

LEGISLATIVE UPDATE



CHRISTINE F. LI, ESQ., CCAL
PARTNER, GREENBAUM, ROWE, SMITH & DAVIS LLP
LEGISLATIVE ACTION COMMITTEE CHAIR

I took the liberty of extending the “What’s New” theme of this month’s *Community Trends*[®] to draw from members of the Legislative Action Committee thoughts which may not have been revealed this past year or, perhaps, ever. I adapted the concept of “Tell me something I don’t know” to this month’s theme and LAC members volunteered to contribute to this column to tell you something that might be new and thought-provoking.

When I asked for participants, I gave very little (read that as “no”) guidance as to topics and wasn’t really certain if this idea made any sense. LAC members were told they could write about anything they wanted in approximately 100 words. I was intrigued by the diversity of the discussion — ranging from writers’ personal activities on the LAC, their perspective of the focus and accomplishments of the LAC, to valuable guidance related to the limited liability of movers the residents of our communities hire.

The common thread of all these contributions is the value of the LAC’s efforts, the vast expertise of LAC members, as well as the commitment and sometimes the frustration of the members as they work on legislation to advance the well-being of community associations. And they also brought to light the activities of LAC members well beyond attending meetings once a month in the confines of a conference room. These are their stories.

PAUL RAETSCH

Community Association Volunteer Leader

While attending my first Legislative Update program, before even joining CAI, I thought “Wow!” I was board president and amazed how little I knew. Thankfully, our property manager encouraged us to join CAI in order to learn more about our roles and responsibilities. We have hosted a couple of LAC Legislative Updates and I am shocked that some CAI attendees were not aware that they should have been reimbursed for snow remov-

al. Some were not even aware of the Kelly Bill (now the Municipal Services Act). “What’s New” then, is my effort to get HOA volunteers involved in CAI to take advantage of its many educational programs.

MICHAEL PESCE, PCAM

President, Associa - Community Management Corp.

The Municipal Services Act is now 27 years old and continues to be one the few such State statutes in the nation. Ironically, one of the prime movers of that legislation, and the equities behind it, was Paul Maticera, now one of the partners and our liaison with CAI’s lobbying firm, MBI-GluckShaw. Paul was then Mayor of North Brunswick, who understood the unfairness of the situation pre-MSA.

MATTHEW Z. EARLE, ESQ.

Kates, Nussman, Rapone, Ellis and Farhi, LLP

Being part of the LAC has shown that lawmakers and other policy makers are often unaware of the unique issues affecting community associations, and the impact of their proposed legislation on same. However, I have found that they usually are very receptive to the experience and knowledge displayed by LAC members, and that they appreciate that we represent the overall interests of the regular community association home owner.

THOMAS C. MARTIN, ESQ.

Price, Meese, Shulman & D’Arminio, P.C.

The “move-in/move-out” fee covers damage to the common elements caused by a mover. But as the homeowner or unit owner, Federal and State law puts the burden on you to know the rules governing what happens if the mover damages your structure or household goods. The mover’s liability is usually limited to \$0.60/lb. for household goods unless you declare a higher value (in exchange for a higher

"The common thread of all these contributions is the value of the LAC's efforts, the vast expertise of LAC members, as well as the commitment ... as they work on legislation to advance the well-being of community associations."

price). Damage claim time limitations may also apply. Ask for a copy of the mover's tariff for the terms and conditions applying to your move.

CAROLINE RECORD, ESQ.

Hill Wallack LLP

Paul Maticera, our liaison with our lobbying firm MBI-GluckShaw knew and introduced members of the LAC to almost every mayor and municipal representative at this year's New Jersey Conference of Mayors held in Atlantic City this past Spring. Paul made sure that the mayors were aware that the LAC and CAI could be a vital resource in dealing with any issues which arise with community associations in their communities. We look forward to continuing to provide valuable information to the members of this organization.

J. DAVID RAMSEY, ESQ.

Becker & Polliakoff

CAI's advocacy for community associations includes not only state advocacy through the LAC, but advocacy at the federal level as well. Increasingly, we are seeing more legislation at the federal level that impacts the interests of community associations. Examples of this include ham radio legislation that would override certain restrictions preventing ham radio antennas (passed the House; pending in the Senate); FEMA legislation to require FEMA to revisit its position that community associations are "commercial" entities and therefore not entitled to the same relief as owners living outside community associations and an amendment to the Stafford Act to expressly include community associations (pending in the House); and monitoring Congress's efforts to re-create the secondary mortgage market, which can impact the ability to obtain mortgages for condominiums.

CONTINUES ON PAGE 53

2017 CAI-NJ COMMITTEES

AWARDS COMMITTEE

Stephanie Wiegand, Esq. — *Chair*
Dori Novick — *Vice Chair*
Tana Bucca, Esq.
Rich Cassilli
Drew Cowley
Andrew Linfante
Christine Maldonado
Carol Nickerson, CMCA
Kari Prout
Pete Shine
Nicole Skaro
Lauren Vadenais

Board Liaisons:

Denise Becker, CMCA, AMS, PCAM
Gabe Vitale

Staff Liaison:

Jaclyn Oskierko

BEACH PARTY COMMITTEE

Jessica Long — *Chair*
Christopher Rosati — *Vice Chair*
Ross Catanzarite
Diane Cody, PCAM
Kate Costello
Vanessa Hillsdon, Esq.
Arthur Hall
Tanya Jimenez
Steve Lang
Kerry Naughton
Stephanie DiStefano
Daniel Reilly
Cheryl Villa

Board Liaisons:

Deana Luchs
Mark Wetter, Esq.

Staff Liaison:

Jaclyn Oskierko

BUSINESS PARTNER COMMITTEE

Maria Elena Solis, CMCA, AMS — *Chair*
Robert Flanagan, Esq. — *Vice Chair*
Benjamin Basch
Angelo Giacchi
Richard Lang
Anthony Lanzisero
Kim Manicone
Julie Nole
Kate Post
Kenneth Sauter, Esq.
Ken Shah
Herman Shauger
Amy Shorter
Barry Siburkis
Jessica Vail
Lisa Wagner
Kristy Winchok

Board Liaisons:

Jennifer Nevins
Gabe Vitale

Staff Liaison:

Angela Kavanaugh

CAVL COMMITTEE

Steve Kroll — *Chair*
Tom Lycan — *Vice Chair*
Charles Lavine
Jack McGrath
Tim Walter

Board Liaisons:

Jean Bestafka
Frank Catanzarite
Valentine Valdam, CMCA

Staff Liaison:

Angela Kavanaugh

CONFERENCE & EXPO COMMITTEE

Patricia McGlone, Esq. — *Chair*
Cheryl Rhine — *Vice Chair*
Joseph Bonafede
Jay Burak
Stacey Cadoff
Jessica Chelkowski, CPA
Ellen Comiski, CMCA, PCAM
Sudeep Das
John Echelmeier
Eleni Giannikopoulos
Terry Kessler, Esq.
Nicole Miller, Esq.
Kevin Oliver
Swarna Ramakrishnan, Esq.
Harriet Schwarzber, CMCA, AMS
Gabe Vitale

Board Liaisons:

Donna Belkat, CMCA, AMS
Mohammed Salyani, CPA

Staff Liaison:

Angela Kavanaugh

EDITORIAL COMMITTEE

Joseph Charba, CPA — *Chair*
Kari Valentine, CMCA, AMS — *Vice Chair*
Robert Arnone, CMCA, AMS
Mary Barret, Esq.
David Cerra, Esq.
Adam Frumkin
Dan Fusco, CMCA
Brian Harvey
Richard Linderman, Esq.
AJ Meola
Angela Morisco, Esq.
Steven Morris, RS
Robert Roop

Board Liaisons:

Deana Luchs
Lisa Vitiello, CPA

Staff Liaison:

Jaclyn Oskierko

F.A.S.T. COMMITTEE

Lauren Vadenais — *Chair*
Nicole Skaro — *Vice Chair*
Jamie Cullen, CMCA
Jacqueline DiPasquale
Robert Flanagan, Esq.
Vincent Kazmierski
Georgette Kyriacou
Ashely Payne, CMCA
Gabe Vitale
Briana Walsh
Kristy Winchok

Board Liaisons:

Larry Sauer, CPM, CMCA, PCAM
Donna Belkat, CMCA, AMS

Staff Liaisons:

Laura O'Connor
Jaclyn Oskierko

GOLF COMMITTEE

Georgette Kyriacou — *Chair*
Chris Belkat — *Vice Chair*
Martin Cabalar, Esq.
Patricia Clemente
Eric Eggert
Eric Frizzell, Esq.
Keith Gilberti, PE, RS
Matt Grobert
Paul Migliore
Michael Palulok, Esq.
David Shahrabani
Christopher Tensen, CMCA, AMS
Patricia Ventura
Mary Visco
Ryan Weiner
Tom Witowski

Board Liaisons:

Gabe Vitale
Mark Wetter, Esq.

Staff Liaison:

Jaclyn Oskierko

MANAGERS COMMITTEE

Jeff Cirkus, CMCA, AMS, PCAM — *Chair*
Christopher Nicosia, CMCA, AMS — *Vice Chair*
Raymond Barnes, CMCA, AMS, PCAM
Joanne Bradley, CMCA, AMS, PCAM, LSM
Glenda Carroll, CMCA, AMS, PCAM, LSM
Gail Davis
Beth Duffy, CMCA, AMS
Dawn Mackanic, CMCA
Tony Nardone, CMCA, AMS
Erin O'Reilly, CMCA, AMS, PCAM
Kerri Stimpson, CMCA, AMS
Elaine Wargo-Murray, CMCA, AMS, PCAM

Board Liaison:

Donna Belkat, CMCA, AMS

Staff Liaison:

Angela Kavanaugh

MEMBERSHIP COMMITTEE

Erika Befumo — *Chair*
Lysa Bergenfeld, Esq. — *Vice Chair*
Raymond Ambrosino
Rachel Dimitro
Nikolaos Haralambopoulos, CPA
Pam Illiano
Lirelle Klein
Caesar Mistretta
Steven Mlenak, Esq.
Dan Turi
Briana Walsh
Graceanne Welsh, CMCA, AMS
Margie Yarton

Board Liaisons:

Jeffrey Logan
Larry Sauer, CPM, CMCA, PCAM

Staff Liaison:

Laura O'Connor

SPRING BREAK COMMITTEE

Courtney Knox — *Chair*
Jeffrey Paige, Esq. — *Vice Chair*
Jessica Boker
Monica Caporaso
Jennifer Carr
Dean Catanzarite
Beth DeMauro
Gary Gleitman
Monica Griffin
Hank Johns
Debbie Pasquariello, CIC, CIRMS
Janice Schuettler
Melissa Volet, Esq.

Board Liaisons:

Loren Lightman, Esq.
Jeffrey Logan

Staff Liaison:

Jaclyn Oskierko

LEGISLATIVE ACTION COMMITTEE

Christine F. Li, Esq., CCAL — *Chair*
George Greatrex, Esq. — *Vice Chair*
Michael Pesce, PCAM — *Secretary*
Carol Koransky, CPA — *Treasurer*
Steve Kroll
Liz Comando, PCAM
Louis J. Curtis, MBA, CMCA, AMS, PCAM
Barbara Drummond, CMCA, PCAM
Matthew Earle, Esq.
A. Christopher Florio, Esq.
Vincent Hager, CIRMS
Sue Howe, CMCA, AMS, PCAM
James Magid, CMCA, LSM, PCAM
Thomas C. Martin, Esq.
Glen A. Masullo, CMCA, PCAM
Jack McGrath
Paul Roetsch
J. David Ramsey, Esq.
Caroline Record, Esq., CCAL
Audrey Wisotsky, Esq.

Board Liaisons:

Jean Bestafka
Loren Lightman, Esq.

Staff Liaisons:

Laura O'Connor
Larry Thomas, PCAM

LEGISLATIVE UPDATE...

from page 9.

SUE HOWE, AMS, PCAM

Member, LAC

I have been a member of the New Jersey LAC committee for three years. I wasn't sure what to expect at first. What I have learned is that many do not realize how legislation can either improve or negatively impact Associations and their owners. Also they have no idea the work that the LAC does to help protect their interests.

I have traveled to Washington DC with LAC committee members and met with our local representatives to familiarize them with the Legislative Action Committee and to have an open dialogue with them in advancing laws for community associations. As a member of CA-PAC, we raise funds through contributions from homeowners, Associations and Management companies so we can meet with sponsors of legislation. The need for ongoing support is essential to continue our work.

GEORGE GREATREX, ESQ.

Shivers, Gosnay & Greatrex, LLC

"Zombie" foreclosures continue to haunt community associations across New Jersey. These vacant and abandoned homes in foreclosure are unsightly, unsafe, unsanitary, and worst of all, a drain on the resources of the community associations in which they are located. New Jersey's CA-HAC has made it their highest priority to achieve a legislative solution to this nagging problem. Options include requiring the lender to expedite their foreclosure process on such properties, or requiring the foreclosing

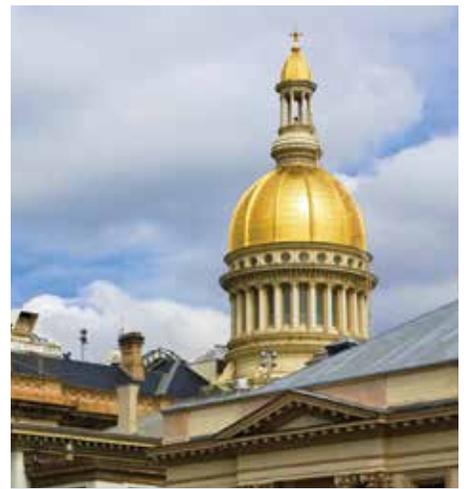
lender to pay the Association assessments during the foreclosure. If this problem exists in your community, please contact your state legislators and encourage them to enact foreclosure reform (S-1832/A-3823).

JAMES P. MAGID, CMCA, PCAM, LSM

Vice President, First Service Residential

I have been on the Legislative Action Committee (LAC) for the past ten years and I believe it is one of the most beneficial committee representing community association members, and the professionals and business partners serving them. I enjoy digging in to "the why behind the what"; understanding why proposed legislation is initiated, and then working with the Legislative members to often make their legislation less detrimental for community associations through negotiation and meetings. It is educational to spend time with our NJ Chapter lobbyist, MBI- Gluck Shaw, and to have the opportunity meet and work with our State Legislators. And because the LAC is a national committee, I have also had the opportunity to attend Legislative Action Summits in Washington, DC, where we met with our NJ Congressman, as well as members of FEMA and FHA, to educate them about CAI, and the benefits to them in working with us in collaborative way to benefit our mutual interests, YOU.

Now you know! ■



Help CAI's Amicus Effort

The CAI Amicus Program is looking for your help. For years, CAI has participated in New Jersey court cases involving significant community association issues. We do this through our "Amicus" or "Friend of the Court" Program. With the court's permission, CAI files briefs in court cases advocating the interests of our members. CAI has successfully appeared in a number of important New Jersey cases, including *Twin Rivers*. It is important for our members to let CAI know when they are involved in, or become aware of, a lawsuit which may have an impact of general concern to the industry. We can only participate and have our views expressed when we know about these cases when they first arise. So, this is an important request on behalf of both the National and Chapter Legislative Action Committees to please advise the Chapter office of any litigation involving community association issues of potential importance to the entire industry. For any such notices, please contact Larry Thomas, PCAM at (609) 588-0030 or at larry@cainj.org. ■

NEW JERSEY CHAPTER
community
ASSOCIATIONS INSTITUTE