

NEPTUNE TOWNSHIP RENT LEVELING BOARD

Minutes – October 3, 2019

Mrs. Johnson called the meeting to order at 6:00 pm and requested the Secretary to call the roll. The following members were present: Ruth Johnson, Connie Holmes, and Jeff Klein. Absent: James Manning Jr., Catherine McAphee and Naomi Riley

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

Mrs. Johnson announced the Consumer Price Index [August's price index was 279.428, **Area prices up 0.2 percent over the month and 1.8 percent over the year**]

APPROVAL OF MINUTES

Approval of Minutes for August 1, 2019 was carried over to the next meeting.

RESOLUTIONS

There were no Resolutions.

DISCUSSION ITEMS

HEARING – HARLEE GARDENS vs JADUS MCINTYRE

Tenants - Jadus McIntyre and Yolanda Brown of 1516 Monroe Avenue Apt 19a both were present and sworn in.

Owner and Staff – Andreas Steiner, Lester Aviles, Javier Malare – all were sworn in.

Attorney – W.Peter Ragan, Jr.

Mr. Anthony stated the purpose of the hearing was not to appeal the case and credits would continue until deficiencies were corrected. This hearing would be to end credits.

Mr. Ragan stated he believed his client has remediated all issues and would like to charge full rent. He stated from Harlee Gardens prospective they alleviated the problems and they were satisfactory to Code Enforcement and they submitted additional information regarding a mold inspection which showed no mold.

Lester Aviles, Superintendent of Harlee Gardens stated he was familiar with the apartment in question. There were a number of violations which were corrected. They contracted Janvier to clean up the basement and there were no conversations with code enforcement to remediate the mold. He stated there was no leaking since July 4th

Mr. McIntyre stated code enforcement came last weekend and they just fixed it.

Mr. Klein questioned whether all the leaks were in the bathroom.

Mr. Aviles confirmed that they were.

Mr. Klein questioned how old were the bathrooms.

Mr. Aviles stated approximately 6 or 7 years old.

Mr. Anthony stated that could be a subject for another complaint and the leak is not a part of this resolution any more.

Mr. Klein questioned the scope of work that was done in the basement.

Mr. Aviles stated there was mold remediation and it was cleaned from top to bottom.

Mr. McIntyre asked if he replaced the subflooring.

Mr. Aviles stated he only changed the part that was damaged.

Mr. McIntyre stated code enforcement stated they wanted the sub-flooring replaced. He stated he had a problem with how it was done.

Janvier Malare stated he was told of the problem and he cleaned the basement.

Mr. Anthony asked when did he clean the basement and he stated he was not sure.

Mr. Anthony asked if he had a written contract. Mr. Malare stated he didn't.

Mr. Klein asked where he had a cancelled check. Mr. Malare stated it was in his phone but was unable to locate it.

Mr. Malare stated he only worked in the crawl space, he took out the insulation, wiped beams down and used mold spray and anti microbial. It took two days and he did it by himself.

Mr. Klein asked if he was told what type of mold he was cleaning.

Mr. Malare stated he wasn't told.

Mr. Klein asked if the company that hired him did an airborne analysis.

Mr. Ragan stated it was never done.

Mr. Anthony asked if he had a certification to remove mold on him.

Mr. Malare stated he did not but he went to school in Freehold for Cerpo and training was three days.

Mr. Anthony asked what did he do with the items of debris.

Mr. Malare stated he put it in the garbage in the back dumpster.

Mr. Anthony questioned whether he sold mold in the basement.

Mr. Malare stated he did.

Mr. Ragan called Mr. Steiner to testify. He's been the owner since February 2018 and became aware of the problem the end of March/April 2019. He stated as soon as he was made aware of it he went to Lester to see the problem and he took care of the problem. He stated he had CES do a mold inspection and there were no findings of mold and if there were more he would have had it remediated. He stated there was no other mold in this property.

Mr. Klein asked if he had CES come out before remediation.

Mr. Steiner stated he did not.

Mr. Klein stated if mold was found in certain areas why didn't they test in it's entirety.

Mr. Anthony asked if he read the report.

Mr. Steiner stated he did.

Mr. Anthony asked if the company consulted with Janvier.

Mr. Steiner stated he did not know.

Mr. Ragan stated there were surface samples from the crawl space.

Mrs. Holmes stated she had a problem with the report because it states that it is limited and reports laws in New York City. She stated it bothered her as to how accurate it is.

Mr. Anthony asked Mr. Steiner if he felt the report was adequate.

Mrs. Holmes asked Mr. Steiner if he read the report.

Mr. Steiner stated as much as he could.

Mrs. Johnson stated there were no sampling in the bedroom where proof was provided for high levels of mold. She stated this concerned her.

Mr. Klein asked whether he's seen Mr. McIntyre's report.

Mr. Steiner stated not until he heard of the meeting.

Mr. Klein asked whether he received a warranty from the testing people.

Mr. Steiner stated he did not know.

Mrs. Johnson stated we have to look at all rooms for mold.

Mr. Ragan requested a five minute recess to speak with his client.

When Mr. Ragan returned he requested an adjournment so that his client could obtain another mold inspection that would include every room.

Mr. Anthony stated he did not have a problem adjourning the hearing.

It was agreed that the next meeting would be held on November 14, 2019 at 6pm.

PUBLIC PARTICIPATION

None

Mrs. Holmes offered a motion to adjourn the meeting, moved and seconded by Mrs. Johnson. All were in favor.

Pamela D. Howard
Secretary