

MEETING

of the

TASK FORCE ON UNIFORM CONSTRUCTION CODE, FIRE SAFETY AND HOUSING CODE ENFORCEMENT AND FEES

"Input of the public and local officials on
how the inspection process may be streamlined
while maintaining optimum safety controls
regarding new construction, multi-family dwellings,
hotels, motels and boarding homes"

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LOCATION: Ocean Grove
Camp Meeting Association
Ocean Grove, New Jersey

DATE: October 25, 1993
10:15 a.m.

MEMBERS OF TASK FORCE PRESENT:

Assemblyman Steve Corodemus, Chairman
Assemblyman Tom Smith
Jacque Eaker
Patricia Daub
Richard Alloway
John P. Cipo
Andrew Cattano
Daniel DeTrolio
Harold Baker, Jr.
William Strohmeyer
William Kingeter
Charles Buckman
Michael Pesce
Steven Van Campen

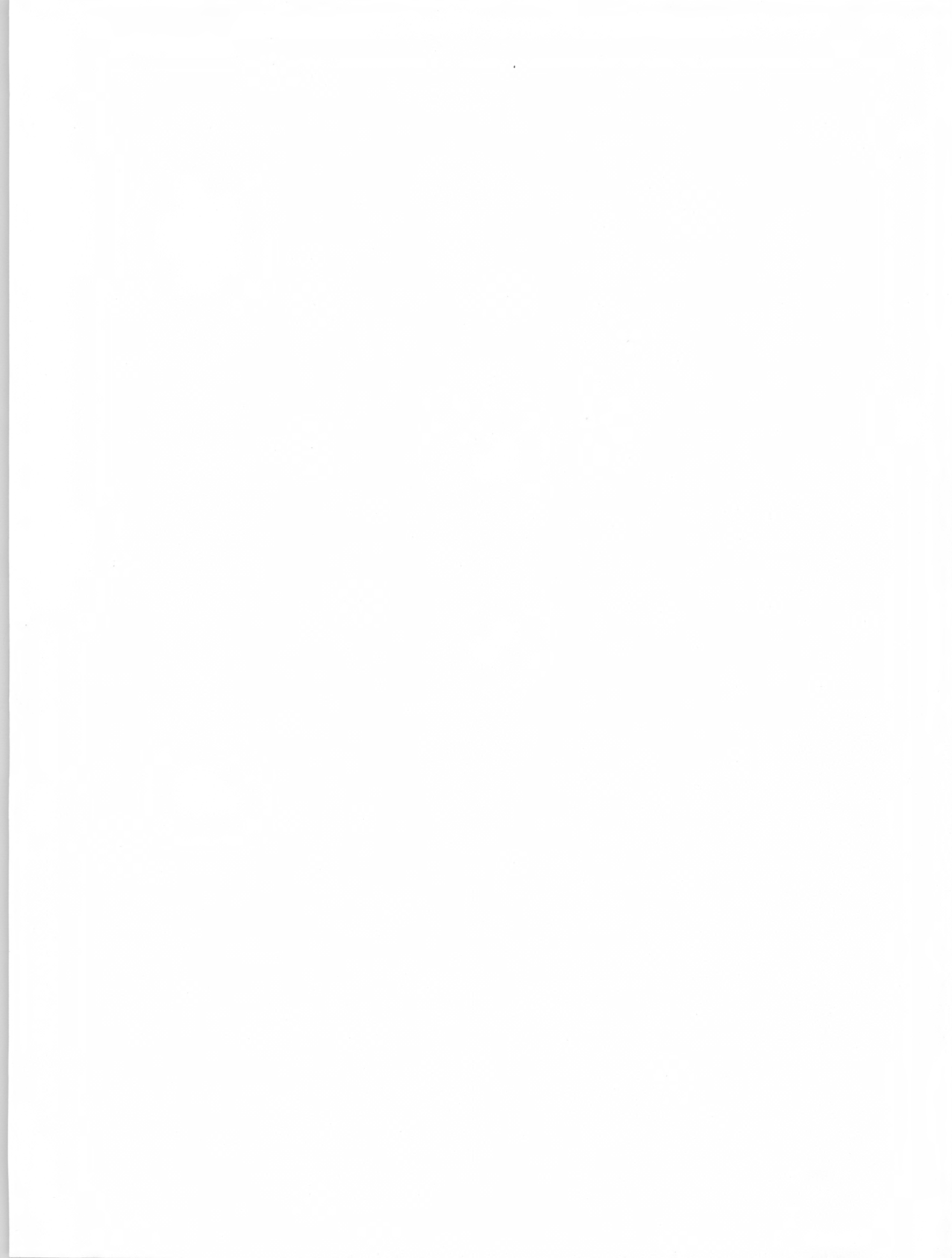
New Jersey State Library



ALSO PRESENT:

Joyce Wills Murray
Office of Legislative Services
Aide, Task Force on Uniform Construction
Code, Fire Safety and Housing Code
Enforcement and Fees

Hearing Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, CN 068, Trenton, New Jersey 08625



M E E T I N G N O T I C E

**TO: MEMBERS OF THE TASK FORCE ON UNIFORM
CONSTRUCTION CODE, FIRE SAFETY AND HOUSING CODE
ENFORCEMENT AND FEES.**

FROM: ASSEMBLYMAN STEVE CORODEMUS, CHAIRMAN

SUBJECT: MEETING NOTICE - October 25, 1993

*The public may address comments and questions to Joyce Wills Murray,
Committee Aide, or make bill status and scheduling inquiries to Norma
Morales, secretary, at (609) 984-0231.*

The Task Force on Uniform Construction Code, Fire Safety and Housing Code Enforcement and Fees will meet on **Monday, October 25, 1993 at 10:15 AM at the Ocean Grove Camp Meeting Association in the Community Room, 54 Pittman Avenue, Ocean Grove (Neptune Township), NJ. (Side entrance is on Pilgram Pathway)**

The Task Force will meet to solicit input by the public and local officials on how the inspection process may be streamlined while maintaining optimum safety controls regarding new construction, multi-family dwellings, hotels, motels and boarding homes.

DIRECTIONS: From G.S. PARKWAY - Take Ocean Grove/ Asbury Park EXIT. (Route 33 East). At end of 33 (past R.R. tracks) turn LEFT onto ROUTE 71. At first light turn RIGHT onto MAIN AVE. Approx. 7 Blocks turn LEFT onto Pilgrim Pathway. Second Block on RIGHT side is entrance to COMMUNITY ROOM (next to Pathway Market).

FROM ROUTE 195 EAST (TO SHORE POINTS). Follow until it becomes ROUTE 38 EAST, Follow signs to ROUTE 35 NORTH. TAKE 35 NORTH, go over BRIDGE, STAY TO RIGHT on MEMORIAL DRIVE. TURN RIGHT AT 2nd LIGHT, go over R..R. tracks, THEN TURN LEFT on ROUTE 71. Follow directions above to COMMUNITY ROOM.

Issued 10/20/93

MEMBER NEWS

MEMBERS OF THE TASK FORCE ON NATIONAL FIRE SAFETY AND FIRE SERVICE UNIFORMS

FROM ASSEMBLY

SUBJECT: MEETING

The public may address the Committee Aide, or make suggestions and scheduling inquiries to the Member Secretary at (609) 982-1234.

The Task Force on National Fire Safety and Fire Service Uniforms will meet on Monday, October 25, 1983, at the Ocean Grove Camp and Association in the Community Room, 64 Pittman Avenue, Ocean Grove, NJ. (Directions on Pitman Parkway)

The Task Force will meet to discuss the inspection process for multi-family dwelling units and parking homes.

DIRECTIONS: From U.S. 90, EXIT (Route 88 East) At the first light turn LEFT onto Pitman Parkway. COMMUNITY ROOM (next to the Ocean Grove Camp and Association)

FROM ROUTE 108 EAST ROUTE 71 EAST Follow signs over BRIDGE STAY TO RIGHT LIGHT go over R.R. tracks in direction above to COMMUNITY ROOM

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Letters, Notice of Violation,
and Settlement Agreement
submitted by
John O. Gross

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APPENDIX

Letters, Notice of Violation
and Settlement Agreement
submitted by
John O. Grace

ASSEMBLYMAN STEVE CORODEMUS (Chairman): Good morning, everybody, and thank you for coming. My name is Assemblyman Steve Corodemus. I represent the 11th legislative district, and I also Chair the Housing Task Force. This morning we are taking testimony on our-- This is about the second or third hearing we've had on similar issues of inspection fees that are dictated by the Department of Community Affairs, Division of Housing. Fire inspection fees and such are also going to focus in today with some of the incidents of multiple housing inspections, to which this community is no stranger. What I'd like to do is start by introducing the members of the Task Force.

Perhaps you can introduce yourselves and state which company you come from.

We'll start with you, sir.

MR. CIPO: John Cipo, Middle Department Inspection Agency.

MR. ALLOWAY: Richard Alloway, Garden State Electrical Inspections.

MR. CATTANO: Andy Cattano, New Jersey Builders Association.

MR. STROHMEYER: William Strohmeier, Construction Official from Bridgewater Township.

MR. BUCKMAN: Charles Buckman, National Elevator Inspection Service.

MS. DAUB: Tricia Daub, Middle Department Inspection Agency.

MR. SMITH: Tom Smith, Assemblyman, 11th district.

MR. VAN CAMPEN: Steve Van Campen, representative from the New Jersey Hotel/Motel Association.

MR. PESCE: Mike Pesce, Committee Management Corporation.

MS. EAKER: Jacque Eaker, New Jersey Apartment Association.

MR. KINGETER: Bill Kingeter, Director of Code Enforcement, Fire Official, Construction Official, City of Perth Amboy.

MR. DeTROLIO: Dan DeTrolio. I'm with Hartz Mountain, but I am also with the Fire Safety Commission.

MR. BAKER: I'm Harold Baker from AT&T, Bell Labs. I'm on the Fire Prevention Code Advisory Committee.

ASSEMBLYMAN CORODEMUS: We have this meeting room until 12 o'clock. We have several witnesses, and in fairness to the witnesses who have already signed up to be heard, and for any additional witnesses that would like to be heard, we are going to ask everybody that testifies before the Task Force to keep their comments brief. Many of us are familiar with this issue. We don't need a background from the beginning of the world until today.

We just need your focus of your statement so that we can take that into the record, and if some of the prior speakers -- I've already spoken to the issue that you would like to address and you'd like to just say that you concur with the prior testimony, we invite you to just do that. But to repeat that all over again, I beg your indulgence out of deference to the other witnesses that are here today.

I'd also like to thank my colleague and Chairman of the Department of -- Assembly Chairman of Housing, John Kelly, who came down from North Jersey to join us today.

Thank you for coming with us, John.
A S S E M B L Y M A N J O H N V. K E L L Y: I'm only an observer.

ASSEMBLYMAN CORODEMUS: I know. I have a brief statement, then we are going to take our first witness, who will be Mayor Gross.

Then, Gene Marks, stand by. You're going to come up after him.

Landlords, motel and hotel owners, rooming and boarding home operators run important businesses. Landlords

provide the necessary housing for thousands and thousands of working-class individuals and families across the State. There are about a million such dwellings. With affordable renting/housing stock falling well below the demand for it, State government must do everything in its power to prevent overzealous regulations and fiscal impediments to the owners of multiple dwelling units so that they can keep their buildings in safe condition without having to fear abandoning their buildings and going out of business.

The same applies to owners of hotels and motels. They provide the necessary accommodations for tourists and vacationers, who spend money in consumer services at the shore communities and elsewhere. They are essential to New Jersey's shore tourism. They are confronted with various fire, safety, and code inspections, and with fees that add to the cost of doing business.

Operators and owners of boarding homes interface with various sectors of our population -- the more needy, the more vulnerable is our need for decent and affordable housing. We must ensure that these building and accommodations are safe and sound, not health hazards, so that this special population, which requires special services, can live in human conditions.

I understand that recently the shore communities have run into situations where the Department of Community Affairs has done inspections at these facilities. These facilities have received clean bills of health from the DCA, Department of Community Affairs, yet municipalities have had to move to close down these same facilities under other municipal ordinances due to the deplorable conditions that were unsafe and actual health hazards.

We must take a closer look at the tripartite role of DCA. They license; they inspect; and they provide grants to boarding home operators for agreeing to house a certain percentage of the needy population section although the

building structures are unsafe and not up to code. It appears that these functions are inconsistent and could present real conflicts of interest.

Legislation which I have sponsored with Assemblyman Tom Smith of Asbury Park and Senator Palaia authorizes municipalities to issue licenses for rooming and boardinghouses. The Governor has seen fit to veto this measure. This issue needs to be seriously analyzed. Too many times it appears that promulgated regulations and actions of State agencies, as well as the imposition of State fees, have gone beyond their original intent. That's why the Speaker of the General Assembly and the Chairman of the Assembly Housing Committee -- Assemblyman Kelly -- pushed for and created an Assembly Task Force on DCA fees to study the structure and fees concerning the Uniform Construction Code, Housing Code Enforcement, and Fire Safety Programs run by the Department of Community Affairs.

Third-party inspection agencies, apartment complexes, hotel/motel representatives, diverse businesses, and several legislators formed the leadership of this Committee, and we look forward to hearing from you today. The owners and operators of multiple dwellings, hotels and motels, and boarding homes know all about the inspection process under the New Jersey Hotel and Multiple Dwelling House Law, the Rooming and Boarding Home Act, and the fire safety inspections and fees charged which affect our bottom line. Overzealous State bureaucrats have made this process too cumbersome and costly in many instances to implement the multiple dwelling inspections.

The DCA has about 107 positions, with salaries and operations costing some \$4.3 million. In July 1991, the DCA imposed an average fee increase of 100 percent, although certain apartment complexes' representatives have pointed to increases in some instances of up to 2400 percent. The Fire Safety Bureau within the Department of Community Affairs has

approximately 90 positions at the State level in connection with enforcement of the Uniform Fire Code and related programs, and salary accounts for \$2.8 million in Fiscal Year 1993.

This Task Force will make its recommendations in the near future, with an eye towards reducing duplicative inspections and fees, reducing the cost of State government, reducing unnecessary regulations that are bureaucratically self-serving. We must put an end to fee increases, and redefine violations and penalty criteria. There is absolutely no reason why well-maintained, well-run, and certainly, safe multiple family dwellings, motel, and hotels are confronted with the constant parade of inspectors, receiving violations and penalty citations for purely cosmetic problems. Inspections are done for public safety, and they should stick to that purpose solely.

I and other Task Force members here today look forward to getting your input, discussing these issues, and receiving constructive recommendations as to how the inspection process in all of these areas can be streamlined so as not to be overburdensome and too costly to the regulated public, but at the same time, not jeopardizing safe and sound conditions.

Assemblyman Kelly, would you like to state anything?

ASSEMBLYMAN KELLY: I told you I didn't have anything to say.

ASSEMBLYMAN CORODEMUS: Okay, just checking. He's my boss. I just have to be very polite to him, because he won't post my bills otherwise.

But with us today I am very happy to have our first witness, Mayor John Gross of Neptune, who has been out on the forefront of the issues confronting Ocean Grove in the rooming house situation.

Mayor Gross, welcome.

M A Y O R J O H N O. G R O S S: Thank you. Good morning, my name is John Gross, and I am the Mayor of the

Township of Neptune, as Assemblyman Corodemus indicated. I would like to thank you for the opportunity to speak to you here this morning, and thank you for bringing your forum here to our community. It's a-- I think it's well-received by the community, and certainly well-received by our office. Again, we appreciate it.

I'll try to keep my comments as brief as possible, although most that know me know that I could probably go on for hours at a time on this subject without repeating one statement. Nonetheless, what I'd like to do is maybe review for you some of the problems we've had with four specific properties within the community, and how they directly relate to the DCA and how it functions.

The first of these properties is a hotel -- not a rooming and boarding home, but a hotel. In April of 1992, our Inspector, Gene Marks, inspected this facility and found that it had been operating as an illegal boarding home, which was then reported to the DCA through the appropriate agencies. Now, that documentation for that is not in the package that I gave you yet. That report went to the DCA, and they acted as they normally do and we received word back. I am apologizing that I don't have the exact date -- somewhere this past spring of 1993 -- that they did indeed agree that this facility was operating as an illegal boarding home.

ASSEMBLYMAN CORODEMUS: What were those two dates, Mayor?

MAYOR GROSS: April of '92, and somewhere in the spring -- I would say, February, March, almost a year -- they were assessed a penalty at that point in time of \$5000. When questioned by the public why this facility was to remain open for that period of time operating illegally, Jay Johnston -- the spokesperson for the DCA -- indicated that they did not have the authority to close. But indeed, the Township of Neptune did have the authority to close a facility for

operating as an illegal boarding home. When I called Mr. Johnston and asked him that specific question, "Under what authority did we have to act on that," he said, "Well, that's not exactly what I meant to say. "Mr. Johnston told me that at this point in time, we really did not have the authority to close down on the basis of them acting as an illegal rooming and boarding home.

He had indicated that he would retract that statement. That was, I believe, somewhere in the area -- somewhere around June. I am still waiting for that retraction. They were fined \$5000-- This facility was fined \$5000 for acting as an illegal rooming and boarding. As of this date, the Bureau still has not scheduled an administrative hearing to collect the penalty, and this facility is still operating.

This particular facility is known as the Imperial Hotel, 26 Main Avenue. Now, on your packet -- the first page of your packet -- you'll see a letter that came, again, from our construction official to Victor Baykal on two facilities in our town, 19 Main Avenue and 21 Main Avenue. The letter indicates that it has brought to our attention that this particular operator -- these are rooming and boarding homes -- has been operating in the past few years without a license issued. We asked them to kindly check into that information and get back to us, to let us know why they are allowing a facility to operate without a license.

The next page, you'll see the letter back from Victor Baykal. If you can make sense of this response, I would hope that you would explain it to me. "This is in response to your letter regarding the license status of 19 and 21 Main Avenue, Ocean Grove. The owners of both facilities have applied for a license after the properties were taken over from a previous owner. You have issued two inspection reports dated August 17 and 22 in respect to each property." Here's the question I

have: "Until these properties are in compliance, no license will be issued by the Bureau." Well, our question to them was not to go ahead and issue a license -- why are you allowing a facility to remain open without a license? This has been our response.

Also note on the next page that we did a reinspection on August 19, and again the owner of the facility was just then reacting to the notices that were given some two months prior to them during our inspection process. You'll also see an administrative law judge order in this packet indicating on one of these properties that they agreed to the installation of a fire safety suppression system in the facility with timelines starting with July 1, 1993, and different timelines all the way through the end of this year. Today, none of those timelines have been met. Not one of the timelines have been met by that owner.

After, I think, the scrutiny from the Township, I spoke to Mr. Samanski from Purifier Safety. He indicated to me that they are now in the process of drawing up the papers to refer this back to the Attorney General's Office for action. But that is an action that can probably take somewhere between nine months to even a year before anything would be happening. That action would be to have them pay the fines that were initially instituted, and then go ahead and put in the fire suppression system.

In the meantime, people are living in this facility without the benefit of having this fire suppression system, which it has been ordered by the courts to have. Now, the reason why it's ordered by the courts to have -- it's because it's a safety issue. Yet these people are-- This facility is allowed to remain open without a license and without this systems that protects the people that are living in there.

Now, we've made a lot of noise about this, and finally, based on our inspections, the State DCA now has issued

penalties for these facilities: one of them in the amount of \$30,200, and another one in the amount of \$1800. These penalties -- and they have until October 16 of this past month to issue these -- to pay these fines or to appeal them. To my knowledge, these fines have not been paid and I am assuming that they've been appealed. I know that the appeal process can take a very lengthy time period, much the same as it did with the fire suppression system where they eventually bargained it down to nothing based on future actions. We think that this action was a knee-jerk reaction to the pressure that we have been putting on the State and the DCA, based on some of the problems that I'll talk about in a few minutes.

I would like you-- If you would turn to page -- I don't know which page, but it's the first page going to Denise Byrd in reference to the Marlborough Hotel. We did an inspection sometime in May and a reinspection in July, and found numerous violations -- in our opinion, very serious violations. We asked the DCA Bureau of Rooming and Boarding Standards to take action on this facility. We got a response -- now this is dated July 15, after our second inspection -- August 27, we got a response back from Denise Byrd. I'll just read one paragraph for you:

"I have reviewed your report in detail. I then selected both a social and physical evaluator to go to the facility in response to your complaints. Based on their findings, there were no violations outstanding which constituted an imminent hazard." We'll talk about imminent hazard in a few minutes. "However, violations did exist, and the evaluators cited accordingly and discussed those violations with the owner. As you indicated, the facility is in the loan program for assistance with fire safety violations." I think we have others that will address that. "May I suggest that you contact the Housing Mortgage and Finance Agency to get further clarification of their status with the loan program." In the

meantime, people are living in this facility under conditions that no human being should endure.

When we got this response back-- We have pictures, and I gave the picture there to the Chairman. I'm sure he will share them with you. They are for you to keep for your review. We were so incensed, and I felt that it was important. I wrote the first of a series of letters to the Governor of the State of New Jersey. This was on September 13. If you will indulge me, I'd just like to read this one letter to you:

"It is with a deep sense of frustration and concern that I convey to you a situation that requires immediate attention, of which the Department of Community Affairs of the State of New Jersey has clearly failed to recognize or acknowledge.

"The Marlborough Hotel is currently operating as a State licensed rooming and boarding establishment in the Township of Neptune. The Township's Construction Official notified Victor Baykal and Denise Byrd, Bureau of Rooming and Boarding Standards, of living conditions at this establishment which are so vile and unfit for human habitation that we at the Township were sure that once the Bureau saw these conditions, action would be taken to close this building down immediately.

"We were absolutely appalled and horrified when, after an inspection was conducted by the Bureau, a response was received from Ms. Byrd which basically indicates that violations did exist, but were not an imminent hazard, and that the Enforcement Unit would be notified if these violations were not corrected.

"This is a situation in which the residents of this hotel are not being provided with living conditions that are even remotely acceptable. The conditions are nothing short of deplorable. How can we, as members of municipal government, ensure the health, safety, and welfare of our citizens when we receive absolutely no support from the State of New Jersey.

"I invite Mr. Baykal, Ms. Byrd, and yourself to come down to Neptune and spend a few days at the Marlborough Hotel. Mr. Baykal and Ms. Byrd have approved of the living conditions firsthand, so one can only guess that they would not have a problem staying there.

"Let me provide some of the amenities of the Marlborough: Upon entering, you will notice the carpet so saturated with dirt and debris that the color is gone. Enter your room, but be careful not to hit your head on the ceiling that is falling down, or get wet from the water that is seeping through from what ceiling remains. Freshen up a bit in the bathroom complete with mildew in the shower, a rotting floor, holes in the walls, and broken tile. Need a little light? Don't pull the chain on the light fixture too hard, as the fixture is hanging on by one screw and the wires are exposed.

"Next, down to the dining area for your supper. Assuming the date is September 7, this meal consists of two slices of cheese between two pieces of stale bread, a glass of liquid, and a cup of chocolate pudding. In the kitchen where the food was prepared, you will see an oven full of grease and food from previous meals, cigarette butts, a bag of blood and hair on the food preparation table, and trash and rotten food piled in the corner. If you are on medication and today was September 7, your pills would be selected from those scattered on a table and then dispensed by a dishwasher since no manager is on duty.

"Is this exaggeration? The pictures of all this and more are enclosed as proof. Is this what you deem as suitable living conditions for the residents in your State? Perhaps you are not aware of what the Bureau of Rooming and Boarding Standards deems as suitable. Perhaps you should find out and make sure you all are in agreement.

"On September 7, the Township of Neptune served the Marlborough Hotel with a notice that unless these conditions

were resolved in 10 days, the establishment would be closed and its residents relocated. The taxpayers of Neptune Township will bear the expense because of the State's lack of concern. Can you and the Bureau of Rooming and Boarding Standards bear the guilt if before that time a fire or serious illness consumes these unfortunate residents? All I am asking for is that logic and reason prevail. What will it take?"

Well, some 10 days later, the Township of Neptune did indeed close this facility and relocated the people that were living within that facility to a place that was of much higher standards. We have gone on to send numerous letters -- and by the way, these letters were all carbon copied to the DCA, as well as everyone else you'll see on the list.

ASSEMBLYMAN CORODEMUS: Who paid the relocation costs?

MAYOR GROSS: Pardon me?

ASSEMBLYMAN CORODEMUS: Who paid the relocation costs?

MAYOR GROSS: The Township of Neptune paid the relocation cost. Keep in mind that we are not the licensing agency of these facilities, yet we pay the cost because we are the agency that closed them down. We believe unjustifiably that we are strapped with that cost because of the fact that we should not be the ones that have to close them down. It should be the licensing agency to take the responsibility. We've taken the position that as long as the licensing agency is not going to take that responsibility, we are going to do whatever we have to do to protect the people living within our community.

But we are going to move forward, and we've sent numerous letters to the Governor. As of today, I have not heard anything officially from the Governor's office, even with compelling evidence that has been sent. I have received some communications. I spoke directly with Commissioner Waldman from Health and Human Services. He indicates a desire of the three departments -- Health and Human Services, DCA, and the Health Department -- to work together with us in these issues. Of course, that is very welcome. As to date, they're words and

not action, and we don't intend to stop our efforts until we get some action.

After we closed down the Marlborough-- I assume a lot of pressure was put on the DCA level by ourselves. We've gotten some-- You'll see a support letter here from the Board of Freeholders, who has been very supportive to us in our efforts of closing the Marlborough and the actions that we are taking, along with the cooperation we received from the County Board of Health. But Jay Johnston made a statement in the papers indicating -- again, as the representative of the DCA, or to speak for the DCA -- that it was irresponsible for anyone -- any local official to indicate the State had any responsibility in this situation -- any responsibility.

Now, if I was irresponsible to indicate that the State had any responsibility, then I don't know what the State is in terms of allowing the inhuman conditions that they themselves witnessed, walked in and walked out of, and said, "It's not that bad." I think that when you look at the pictures, you'll see that the conditions were much worse than even I described.

The problem here, I think, comes down to the definition of imminent hazard. Somehow, somehow the definition has been misconstrued -- I don't know whether legally, administratively, or by regulatory means. My definition, as I see it that the State uses for imminent hazard is, if you will imagine a meat cleaver hanging over someone's head by a small, thin thread, that is not quite imminent hazard yet. It's really not imminent hazard. Now someone is standing there with a pair of scissors about ready to cut. That's not quite imminent hazard yet. Once that person cuts the thread and the meat cleaver begins to fall, it then becomes imminent hazard.

Well, with all due respect, if we wait for things to start to happen and define things that are imminent hazard in that matter, we are going to have some serious losses of life, illness, and some very serious problems in the State if the DCA

does not change that definition -- or the State or whoever is responsible for that definition. We, the Township of Neptune, will not stand by and allow that definition to be used in our Township. We will take every measure that we possibly can to make sure that the people of our community are protected.

I think you spoke about conflict of interest. I believe that there is a conflict of interest with the DCA if they are coming down on places that are safe and really giving them a hard time, and they are doing relatively nothing to the places where they should be. Maybe that's because of a frustration on their part, because they feel that they can't do anything with the bad places, so they act upon the people that they can do something with. I don't know. But I do know one thing: They're not acting effectively within our community.

We are not going to take it anymore. We wholeheartedly support the Palaia bill. There are three things in my last letter to the Governor that we ask for and demand, and those three things are very important to our community. The first thing is the passage of the Palaia bill and turning of the regulatory authority over to the municipality. We know what's going on here. We can handle the problem. It's clear that the DCA cannot at this point in time.

Number two, the State must assume responsible financial responsibility for the relocation cost associated with our actions. One can only assume that they don't take the actions necessary because of the costs involved, and because of their conflict of interest of the need for this type of housing. I think they're afraid that if they don't -- that if they do something about it, that they are going to end up with a drought of housing, and "oh, my God," they might have to develop a housing policy to solve the problem.

The third thing is to develop and implement a comprehensive housing policy with the goal of desaturation of

communities that have high bed numbers. Now, in the Palaia bill they talk about a percentage of 0.5 percent of the municipality -- the population of the municipality. In the Township of Neptune, that would be somewhere in the area of 140 beds. Now, previous to our actions at the Marlborough, this Township -- we had officially 435 legal beds. We are now down 380. According to that threshold, we're still almost three times the amount that we should have.

We look for the State and the DCA to take actions to desaturate us whatever methods that they need to, because this is not good for the community at large. It's an atrocity, in my mind, for the people that have to live under these conditions. Anything that we can do to help towards that aim, we will do.

ASSEMBLYMAN CORODEMUS: You've helped us a lot with your testimony and oath. Assemblyman Smith and I, and you and Senator Palaia met perhaps a dozen times on this over the last few years, and we thought we had seen the daylight with our bill passing the Legislature. I've been here many times, the members of the Task Force haven't.

Are there any questions to the Mayor before we let him get back to his busy work at the--

MR. VAN CAMPEN: I have a few, Mr. Chairman. The other evening at a Township committee meeting, you read a letter, I believe, from Commissioner Waldman in response to some of--

MAYOR GROSS: It was a statement that was based on the conversation that I had with the Commissioner.

MR. VAN CAMPEN: Can you basically-- I don't see it in the packet. I wonder if you can basically give the Task Force some idea of the context of that letter.

MAYOR GROSS: I would say that the conversation I had with Commissioner Waldman was very amiable. He basically acknowledged many of the issues that the State has not acknowledged before -- the issues of density, the issues of

lack of enforcement -- that the State had some responsibility there. He indicated that there is an Allied Task Force, or I guess a group being put together at the State level from the DCA, Health and Human Services, as well as the Health Department to do inspections in our community as well as others, so that in his words, "responsibility does not fall through the cracks". We welcome this action, or we welcome this thought and we look forward to it's implementation into action.

I think it's a very significant act that they have come to, and really have done a 180 in terms of their viewpoint to us heretofore has always been "It's your problem, not ours." It seems that the State now is based on, you know -- their rhetoric at this point in time has changed that. Again, as I indicated before though, I take the position right now: "Those are words, and they are welcome words. Let's wait and see the action."

MR. VAN CAMPEN: The second question I have-- You talk about density issues. You're talking about Neptune Township in general. We are not specifying a specific area within the Township.

MAYOR GROSS: No, the numbers that I quoted you are for Ocean Grove, but--

MR. VAN CAMPEN: For the Ocean Grove, or you said--

MAYOR GROSS: Ocean Grove only.

MR. VAN CAMPEN: I think you said Neptune Township, that's why I mentioned it.

MAYOR GROSS: Okay. Well, I apologize then. The numbers that I did quote for you were specifically just in the one -- less than one square mile of Ocean Grove. Of course, the 0.5 percentage would be within the Township of Neptune, which even throws those numbers even more out of kilter.

MR. VAN CAMPEN: What in essence-- If I understand you correctly, what your saying in essence is that within one

community in Neptune Township, your percentage of exceeding the acceptable formula is rather substantial?

MAYOR GROSS: That's correct. It's basically three times the total amount that is recommended in the--

MR. VAN CAMPEN: Just in one community?

MAJOR GROSS: Just in approximately one-sixth of the community -- contains three times the amount that would normally be allowed for the entire community.

MR. VAN CAMPEN: What in your opinion has been the overall economic impact of having that kind of density in this particular community?

MAJOR GROSS: Well, there's no question that the economic impact has been a negative impact. What we've seen here, especially in the case of -- with the placement of the institutionalized patients is the reinstitutionalization of people from State hospitals into large rooms and boarding homes within our community, and that is a community that once was a tourism community. It has almost all but eliminated our tourism trade, and that is based strictly on numbers.

I think that is an issue, and I think it's an important point that what we are looking for is Neptune Township not to be treated any differently than any other community in the State, and to do something -- and let me be clear about this -- in an advocacy position for the people living within these facilities' deplorable conditions that are not healthy; they are inhumane. This is really the direction that we have to take in order to try to protect people living within the community.

MR. VAN CAMPEN: The point is, is that a negative impact not only to property owners, but to economic development, the wealthy, and the welfare of the community, as well as these particular individuals as a direct result of these inspection practices?

MAYOR GROSS: Absolutely, absolutely.

ASSEMBLYMAN CORODEMUS: Assemblyman Kelly.

ASSEMBLYMAN KELLY: Do you think that the State should really have a Commissioner for Housing alone instead of this gigantic octopus that has its fingers in every place? It really does nothing in concrete support of housing.

MAYOR GROSS: Well, I'm not going to be presumptuous enough to tell you how I think the State should run its business. But I will tell you that the way it's doing it right now, it doesn't work. I will tell you that the municipality is in a much better position to make these decisions and to implement and enforce than the State has ever been. I know that obviously there are some concerns about municipalities acting on their own and making the situation, in some people's eyes, worst. But I am certain that the State can certainly give the municipality guidelines that they could work within, because we are here and we are living with it. We are the ones that are affected, and we are the ones that know how to solve the problems.

It's a matter of enforcement, but when our hands are tied, and when the State says, "Well, you can do this, but you can't do this," then basically we are impotent to act. That is what we need now. Whether the State should reorganize into one issue of housing-- I think housing is something that has to be addressed, whether it be some type of -- some way of saying that every municipality in the State is required to provide "X" number of boarding home beds, or whatever formula you want to have. I have my own ideas about that. If indeed you are interested in hearing them at some point in time, we'd be glad to sit down and talk about that.

There has to be a redistribution of beds away from the areas that have been impacted in a negative economic -- and into other areas of the State because number one, the position that this puts people that are living in these facilities -- of reinstitutionalizing-- Now, the whole idea of supposedly

taking people and moving them, with the closure of Marlborough, was to put them into a better situation, to put them in small group homes so that they would be able to be "mainstreamed". Yet, because the way the rooming and boarding home beds are distributed, it's a reinstitutionalization.

We have facilities capable of handling 100 people in our town -- 100 people of patients -- and in a much smaller densely populated area than Marlborough itself. We have a more dense population of deinstitutionalized patients within our community than the campus of Marlborough State Hospital. Now, if there is not something wrong there, than I am confused, because there is something wrong there and that needs to be addressed.

ASSEMBLYMAN CORODEMUS: Thank you.

Any other questions from the Task Force?

MR. STROHMEYER: Yes, Mr. Chairman. I have one for the Mayor.

Did I understand you, Mayor Gross, that the DCA has no power to close the boardinghouse--

MAYOR GROSS: Well, I'm--

MR. STROHMEYER: --but they do have the power to impose penalties?

MAYOR GROSS: That's what we-- Now, I have to tell you that I have a meeting after this. I am meeting with Stephanie Bush. She has asked to meet with me. We are going to be meeting after this meeting, and that is a question I am going to pose to her directly. I am telling you the information that I have received from Jay Johnston is that they do not have the authority to close these facilities based on the violations that you've seen; that they do not meet the criteria of imminent hazard, and that's the only criteria that they can use.

MR. STROHMEYER: But they do impose penalties?

MAYOR GROSS: They can impose penalties, but I'd like

to know when any one has been collected. It's great. They could impose a penalty-- We'll take the Imperial Hotel, which in 1992 -- spring of 1992 -- was cited by us and was sent to the State almost a year later. The State imposed a penalty. To date-- We're now 18 months later from the initial letter, that penalty has never been paid. It's a \$5000 penalty in a hotel -- I don't know.

Gene, what is there, 20 rooms?

GENE R. MARKS: Approximately 20, yes.

MAYOR GROSS: Approximately 20 rooms in a facility. You take the rent and multiply that over 18 months for 20 rooms, I think \$5000 is a good deal. But there has to be-- You know, you can't-- In these situations, people are living in these conditions. Now, the State set standards for being a rooming and boarding home -- at being here at a hotel wherever they are here. Well, the reason the State sets the standards here is because people are going to be living there, yet they are allowing people to live at this level.

Now, they set these standards because they're important, and they are supposed to be enforced. If they don't enforce it -- that people are living at that level -- then they are just using that as a way to increase their -- put off paying for a housing policy within the State. Again, even if they did collect a fine, 18 months over \$5000 -- for \$5000 times 20 rooms, I mean-- Do the quick math on it. I think that's not a lot per room per day.

MR. VAN CAMPEN: Mayor, I have two more questions for you, if I may. What is-- Who are the actual residents of these boardinghouses?

MAYOR GROSS: Well, they are varied.

MR. VAN CAMPEN: What types of residents?

MAYOR GROSS: You have the deinstitutionalized; you have disaffected youth; you have parolees; you have some elderly. It used to be almost primarily only elderly, but they

pretty much moved out because they can't live within the same type of atmospheres. We have-- In terms of crime, the crime rate has gone up dramatically. We have a lot of-- We have drug dealing; we have theft; we have-- In my own personal business, I've seen a difference in terms of just merchandise just flying out the door without ever being purchased, just being stolen. It's just a totally different community than it was.

MR. VAN CAMPEN: Who controls it? Who controls who utilizes these facilities?

MAYOR GROSS: Well, as you know, whether your-- Well, I'm not sure that the DCA controls who uses it. I mean, this is America, and anyone can live wherever they want. Yet, if there is a-- If you want to say that the DCA, by controlling where the housing is and how it develops, and allowing a dense population of this type of housing, I think you probably could extrapolate that the DCA is responsible. I think ultimately the State of New Jersey in some fashion is responsible.

MR. VAN CAMPEN: Well, aren't they placing people in these places?

MAYOR GROSS: Well, DCA certainly does. Sure.

MR. VAN CAMPEN: That's my question.

MAYOR GROSS: Absolutely.

MR. VAN CAMPEN: My second question is, what happens to the money that is collected in fines by the DCA? What--

MAYOR GROSS: Well, I'd like to know-- Well, I'll tell you what. I'll be able to answer that question if I see if it's ever been collected, and maybe we can follow the money. But I--

MR. VAN CAMPEN: Does anyone know -- anyone in the Task Force know what happens to that money?

ASSEMBLYMAN CORODEMUS: I don't think the Township gets it.

MAYOR GROSS: No, we don't get it. No.

UNIDENTIFIED SPEAKER FROM AUDIENCE: General Fund.

ASSEMBLYMAN CORODEMUS: Mayor Gross, thank you very much for coming today. I know you've got a meeting.

MR. DeTROLIO: Could I just ask him one quick question?

ASSEMBLYMAN CORODEMUS: Go ahead.

MR. DeTROLIO: You're meeting with Stephanie today?

MAYOR GROSS: Yes.

MR. DeTROLIO: I don't consider her a Commissioner. How come you are having this meeting today? Was some pressure put on finally? I mean, I see the response -- the letters to the Governor, and he hasn't answered you directly.

MAYOR GROSS: Right, I can only assume that we've seen a lot of action here since we started this barrage of letters. We've seen in other communities now where the-- I know the Department of Health has come in and started getting involved in the facility in Asbury Park. I haven't seen any of it. I understand the inspectors are buzzing and around, but we have not seen any direct response except now I've had the phone call from Commissioner Waldman, and then this meeting set up with Commissioner Bush.

MR. DeTROLIO: Who is going to be at the meeting today? Do you know?

MAYOR GROSS: The municipality, it's local. We are going to address some very specific issues, much the same issues that we have addressed here today. But we are going to try to get -- find answers as to just exactly where they believe their responsibilities lie and where ours lie, and we will go from there. They have requested to meet and far be it from me to say no.

MR. DeTROLIO: No.

ASSEMBLYMAN CORODEMUS: Mayor, thank you. I know you have to go to your meeting.

I believe Committeeman McCann is also going to testify, and perhaps if there are any follow-up questions, you can ask Committeeman McCann.

MAYOR GROSS: Thank you very much for this opportunity. Again, if there is anything that I can do or the Township of Neptune can do to help you in your quest, please feel free to act. We will give you whatever resources we can.

ASSEMBLYMAN CORODEMUS: I appreciate it.

MAYOR GROSS: Thank you. (applause)

ASSEMBLYMAN CORODEMUS: Jim McGann.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Assemblyman Corodemus, is it possible to turn the mikes up?

ASSEMBLYMAN CORODEMUS: Unfortunately, these are not P.A. systems, just recorders for the tape recorder, so--

UNIDENTIFIED SPEAKER FROM AUDIENCE: Oh, can I request that people--

ASSEMBLYMAN CORODEMUS: Why don't you just come sit up front. There are more seats up here. I know it won't solve everybody's problem, but there are some empty seats up here. Perhaps you can come up front; I know it's difficult to hear everybody.

Jim, maybe you can speak loud so everybody can hear you.

J A M E S J. M C G A N N: Okay, Steve, I'll do my best. Thank you very much for allowing me the opportunity to speak here today.

I can only echo some of the sentiments voice by Mayor Gross, particularly in the area of imminent hazard. I've looked through the regulations under the Bureau of Rooming and Boardinghouse Standards and also checked the statues, and I can't find any definition of imminent hazard. I think that is something that has to be -- it's going to have to be fine-tuned by the State.

I think that we have to-- The lessons that we learned in Keansburg back in the early '80s should tell us that fire is

not the only thing that can create serious problems in the rooming and boardinghouses. It's things like John had referred to, like the food conditions. I know he didn't talk about-- I think there were some problems with a lot of roaches in the Marlborough, so I think there are things other than fire that we have to deal with in terms of imminent hazard.

The other lesson I think we should learn is the fact that we are dealing with a multibillion dollar industry here; that is, the tourism industry. I know the Legislature, yourself, Steve, Tom, and Joe Palaia, after much struggle, were finally able to get the stable source funding bill passed through. The State finally recognized the importance of this multibillion-dollar industry to the shore. Well, not only the beach is important, but the whole tourism industry centers around these beaches. We can't afford to lose hotels. I know we have had problems in the last couple of years where groups have come down to the area of Ocean Grove specifically, and haven't been able to find adequate hotel space in which to stay.

I think the State has to recognize that there is a need for funding in some of these hotels to upgrade the conditions that would in turn draw more tourist, and encourage the owners to gear their businesses around the tourism industry much like Cape May does now, and not around just filling the hotels with just anybody just to keep them going. I think that also what has to be considered is something to help us give us some teeth in fighting the illegal people that are using hotels as legal rooming and boardinghouses. Something in the terms of-- Other than just fines, something that would maybe give us a chance to revoke the licenses of repeat offenders of these laws.

You know, it all boils down to money, unfortunately. And as John alluded to, if it's going to be more financially practical for the owners to just eat the fines, then they're going to do that. We have a lot of hotels that-- I see

several of the owners in this room today that run very nice businesses. You have one up on the dias there, and another one in the audience that runs a very nice hotel business. It's a shame that they all have to suffer because of the actions of a few.

Again, I can't stress enough the need to center our tourism as a multibillion-dollar industry, not only in terms of the revenue it brings in, but jobs. We can't afford to keep losing town, after town, after town as a tourism spot. We've got to recognize the importance of this industry and what it means to our economy.

ASSEMBLYMAN CORODEMUS: Okay, thank you very much.

COMMITTEEMAN MCGANN: Thank you.

ASSEMBLYMAN CORODEMUS: We appreciate you coming here today. Thank you.

Any questions, members?

MR. KINGETER: One question.

ASSEMBLYMAN CORODEMUS: Go ahead, Bill.

MR. KINGETER: Is it true that you're the construction official for the municipality?

COMMITTEEMAN MCGANN: No, I'm the Committeeman. The construction official is Gene Marks.

MR. KINGETER: I'm sorry. I'll have my comments later.

COMMITTEEMAN MCGANN: You'll have a good time.

MR. KINGETER: We're going to compare some notes.

COMMITTEEMAN MCGANN: Thank you.

ASSEMBLYMAN CORODEMUS: Thank you, Jim.

Gene Marks is the construction official for Neptune and Ocean Grove. I know Gene has been on the front lines doing the actual inspections.

Gene?

MR. MARKS: To give you a little review of what has happened in the last four years, and not to really expound on it too much because we already have:

Early in 1989 we started receiving complaints from some of the residents in the rooming and boarding houses that we had. We talked to the Department of Community Affairs and we asked for some of the inspection reports. They sent us copies, and it seems we were getting what was known in the trade then as drive-by inspections. They weren't going into the facilities. If they did, they weren't citing anything. So our Township Committee and myself petitioned the State of New Jersey to take over the rooming and boardinghouse inspections in our town.

To the best of my knowledge, we're the only town that does that. I was assigned the job of doing it. I make all the rooming and boardinghouse inspections and send all the violation notices to the State of New Jersey. They do the enforcement.

The problem being, we do not receive any money for this. The State is collecting anywhere from \$125 to \$150 per license on these establishments, and we have 23 of them in the town. The only problem is, we don't receive a dime on that. We haven't asked for it, but they're collecting the money; we're doing the work.

John mentioned earlier about the problems with enforcement. There is a big problem. I have seen the same violations for three years running. They're still not getting done. The Department of Community Affairs levies fines; they're not collected. If they do try to collect it, they're having problems, according to them, with the Attorney General's office. So I think that's something that should be checked out. As he mentioned, it's 18 months, sometimes two years before they get an administrative law judge to hear the cases. And then we've had \$5000 fines pleaded down to \$300.

Also, as the Mayor mentioned, the legal rooming houses: If we reduce them to simple mathematics, some of the places that we have right now are operating probably at about

\$10,000 a month -- they're getting rent. They can operate for 18 months. There is \$180,000, and they might pay a \$5000 fine. So it is quite profitable for them, and something should definitely be checked into on the enforcement of that.

One of the biggest problems we have is with a part of the Department of Community Affairs known as HMFA -- Home Mortgage Finance Agency. They are doing the so-called fire retrofits. It seems when a rooming or boardinghouse applies for the loan program, they don't have to fix anything. We have places right now that have been five years into the loan program still not done.

I know I'm bound by statutes to do a plan review and have the plans out in 20 business days. They have architects down there that take 18 months and the plans still aren't done -- or the plan reviews aren't done. It's been a big problem with us trying to get these rooming and boardinghouses into compliance, especially for fire regulations.

As the Mayor testified earlier on one of the places with a sprinkler system, this has been four years, and something should be addressed.

While we're here and talking about fees, I testified a couple of months earlier on regulatory affairs and the fees charged by third-party agencies. I did a position paper from the State Building Inspectors Association on this. I still maintain I think it is ridiculous that the State charges the amount of fees that they do for inspections and plan reviews. We have proven by statistics that it can be done for probably one-half to 60 percent of what they charge.

One of our positions was that the local construction official set the fees of what third-party agencies would be charging in their town instead of going with a blanket State fee. One of the things that was mentioned is, we bid the fees. This was brought up by regulatory affairs. I think that would bring us back to the days of windshield inspections

again, because if somebody is bidding against the fee, you have to take the lowest bidder and you're not getting the best inspection agency.

I know there are a lot of people here who want to testify and time is getting short. That's about all I have today on this.

ASSEMBLYMAN CORODEMUS: Thank you. Let me ask the Task Force members if they have any questions.

MR. KINGETER: Assemblyman?

ASSEMBLYMAN CORODEMUS: Bill, I know you could probably have a cup of coffee with Gene and go for a couple of hours, but I'm going to ask you to keep your questions short.

MR. KINGETER: Just one comment, I just would like corroboration. I'm also a construction official, and I've been in the fire inspection business long before this wonderful code was ever promulgated. I was on the Fire Prevention Bureau in Newark since the early '70s.

It's been my experience that when someone applies for a license -- a State required license -- my experience has been that that person is then ordered to go to the local construction official to apply for a certificate of occupancy. Then the local community gets to do all the inspections, all the approvals, all the work. Then a copy of that certificate of occupancy is then provided to the State agency, who then uses that as proof of compliance with requirements for the code. Then the license is sent through the mail to the applicant, thereby dumping all responsibility for compliance with code on the local official. Has that been your experience? I would just like that put on the record.

MR. MARKS: This is the way the regulations are noted in the books. The problem being, there are exceptions in the rooming and boardinghouse regulations. When you increase from 6 to 10, there is not a requirement on a certificate of occupancy. Also, on 21 or more there is not a requirement. This has been changed in most of the regulations.

Back when most of our hotels were converted, back in the early '80s-- We have tried to research some of the records, and there will be a couple of lawsuits forthcoming on this that I really can't expound on. But I do agree with you. It is -- certain parts of the regulations-- It was not done in the case here.

MR. KINGETER: Thank you.

MR. MARKS: If I might add, that was before my time, also.

MR. BAKER: Mr. Marks, when you perform your boardinghouse inspections, what do you actually do?

MR. MARKS: I do a physical inspection of the building. I go from the top floor down.

MR. BAKER: What was the mix of violations in the Marlborough Hotel with regard to construction, fire, and health? Do you know offhand?

MR. MARKS: We had ceilings that were falling down in the bedrooms of the residents. We had a lot of bathroom inoperative toilets, inoperative showers. We had holes in the floors. We had a porch that was being supported by a two-by-three. When you walked across it, the whole thing just rolled back and forth. This was, I felt, imminent -- it was coming down. Numerous violations in the kitchen. The establishment had been in the loan program for five years and it still did not have a kitchen suppression system yet; the plans were still being drawn. Roach infestation, vermin infestation, it was, as you can see by the pictures, bad.

MR. BAKER: Was there a sprinkler order on that building?

MR. MARKS: The building was sprinklered, yes. It was also done in the early '80s under the loan program.

MR. BAKER: Do you think the local fire official or construction official should have the right to vacate a structure without going to the State?

MR. MARKS: Yes, I do.

MR. BAKER: Yes, I do.

ASSEMBLYMAN CORODEMUS: Jacque?

MS. EAKER: I just want to-- You said that back in the early '80s is when these were converted from hotels. Originally they were hotels and motels that became boarding homes?

MR. MARKS: Yes, correct.

MS. EAKER: Is there a local process that they had to go through? I'm assuming, because you said it doesn't seem-- You know, they elevated from what they were approved at.

MR. MARKS: On some of the records that I checked -- and we had a Code Enforcement Department at the time doing housing inspections -- I cannot find when there was a change of use, or even a letter from the State that these were converted. All of a sudden their license appeared.

I have checked with the Department of Community Affairs on a lot of these, and it was just, "Well, we sent a letter. Nobody told us anything, so we gave them the license."

MS. EAKER: Well, locally, however, is there not an ordinance or something that would force somebody to come before a planning board or zoning board?

MR. MARKS: That's under our land use ordinance, yes.

MS. EAKER: So they're in violation of your local ordinance?

MR. MARKS: That would be-- They're in violation of our Land Use Act.

MS. EAKER: Okay.

MR. VAN CAMPEN: I have a couple of questions.

Gene, do you have any idea how many inspection agencies there are that inspect in the hotel industry, roughly?

MR. MARKS: Our Code Enforcement Department does the hotel/multiple dwelling inspections in town. I do the rooming and boarding. They are also inspected by our Fire Bureau --

it's on an annual inspection. If they have any eating facilities, they're inspected by the Monmouth County Department of Health. I don't know of any other agency that does come in.

MR. VAN CAMPEN: I have heard-- I know we have with us today the President of the New Jersey Hotel/Motel Association. But I have heard that there are up to 30 regulatory agencies that monitor hotels.

Is that true, Neil?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Well, up to 25 licenses, fees, and inspections are required on up to 100 regulatory issues.

MR. VAN CAMPEN: Up to what, Neil?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Up to 100 regulatory issues taken from all the laws of New Jersey are used to govern hotel operations in this State.

MR. VAN CAMPEN: I think that's a very significant number of folks.

What I think I overheard you say was that the genesis of this particular problem was that perhaps many of these hotels did not go through a formal established process in terms of coming into being. Is that correct?

MR. MARKS: That is correct.

MR. VAN CAMPEN: Did that provide you with some means which perhaps you might be able to put into question their very existence?

MR. MARKS: This is what is being done right now.

MR. VAN CAMPEN: Thank you.

ASSEMBLYMAN CORODEMUS: Thank you, Gene. (applause)

MR. PESCE: Can I just ask one question?

ASSEMBLYMAN CORODEMUS: We've got 10 witnesses.

You're going to spoil us applauding for our witnesses. We're not used to this.

We've got 10 witnesses. Before I rush-- The only way we're going to get through these witnesses is if we hold it to

five minutes. But in case someone is not here, we'll be able to change that.

Is Karen Mason here? (affirmative response) Pat Townsend? (no response) Jennifer? And we have another Jennifer, Jennifer Sirois? (no response) We've got Jennifer Boyd here. Hugh Blair?

UNIDENTIFIED MEMBER OF AUDIENCE: He had a previous commitment.

ASSEMBLYMAN CORODEMUS: Okay.

Sharon Bono? (affirmative response) Okay. I'm not calling you yet, Sharon.

Jeff Wood? (no response) Caitlin Wood-Yesline? (affirmative response) And Doris Zuidema? (no response)

Okay. I'm trying to ration time judiciously here. We're going to take Karen Mason.

Karen, you have seven minutes.

K A R E N M A S O N: Okay. I'll try and be brief. If you ask Mayor Gross, I could probably speak on this for a few hours, because I've lived with this for about seven-and-a-half years.

I'm here wearing a few hats. I'm President of the Ocean Grove Chamber of Commerce, Hotel Division. I also own a property in Ocean Grove, which I have just given to Mr. Corodemus. (referring to advertising brochure) It's called the Pine Tree Inn. It's on Main Avenue -- Number 10. I am directly across from 19 Main Avenue, which is one of the properties the Mayor spoke of, and catercorner to 21 Main Avenue.

During the course of the last seven years, I have visually had to watch police and ambulance calls, deinstitutionalized persons harassing and talking to my guests in ways that most people would not want to be spoken to.

Let me first say that I'm here-- I have a lot of emotion, and there has been a lot of frustration over the last

seven years that I've been here, but I also speak from compassion. For six years I worked with psychiatric persons, and have great compassion and feelings for the way they are treated and the way they live. So many of the things I say today are coming from a humanitarian place, because I really do care about the way these people are being treated.

But with the other hat that I am wearing, I'm also a business owner, and I'm also watching a community die. I have been very involved in making changes for everybody. I've been involved with the Palaia Bill Task Force for the two years that we met in this room, and involved with the Chamber, and involved as a business, and involved as a taxpayer.

I have observed at 19 Main Avenue, there were over two years that the second floor had no railings -- none. And now, those railings have been replaced -- there were no railings, and now there are two-by-fours which have been nailed up on the second floor, which I believe is now condemned.

At 21 Main Avenue I have watched, as I said before, certain weeks every day there is at least one ambulance and at least one or two police cars. I have witnessed, I'm sorry to say, a man die on the sidewalk in back of the Grand Atlantic, at 21 Main Avenue. I just happened to be walking by there on my way back from the Pathway Market. The man fell from the fourth floor. It was very--

Actually, information about how he fell was very sketchy. But I watched the owner of this facility kneeling down while I watched this man die on the sidewalk from, obviously, a very severe head injury. As I found out from talking to people and residents from there, this man was very depressed.

The point I'm making is there is really no supervision there. I have gone into the Grand Atlantic on dozens of occasions because one of their people was either on my porch or bothering one of my guests. I have gone there to speak to

someone. I have been 10 to 15 minutes in this facility and found no one in charge, and I mean no one -- maybe a dish washer, maybe somebody cutting sandwiches in the kitchen -- but no one.

I say to myself, "How is this possible?" I'm running a facility with 12 guest rooms. I leave it to go to dinner or maybe to go out for a few hours. I'm renting my facility to so-called normal adults, and I don't leave my place. And yet I go to a place with a very delicate population which needs 24-hour a day supervision, and I find no one. I find this hard to imagine.

I want to cover all these points, since my time is short here.

I feel that both of these facilities -- and I speak about these facilities mainly, although there are several in town, because I've had to look at these every day -- they've affected my business. I've had to explain to my guests, who have told me, "Karen, we like you. We like things of Ocean Grove. We love your place. We had a great time. But my husband was approached twice yesterday by a prostitute on the street. We have been asked for money. We have walked by the Grand Atlantic on our way back to your hotel, and we've had people curse at us and say things. And we've seen people urinating outside the front porch."

Now, this is our main avenue of this beautiful town, one block from the beach, where tourists come back and forth every day through most of the year.

I find that it should be regulated. I'm not sure by the State or local. I don't really understand all the processes, and they've been very confusing, quite honestly, to me as I've observed things over the years.

I feel that the owners of these facilities -- it should be mandated they should be forced to pay for medical people, first of all -- positively, medical people -- and some type of counseling individual. As this man had died because of

the fall -- he was suicidal -- perhaps if this man had had somebody to talk to, somebody to listen to what he had to say, that individual may still be here today, and maybe on the road to being healthy.

I wrote a letter and put it in our local paper -- just to let you know the mentality of the type of individual running these particular operations -- I put a letter in the local paper two weeks later. I was so upset about this man dying, I really couldn't write it, and it took me two weeks. And I put a letter in basically saying, you know, "Who's driving the bus here? How is this allowed to happen with no supervision, and this man is allowed to make a large sum of money every month?" Well, my life and my property were threatened 24 hours after that letter became public. I shouldn't have to live like that because I care.

I have a wonderful business. All of you are invited, if you're walking down Main Avenue, which I think would be a good idea today, to stop in at any time today and see my business, and see what kind of an operation I'm running. There are many people in Ocean Grove that truly care, are trying to run legal businesses and attract wonderful people to the town. We do not object to a few deinstitutionalized persons being in our town. It's a loving, compassionate community, and I think we have accepted this far longer than most communities would have.

But I believe we've been taken advantage of, to the point where many wonderful people in businesses have gone bankrupt, have had to leave. And this is not fair. We are a tourism community.

I don't understand this role. All of this money coming in -- tourism dollars -- into this town, and another Department of this State putting deinstitutionalized persons and parolees, and on and on. There is also, you might want to know, in this one hotel -- the Grand Atlantic -- besides having

deinstitutionalized persons which were primarily men, four years ago, about-- Charlie Brown is here. He would probably know the information more than I. But I notice there were, like, a few women. Now, we are all intelligent people in this room. I can't imagine having 80 men who are not supervised at times -- 80 or 60, I guess it varies -- who are not always taking their medication, and you put two or three women in a situation like that. You're going to have a problem. I never understood how that was allowed.

Plus there are also MICA people in there, which are medically ill, chemically addicted persons. Also there is an overlay of criminal activity, and that doesn't go.

I also believe that these people have put a tremendous burden on our police.

ASSEMBLYMAN CORODEMUS: Let me ask you a different question, if I may?

MS. MASON: Sure.

ASSEMBLYMAN CORODEMUS: Since the Task Force is trying to focus on inspections with the State and how that works with the locals-- You're an operator with your own facility. What is your experience with your facility with regard to State inspections?

MS. MASON: Okay. I was going to get to that, but I'll do it now.

I have had State inspectors in who have really nit-picked over tiny little details, and have told me that I had to take care of all of these little things within 60 or 90 days or I wouldn't be allowed to operate. And, of course, being a person who wants to do everything by the law, and I really do care about the safety of my building--

You know, at times it was a hardship on me because I had to find those moneys to make these repairs, oftentimes off-season. I'm one of the few hotels that's open all year long, and I have to tell you, honestly, it is very difficult

through the winter months. You know, I have been very tempted at times, "Well, maybe I'll just take a few welfare people." But I won't, because once I start, then I'm stepping over that line, and it's very important to me to run a place that really meets what I call the standards of a community going forward. I think this is really important, so I haven't done that.

But when I see a person right across the street from me who is hurting my business-- I don't even know in dollars what I have lost over the last seven-and-a-half years. I'm actually not sure I even want to compute that. I watch him making money, and all of these violations which are obvious-- I'm not a code enforcement person, but I see violations going on on every level every single day of my life, and watch people leave my place and tell me that they're never coming back because they don't want to be harassed any longer.

ASSEMBLYMAN CORODEMUS: Karen, thank you for coming. I beg your indulgence. We're going to move on the witness list.

MS. MASON: Excuse my emotions. It's been an emotional thing. Thank you.

ASSEMBLYMAN CORODEMUS: No. It's a very emotional subject. Thank you. (applause)

Can I have Jennifer S-I-R-O-I-S. (no response) Okay, she's not here. Jennifer Boyd is here, I know.

Jennifer, you're on.

JENNIFER BOYD: My name is Jennifer Boyd, and I'm President of the Ocean Grove Home Owners Association, who, as some of you know, has been very active in documenting what we consider to be the abuses of the boardinghouses in Ocean Grove, to the point where we've made maps and shown little narrow streets with 30 single-family homes, and 80 licensed beds, all of which have people who have been diagnosed with psychiatric problems living on a little one-block street in our community. Another corner -- Main Avenue -- 101 licensed beds by the

Department of Community Affairs right in the center of our business district, most of which are occupied by people with psychiatric problems.

I don't think this works at all. (referring to recording microphone)

ASSEMBLYMAN CORODEMUS: It's not an amplifying mike. It's just for recording on the tape recorder.

MS. BOYD: Okay.

Basically, I'd like to think that in 100 years the people of this State and the people of this country will look back upon the late 1980s and '90s as the time when the paradigm changed. The little house of cards called deinstitutionalization fell apart, and people finally woke up and realized that, "No, this was an hypocrisy," and deinstitutionalization was actually reinstitutionalization as Mayor Gross has described.

The people of New Jersey have been very content in isolating all of the responsible parties who have been very big in promoting the segregation of the mentally disabled in shore communities and in our urban areas. There is no housing policy in this State, and people keep on talking about it. But until the State recognizes the fact that it is participating in a segregationist policy; that it has enabling legislation that could have prevented this that it scoffs; and that it's shore communities simply because they have these large, antiquated Victorian hotels are not the appropriate venue for emptying the State's psychiatric hospitals-- Until that general awareness -- okay, that large overview of what is actually occurring in the State occurs, I really don't have much hope for the function of such panels as yourself, because you're too isolated. You're confining your issues so much.

I would just like to inject what my overview, at least, is of this. Hopefully you're part of a process that will kind of, I would hope, dismantle the placement of mental

patients in large unsupervised facilities anywhere. I would hope you would become advocates for the genuine mainstreaming of this population into communities throughout the State.

That's my hope. But be that as it may, I do have something from something called, "An Outline for Social Impact," statement, which I have shared with Assembly Committees, and I think it is maybe a beginning, if you would consider this, a point system similar to the Division of Motor Vehicles.

When people drive a car, you realize they do take their life and other peoples' lives in their hands, so also does a boardinghouse operator. The Division of Motor Vehicles, I think, has streamlined the process of having cause and effect. In other words, if you are a perpetual offender, you do eventually receive a consistent punishment, which is ultimately the revocation of the license. I would hope the elimination of unscrupulous operators and substandard facilities would be the end result of your work.

This is the outline: To receive a license to run a boardinghouse, and additionally, to be funded with State and Federal grants is a privilege similar to a driver's license. When a driver is caught driving drunk or running red lights, he's given points and his license can be revoked. Similarly, the Department of Community Affairs could set up a point system to simplify the prosecution of unscrupulous operators. This could eliminate the two-year wait for administrative hearings, and would obligate the judiciary to give consistent treatment to all offenders.

Would the DCA consider such a system? Evaluate the benefits: timely arbitration, a cost saving in legal expenses, consistent assignment of penalties, and a clear-cut case for license revocation.

I don't believe that ultimately the State of New Jersey wants to be utilizing boarding homes as they have at the shore resorts. I can't believe that. What we have seen is a

very cynical privatization of mental health in this State and in our community, which has totally removed the human component from the lives of people who used to be State wards. By splitting up the DCA, human services -- because human services is at the core of this -- you're just basically cutting off the head from the body politic.

I don't know. I was told that the heads of those organizations-- At a private meeting, I was told that they very seldom meet and discuss these issues.

Another aspect of this which is, I don't believe, cosmetic -- because hopefully we could eventually regain a healthy tourist economy -- is our architecture. We're a national and State historic district, and yet continually the boarding homes with State money destroy their facade, run fire escapes right up the front, tear out windows and moldings, and basically institutionalize themselves with our taxpayer' money, without going through the proper hearing. The Department of Community Affairs is supposed to have approval from the Historic Sites Commission of this State, because that is State money being used to alter and impact on a national and State historic district.

They haven't done this, and it was only with a huge amount of pressure we got it done with one of our buildings, but they continue to ignore this provision of the law. This really bothers me.

New Jersey has a Mortgage Finance-- There's another example. You've got your head off from the body, because here you have an organization that is doling out grants right and left within a national and State historic district, a tourist area. They're giving grants to totally alter the makeup of the community without any kind of guidelines as to compliance with code, without even wanting to see that little slip of paper from Historic Sites assuring them that this will be done correctly, because no one is talking to anyone else, and no one is thinking here with their heads.

You know, there shouldn't be grants for the development of boarding homes in State historic districts in my opinion, and there shouldn't be any grants in oversaturated communities. Asbury Park and Ocean Grove should not be developed anymore in this manner. Au contraire, New Jersey Housing Mortgage Finance should now turn around and develop a program for the hotels and the resort aspect of Asbury Park and Ocean Grove. And they should be looking for -- forcing or providing, let's say providing -- carrots with their grants. In other words, our grants are available, but they're only available in communities where there is no housing of this sort. Why isn't that a provision of New Jersey Housing Mortgage Finance?

ASSEMBLYMAN CORODEMUS: Jennifer, may I ask you a question? You've been involved with this over the years. Have you ever had the opportunity to get the Department of Health and Human Services and the Department of Community Affairs into one room, under one roof, and put these questions to them and ask why there is a breakdown, why there is a lack of coordination?

MS. BOYD: No. The only meeting that I attended was last year in Trenton, with Human Services. That's the meeting at which they admitted that they don't -- the heads, the upper echelon of those two agencies, they told us, do not meet, that it's always the underlings, who are not policymakers.

So in other words, this conflict of policies and conflict of institutions isn't even being discussed.

ASSEMBLYMAN CORODEMUS: It's conflict avoidance. Is that what's going on here?

MS. BOYD: Well, I mean, to be utterly cynical about this, I think the State wants to save oodles of money closing their psychiatric beds down, and as long as they close their eyes and pretend ignorance and have a structurally dysfunctional governmental agency, they can do it. But once

they are forced into a recognition of the ultimate meaning of their actions, I don't see how they can proceed to allow it.

ASSEMBLYMAN CORODEMUS: It's becoming apparent to me, and perhaps all the other members and the people who have been at these hearings before, that we keep taking people out of an institutional setting into the community and looking to recreate the whole institutional setting all over again, without calling it an institution.

MS. BOYD: And without providing any of the help or assistance. I mean, I truly believe that with all of the money -- \$25 million spent on boarding homes since this Boardinghouse Safety Program was enacted, \$25 million-- If anyone could possibly calculate the loss of revenue from the tourism that's been assassinated by that Program, and then on the other hand, if you could look at the agencies in this State -- and there are some private, nonprofit agencies that are struggling to find funding for decent housing, that genuinely mainstream the mentally disabled -- we could have had a functioning system of small homes that would have been totally invisible in the community. I believe with that \$25 million we could have gone a long way to remedying this, rather than creating what is--

I promise you that ultimately this is going to fail. The boarding homes will burn or they will be so disgraced -- this whole system will be so disgraced -- that the State is going to have to be forced to do something else. But in the meantime, you're throwing money -- our taxpayers' money -- at something that is destroying us.

So there is deep resentment for the way this whole thing has gone down. I would just-- Ultimately, you are going to have to bite the bullet.

ASSEMBLYMAN CORODEMUS: I think you're correct in the assessment of this Task Force in that we will not be able to resolve the problems here in Ocean Grove. I think perhaps our Task Force will meet and make a recommendation that no matter

who enforces these laws, we will never be able to successfully recreate an institution within a boarding home or a hotel atmosphere in a tourist community.

I thank you for coming today.

MR. VAN CAMPEN: Just one question, Jennifer. In your opinion, is the DCA promulgating this experience?

MS. BOYD: Has the DCA promulgated the experience?

MR. VAN CAMPEN: Are they promulgating it? Are they making an umbrella for all this to happen? Are they sanctioning this particular activity through this inspection process, through this look the other way concept in terms of how they do business?

MS. BOYD: You know, to me, the proof is in the pudding, and what you see is what you get, and all those other cliches. I mean, what do we have here?

MR. VAN CAMPEN: Well, I guess the point is that it is here, and the question is: What is the remedial solution? If it is going to be the DCA, what would you expect them to do?

MS. BOYD: I think, reading the Rooming and Boardinghouse Act, that there is plenty of ammunition in that to close down most of the boarding homes in Asbury Park and Ocean Grove. I mean, really, don't you think, Mr. Smith, rather than give \$850,000 to the Asbury Carlton-- Have you looked at that facility? You can't breath the air in that facility the smoke is so thick. I believe they have the ammunition right now to clean up the boarding home industry and to eliminate the unscrupulous operators, but they don't. So perhaps this Committee should focus on some type of empowerment, or point system, or streamlining, or what have you, to make enforcement less de rigueur, mandatory, whatever. I do think there are some teeth there. I'm not an authority though; I don't know.

For instance, with the Historic Sites Commission, we were entitled to that. We don't get that here. We're still

not getting it here. These boarding homes, which were quaint hotels, look like institutions now. They hurt us.

We're not getting that. The DCA just thumbed their nose at us, and they continue to thumb their nose at us about that. But that was in place. You can keep writing all the laws that you want. I would think the focus of this Committee has to be figuring out a way to force their enforcement, to absolutely make enforcement mandatory, and then I do believe the boarding homes will become obsolete.

MS. DAUB: Mr. Chairman, I have one question. Jennifer, do you see, as Gene Marks has said earlier in his talk, and the Mayor has as well, that perhaps local government should oversee these boardinghouses and be the ultimate say unless there were something that would be extremely precarious, and it might have to be taken to a higher authority? Do you think putting it in the hands of the community--

MS. BOYD: Well, you know, we have all supported the Palaia bill -- the so-called Palaia bill -- and we're hoping for its override, because I do believe that within that--

For instance, you have the State enabling legislation. I call it State enabling legislation that has set limits of population density and all. That's within that bill.

You also have-- You know, the community is closest to this, and the community would more carefully monitor. Plus, it doesn't cost the State anything. I don't understand why the Governor vetoed it. It couldn't have been money. It must have been something else.

But I think it's in the best interests of the community to make sure these facilities are safe. So, of course, the community is going to have an interest.

The DCA has failed so miserably here, I don't believe they should be given a second chance. I'd like to see it taken away from them, I really would, or a total restructuring to have it be a responsible organization again.

ASSEMBLYMAN CORODEMUS: One quick question left.

MR. BAKER: Yes. You drew an analogy with regard to motor vehicle violations--

MS. BOYD: Yes.

MR. BAKER: --which are adjudicated on a local court basis. Do you believe that the violations which exist in your community should be adjudicated through local courts, as opposed to this appeal process that goes through the DCA and thus to an administrative law judge?

MS. BOYD: Well, I-- You know, actually, in this instance I would think local control is ideal, and it wouldn't be half bad. I do like the idea of a point system, because what we see here -- there is no punishment; there are just little slaps on the wrist. But there is no ultimate punishment for allowing a building to remain substandard for the rest of all time, so we're never going to see an improvement until-- I think a point system is a really good idea because that way you realize, you know, "Uh-oh, I better clean up my act, or else."

Some of these are minor infractions, but believe me, the people who are having to live in these facilities are degraded by these minor infractions, like the little smoke alarms in the rooms that don't work.

I mean, it's minor, major, what is it? It's not going to close a facility down if that little portable smoke alarm doesn't work, which I believe three-quarters of them didn't work in the Marlborough Hotel. That's a minor infraction, but if that represented one-fourth of one point and it went on for five years, it wouldn't be minor anymore, and it isn't minor to this community.

So what I'm saying is, maybe you have to look at minor infractions and figure out a way to, over time, make them major.

ASSEMBLYMAN CORODEMUS: Jennifer, thank you very much.

MS. BOYD: Thank you. (applause)

ASSEMBLYMAN CORODEMUS: Caitlin? Is Caitlin Wood-Yesline here?

C A I T L I N W O O D - Y E S L I N E: Yes.

ASSEMBLYMAN CORODEMUS: Is that the correct pronunciation?

DR. WOOD-YESLINE: Yes.

ASSEMBLYMAN CORODEMUS: I knew Caitlin was, but Yesline.

DR. WOOD-YESLINE: Oh, Wood-Yesline. Yes, it is. Dr. Wood-Yesline.

I'm here today representing the Ocean Grove Coalition, and I have a prepared statement to read.

Several months ago representatives from a number of community groups met at the invitation of the Camp Meeting Association to discuss concerns we all share about our town and its future. The Ocean Grove Coalition began at that meeting. Representatives from the Camp Meeting Association, the Ocean Grove Chamber of Commerce, the Ocean Grove Homeowners Association, the Ocean Pathway Association, the Fishing Club, the Ocean Grove Historical Society, and the Condo Association have been meeting since then to delineate the problems facing Ocean Grove and to try to find some solutions.

We really have two. The first problem we're addressing is the oversaturation of the deinstitutionalized patients here in Ocean Grove. Many years ago, we believe the State took advantage of our hotel and rooming house stock, and our lax local enforcement of use variances to reinstitutionalize these patients into high-density substandard buildings here in Ocean Grove.

By recent ordinance, as you just heard Mayor Gross say, the boarding home beds have been capped at 380, which we believe is still far too many for our small community. It may interest you to know that in Ocean Grove, a town listed on the National Historic Registry and the New Jersey Heritage Trail, we have approximately 500 beds available for tourists and 380 for the deinstitutionalized, making housing the

deinstitutionalized our second biggest industry. It's also important to note that this number of 380 does not take into account the hotels which are now illegally operating as de facto boarding homes.

The people we are concerned about are those people who are obviously incapable of caring for themselves. It is just as obvious they are not being cared for by the people who are being paid to do this. You've certainly heard stories that bear this out today. We demand that the agencies responsible for this experiment in deinstitutionalization do something about it.

Our next area of concern is that of the building inspections and code enforcement. After meeting or corresponding with representatives of Neptune Township, Monmouth County, the Department of Mental Health, DCA, Senator Bradley's office, Congressman Pallone's office, and others, we find that there is a great deal of confusion in this area of inspection and code enforcement. No one knows whose responsibility this is.

We applaud our township for following our lead and initiating the recent closure of a substandard boarding home amid this confused jurisdiction, but that is not enough. We demand a joint effort between the State, the County, and the local government to determine licensing, inspections, and enforcement jurisdiction, and we demand this be done before there is a major fire or health catastrophe in our community.

Before you ask the question, yes, we do believe that the DCA is in a large part responsible for this, and we do also believe that local jurisdiction is the only thing that will fix it.

Thank you.

ASSEMBLYMAN CORODEMUS: Thank you very much.
(applause)

Sharon Bono? (no response) Is Sharon with us?

UNIDENTIFIED MEMBER OF AUDIENCE: Sharon left.

ASSEMBLYMAN CORODEMUS: Okay. Jeff Wood?

J E F F W O O D - Y E S L I N E: My name is Jeff Wood-Yesline. I operate a business and I reside in Ocean Grove.

ASSEMBLYMAN CORODEMUS: You have to speak up, sir.

MR. WOOD-YESLINE: I operate a business in Ocean Grove, and I also reside here for the past seven years.

In order to speed the time here, I just want to make one basic point. I understand from your introductions that most of you are involved in the physical plants of buildings, hotels, and whatnot. Perhaps that's what the main emphasis of your Task Force is addressing, but I'd like to also introduce another point which I think is being overlooked in the enforcement and inspections of the boarding homes, and that's the human element of the residents who live in these places.

In order not to be anecdotal -- and we could all in this room -- residents of Ocean Grove -- tell you horror stories of deinstitutionalized people throughout the town -- if you would allow me to give you a firsthand report of some individuals who I know personally reside in boarding homes, and what they told me goes on, I think you'll see that interviewing these individuals who live there might be a part of the inspection that's being overlooked.

These are firsthand. This isn't hearsay. These are people who I have spoken to and have told me these things. It's easily found. These people would be glad to speak to anyone from the State or anyone else. I don't know, maybe they have.

One of the things is the money that's involved through the State or whatever for their care. I understand there is supposed to be some personal allowance given to these individuals. That's not always the case. I don't know what the rent structure is for living in the boarding homes, but I

know for a fact that some people who get more, of course, pay more. I don't know that that's reasonable or within the law. I don't know.

But money seems to be a big point. There are many people who feel cheated out of personal moneys that they have for their personal use. People who want to leave one facility to go to another because of problems or whatever are told that they can't because they are paid up for the month. They can't leave, and they can't be transferred somewhere else. One individual who asked questions -- or asked for an upgrading of facilities -- was told to be quiet or they would be committed to one of the crisis centers.

There are definitely drugs and drug problems because of a mixed population of deinstitutionalized and other elements living in these places. There is prostitution that does go on.

The medication: I don't know if it's monitored or not. I had personal witness of an individual who showed up at the front door of a boardinghouse this summer as I was walking past, and was screamed at and told that he missed the medication time by 15 minutes, and that they were not going to give this individual the medication. I don't know if that individual did eventually get it; I don't know. I don't know if that medication was for psychotropic medications; I don't know whether it was for a heart ailment or diabetes or what. But that person on the front steps of that hotel was told that they would not be getting their medication because they missed the time.

There are thefts that go on. There is no security within the buildings. Food is suspect. I know of someone who lives directly behind a boarding home here and hears screams during the night -- reportedly of a female -- and then muffled noises going on night after night.

I don't know what's going on in these places, but I think it would be incumbent upon the inspecting agencies to not only look at the sprinklers, which are all very important, and

the building codes and everything else. If there isn't a mechanism to interview these people away from the owner also, because there are definitely obvious problems that could develop for the individual with the owner/operator or the management. Something has to be done to interview these people directly. I would hope that if it's not in the law somewhere-- I don't think it's being done. I can't imagine anyone being told these stories by people could not inspect and ask further -- not look at their individual room, not show places that have been cleaned up for an inspection.

I think that human element has to be written into some of these inspections if it isn't already. I can't believe-- If it is written in there, it's not being enforced.

Where is the money? Is there ever auditing done by the State for individuals who are put there -- placed there -- and an operator being paid to house and feed them? Where does that money go, or is there an auditing process?

These are some of the questions, quickly, that I'm asking. I hope it will be a part of not only your physical inspection process of these places, but also the human element.

I invite you all, if you haven't been here before, to please take some time this afternoon and go through our town. It's quite lovely. And perhaps you can look at some of the places that aren't so lovely, and find out where our sentiments are coming from.

Thank you very much.

ASSEMBLYMAN CORODEMUS: Thank you. (applause)

I'd like to thank everybody for their cooperation in testifying today. I don't like to move people along in their testimony, but given the time constraints it was necessary.

This Task Force will not and cannot accept the way in which the administration, particularly the Department of Community Affairs and the Department of Health and Human

Services has acted in this glaring, uncoordinated fashion. We won't let them play out in the safe zone where they'd like to be. We're going to rein them in.

I'm really impressed with the recommendation of the point system. I like the idea of revamping the whole inspection system, because we have a really aberrant situation here. The rooming houses and the rooming housing laws were never designed to address this type of problem. The hotel and the hotel regulatory guidelines were never meant to address this type of problem, and it's gone too far in the wrong direction. We have to bring it back to where it should be.

I ask and implore all the Task Force members here to take to heart the testimony they heard today, to make recommendations to the Chair prior to the submission of their final report.

I'd like to thank everybody for coming out here. All these members here are not salaried people. These are all people who come here on their own time at their own expense. They leave their businesses and families to come to the hearings. I'd like to thank each and every one of you for coming out again today, and for listening to this.

Assemblyman Smith?

ASSEMBLYMAN SMITH: As a result of hearing all these complaints and the litany of complaints that were heard this morning, it seems evident to me that such a situation like this has to come under local control. The only way that it can come under local control is the bill that we have sponsored, so that the locals do have some say as to how many rooming and boardinghouses, and how many people are put into any given location.

Unfortunately, the State of New Jersey did not prepare a lot of localities for this type of operation. When they started the 450 Plan, and when they started releasing the people from Marlboro or from any other institution, and in

fact, even from out of the State they come to Asbury Park-- We have people in Asbury Park who come out of New York, and they come out of Philadelphia. There is no mechanism there to control this except for local control.

Local control must come into play on this, and the only way that we can do this is with this bill. If we possibly have to amend it, we will amend it, because that's the important thing. You deal with it every day. The State does not deal with it every day, so therefore, you should have some say as to what happens in your community. It's your community, and I strongly believe in local control. (applause)

ASSEMBLYMAN CORODEMUS: Although I'm anxious to amend our bill, the first thing we have to do is override the Governor's veto when we get back in session.

Yes?

JENNIFER SIROIS: I'm sorry. My name is Jennifer Sirois. I was here--

ASSEMBLYMAN CORODEMUS: I'm sorry. We called you.

MS. SIROIS: Is it over?

ASSEMBLYMAN CORODEMUS: It is, but we'll let you stand from where you are for one minute to tell us--

HEARING REPORTER: Mr. Chairman?

ASSEMBLYMAN CORODEMUS: Yes.

HEARING REPORTER: We may not get--

ASSEMBLYMAN CORODEMUS: Okay. Why don't you come up here, Jennifer. We called you. I'm sorry you weren't able to be with us earlier.

MS. SIROIS: My name is Jennifer Sirois, and I reside at 24 Central Avenue. Please excuse my lateness. I'm in the Army Reserve, and I just got back into town from my drill weekend.

What I would like to tell you about is the story of my family, which has owned and operated a family-run business through three generations one block from this location. It has

operated a hotel since 1901, when my great-grandmother bought it. We've operated that hotel, and it's been a fine establishment and it's been a quality inn until 1986. At that time my grandmother died and my mother could not afford to put the money into the hotel that it would take to bring it up to the codes, which all hotel owners must abide by, number one. Number two, we didn't feel it was a wise investment at that time seeing that the town is the way it is.

Now, the block I live on is truly a remarkable block. It's part of the Grand Promenade of the Ocean Pathway leading to the auditorium. My particular block is dotted with four establishments that in the past six months have accrued about 200 police calls between them.

Interspersed between these boarding home and three hotels which have such a high rate of crime and drugs and prostitution, you have legitimate hotel owners and operators who cannot earn a living. These folks have been trying to eke it out for the past several years during this problem, and it's just become unbearable. One owner/operator can't open her hotel, and the other one is at capacity, which is greatly diminished. It's just very difficult to earn a living.

I would like to take charge of my family-owned business again, and get it operating and get that block back on track, but we can't do it. And I'm not going to take my hard-earned money to bring my hotel up to code when all of these other folks don't.

Now, we do have a serious situation in this town. It's not deinstitutionalized; it's reinstitutionalized. I do not know -- and I will say this quite frankly -- if there are any types of codes that deal with the incredible warehousing of all these mentally ill patients. I would hope there would be something that this Task Force could enact to indicate to the larger body that you cannot move one hospitalized patient base into an old 150-year old hotel without any medical staff there to supervise them.

It has just ruined the economy of this town, and as a microcosm, it has ruined the economy of the particular block that I live on. I would like to see that turn around, and I implore you to help me do that.

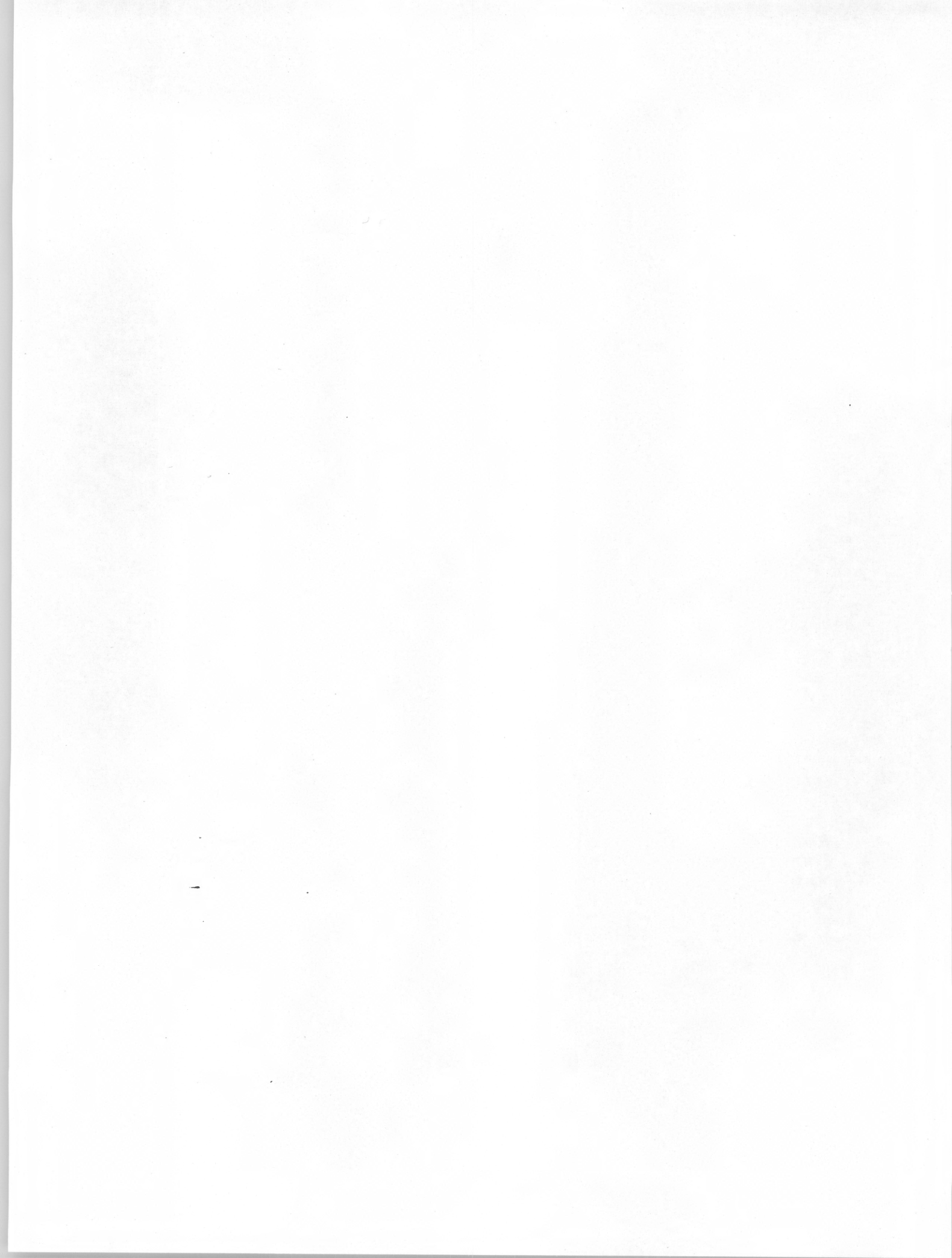
Thank you.

ASSEMBLYMAN CORODEMUS: Thank you. (applause)

Thank you very much.

(MEETING CONCLUDED)

APPENDIX





TOWNSHIP OF NEPTUNE

CONSTRUCTION DEPARTMENT

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CHIEF FINANCIAL OFFICER, COLLECTOR

July 8, 1993

Victor Baykal
Department of Community Affairs
Bureau of Rooming & Boarding House Standards
101 South Broad Street CN804
Trenton, New Jersey 08625-0804

RE: 19 Main Ave Ocean Grove
21 Main Ave Ocean Grove

Dear Mr Baykal

It has been brought to my attention that the above mentioned buildings have been operating without a owners license or operators license for the past few years.

Would you kindly check into the status of this complaint and inform me when you plan on closing these structures.

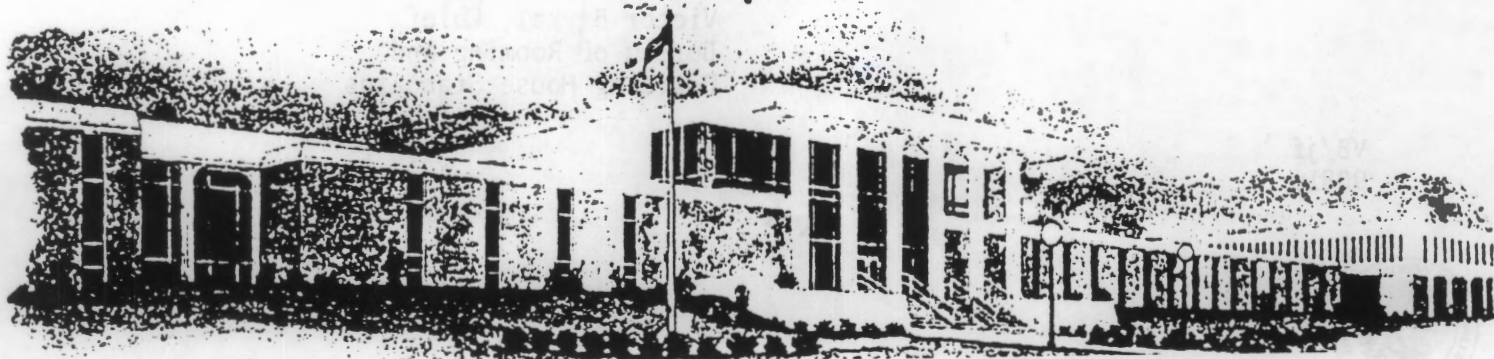
If you have any questions on this, please do not hesitate to contact me.

Very truly yours

Gene R. Marks Sr.
Construction Official

CC: Senator J. Palaia
Assemblyman Tom Smith
Assemblyman Steve Coredemus

lx





State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF CODES AND STANDARDS
BUREAU OF ROOMING AND BOARDING HOME STANDARDS



JIM FLORIO
GOVERNOR

LOCATION

WILLIAM ASHBY
COMMUNITY AFFAIRS BUILDING
101 SOUTH BROAD STREET
TRENTON, NEW JERSEY

STEPHANIE R BUSH
COMMISSIONER

MAILING ADDRESS

CN 804
TRENTON, NJ 08625-0804

July 27, 1993

Mr. Gene R. Marks Sr.
Construction Official
Township of Neptune
P.O. Box 1125
Neptune, N.J. 07754-1125

Dear Mr. Marks:

This is in response to your letter regarding the license status of 19 Main Avenue and 21 Main Avenue in Ocean Grove.

The owner of both facilities have applied for license after the properties were taken over from previous owner.

You have issued two inspection reports with violations to be abated by August 17, 1993 and August 22, 1993 respectively for each property.

Until these properties are in compliance, no license will be issued by the Bureau.

Please forward the results of your reinspections to this Bureau when completed.

Sincerely,

Victor Baykal, Chief
Bureau of Rooming and
Boarding House Standards

VB/jf
9081u

2x





TOWNSHIP OF NEPTUNE

CONSTRUCTION DEPARTMENT

P.O. BOX 1125, NEPTUNE, NJ 07754-1125

908-988-5200

FAX: 908-988-0062

JOHN O. GROSS, MAYOR
RICHARD B. MURPHY, DEPUTY MAYOR
JAMES J. MCGANN
PATRICIA A. MONROE
ELIZABETH A. SCHNEIDER

GENE R. MARKS, SR.
CONSTRUCTION OFFICIAL

ALAYNE M. SHEPLER
BUSINESS ADMINISTRATOR
RICHARD J. CUTTRELL, R.M.C.
TOWNSHIP CLERK
WILLIAM NIKITICH, CTA., ASSESSOR
MICHAEL J. BASCOM, C.M.F.O., C.T.C.
CHIEF FINANCIAL OFFICER, COLLECTOR

August 19, 1993

Ms. Denise Byrd
Department of Community Affairs
Bureau of Rooming & Boarding Standards
CN 804
Trenton, New Jersey 08625-0804

RE: 19 Main Ave Ocean Grove

Dear Ms. Byrd;

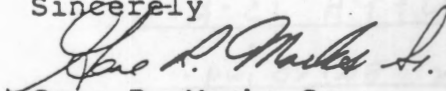
I did the re-inspection on this establishment 1 day after the compliance date. As I was doing the re-inspection, the owner was replacing batteries in the smoke detectors that were cited as defective 2 months ago.

This building still doesn't have a sprinkler system installed, that was mandated by the New Jersey Bureau of Fire Safety, as part of an agreement with that Bureau.

It is my recommendation that all licenses on this establishment be withheld and the building be vacated until all code requirements are met.

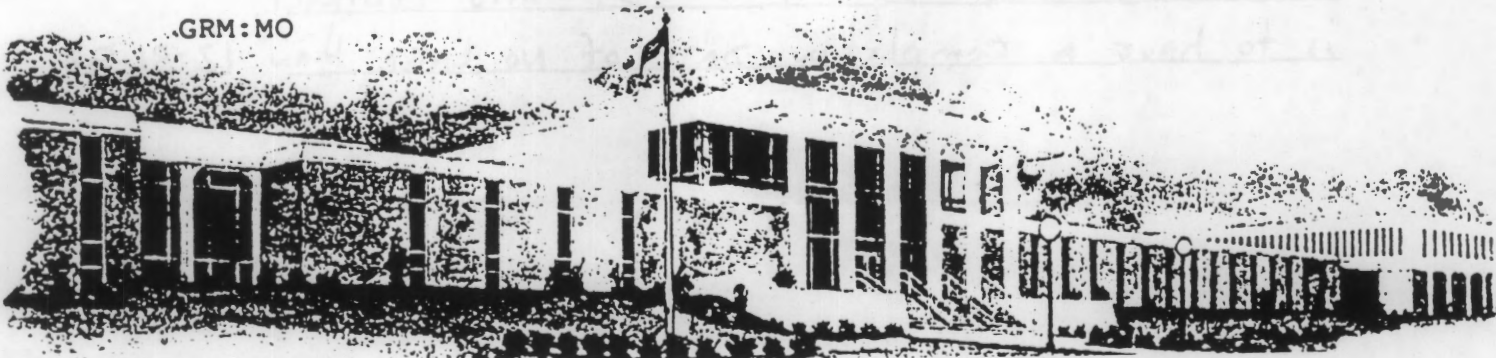
If you have any questions on this, do not hesitate to call me.

Sincerely


Gene R. Marks Sr.
Construction Official

3X

GRM:MO



SETTLEMENT AGREEMENT

OAL DOCKET #: CAF-10319-915

BFS APPEAL #: 765-91

REGISTRATION #: 1334-45993-001-01

Main Avenue House

v.

Bureau of Fire Safety

Barry A. Cooke
Name

Attorney
Title

for Petitioner.

Thomas M. Szymanski
Name

Supervisor of Compliance
Title

Bureau of Fire Safety.

The parties have agreed to a settlement of this matter. The terms are as follows:

1. Petitioner agrees to withdraw its hearing request.
2. This agreement has been entered into voluntarily by both parties.
3. Petitioner agrees to install a NEPA 13-R suppression system in the entire building.
4. Petitioner agrees to provide a copy of a signed contract by 7-1-93. This contract is to have a completion date of no later than 12-31-93

4x

SETTLEMENT AGREEMENT

OAL DOCKET #: CAF-10319-91

BFS APPEAL #: 765-91

REGISTRATION #: 1334-45993-001-01

5. Petitioner is to provide a copy of approved plans and permits to the Bureau of Fire Safety by 10-1-93

6. Petitioner is to have all work completed by 1-1-94

7. The Bureau of Fire Safety, upon re-inspection of the installation of the system, which has been approved by the local construction official, and abatement of the violation will reduce the penalty which was issued on 8-23-91 to \$500.00, which will be offered by a compromise letter issued after said abatement of the violation.

8. THE STATE AGREES TO BE BOUND BY THIS AGREEMENT AS SAME PERTAINS TO THE INSTALLATION OF THE REFERENCED FIRE SUPPRESSION SYSTEM AND WILL HONOR THIS AGREEMENT WITH ALL SUBSEQUENT OWNERS OF SUBJECT PROPERTY.

5x

SETTLEMENT AGREEMENT

OAL DOCKET #: CAF-10319-91

BFS APPEAL #: 765-91

REGISTRATION #: 1334-45993-001-01

PETITIONER

5-14-93
Date

Joan R. Clegg
Signature

JOAN R. CLEGG
Printed Name

OWNER
Title

BUREAU OF FIRE SAEFTY

5-14-93
Date

Thomas M. Szymanski
Signature

Thomas M. Szymanski
Printed Name

Supervisor of Compliance
Title

6x



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS

DIVISION OF CODES AND STANDARDS
BUREAU OF ROOMING AND BOARDING HOME STANDARDS

JIM FLORIO
GOVERNOR

STEPHANIE R. BUSH
COMMISSIONER

LOCATION:

WILLIAM ASHBY
COMMUNITY AFFAIRS BUILDING
101 SOUTH BROAD STREET
TRENTON, NEW JERSEY

MAILING ADDRESS:

CN 804
TRENTON, NJ 08625-0804

September 16, 1993

Mr. Gene R. Marks, Sr.
Construction Official
Township of Neptune
P. O. Box 1125
Neptune, New Jersey 07754-1125

Dear Mr. Marks:

Please be informed that this Bureau has received the violations report issued by you regarding 19 and 21 Main Avenue, Ocean Grove.

Attached are the penalty assessments and the procedure for compliance as specified by law which is self explanatory.

Sincerely,

[Handwritten signature of Victor Boykal]

Victor Boykal, Chief
Bureau of Rooming & Boarding
House Standards

ATTACHMENT:

VB:ct:9230u

7x



STATE OF NEW JERSEY
 DEPARTMENT OF COMMUNITY AFFAIRS
 DIVISION OF HOUSING AND DEVELOPMENT
 BUREAU OF ROOMING AND BOARDING
 HOUSE STANDARDS

File Reference # 1334C0009

Date: 09/16/93

Certified Mail #P 839 516 941

Compliance Officer Raymond Klama

MUNICIPALITY	STREET ADDRESS	COUNTY
Ocean Grove	21 Main Avenue	Monmouth
DATE OF COMPLIANCE: 10/16/93		TOTAL PENALTY: \$ 30,200.00
TO: Sea Phoenix Corp. c/o William E. Clegg 21 Main Ave. Ocean Grove, N.J.		<u>MAKE CHECK OR MONEY ORDER PAYABLE TO:</u> BUREAU OF ROOMING AND BOARDING HOUSE STANDARDS

COMMISSIONER'S NOTICE OF STATUTORY VIOLATION AND ORDER TO PAY PENALTY

You are hereby NOTIFIED, that you are in violation of Section 10 of the Rooming and Boarding House Act of 1979 (N.J.S.A. 55:13B-1 et seq.), which states:

"NO PERSON SHALL -

- (1) Obstruct, hinder, delay or otherwise interfere with, any action of the commissioner in the exercise of any power or duty under the provisions of this act;
- (2) Prepare, utter, or otherwise render any false statement, application, report or document which is permitted or required pursuant to this act;
- (3) Refuse or fail to comply with any ruling, order, notice or action made by the Commissioner pursuant to the provisions of this act."

You are ORDERED, pursuant to N.J.S.A. 55:13B-10(b), to pay a penalty within 30 days from the date of receipt of this order for violation of each order of the Commissioner with which you have failed to comply, Section 10(b) states:

"Any person who violates any provision of subsection (a) above shall be liable for a civil penalty of not less than \$50 or more than \$5,000 for each violation. Each day during which any person violates any such provision after the date fixed for termination of the violation in any order for termination issued by the Commissioner, shall constitute an additional, separate and distinct violation except during the time an appeal from such an order is taken or pending."

The total amount of your penalty is indicated above. The penalty hereby assessed is in addition to, and not in lieu of, all penalties previously assessed.

THE ABOVE PENALTY IS HEREBY ASSESSED AGAINST YOU FOR THE FOLLOWING REASON(S):

(3) Failure to comply with the Evaluation Report and Orders of the Commissioner Dated /Evaluation 6/21/93 and Re-evaluation 9/2/93

** Failure to comply with this order shall result in license revocation or denial, vacating of your facility, and court action in accordance with Sections 10 and 11 of the Act.

8X
 (see other side)

STATE OF NEW JERSEY
 DEPARTMENT OF COMMUNITY AFFAIRS
 DIVISION OF HOUSING AND DEVELOPMENT
 BUREAU OF ROOMING AND BOARDING
 HOUSE STANDARDS

File Reference # 1334C0008

Date: 9/16/93

Certified Mail #P 839 517 032

Compliance Officer Raymond Klama

MUNICIPALITY	STREET ADDRESS	COUNTY
Ocean Grove	19 Main Avenue	Monmouth
DATE OF COMPLIANCE: 10/ 16/93		TOTAL PENALTY: \$ 1,800.00
TO: Main Ave. House C/O Joan R. Clegg 35 Pinewood Ave Neptune, New Jersey		MAKE CHECK OR MONEY ORDER PAYABLE TO: BUREAU OF ROOMING AND BOARDING HOUSE STANDARDS

COMMISSIONER'S NOTICE OF STATUTORY VIOLATION AND ORDER TO PAY PENALTY

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- (2) Prepare, utter, or otherwise render any false statement, application, report or document which is permitted or required pursuant to this act;
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The total amount of your penalty is indicated above. The penalty hereby assessed is in addition to, and not in lieu of, all penalties previously assessed.

THE ABOVE PENALTY IS HEREBY ASSESSED AGAINST YOU FOR THE FOLLOWING REASON(S):

- (3) Failure to comply with the Evaluation Report and Orders of the Commissioner Dated Evaluation of 6/16/93 and Re-evaluation 8/18/93
- ** Failure to comply with this order shall result in license revocation or denial, vacating of your facility, and court action in accordance with Sections 10 and 11 of the Act.

TOWNSHIP OF NEPTUNE

CONSTRUCTION DEPARTMENT

P.O. BOX 1125, NEPTUNE, NJ 07754-1125

908-988-5200

FAX: 908-988-0062



JOHN O. GROSS, MAYOR
RICHARD B. MURPHY, DEPUTY MAYOR
JAMES J. MCGANN
PATRICIA A. MONROE
ELIZABETH A. SCHNEIDER

GENE R. MARKS, SR.
CONSTRUCTION OFFICIAL

ALAYNE M. SHEPLER
BUSINESS ADMINISTRATOR
RICHARD J. CUTTRELL, R.M.C.
TOWNSHIP CLERK
WILLIAM NIKITICH, CTA., ASSESSOR
MICHAEL J. BASCOM, C.M.F.O., C.T.C.
CHIEF FINANCIAL OFFICER, COLLECTOR

July 15, 1993

Denise Byrd
Assistant Supervisor of Evaluations
Department of Community Affairs
Bureau of Rooming & Boarding
101 South Broad Street CN 804
Trenton, New Jersey 08625-0804

RE: 17 Seaview Ave Marlboro Hotel

Dear Ms. Byrd;

I am writing this letter to you in regards to the above mentioned property and my re-inspection on July 15th 1993.

The conditions of this establishment have deteriorated vastly in the last few months.

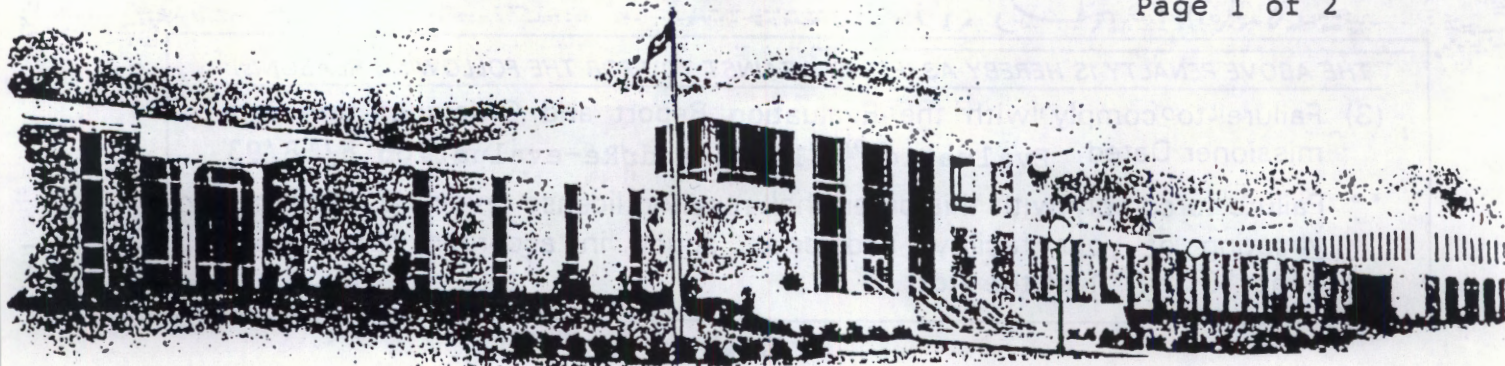
Only 22 of the 89 violations were corrected and they were very half-hearted in nature.

There are ceilings falling down on the residents of Rooms 26,28, and 42 and I feel that the residents of these rooms should be re-located.

It is my opinion that the maximum penalty be assessed against the owner for the violations that were not corrected, and the establishment should be closed until it is repaired to a sanitary and safe condition for the residents that reside there.

10X

Page 1 of 2





TOWNSHIP OF NEPTUNE

CONSTRUCTION DEPARTMENT

P.O. BOX 1125, NEPTUNE, NJ 07754-1125

908-988-5200

FAX: 908-988-0062

JOHN O. GROSS, MAYOR
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MICHAEL J. BASCOM, C.M.F.O., C.T.C.
CHIEF FINANCIAL OFFICER, COLLECTOR

Page 2 of 2

Also the lack of a kitchen suppression system has been cited for the last 4 years, but all we are told is that the establishment is in the fire safety loan program and nothing happens.

I feel that this is a disaster just waiting to happen and I hope that my concerns will be addressed as soon as possible.

Sincerely

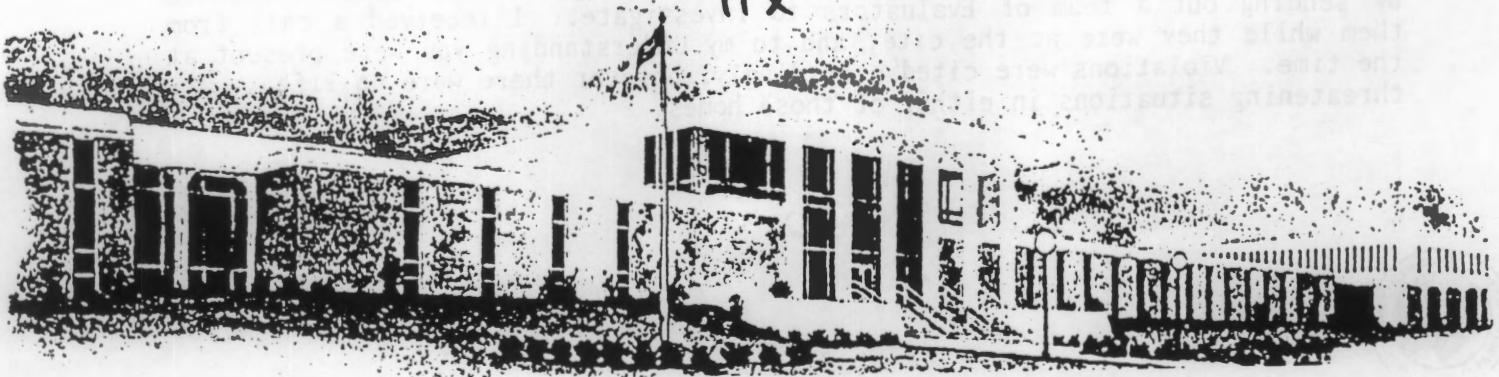
Gene R. Marks Sr.
Construction Official

GRM:MO

Enclosure- Violation Report

CC: Victor Baykal
Senator Joe Palaia
Assemblyman Tom Smith
Assemblyman Steve Coredeumus

11x





State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS

JIM FLORIO
GOVERNOR

STEPHANIE R. BUSH
COMMISSIONER

LOCATION:

WILLIAM ASHBY
COMMUNITY AFFAIRS BUILDING
101 SOUTH BROAD STREET
TRENTON, NEW JERSEY

MAILING ADDRESS:

CN 800
TRENTON, NJ 08625-0800

August 27, 1993

Gene Marks, Sr.
Construction Official
Township of Neptune
P.O. Box 1125
Neptune, NJ 07754-11225

Re: 17 Seaview Avenue
Ocean Grove

Dear Mr. Marks:

I am writing to you in response to your recent inquiry concerning the status of the Marlboro Hotel, 17 Seaview Avenue, Ocean Grove

I have reviewed your report in detail, I then selected both a Social and Physical Evaluator to go to the facility in response to your complaints. Based on their findings, there were no violations outstanding which constituted an imminent hazard. However, violations did exist and the evaluators cited accordingly and discussed those violations with the owner. As you indicated the facility is in the loan program for assistance with fire safety violations. May I suggest that you contact (H.M.F.A) the Housing Mortgage and Finance Agency to get further clarification of their status with the Loan Program.

In addition to 17 Seaview Avenue, you called in complaints of two other properties, 19 and 21 Main Avenue. You indicated both facilities yielded violations which constituted an imminent hazard. Again, the Bureau responded by sending out a team of Evaluators to investigate. I received a call from them while they were at the cite, and to my understanding you were present at the time. Violations were cited accordingly, however there were no life threatening situations in either of those homes.

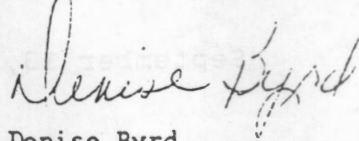
12x



If violations are not corrected upon reinspection, our decision as a matter of procedure is to refer the facilities to our Enforcement Unit for further action. I hope that our response to your complaints have addressed your concerns.

If you have any other questions, please feel free to contact me at (609) 633-6251.

Very truly yours,



Denise Byrd,
Assistant Supervisor
of Evaluations Unit

cc: Victor Baykal



TOWNSHIP OF NEPTUNE

P.O. BOX 1125, NEPTUNE, N.J. 07754-1125

908-968-5200

FAX: 908-988-6433

JOHN O. GROSS, MAYOR
RICHARD B. MURPHY, DEPUTY MAYOR
JAMES J. MCGANN
PATRICIA A. MONROE
ELIZABETH A. SCHNEIDER

ALAYNE M. SHEPLER
BUSINESS ADMINISTRATOR
RICHARD J. CUTTRELL, R.M.C.
TOWNSHIP CLERK
WILLIAM NIKITICH, CTA., ASSESSOR
MICHAEL J. BASCOM, C.M.F.O., C.T.C.
CHIEF FINANCIAL OFFICER, COLLECTOR

September 13, 1993

The Honorable Jim Florio
Governor of New Jersey
State House
Trenton, NJ 08625

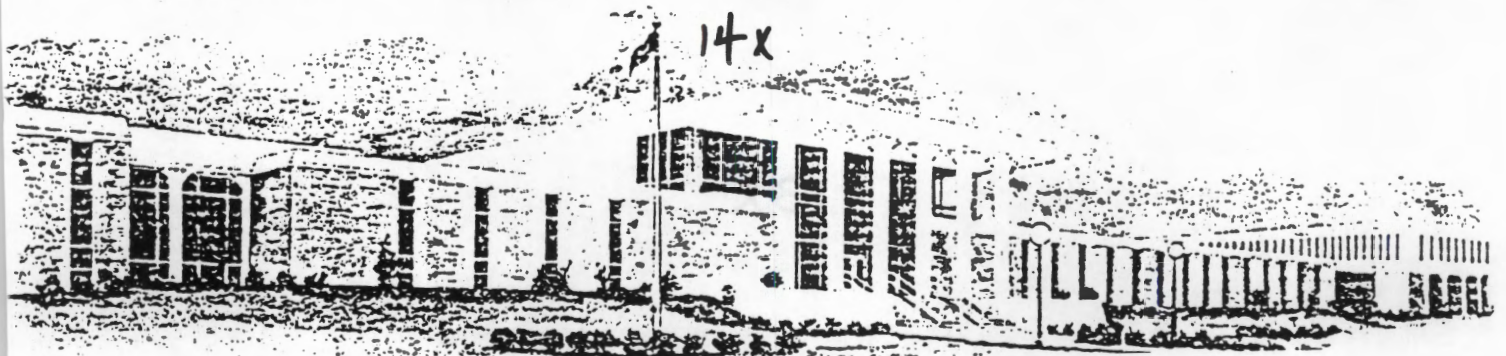
Dear Governor Florio,

It is with a deep sense of frustration and concern that I convey to you a situation that requires immediate attention of which the Department of Community Affairs of the State of New Jersey has clearly failed to recognize, or acknowledge.

The Marlborough Hotel is currently operating as a State licensed Rooming and Boarding establishment in the Township of Neptune. The Township's Construction Official notified Victor Baykal and Denise Byrd, Bureau of Rooming & Boarding Standards, of living conditions at this establishment which are so vile and unfit for human habitation that we at the Township were sure that once the Bureau saw these conditions, action would be taken to close this building down immediately.

We were absolutely appalled and horrified when after an inspection was conducted by the Bureau, a response was received from Ms. Byrd which basically indicates that violations did exist but were not an imminent hazard and that the Enforcement Unit would be notified if these violations were not corrected.

This is a situation in which the residents of this hotel are not being provided with living conditions that are even remotely acceptable. The conditions are nothing short of deplorable. How can we, as members of Municipal Government, ensure the health, safety and welfare of our citizens when we receive absolutely no support from the State of New Jersey.



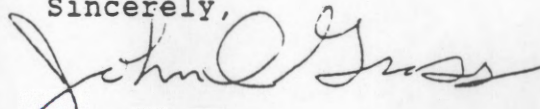
I invite Mr. Baykal, Ms. Byrd and yourself to come down to Neptune and spend a few days at the Marlborough Hotel. Mr. Baykal and Ms. Byrd have approved of the living conditions first hand so one can only guess that they would not have a problem staying there. Let me provide some of the "amenities" of the Marlborough: Upon entering, you will notice the carpet, so saturated with dirt and debris that the color is gone. Enter your room, but be careful not to hit your head on the ceiling that is falling down or get wet from the water that is seeping through from what ceiling remains. Freshen up a bit in the bathroom complete with mildew in the shower, a rotting floor, holes in the walls and broken tile. Need a little light? Don't pull the chain on the light fixture too hard as the fixture is hanging on by one screw and the wires are exposed. Next down to the dining area for your Supper. Assuming the date is September 7, this meal consists of two slices of cheese between two pieces of stale bread, a glass of "liquid" and a cup of chocolate pudding. In the kitchen where the food was prepared, you will see an oven full of grease and food from previous meals, cigarette butts and a bag of blood and hair on the food preparation table and trash and rotten food piled in the corner. If you are on medication and today was September 7, your pills would be selected from those scattered on a table and then dispensed by a dishwasher, since no manager is on duty.

Is this exaggeration? The pictures of all this and more are enclosed as proof. Is this what you deem as suitable living conditions for the residents in your State? Perhaps you are not aware of what the Bureau of Rooming & Boarding Standards deems as suitable. Perhaps you should find out and make sure you all are in agreement.

On September 7, the Township of Neptune served the Marlborough Hotel with a notice that unless these conditions were resolved in ten days, the establishment would be closed and its residents relocated. The taxpayers of Neptune Township will bear the expense because of the State's lack of concern. Can you and the Bureau of Rooming and Boarding Standards bear the guilt if before that time a fire or serious illness consumes these unfortunate residents?

All I am asking for is that logic and reason prevail. What will it take?

Sincerely,



John O. Gross
Mayor, Township of Neptune

cc: Senator Frank Lautenberg
Senator Bill Bradley
Assemblyman Frank Pallone
State Senator Joseph Palaia
State Assemblyman Tom Smith
State Assemblyman Steve Corodemus
Victor Baykal, Chief, Bureau of Rooming & Boarding Standards

- cc: Monmouth County Board of Freeholders
- Commissioner Stephanie Bush
- Monmouth County Board of Health

- Neptune Township Committee
- Alayne Shepler, Business Administrator
- Richard Cuttrell, Municipal Clerk
- Donald Beekman, Township Attorney
- Michael Bascom, Coordinator, Office of Emergency Management
- Gene Marks, Construction Official
- Joseph Vetrano, Code Enforcement Supervisor
- Kenneth Northrup, Fire Inspector
- Dennis Buckley, Mayor, City of Asbury Park
- Stephen Schueler, Mayor, Borough of Bradley Beach
- Ted Wardell, Mayor, Borough of Neptune City
- Jerry Hauselt, Mayor, Borough of Avon-By-The-Sea
- Kenneth E. Pringle, Mayor, Borough of Belmar
- Ann Y. McNamara, Mayor, Borough of Tinton Falls
- Wesley W. Jost, Mayor, Township of Wall
- Terrance D. Weldon, Mayor, Township of Ocean
- Asbury Park Press
- Newark Star Ledger
- The Coaster
- Ocean Grove & Neptune Times
- TV-34
- New Jersey Network
- Neptune Township Boarding Home Task Force
- Ocean Grove Homeowners Association
- Ocean Grove Chamber of Commerce
- Ocean Grove Citizens Patrol
- Ocean Grove Camp Meeting Association
- Ocean Pathway Residents
- Ocean Grove Board of Fire Commissioners
- Eagle Hook & Ladder Fire Company #1
- Washington Fire Company #1
- Stokes Fire Company #3
- Ocean Grove First Aid Squad

16X



TOWNSHIP OF NEPTUNE

P.O. BOX 1125, NEPTUNE, N.J. 07754-1125

908-988-5200

FAX: 908-988-6433

JOHN O. GROSS, MAYOR
RICHARD B. MURPHY, DEPUTY MAYOR
JAMES J. MCGANN
PATRICIA A. MONROE
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ALAYNE M. SHEPLER
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TOWNSHIP CLERK
WILLIAM NIKITICH, CTA., ASSESSOR
MICHAEL J. BASCOM, C.M.F.O., C.T.C.
CHIEF FINANCIAL OFFICER, COLLECTOR

September 23, 1993

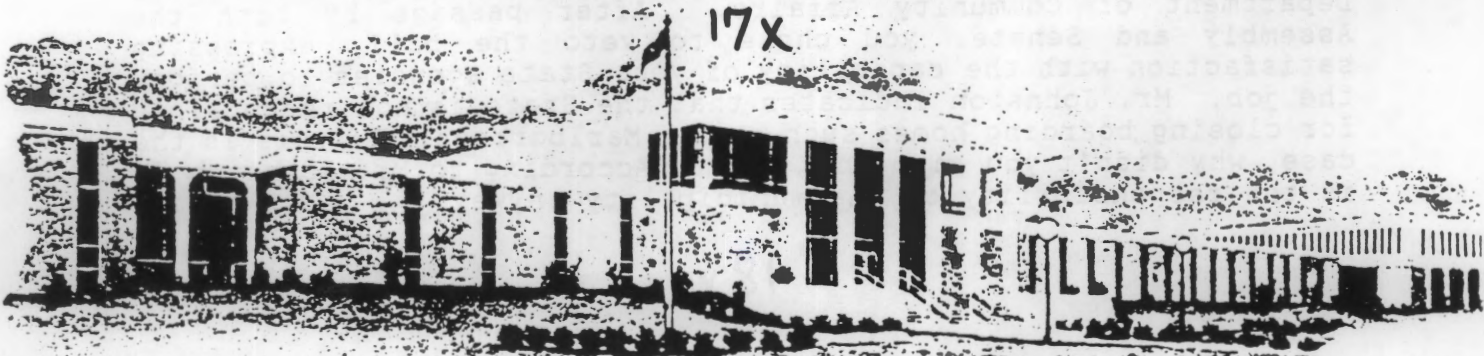
The Honorable Jim Florio
Governor of New Jersey
State House
Trenton, NJ 08625

Dear Governor Florio,

Ten days have passed since I made you aware of the horrific living conditions existing in the Marlborough Hotel, a Class C Rooming and Boarding Home licensed by the State of New Jersey, located in the Township of Neptune. Today, I can report that with the closing of the Marlborough, thirty individuals now have a place which they can truly call home, a place where they can get a warm meal, and a place where the walls and ceilings are not crumbling around them.

As much as I would like to report that the closure of this establishment was accomplished by efficient State inspection and code enforcement (the way it should be)...that is not the case. The Marlborough was closed by the Township of Neptune with the assistance of the Monmouth County Board of Health simply because basic common sense prevailed. Common sense...an attribute which the State of New Jersey has proven it knows nothing about. What else can explain the reason why the conditions I have described at the Marlborough were deemed to be acceptable conditions for a human being to live in by the Department of Community Affairs - State Bureau Rooming and Boarding Standards.

Your response to my September 13 letter was a phone call to me by a representative in your office. She was happy and proud to inform me that it was her understanding that the Marlborough was being closed today (September 22) and that the matter was resolved. When questioned, she was admittedly unaware of which agency was



closing the Marlborough. What efficiency on behalf of the State of New Jersey: informing the Mayor of Neptune Township what Neptune Township was doing to resolve this issue. I suppose that this in-depth analysis provided by your staff is the result of your "looking at not just this specific instance but the entire situation in a generic sense" as you stated on Monmouth Cablevision TV-34 on September 14. The response of your staff reflects the amount of concern you have allocated to this situation: little or none.

On September 22, the day the Marlborough was closed, TV-34 news featured the final meal at the Marlborough: cheese spread with live roaches which Marlborough employees attempted to discard upon the arrival of Neptune Township and Monmouth County inspectors. If you missed it, I can send a tape.

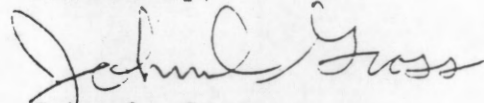
In the September 23 edition of the Asbury Park Press, Jay Johnston of the Department of Community Affairs was quoted as stating "It's really irresponsible for anyone at the local level to intimate that we (the State) are responsible". Mr. Johnston needs to be reminded that it is the State of New Jersey which licenses and ultimately is responsible for Class C Rooming and Boarding establishments. Mr. Johnston's Department walked through the filth and the dirt at the Marlborough and did nothing. So who is irresponsible is this instance? Perhaps someone should explain to Mr. Johnston what exactly the responsibilities of his Department are so that in the future he will not make an irresponsible statement about an issue he clearly does not comprehend.

The Marlborough is one of many rooming and boarding establishments that subjects their residents to intolerable living conditions. With the closing of the Marlborough, the problem has not gone away. Residents in the State of New Jersey and the Township of Neptune continue to live under these conditions. Neptune Township has begun to help by taking the initiative, and we will continue to do so. Are you ever going to even recognize that a problem exists?

Last year State Senator Joseph Palaia, 11th District, initiated a bill which would have authorized municipalities to license rooming and boarding homes, rather than the New Jersey Department of Community Affairs. After passage by both the Assembly and Senate, you chose to veto the bill, expressing satisfaction with the capability of your State agencies to perform the job. Mr. Johnston indicates that the State is not responsible for closing boarding homes such as the Marlborough. If this is the case, why didn't you sign this bill? According to Mr. Johnston it is the responsibility of the municipality anyway.

Obviously, the pictures of the Marlborough did not affect you any more than they did the Bureau of Rooming and Boarding Standards. Fortunately, the Township of Neptune has not lost sight of what is acceptable living conditions for its residents. We will continue to insist that the owners of rooming and boarding establishments in Neptune Township provide living conditions that meet acceptability levels dictated by common sense. The State of New Jersey may have their own standards, but no thanks, we will use our own. The former residents of the Marlborough can live with that, they could not with yours, can you?

Sincerely,



John O. Gross
Mayor, Township of Neptune

cc: Senator Frank Lautenberg
Senator Bill Bradley
Assemblyman Frank Pallone
State Senator Joseph Palaia
State Assemblyman Tom Smith
State Assemblyman Steve Corodemus
Victor Baykal, Chief, Bureau of Rooming & Boarding Standards
Monmouth County Board of Freeholders
Commissioner Stephanie Bush
Monmouth County Board of Health
Neptune Township Committee
Alayne Shepler, Business Administrator
Richard Cuttrell, Municipal Clerk
Donald Beekman, Township Attorney
Michael Bascom, Coordinator, Office of Emergency Management
Gene Marks, Construction Official
Joseph Vetrano, Code Enforcement Supervisor
Kenneth Northrup, Fire Inspector
Dennis Buckley, Mayor, City of Asbury Park
Stephen Schueler, Mayor, Borough of Bradley Beach
Ted Wardell, Mayor, Borough of Neptune City
Jerry Hauselt, Mayor, Borough of Avon-By-The-Sea
Kenneth E. Pringle, Mayor, Borough of Belmar
Ann Y. McNamara, Mayor, Borough of Tinton Falls
Wesley W. Jost, Mayor, Township of Wall
Terrance D. Weldon, Mayor, Township of Ocean
Asbury Park Press
Newark Star Ledger
The Coaster
Ocean Grove & Neptune Times
TV-34

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- cc: New Jersey Network
- Neptune Township Boarding Home Task Force
- Ocean Grove Homeowners Association
- Ocean Grove Chamber of Commerce
- Ocean Grove Citizens Patrol
- Ocean Grove Camp Meeting Association
- Ocean Pathway Residents
- Ocean Grove Board of Fire Commissioners
- Eagle Hook & Ladder Fire Company #1
- Washington Fire Company #1
- Stokes Fire Company #3
- Ocean Grove First Aid Squad



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TOWNSHIP OF NEPTUNE

P.O. BOX 1125, NEPTUNE, N.J. 07754-1125

908-988-5200

FAX: 908-988-6433

JOHN O. GROSS, MAYOR
RICHARD B. MURPHY, DEPUTY MAYOR
JAMES J. McGANN
PATRICIA A. MONROE
ELIZABETH A. SCHNEIDER

ALAYNE M. SHEPLER
BUSINESS ADMINISTRATOR

RICHARD J. CUTTRELL, R.M.C.
TOWNSHIP CLERK

WILLIAM NIKITICH, CTA., ASSESSOR

MICHAEL J. BASCOM, C.M.F.O., C.T.C.
CHIEF FINANCIAL OFFICER, COLLECTOR

October 8, 1993

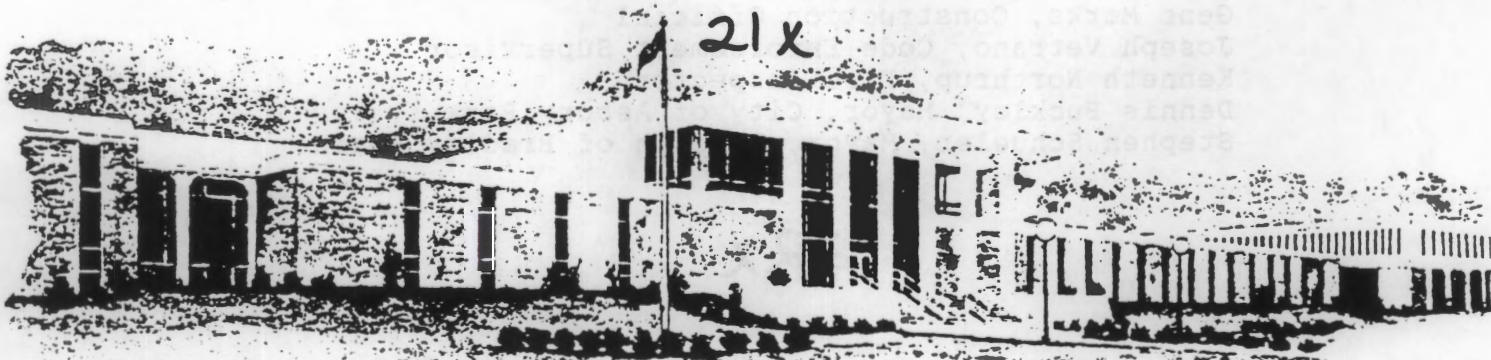
The Honorable Jim Florio
Governor of New Jersey
State House
Trenton, NJ 08625

Dear Governor Florio,

Through two previous letters, I graphically depicted the conditions of the Marlborough Hotel, a State licensed Class C rooming and boarding establishment in the Township of Neptune. As explained, the Township of Neptune took the necessary measures to close this facility after the New Jersey Department of Community Affairs - Bureau of Rooming and Boarding Standards witnessed these conditions but chose to allow the Marlborough to remain open.

Officials at the Township of Neptune have been holding their collective breath in anticipation of your response to my previous letters, since as Governor we assumed that you would take an interest in the well-being of the residents of your State. With all the courage that you could muster, your response was and continues to be...nothing. In the race to run and hide from the problem, you and the D.C.A. are now battling for the lead. The leadership and concern that you have shown towards this situation has left many shaking their heads in disbelief.

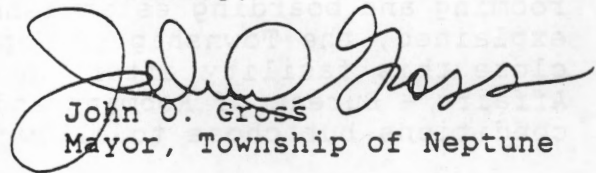
Given the lack of accountability displayed by all levels of State Government, I demand that you, and your administration, immediately take the following steps to ensure the health and welfare of residents living in State licensed rooming and boarding homes:



1. Withdraw your opposition to the Palaia/Rice bill and turn regulatory authority over to the municipalities.
2. Assume financial responsibility of relocation costs associated with local enforcement actions against State licensed rooming and boarding homes.
3. Develop and implement a comprehensive housing policy requiring boarding home bed desaturation in municipalities with licensed beds over the percentage in the Palaia/Rice bill.

It is a bitter disappointment that a local municipality has had to take on the financial and administrative responsibility of this situation due to the ineptness on behalf of the State of New Jersey. Please stop running and face this problem, Governor, because neither it nor I will stop chasing you.

Sincerely,



John O. Gross
Mayor, Township of Neptune

cc: Senator Frank Lautenberg
Senator Bill Bradley
Assemblyman Frank Pallone
State Senator Joseph Palaia
State Senator Ronald Rice
State Assemblyman Tom Smith
State Assemblyman Steve Corodemus
Victor Baykal, Chief, Bureau of Rooming & Boarding Standards
Monmouth County Board of Freeholders
Stephanie Bush, Commissioner, D.C.A.
Lester Jargowsky, Monmouth County Board of Health
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Ocean Grove Camp Meeting Association
Ocean Pathway Residents
Ocean Grove Board of Fire Commissioners
Eagle Hook & Ladder Fire Company #1
Washington Fire Company #1
Stokes Fire Company #3
Ocean Grove First Aid Squad

23x

THE BOARD OF CHOSEN FREEHOLDERS
OF THE
COUNTY OF MONMOUTH

HARRY LARRISON, JR.
DIRECTOR

THOMAS J. POWERS
DEPUTY DIRECTOR

THEODORE J. NAROZANICK
CARMEN M. STOPPIELLO
AMY H. HANDLIN, PhD



HALL OF RECORDS
MAIN STREET
FREEHOLD, NEW JERSEY 07728
TELEPHONE 908-431-7000

October 5, 1993

Hon. Jim Florio
State House
Trenton, NJ 08625

Dear Governor Florio:

The Monmouth County Board of Chosen Freeholders is formally and urgently requesting the participation of your Executive Office to assume a leadership role in addressing the disastrous consequences of high-density, single-room occupancy dwellings in several of Monmouth County's shore communities.

We are aware of correspondence sent to your office by Mayor John Gross, Township of Neptune, which graphically illustrated the unacceptable living conditions of the recently closed Marlborough Hotel in Ocean Grove. It is most unfortunate that even when confronted with undeniable proof as to the uninhabitability of a licensed Department of Community Affairs facility, no corrective action is taken. In fact, agency responsibility is publicly denied, according to media accounts.

The failed efforts of deinstitutionalization have been tragic and, regrettably, have not been lost on the residents and communities of Monmouth County. From the inception of this concept, State government allowed the marketplace to dictate the type of housing that would be offered to individuals discharged from institutions, rather than make a commitment towards the development of affordable scatter-site housing alternatives throughout New Jersey. Consequently, all that was provided was housing stock that was ill-prepared to handle the special needs of seriously disabled people. The conditions of many boarding homes, rooming houses and hotels in which a variety of disabled

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October 5, 1993

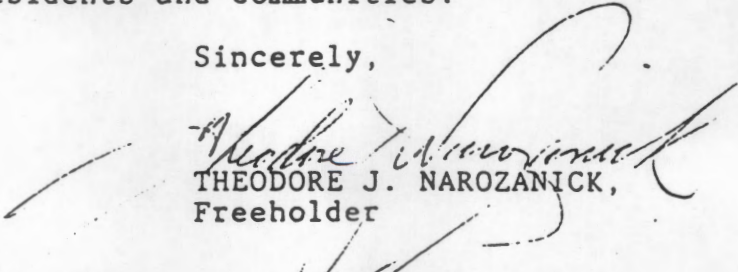
persons reside, borders on the unthinkable and as people with a conscience, we cannot allow it to continue for one more day.

The time for rhetoric is over. What is required is that the men and women under your administration, who have the authority, come to the table and be prepared to right the human injustices that have befallen so many individuals simply because they have a mental illness or some other disability. It appears that the sheer magnitude of this problem has paralyzed State government, preventing it from effectively responding to the multiplicity of needs that this situation presents. Such inertia must cease immediately and a recognition of State government's legal and moral responsibility to humanely serve people with serious mental illness and others like them must begin now.

Past efforts to actively involve the State's departments of Community Affairs, Health, Human Services and Corrections have not been taken seriously. Indeed, the fact that several departments have a role has served to prevent any from assuming responsibility for change. Accordingly, Monmouth County implores you to direct top level decision-makers from the aforementioned State departments to meet with local and County officials immediately in order that we can begin making right what has all too long been wrong.

We anxiously await your reply with respect to the scheduling of a meeting with appropriate cabinet members or designees in order that we may be of service to our Monmouth County residents and communities.

Sincerely,



THEODORE J. NAROZANICK,
Freeholder

TJN:mm

cc: Monmouth County Legislative Delegation
Mayor and Council, Twp. of Neptune
Mayor and Council, City of Asbury Park
Mayor and Council, City of Long Branch
Mayor and Council, Borough of Keansburg
Mayor and Council, Borough of Red Bank
Mon. Cty. Board of Chosen Freeholders
Robert Collins, Cty. Administrator
Louis Paporozzi, Dir. of Human Services
Charles D. Brown, Mental Health Board Director
Kathleen Brady, Dep. Dir. Dept. of Social Ser.
Prosecutor John Kaye
Ocean Grove Coalition
Lester Jargowsky, Mon. Cty. Bd. of Health
Waldron P. Smith, Jr., Mental Health Board
Ginger Mulligan, Mental Health Assoc.

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