

**NEPTUNE TOWNSHIP RENT LEVELING BOARD - AGENDA March 19, 2015 - 6pm**

Constance Holmes calls the meeting to order and requests the Secretary to call the roll:

**ROLL CALL:**

Ruth Johnson \_\_\_\_\_ James Manning, Jr. \_\_\_\_\_ Morrel Massicot \_\_\_\_\_

Charles Woolfolk \_\_\_\_\_ Connie Holmes \_\_\_\_\_

**Flag Salute**

Chairperson Holmes announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster on January 15, 2015 posting the notice on the Board in the Municipal Complex, and filing a copy of the said notice with the Municipal Clerk.

Consumer Price Index [January's price index was 258.376, a 0.5% decrease over the past twelve months]

**Action Items:**

1. Approval of Minutes – January 8, & February 12, 2015.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote:

Johnson \_\_\_\_\_; Manning \_\_\_\_\_; Massicot \_\_\_\_\_; Woolfolk \_\_\_\_\_; Holmes \_\_\_\_\_;

**Old Business:**

1. Formalization of Resolution – Betty Graham.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote:

Johnson \_\_\_\_\_; Manning \_\_\_\_\_; Massicot \_\_\_\_\_; Woolfolk \_\_\_\_\_; Holmes \_\_\_\_\_;

2. Formalization of Resolution – Thelma Davis.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote:

Johnson \_\_\_\_\_; Manning \_\_\_\_\_; Massicot \_\_\_\_\_; Woolfolk \_\_\_\_\_; Holmes \_\_\_\_\_;

**DISCUSSION ITEMS:**

**PUBLIC PARTICIPATION:**

**ADJOURNMENT (Time):** \_\_\_\_\_

Offered by: \_\_\_\_\_      Seconded by: \_\_\_\_\_

Vote:

Johnson \_\_\_\_\_; Manning \_\_\_\_\_; Massicot \_\_\_\_\_; Woolfolk \_\_\_\_\_; Holmes \_\_\_\_\_;

## **NEPTUNE TOWNSHIP RENT LEVELING BOARD**

### **Minutes – January 8, 2015**

Connie Holmes , Chairperson, called the meeting to order at 6:05 pm and requested the Secretary to call the roll. The following members were present: James Manning, Jr., Morrel Massicot, Ruth Johnson and Connie Holmes. Charles Woolfolk arrived at 6:30 pm.

Mrs. Holmes stated adequate notice of this meeting as required by P.L. Chapter 231 has been provided by notice in the Coaster on November 20, 2014, which was posted on the bulletin board of the Municipal Complex and filing a said notice with the Municipal Clerk.

Mrs. Holmes announced that the Consumer Price Index [November's Index was 259.382, up 0.8% over the year].

### **APPROVAL OF MINUTES**

Mr. Manning offered a motion, moved and seconded by Mrs. Holmes to approve the minutes of the meeting for November 6, 2014; all were in favor with the exception of Mr. Woolfolk who arrived at 6:30pm

### **APPOINT CHAIRPERSON FOR 2015**

Mr. Manning offered the following resolution, moved and seconded by Mrs. Johnson that it be adopted:

WHEREAS, the Neptune Township Rent Leveling Board selects a Chairperson among its members during its Reorganization Meeting held in January of each year.

NOW, THEREFORE, BE IT RESOLVED, by the Neptune Township Rent Leveling Board, that the Board hereby selects Constance Holmes to serve as the Chairperson of the Neptune Township Rent Leveling Board. and

The resolution was adopted and Mrs. Holmes became Chairperson by Acclamation.

### **APPOINT VICE-CHAIRPERSON FOR 2015**

Mrs. Holmes offered the following resolution, moved and seconded by Mr. Massicott that it be adopted:

WHEREAS, the Neptune Township Rent Leveling Board selects a Vice-Chairperson among its members during its Reorganization Meeting held in January of each year.

NOW, THEREFORE, BE IT RESOLVED, by the Neptune Township Rent Leveling Board, that the Board hereby selects James W. Manning, Jr. to serve as the Vice-Chairperson of the Neptune Township Rent Leveling Board. and

The resolution was adopted and Mr. Manning became Vice-Chairperson by Acclamation.

### **DESIGNATE 2015 MEETING DATES**

Mr. Manning offered the following resolution, moved and seconded by Mrs. Johnson that it be adopted:

WHEREAS, it is incumbent upon the Neptune Township Rent Leveling Board to reaffirm by annual resolution, the time and place of its regular meetings and its executive sessions to be held throughout the ensuing calendar year, as established in its adopted rules and regulations; and

WHEREAS, there was effective on January 19, 1976, throughout the State of New Jersey, the "Open Public Meetings Act" (N.J.S.A. 10:4-6 et seq) commonly referred to as the "Sunshine Law" requiring notification, publication and airing of all acts taken by the Rent Leveling Board of this municipality; and

WHEREAS, the Neptune Township Rent Leveling Board desires to implement the said act.

NOW, THEREFORE, BE IT RESOLVED, by the Neptune Township Rent Leveling Board that:

1. Regular meetings of the Neptune Township Rent Leveling Board for the year 2015 will be held at 6:00 p.m. on the second floor in the Township Committee Chambers, Neptune Township Municipal Building, 25 Neptune Blvd., Neptune Township, New Jersey, or any other designated location on the following meeting dates: January 8, 2015; February 5,

2015; March 5, 2015; April 2, 2015; May 7, 2015; June 4, 2015; July 2, 2015; August 6, 2015; September 3, 2015; October 1, 2015; November 5, 2015; December 3, 2015.

2. Special meetings and executive sessions of the Neptune Township Rent Leveling Board shall be at the call of the Chairperson or upon the vote of the membership at a prior regular meeting or by motion to follow any particular regular meeting.

3. This notice shall be posted upon the public bulletin board in the main entranceway of the Township Municipal Building and shall remain so posted for at least one month.

4. A copy of this resolution shall be mailed by the secretary of the Rent Leveling Board or the attorney of the Rent Leveling Board to the official newspapers of the Township of Neptune and the Neptune Township Rent Leveling Board.

5. The secretary, on behalf of the Rent Leveling Board, shall be authorized to direct that any other necessary action be performed by the appropriate officials or employees of the Borough to fulfill the mandates of the "Open Public Meetings Act" insofar as the same is applicable to the work and activities of the Rent Leveling Board.

6. This notice shall be published in the official newspapers of the Township of Neptune and the Neptune Township Rent Leveling Board within seven (7) days from the date hereof.

The resolution was adopted on the following vote: Johnson; aye, Manning; aye, Massicott; aye, Holmes; aye.

### **DISCUSSION ITEMS**

Mr. Anthony instructed Ms. Howard to publish all meetings and advised the Board to cancel February 5<sup>th</sup>'s meeting and December's meeting if they did not need to meet. The Board agreed to cancel February's meeting.

Ms. Howard read a complaint that was received for 1516 Monroe Avenue.

Mr. Anthony explained conditions and remedies that were available to tenants and referred to a letter that was written and addressed to the Mayor and Township Committee from himself.

It was suggested that the Rent Leveling Board be mentioned in the Township Newsletter advising tenants of their rights and who they can call.

Mr. Anthony reported that Winding Ridge still has not filed for a conversion. He explained the two types of conversion. He also stated he spoke with the head of Penrose.

Mr. Manning asked if the Board could develop an annual report as to what they've done thus far. He also stated he could draft it and let Mr. Anthony review it for the next meeting.

### **PUBLIC PARTICIPATION**

There were none.

Mr. Manning offered a motion to adjourn the meeting at 6:25 pm, moved and seconded by Mrs. Johnson. All were in favor.

Pamela D. Howard

Secretary

## NEPTUNE TOWNSHIP RENT LEVELING BOARD

### Minutes – February 12, 2015

Connie Holmes , Chairperson, called the meeting to order at 6:20 pm and requested the Secretary to call the roll. The following members were present: James Manning, Jr., Ruth Johnson and Connie Holmes.

Mrs. Holmes stated adequate notice of this meeting as required by P.L. Chapter 231 has been provided by notice in the Coaster on January 22, 2015 which was posted on the bulletin board of the Municipal Complex and filing a said notice with the Municipal Clerk.

#### Action Items:

**Betty Graham** a resident of 1516 Monroe Avenue Apt 20A, Neptune New Jersey 07753 (Case #001) was sworn in by Gene Anthony. Also sworn in was her daughter Dawn Graham who resides with her. The landlord Eli Frischman with an address of 691 Elizabeth Avenue, Suite 2, Newark NJ was not present but someone signed for the Tenant Complaint Form which advised him that a hearing would be held this evening.

Mr. Anthony explained the process and stated he believed the Board had jurisdiction to rule on Betty Graham's case due to habitability problems.

Mr. Manning made a motion, moved and seconded by Mrs. Holmes agreeing that they did have jurisdiction to hear Betty Graham's case. All were aye.

Mrs. Graham and her daughter gave their testimony and provided evidence.

Mr. Manning made a motion, moved and seconded by Mrs. Holmes to accept all items introduced into evidence (T1 – T6). All were aye.

Mrs. Johnson made a motion, moved and seconded by Mr. Manning to consider whether the deficiency in heat affected habitability. All were aye.

The board agreed that the kitchen ceiling repairs were not a deficiency but rather a cosmetic issue.

Mrs. Johnson made a motion, moved and seconded by Mr. Manning that the lights in the parking lot was a habitability issue. All were aye.

Mrs. Holmes made a motion, moved and seconded by Mr. Manning that the lack of use of the toilet was a habitability issue. All were aye.

Mr. Manning made a motion, moved and seconded by Mrs. Holmes that proper notice was given to landlord regarding the toilet. All were aye.

Mr. Manning made a motion, moved and seconded by Mrs. Holmes that proper notice was given to the landlord regarding the heating problem. All were aye.

Mr. Manning made a motion, moved and seconded by Mrs. Johnson that the landlord did not respond in a reasonable time regarding the lights. All were aye.

Mrs. Holmes made a motion, moved and seconded by Mr. Manning that the landlord did not respond in a reasonable time regarding the toilet. All were aye

Mrs. Holmes made a motion, moved and seconded by Mr. Manning that the landlord did not respond in a reasonable time regarding the heat. All aye.

Mr. Manning made a motion, moved and seconded by Mrs. Holmes to formalize the above mentioned by Resolution at the next meeting. All were in Favor.

Mrs. Johnson offered a motion to adjourn this hearing, moved and seconded by Mr. Manning. All were in favor.

**Thelma Davis** a resident of 24 Winding Ridge Drive, Neptune New Jersey 07753 (Case #003) was sworn in by Gene Anthony. Also sworn in was her landlord, Barbara Passwater of Winding Ridge.

Ms. Davis had an issue where the Neptune Township Housing Authority was not going to pay an increase of \$12 for her renewal. Both Ms. Davis and Ms. Passwater gave testimony. Mr. Anthony stated he would contact Mr. Bart Cook, the Executive Director of the Housing Authority to try and get clarity. He stated his legal opinion was that they did not have jurisdiction to here this further but would do his best to get clarity.

Mr. Manning made a motion, moved and seconded by Mrs. Johnson to dismiss the complaint due to lack of jurisdiction. Johnson; aye, Manning; aye, Holmes; abstain.

**Robert Jones** a resident of 1516 Monroe Avenue Apt 17A, Neptune New Jersey 07753 (Case #002) was held over until March 5, 2015.

Mr. Manning made a motion, moved and seconded by Mrs. Johnson to adjourn the meeting at 10:05 pm. All were in favor.

Pamela D. Howard

Secretary