estate Tax increase of \$1.03, maximum of \$38.33 per site per month effective April 1, 2015 for Oak Tree Park LOWE / Stallone

E. Bannon, G. Miller, R. Schleckser, N. Stallone, S. Brown, K. Lowe, B. Skinner - Ayes

MGM AT JACKSON CPI & REAL ESTATE TAX INCREASE

Gary Miller and Ray Schleckser reclude themselves from the board for this application. Mary Beth Park of MGM management is sworn in by Mr. Rumpf. Lori Greenberg, Esq. is representing the park.

Mr. Amoruso has reviewed the application seeking a CPI Increase of 1.6% effective April 1, 2015 and has no issues with the application. Ms. Greenberg stated the park is in agreement with Mr. Amoruso's calculations.

Shari Williams questions the \$.62 fee. Ms. Greenberg responds that this is the license fee.

Mr. Skinner questions why #8 Boxwood has two base rents. Ms. Park states that the home is owned by MGM, the rent is broken out into lot rent vs. home rent.

Ms. Greenberg stated that tenant names have been included in this application.

Ms. Williams asks how many homes MGM owns in the park?

Ms. Park stated MGM owns eleven homes.

PUBLIC (on the application) - Daniel Andretta of 37 Boxwood requests that the CPI be held until promised maintenance has been completed. His sidewalk from October is still not completed. The front wall needs the name put back on it.

Ms. Park stated that the park has no violations, it has its license. Mr. Andretta only needs patio blocks replaced.

Mr. Andretta stated he was not converted to natural gas.

Ms. Park states Mr. Andretta's blocks will be replaced.

Mr. Andretta stated there are trees that need trimming, the backup generator needs to be replaced.

Ms. Park stated that the generator will be replaced within 90 days, the trees will be trimmed in June.

Mr. Skinner suggests that Mr. Andretta make a list of items to be completed within a reasonable time.

Ms. Greenberg objects - the park has no violations and has its license. The board should not be involved in the day to day operations of the park.

Mr. Andretta stated the generator has been out since the hurricane, also the wall has been in disrepair for two years.

Ms. Park stated the generator will be replaced within 90 days. There is no time frame for the replacement of the name on the wall, the wall has been fixed and is safe.

Mr. Skinner noted that the board will be discussing with Township Council regarding the powers of the Board as well as Code Enforcement issues. Board members are willing to do "drive through" of parks to see issues first hand.

Will Boyce of 33 Boxwood - he is President of the Homeowner Association at MGM. He feels there is no reason to hold up the increase. There is poor communication between the landlord and tenants. He would like to compliment the park on the snow removal.

Mr. Bannon stated the park will have to have Zoning Board approval for the generator.

Ms. Greenberg stated they are replacing the existing one, will check.

Shari Williams questions why there are nine addresses under the same name.

Ms. Park stated the owner's sister own those homes and rents them out

Mr. Rumpf noted that this has been the topic of discussion for a number of years. This has been brought to the attention of Township Council in years past.

Public Closed

MOTION to approve CPI Increase of 1.6% effective April 1, 2015 for MGM at Jackson

STALLONE / Williams

E. Bannon, N. Stallone, S. Brown, K. Lowe, S. Williams, B. Skinner - Ayes

MGM Real Estate Tax Increase - Mr. Amoruso has reviewed the application seeking a Real Estate Tax increase of \$1.65 per site per month effective April 1, 2015 and has found no issues with the application. Ms. Greenberg notes the park is in agreement with Mr. Amoruso's calculations.

PUBLIC (on the application) - None Open/Close

MOTION to approve Real Estate Tax Increase of \$1.65 per site per month effective April 1, 2015 for MGM at Jackson BANNON / Williams

E. Bannon, N. Stallone, S. Brown, K. Lowe, S. Williams, B. Skinner - Ayes

PUBLIC (Any Topic)

Joe Mercante of 39 Rose Drive stated on March 3, 2015 there was an illegal eviction at 15 Gardenia. The resident lived there for two years. He stated that police cannot evict without a Court Order, this would be a misdemeanor.

Mr. Schleckser stated that he has paperwork, the site received two increases in one year. This is why tenant names are needed.

Mr. Rumpf stated that an eviction is a civil matter and a Court Order is needed. There are other kinds of evictions.

Sue Stillwell of 12 Lisa Lane has lived in her home since 2007. There is a dangerous tree issue at her lot. She needs to have branches removed. She has copies of letters from 6-7 years to management.

Mr. Stallone asked if management has responded.

Ms. Stillwell stated that she contacted the Jackson Shade Tree Commission in 2012, Steve Chisholm. Mr. DiCapua came with a tree company, and only did minimal trimming.

Mr. Rumpf stated that the Rent Control Board decides rent to be charged. Ms. Stillwell can submit an application for rental adjustment due to the tree issue. She may present this issue to Code Enforcement regarding what she feels is a dangerous issue. Ms. Stillwell may bring the landlord to Civil Court, based upon maintaining a dangerous situation on her property.

Ms. Stillwell stated the landlord is responsible for the trees.

Mr. Rumpf stated that the Board does not have jurisdiction beyond establishing rent. The board also cannot act this evening because the landlord is not present.

Ms. Stillwell will return next month.

Sue Faragasso of Dove Mills Apartments - Ms. Faragasso has been living there since April 2012. The complex has been sold and is starting to fall apart due to lack of maintenance. She has held back rent payment because no action was taken to repair issues. She has had no hot water and no heat. Management has taken her to court for non-payment of rent. She has obtained a Court Order for repairs to be done.

Mr. Skinner stated that Dove Mills Apartments are not under rent control. He would recommend Ms. Faragasso go back to the court with a list of conditions.

Mr. Rumpf stated that the complex is not under rent control as there are only 12 units. He would suggest that Ms. Faragasso take the Court Order and ask the Judge to enforce the Order. Ms. Faragasso should also contact Jackson Township Code Enforcement. Mr. Miller suggests contacting the Ocean County Board of Health regarding heat issues.

Lori Greenberg - stated that the eviction issue brought up by Mr. Mercante at Fountainhead Park had nothing to do with Fountainhead Park. It was not a landlord tenant issue. Ms. Greenberg will look into the tree issue at Jackson Acres. Ms. Greenberg introduces her new associate, Flora Novick.

Close Public

Meeting Adjourned 9:35 pm

Minutes prepared and submitted by:

Kathleen Sevckenko
Secretary