

**JACKSON TOWNSHIP RENT CONTROL BOARD  
MEETING OF JANUARY 28, 2016  
MINUTES**

Chairman Bob Skinner called the meeting to order at 7:30 pm followed by a flag salute, moment of silence and reading of the Sunshine Law by Mr. Rumpf.

**PRESENT:** E. Bannon, C. Dimino, S. Brown, D. DiCapua, R. Schleckser, B. Skinner, L. Amoruso, CPA and B. Rumpf, Esq.

**ABSENT:** N. Stallone, K. Lowe, G. Miller

Mr. Rumpf swore in Diane DiCapua to her new term.

**MINUTES** OF January 14, 2016 - Motion to approve SCHLECKSER / DiCapua

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes S. Brown - Abstain

**BILLS** - Motion to pay all bills SCHLECKSER / Brown

E. Bannon, C. Dimino, S. Brown, D. DiCapua, R. Schleckser, B. Skinner - Ayes

**CORRESPONDENCE** - Mr. Amoruso has received Vacancy Decontrol information from Jackson Acres and Southwind.

**RESOLUTIONS**

**2016-07** - Prospect Point CPI Increase of 3.6% (includes 1.5% for heat) effective January 2014 for listing of apartments prepared by Mr. Amoruso. Unit 3K shall show an amended rent of \$1,106 due to a typographical error. Due to the excessive delay in providing all information necessary to properly conduct a hearing and due to the excessive work required of the Board's accountant, the Board finds the Applicant has violated the Ordinance and should be penalized a total of \$6,000 to be assessed at a rate of \$500 for each application approve for 2014. \$500 is payable by the Applicant as a penalty in connection with this application.

MOTION by E. Bannon / R, Schleckser

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes S. Brown - Abstain

**2016-08** - Prospect Point CPI Increase of 3.6% (includes 1.5% for heat) effective February 2014 for listing of apartments prepared by Mr. Amoruso. Unit 22E shall show an amended 2013 rent of \$1,091 due to a typographical error. Due to the excessive delay in providing all information necessary to properly conduct a hearing and due to the excessive work required of the Board's accountant, the Board finds the Applicant has violated the Ordinance and should be penalized a total of \$6,000 to be assessed at a rate of \$500 for each application approve for 2014. \$500 is payable by the Applicant as a penalty in connection with this application.

MOTION by E. Bannon / C. Dimino

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes S. Brown - Abstain

**2016-09** - Prospect Point CPI Increase of 3.6% (includes 1.5% for heat) effective March 2014 for listing of apartments prepared by Mr. Amoruso. Due to the excessive delay in providing all information necessary to properly conduct a hearing and due to the excessive work required of the Board's accountant, the Board finds the Applicant has violated the Ordinance and should be penalized a total of \$6,000 to be assessed at a rate of \$500 for each application approve for 2014. \$500 is payable by the Applicant as a penalty in connection with this application.

MOTION by E. Bannon / R. Schleckser

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes S. Brown - Abstain

**2016-10** - Prospect Point CPI Increase of 3.6% (includes 1.5% for heat) effective April 2014 for listing of apartments prepared by Mr. Amoruso. Due to the excessive delay in providing all information necessary to

properly conduct a hearing and due to the excessive work required of the Board's accountant, the Board finds the Applicant has violated the Ordinance and should be penalized a total of \$6,000 to be assessed at a rate of \$500 for each application approve for 2014. \$500 is payable by the Applicant as a penalty in connection with this application

MOTION by E. Bannon / Dimino

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes S. Brown - Abstain

**2016-11** - Prospect Point CPI Increase of 3.6% (includes 1.5% for heat) effective May2014 for listing of apartments prepared by Mr. Amoruso. Due to the excessive delay in providing all information necessary to properly conduct a hearing and due to the excessive work required of the Board's accountant, the Board finds the Applicant has violated the Ordinance and should be penalized a total of \$6,000 to be assessed at a rate of \$500 for each application approve for 2014. \$500 is payable by the Applicant as a penalty in connection with this application.

MOTION by E. Bannon / C. Dimino

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes S. Brown - Abstain

**2016-12** - Prospect Point CPI Increase of 3.6% (includes 1.5% for heat) effective June 2014 for listing of apartments prepared by Mr. Amoruso. Due to the excessive delay in providing all information necessary to properly conduct a hearing and due to the excessive work required of the Board's accountant, the Board finds the Applicant has violated the Ordinance and should be penalized a total of \$6,000 to be assessed at a rate of \$500 for each application approve for 2014. \$500 is payable by the Applicant as a penalty in connection with this application

MOTION by R. Schleckser / C. Dimino

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes S. Brown - Abstain

#### **PROSPECT POINTE CPI INCREASE - JULY 2014 THROUGH DECEMBER 2014**

Stephanie Brown recluses herself from the Board.

Appearing on behalf of Prospect Pointe are Tracy Siebold, Esq. of the firm Nehmad Perillo & Davis, PC and Andrea Howeth, property manager, who along with Mr. Amoruso is sworn in by Mr. Rumpf.

**JULY 2014** CPI Increase of 3.0% (includes 1.5% for heat) Mr. Amoruso noted that he has obtained his figures from different sources and cannot confirm accuracy. Ms. Howeth confirms accuracy of the rent rolls and leases provided.

PUBLIC (on the application) None Open / Close All Ayes

MOTION to approve CPI Increase E. Bannon / R. Schleckser

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes

**AUGUST 2014** CPI Increase of 3.0% (includes 1.5% for heat) Mr. Amoruso noted that he has obtained his figures from different sources and cannot confirm accuracy. Ms. Howeth confirms accuracy of the rent rolls and leases provided.

PUBLIC - (on the application) Stephanie Brown of Prospect Point - feels that rent should not be raised due to all that is going on there.

MOTION by E. Bannon / C. Dimino

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes

**SEPTEMBER 2014** CPI Increase of 3.0% (includes 1.5% for heat) Mr. Amoruso noted that he has obtained his figures from different sources and cannot confirm accuracy. Ms. Howeth confirms accuracy of the rent rolls and leases provided.

PUBLIC (on the application) None Open / Close All Ayes

MOTION by E. Bannon / C. Dimino

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes

**OCTOBER 2014** CPI Increase of 3.0% (includes 1.5% for heat) Mr. Amoruso noted that he has obtained his figures from different sources and cannot confirm accuracy. Ms. Howeth confirms accuracy of the rent rolls and leases provided.

PUBLIC (on the application) None Open / Close All Ayes

MOTION by R. Schleckser / E. Bannon

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes

**NOVEMBER 2014** CPI Increase of 3.0% (includes 1.5% for heat) Mr. Amoruso noted that he has obtained his figures from different sources and cannot confirm accuracy. Ms. Howeth confirms accuracy of the rent rolls and leases provided.

PUBLIC (on the application) None Open / Close All Ayes

MOTION by C. Dimino / E. Bannon

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes

**DECEMBER 2014** CPI Increase of 3.0% (includes 1.5% for heat) Mr. Amoruso noted that he has obtained his figures from different sources and cannot confirm accuracy. Ms. Howeth confirms accuracy of the rent rolls and leases provided.

PUBLIC (on the application) None Open / Close All Ayes

MOTION by E. Bannon / C. Dimino

E. Bannon, C. Dimino, D. DiCapua, R. Schleckser, B. Skinner - Ayes

Mr. Rumpf noted that the total \$6,000 penalty imposed upon Prospect Pointe would be spread out over the entire twelve (12) month period at \$500 per month, therefore the remaining \$3,000 will be added upon memorialization next month.

Ms. Siebold asks if it would be possible to obtain an invoice for penalty amount for her client. Mr. Rumpf advised Ms. Siebold to contact the Jackson Township CFO to see what procedure would need to be followed. Ms. Siebold would like to schedule another date for the 2015 and 2016 CPI Increases. The 2015 increases have been passed on to the tenants and paid by the tenants.

Mr. Amoruso stated that he would be ready to do the 2015 CPI Increases at the February 11, 2016 meeting. he will work on the 2016 Increases after the 2015 Increases are finalized.

Stephanie Brown returns to the Board.

### **APPLICATION WORKSHOP**

Mr. Skinner would like to conduct a workshop on the tenant application presently being used. He would like to have the application made available online. He is open to any suggestions for revisions.

Ms. DiCapua - would like to see the real estate pass-through struck.

Mr. Schleckser - believes it was put in case of a double tax increase

Mr. Rumpf - tenants may cite a decrease in services; for example the clubhouse was eliminated.

Ms. Brown - any increase not granted by the Rent Board.

Mr. Rumpf - if the landlord does not appear before the Board, the tenant has the right to appear.

Ms. Brown - there should be a certain period before tenants appear before the Board.

Mr. Dimino - feels it is pretty clear, seems streamlined.

Mr. Skinner - #1 ties in with Mr. Rumpf's suggestion

Ms. DiCapua - should refer to the Ordinance for specifics. The application refers to the old Ordinance Sections, this needs to be updated.

Mr. Skinner - feels is it inappropriate for the tenant to determine the amount of the rent decrease, should be determined by the board. Would like added if Counsel is unable to attend a hearing, a replacement must be provided, this would be a change to the Ordinance.

Ms. DiCapua - her applications take five minutes and cost \$250 due to the fact she must have an attorney present, feels this is unfair.

Mr. Skinner - asks if the landlord is represented by counsel, can they waive their right for appearance?

Mr. Rumpf - by law, a corporation must be represented by an attorney.

Ms. DiCapua - in the most recent applications, Pine View and Woodmere had applications heard, but were not represented by an attorney.

Mr. Rumpf - if they are a corporation, they must have an attorney present. Mr. Rumpf will send out notice of same and also stated that this should be included in the application.

Mr. Schleckser - asks if having the attorney attend hearings can be controlled? Many postponements by landlords due to attorney not being able to attend.

Mr. Rumpf - could put in a reasonableness clause

DiCapua - there are times when the board has no quorum and meetings are canceled.

Mr. Amoruso - will provide correct email and phone numbers for Mr. Bellu.

Ms. DiCapua - landlord is required to put the date of the hearing in the letter sent to tenants, there are times when that date changes

Mr. Schleckser - there are occasions where the park attorney sets the date without the board's knowledge. Tenants should be notified when the date is available. Could a schedule for hearing dates be established by

Mr. Amoruso?

Mr. Amoruso - should be for mobile home parks and apartments also.

Mr. Rumpf - the accountant needs all the information to hear the application.

Ms. DiCapua - the schedule could be posted for the residents

Mr. Bannon - is in favor of a 12 month schedule

Mr. Rumpf - some communities divide the year

Mr. Amoruso - would contact all the communities to see if the information could be provided by the date

Ms. Brown - would amenities include kitchen cabinet replacement?

Mr. Skinner - amenities would be something enjoyed by the public at large

Ms. Brown - should be specific - in writing

Mr. Skinner - amenities vary from community to community

Mr. Dimino - would be in addition to what is required by law

Mr. Bannon - there should be separate tenant and landlord increase / decrease applications. Mr. Skinner agrees.

PUBLIC - Tony from Jackson Acres questions why mobile home parks and apartments fall under the same rules?

Mr. Rumpf this was a decision of the previous Township Committee. Some rules apply to both, some do not.

Tony asks if increases go case by case or are they automatic?

Mr. Rumpf responded that they are case by case. If a CPI increase is for a partial year, all communities would use that figure.

Tony asks why increases are not based on the COLA?

Mr. Rumpf replied that after much research it was determined that the CPI was the most fair way for an increase.

(Ray Schleckser recluses himself from the board.)

Ray Schleckser 35 Boxwood Drive - the Rent Control Board minutes of March 12, 2015 for the MGM CPI Increase application indicate that MGM was to provide a backup generator for the well within 90 days. They did provide a portable generator and now that was removed Tuesday prior to the snow storm. The generator needs to be replaced.

Doris Roberts - stated they make the same promises every year, and when the license is issued, the promise ends.

Mr. Skinner - the license can be revoked.

Ms. DiCapua - this would be a reason for the tenants to come in for a decrease, would be up to Code Enforcement to issue violations. If the license is revoked, where would the residents go?

Mr. Rumpf - the MGM increase application would not be heard

Tony - if a tenant is granted a decrease, can it be rescinded once the issue is resolved?

Mr. Dimino - increase would not be retroactive, but when the issue was corrected, it can be rescinded.

Motion to close Public E. Bannon / R. Schleckser All Ayes

Motion to Adjourn C. Dimino / R. Schleckser All Ayes

Meeting Adjourned 9:19 pm

Minutes prepared and submitted by:

Kathleen Sevchenko  
Secretary