

**RENT LEVELING BOARD MEETING AGENDA**

**MANCHESTER TOWNSHIP**

**AUGUST 15, 2024**

**5:00 PM**

**Present:**

Ms. Kim Kavanagh

Ms. Diane Oresto

Mr. Erich Gordon

Mr. Mark Kasiewniak

Ms. Mari Norris

Mr. Andrew Kerstein

Board Attorney - Debra Rumpf

**1. CALL TO ORDER**

**2. FLAG SALUTE**

- a. Pledge of Allegiance to the Flag

**3. Mr. Mark Kasiewniak is sworn in as a member of the board by Debra Rumpf.**

**4. STATEMENT**

- a. Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was advertised in the Asbury Park Press, Star Ledger, and was posted on our township website.

**5. CHAIRMAN'S STATEMENT:**

THIS MEETING IS A JUDICIAL PROCEEDING. ANY QUESTIONS OR COMMENTS MUST BE LIMITED TO ISSUES THAT ARE RELEVANT TO WHAT THE BOARD MAY LEGALLY CONSIDER IN REACHING A DECISION AND DECORUM APPROPRIATE TO SUCH A MEETING MUST BE MAINTAINED AT ALL TIMES. ANY YELLING TALKING OVER EACH AND/OR VUGLAR LANGUAGE WILL NOT BE TOLERATED.

THIS MEETING SHALL END AT 7PM UNLESS A MAJORITY OF THE BOARD AGREES TO CONTINUE.

## **6. ROLL CALL**

- a. Roll call of Board members

## **7. MINUTES – 08-15-2024**

- a. Review and Approval of the Minutes from August 15, 2024
- b. Kavanagh – motion
- c. Norris – second
- d. Kasiewniak - Abstained
- e. All in favor
- f. None opposed

## **8. BILLS**

- a. Review and Approval of Current Bills
  - i. Rumpf Law Inv#18748
- b. Norris – Motion
- c. Kavanagh – Second
- d. Kasiewniak - Abstained
- e. All in favor
- f. None opposed

## **9. NOTICES**

- a. Received and distributed

## **10. RESOLUTIONS**

- a. None

## **11. NEW BUSINESS**

- a. Capital Improvements – Ridgeway Community/Garden Homes
- b. Applicant representative Attorney Bonnie Wright and Dale Mull speak to the board on the Capital Improvements rent increase submission.
  - i. Mr. Kerstein asks the applicants if they can certify if their borrowing rate for the loan was at or lower than prime plus 1%.
  - ii. The applicant agrees to send the board a letter from their CFO explaining that the loan was at or lower than the prime plus 1% rate.
- c. Public comment:
  - i. John Flatt – Ridgeway Community.

1. Mr. Flatt asks if this capital expense over 15 years is subject to depreciation.
  2. Mr. Kerstein explains that if the applicant expenses the project on their taxes, this does not have any influence on the bearing of the ordinance since it adds no value to the amount that is in the application.
- ii. April Flatt - Ridgeway Community.
1. Ms. Flatt asks for an explanation of the application.
  2. Mr. Kerstein explains that this application is for the paving on Circle Drive.
  3. Ms. Flatt says that this is retaliation for having a cap on rent increases.
- iii. Lorrain Bishop – 157 Arnold Drive.
1. Ms. Bishop states that the bylaws show that tenants are responsible for above the ground and management is responsible for ground and below. She states that this means they should be taking care of the roads and that tenants should not have to carry the financial responsibility of driveways and roads.
- iv. Dawn Verello – 32 Circle Drive.
1. Ms. Verello asks if the paving company was associated with the management company.
  2. Ms. Wright states that she has no reason to believe that.
  3. Ms. Verello states that this is retaliation due to the rent cap in the ordinance.
- v. April Flatt - Ridgeway Community.
1. Ms. Flatt asks why the management company only charges for this one strip of paving when they've done more work this year that was never sent.
- vi. Melissa Joyner - 34 Circle Drive.
1. Ms. Joyner states that no one uses the paved piece of road.
- vii. Lorrain Bishop – 157 Arnold Drive.

1. Ms. Bishop asks if the capital improvements increase is left out of the rent cap increase percentage.
  2. Mr. Kerstein confirms that capital improvements are not included in the rent cap increase under the ordinance.
- viii. Dana Bradley – 26 Oak Drive.
1. Ms. Bradley states that another portion of the road is not paved. She asks if the residents will be brought back again for that additional work.
  2. Ms. Wright states that the applicant would be entitled to make another application if the work was to be done.
- ix. Dawn Verello – 32 Circle Drive.
1. Ms. Verello states that since they were only notified 10-12 days before the meeting, they did not have enough time to seek legal counsel.
  2. Ms. Wright states that residents are only entitled to 10 days' notice per the ordinance.
  3. Ms. Rumpf confirms that per the ordinance they are only entitled to 10 days notice.
  4. Ms. Verello states that this is retaliation from the landlord to try and make up for lost increases due to the rent cap.
  5. Mr. Kerstein asks the applicant how many residents benefit from the improvement.
  6. Mr. Mull replies, All 132.
- x. Barbara Murray – 121 Circle Drive.
1. Ms. Murray states that in 2016, they made an increase to address many of the services in the community, like paving, lights, driveways, etc. She states that many of these improvements were not made and have no lights, and the manager does not do his job. She states that certain homes have their needs met and others have not and that this is the third increase this year.

2. Ms. Rumpf explains that the application only refers to the debt and maintenance of the paving, which was sent with all of the necessary information per the ordinance.
  3. Ms. Murray asks why there are a lot of fees if that is the case.
  4. Mr. Kerstein asks that we keep all questions to the application and ordinance since that is all the board can refer to.
  5. Ms. Murray restates that the ground and below is the landlord's responsibility.
- xi. Cesar Botista – 102 Circle Drive.
    1. Mr. Botista asks how this would benefit them if the work were done in the back of the community, and they never drove there.
  - xii. Nancy Patton – 7 Circle Drive.
    1. Ms. Patton states that this improvement does not benefit anyone since it is a service road.
  - xiii. Melissa Joyner - 34 Circle Drive.
    1. Ms. Joyner asks if the board has seen a map of the area that was paved.
    2. Mr. Kerstein states this was not needed for the submission.
- d. Mr. Kerstein motions that this application be carried to the next meeting.
    - i. Ms. Wright states that this goes against the ordinance and that she objects.
    - ii. Mr. Kerstein states that due to the pushback, they would like to carry it to the next meeting and that the applicant and residents send a letter to the board stating why this should or should not be approved.
    - iii. Mr. Kasiewniak Seconds.
    - iv. Ms. Oresto opposes.
    - v. All others in favor.

## **12. PUBLIC COMMENT**

- a. Mr. Kerstein motions to open the opportunity for Members of the Public to Address the Board
- b. Seeing none, Mr. Kerstein asks for a motion to adjourn.

## **13. ADJOURNMENT**

- a. Norris - Motion to Adjourn
- b. Kavanagh – Second
- c. All in favor
- d. None opposed

Note: The agenda items are subject to change based on the needs and developments during the meeting.