

Shamong Township Rent Control Board

Minutes of Meeting

Wednesday, September 26, 2018

The Shamong Township Rent Control Board met at the Township Building, 105 Willow Grove Road, Shamong, NJ. Those members present were Susan Santanasto, Matt Davis, Chris Norman, Chris Zehnder, Shannon Logar, Joe Dutka, and Tracey Holbrook.

Chris Z. brought the meeting to order at 7:31 P.M. The secretary read the Sunshine Statement. A salute to the flag followed.

A motion was made by Matt Davis and seconded by Shannon Logar to waive the reading of the minutes and to accept.

**NEW BUSINESS:**

Fawn Lake Rent Increase Application – Lori Greenberg, attorney for Fawn Lake, with Rich D’Andrea – sworn in by Chris Norman – is one of the managers of Fawn Lake. Ms. Greenberg questioned Rich regarding the application for rent increase to be effective October 1, 2018. Rich confirmed that the last time Fawn Lake applied for a rent increase was in 2015. Ms. Greenberg broke down the amount of the taxes increased and the amount to each of the tenants. At the time of the application, there were 110 occupied sites with 4 vacant sites. Ms. Greenberg states that Fawn Lake will be establishing a new annual date of June. The VCAA was capped at 25% and Rich confirmed that Fawn Lake has recently not taken this adjustment for new tenants. The capital improvement totals \$406,756 – this is an amount for a 15 year 4.375% loan for replacement of 6 new septic systems to include labor, materials, permits and various professional fees. The amount passed down to tenants is \$26.66 each month. A certificate of completion was provided to the board. Rich confirmed that on or about July 31<sup>st</sup>, notice of the application for the rent increase was sent to the tenants via certified mail. Tenants were informed of the Shamong Township Rent Control Board meeting by newsletter and the posting on the Township website.

In the past two years, Fawn Lake had installed a new generator switch for the well at a cost of \$25,000. They had purchased a new Kubota - an excavator for digging machine – which will be used for repairs to utility lines, septic lines, and water lines. A snow plow had been purchased for plowing of the roads. Fawn Lake has supplied dumpsters at a cost of \$6700. Ms. Greenberg confirmed with Rich that Fawn Lake is not passing any of these costs on to the tenants. Rich stated that Fawn Lake is looking into installation of a security system for the front of the community, the laundry area, the lake entrance and the field by the dumpsters.

Sue asked about the amount on the promissory note provided with the application. Ms. Greenberg asked Rich about the difference and he confirmed that Fawn Lake has other financing with a rate that is

higher but will not be passing that on to the tenants. Sue asked if several banks were considered for the loan and Rich confirmed that they did and went with Sturdy Bank in Cape May. Chris Z asked if the filter screens will be on a maintenance schedule and Rich stated that Rich Giberson will be contacted to see if this should occur monthly or quarterly.

Joe Dutka provided information that the screening committee met on August 20<sup>th</sup> after receiving the application dated July 31<sup>st</sup>. Joe verified all information submitted on the application to be calculated correctly. One item he questioned is the use of June to June CPI which is 1.8% when the prior application used April to April. Ms. Greenberg stated the reason for selecting June to June for analysis is that it is the last month that was complete before submitting the application.

Tracey asked for clarification regarding the pass-through add-ons being compounded for future applications and Ms. Greenberg confirmed that the calculations will only be on the base rent and would not include the add-ons. Joe confirmed that all calculations submitted are reviewed during the screening committee meeting.

Chris Z. opens the meeting to the public.

Nancy String, 64 Indian Ann Trail, sworn in by Chris Norman, a resident for 30 years, offered her opinion that management of Fawn Lake does not enforce the rules and regulations. Tracey suggested that Nancy review her lease to see if the issues she is concerned with are listed and with that, park management is in compliance.

Patricia Bakely, 25 Indian Ann Trail, sworn in by Chris Norman, a resident for 32 years, offered her opinion that she believes the capital improvement in the rent increase application is actually maintenance and should not be charged to each lot. She thinks this is because the capital improvement does not benefit everyone in the park. Joe clarifies the financial definition – an item/s that has a benefit and useful life for a longer period of time.

Dara Shively, 270 Arrowhead Road, sworn in by Chris Norman, a new resident, offered her opinion that the park is not in compliance with terms in her lease because the park did not trim vines that were on her home. She had asked for it to be addressed before she moved in and when it wasn't, she asked if she can do it. She also stated that the park does not maintain trees and shrubs and the field behind her home is overgrown with poison ivy.

Thomas Sickler, 275 Arrowhead Road, sworn in by Chris Norman, a resident for about a year, is happy with the progress made by the management of the park.

Tracey asked Rich D'Andrea about a tree service and he confirmed that Fawn Lake has spent \$22,693 so far in 2018 for tree removal. Tracey also asks how violations are handled. Rich stated that violation notices have been sent, and in some instances, gone to court and which resulted in evictions.

Donna Nixon, 92 Arrowhead Road, sworn in by Chris Norman, stated in regards to trimming bushes and trees, unless it poses a danger, it is the responsibility of the tenant to maintain their own yard.

Jessica Lewis, 23 Indian Ann Trail, sworn in by Chris Norman, a resident for almost 19 years, offered her opinion that due to the years of requesting for repairs, she feels the park is not entitled to the increase.

Gail Frances, 211 Arrowhead Road, sworn in by Chris Norman, asked if the management of the park follows the ordinance regarding a complaint book. Ms. Greenberg confirmed that there is a complaint book and the copy has been provided to the township. The complaint book is not shared with the residents because it may contain private information. Gail follows up by asking where it is in writing that a tenant who has been evicted from the park is not allowed back on the property.

Rich D'Andrea, a manager at Fawn Lake, is present 3 days a week and Eileen Parkhurst is at the park office 10-2 Tuesday, Wednesday, and Thursday as according to the Shamong Township ordinance.

Ms. Greenberg clarified the capital improvement is due to a requirement of the township for the license. Ms. Greenberg also stated that when a tenant is evicted, there is a notice of no trespass. Ms. Greenberg asked that the application be passed.

Chris Z. closed the meeting to the public and opened a discussion amongst the board. Chris N. asked about the calculation used for the CPI and suggested taking an average and Tracey concurred but Matt stated that it is not currently allowed in the ordinance.

A motion was made by Chris Z to take a vote to approve the application as submitted and seconded by Tracey.

Sue YES, Tracey YES, Matt YES, Chris Z YES, Shannon NO

#### Oak View

Chris N. explained issue regarding the rent increase application submitted 2 weeks prior to the June 27<sup>th</sup> meeting for Oak View. Chris N. stated he received an email from Christopher Hanlon, attorney representing Garden Homes – owner of Oak View – that the owners wanted the opportunity to present their application. The application was not able to be heard because the screening committee had not yet met to review in time for the meeting. Chris N. stated that he had sent an email to inform the park that a representative should be in attendance at the next meeting in July. During our July meeting, no one representing Oak View was in attendance.

Mr. Hanlon stated his client received an email the day of the June meeting that the application would not be heard because Oak View did not meet the anniversary date. Mr. Hanlon stated he called and emailed Chris N. who told him the information would not be heard in June and that a screening committee would meet to review the completeness of the application. Mr. Hanlon asked to be informed when the screening committee finished the review. Mr. Hanlon stated that he did not receive this information or notice of the July 25<sup>th</sup> meeting of this board which is why no one from Oak View management was in attendance.

Don Paetzold, regional manager for Garden Homes, sworn in by Chris Norman, offered that he will ask persons in the office to draft a list of numbers for tenants to call in the case of emergencies and will have it forwarded – at the request of Chris Z. – to the township administrator.

Mr. Hanlon stated that he could forward some examples of other municipalities that have wording for specific timeframes regarding which dates to use for CPI calculations. Chris Z. asked for this information to be sent to Shamong Township Solicitor Douglas Heinold, Joe Dutka, and Chris N. and Mr. Hanlon said he could.

Michael Countess, 8 D Oak View Dr., sworn in by Chris Norman, wanted to ask about the septic system for his court and also added a comment about leaf pickup. He received his answers in the hall before the meeting. Don Paetzold confirmed that he needs a new septic field and Don estimates that it could be completed by end of October.

Tracey Holbrook, 12 B Oak View Dr., sworn in by Chris Norman, stated that she has reached out to Garden Homes and has never received a response via email or phone call. She has a problem with leaves that were supposed to be picked up in September. There are pot holes and Don stated that they would be taken care of.

Mr. Hanlon asked Don if equipment was purchased last fall and Don confirmed yes, stating it will be used for two properties and primarily for leaf pickup.

Matt asked for clarification of the terms of the application - August 1, 2018 through July 31, 2019.

A motion was made by Matt to take a vote to reconsider the application as submitted and seconded by Shannon.

Sue NO, Matt YES, Chris Z YES, Shannon YES

Chris Zehnder closed the meeting to the public.

Meeting adjourned.

This is not 100% verbatim of the meeting held.

Respectfully submitted,

Kathleen A. Breitzman