



*The Tree Unites the
Branches; The Branches
Bear the Fruit*

The ORANJ TREE

Quarterly Newsletter of the Organization of Residents Associations of New Jersey
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PLENARY OCTOBER 18

by Barbara Trought, Chair Plenary Meeting and VP Southwest Region

Come to the plenary! People from all 24 residents associations will meet at Monroe Village on Wednesday, October 18. Be one of them.

Be in your seat by 10 a.m. First, a brief ORANJ business meeting will include election of officers and a timely report from the Legislative Committee Chair Rick Ober.

Be ready to listen to a highly respected speaker: Katherine Pearson, J.D., Elder Law Professor, Penn State University. Her perspective is national; she knows what's happening in the world of Senior Living. Consider this title: "Central Concerns of Residents in Continuing Care Retirement Communities."

Professor Pearson has inspired us during previous plenaries with insight and wisdom describing the need for effective resident voices in CCRC governance. Look for her bio on page 3.

Be hungry. Monroe Village Dining Services will have a plated lunch, beverages, and dessert on the tables. No buffet lines. More time to get acquainted with residents from the 24 member CCRCs in New Jersey.

Be there for the afternoon panel of residents focusing on varied experiences communicating with governing boards and administrators. Your CCRC may be part of a multisite organization, or it may be stand-alone. Either situation requires imagination – and persistence – for the always elusive challenges in communicating effectively.

Be registered by September 15.

I'll be looking for you,
Barbara

Executive Committee

RON WHALIN, *Fellowship Village*
President

VACANT
Vice President, Northeast Region

ANDY KLEPPE, *Oaks of Denville*
Vice President, Northwest Region

RICK OBER, *Stonebridge*
Vice President, Central Region
Chairman, Legislative Committee

BARBARA TROUGHT, *Medford Leas*
Vice President, Southwest Region
Chair, Plenary Meetings

WAYNE STEADMAN, *Seabrook*
Vice President, Southeast Region

PAUL BASHAM, *Wiley Christian*
Secretary
Chairman, Nominating Committee

WENDY GANSBERG, *Meadow Lakes*
Treasurer

JIM GALLAGHER, *Cedar Cress*
Chairman, Research

MAGGIE HEINEMAN, *Medford Leas*
Chair, Communications

Members

Applewood, *Freehold*
The Atrium at Navesink, *Red Bank*
Bristol Glen, *Newton*
Cadbury at Cherry Hill, *Cherry Hill*
Cedar Crest, *Pompton Plains*
Crane's Mill, *West Caldwell*
Crestwood Manor, *Whiting*
The Evergreens, *Moorestown*
Fellowship Village, *Basking Ridge*
Friends Village, *Woodstown*
Harrogate, *Lakewood*
House of the Good Shepherd,
Hackettstown
Lantern Hill, *New Providence*
Laurel Circle, *Bridgewater*
Lions Gate, *Voorhees*
Meadow Lakes, *East Windsor*
Medford Leas, *Medford*
Monroe Village, *Monroe Township*
The Oaks at Denville, *Denville*
Pines Village, *Whiting*
Seabrook, *Tinton Falls*
Stonebridge at Montgomery,
Skillman
Wiley Mission, *Marlton*
Winchester Gardens, *Maplewood*

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LEGISLATIVE REPORT – JULY 2023

by Rick Ober, Chair Legislative Committee and VP Central Region

Legislative Committee and Executive Committee members wrote the sponsors and some other legislators and testified at a New Jersey Assembly Committee hearing opposing bills which would require CCRCs to refund any refundable contract amounts within 12 months after the resident departed.* However, the Assembly passed one of these, Assembly 1196, and it was sent to the Senate Health, Human Services and Senior Citizens Committee, where no action was taken before the summer adjournment. We will continue to oppose these bills when the Legislature reconvenes in the fall. There have been a number of CCRCs which have gotten into financial difficulty, especially due to COVID, and this requirement could cause more to do so. The current sequential law passed in 2018 where all such new deposits at a CCRC are put into a single pot and paid out in order of departure is working well.

We have supported bills which would increase veterans' town tax deductions from the current \$250, which was passed in 2003, to \$1250 or \$2500. None of these has moved to date.

We have urged the Governor and Legislature and the President and Congress to use government dollars to speed up the training and licensing of more healthcare workers as well as the immigration of trained workers to address the shortage.

We will do our best to "track" state legislation and alert you to critical issues.

***Editor's Note:** ORANJ's opposition to the bills requiring refunds within 12 months is explained in detail at oranjccrc.org/legislation/2022-refundable-contracts/

CCRC GOVERNING BOARDS AND THE LAW

by Maggie Heineman, Chair Communications Committee

NJ Law Concerning Resident Associations

A. The resident director provision

"The board of directors or other governing body of a facility shall include at least one resident as a full voting member of the board or body. Resident members shall be nominated by the elected representatives of the residents and selected by the board of directors or other governing body. If the board of directors or other governing body governs more than one facility, the occupancy of each seat on that body that is reserved for a resident member shall rotate among the facilities governed by that body on a term-by-term basis."

B. The quarterly meetings provision

"The board of directors or other governing body, or a designated representative who is not the chief executive officer or other staff member, of a continuing care facility shall hold quarterly meetings with the residents or their elected representatives of the facility, for the purpose of free discussion of subjects which may include income, expenditures, and financial matters as they apply to the facility and proposed changes in policies, programs and services. Any questions on these subjects may be raised at each quarterly meeting, except for confidential personnel matters, and shall be answered or explained promptly when possible, or within a reasonable period of time. Residents shall be given at least seven days' notice of each quarterly meeting."

Implementation – Seven Case Studies

A monograph about compliance with the law and communication with governing boards is available at <https://tinyurl.com/ORANJ2023paper>.

The paper shows both possibilities and difficulties that seven New Jersey residents associations have experienced. There are brief descriptions of how these two provisions of the law are, or are not, implemented at three single-facility CCRCs (Harrogate, Lions Gate, and Medford Leas) and four multifacility CCRCs (Cedar Crest, Fellowship Village, Laurel Circle, and The Oaks at Denville).

Although the current paper concerning governing boards and the law focuses on the resident director and quarterly meeting provisions, there is also a **Provision for Advance Consultation and Discussion** which should be considered.

"The board of directors or other governing body of a facility shall consult and discuss with the representatives of the residents any proposed action that might significantly affect the well-being of the residents or the financial stability of the facility, before taking the proposed action."

<https://pub.njleg.gov/bills/2006/PL07/192 .HTM>

KATHERINE PEARSON – KEYNOTE SPEAKER



Katherine C. Pearson is a Professor of Law at Pennsylvania State College in Carlisle, PA, where she regularly teaches courses on contract law, conflicts of law, elder law, and nonprofit organizations law. Her research and writing include a recent article in which she

discusses challenges under state and federal laws for organizations, including senior care organizations, relying on service fees to qualify as tax-exempt charities.

For more than twenty years, Professor Pearson's academic focus in research and writing has been on laws and policies connected to aging. She served for

more than ten years as director of Penn State's Elder Protection Clinic representation of older adults on cutting edge legal issues. She is the author of articles and book chapters on long-term care, financing issues and filial obligations, and is the co-author of *The Law of Financial Abuse and Exploitation*, a book about protection of vulnerable persons from financial exploitation.

Professor Pearson has served in positions on national and state organizations for attorneys specializing in elder law, including the National Academy of Elder Law Attorneys, and she has chaired the Pennsylvania Bar Association's Elder Law Section.

She is a co-editor and a regular writer for the Elder Law Prof Blog, available at

http://lawprofessors.typepad.com/elder_law/.

AN ORANJ PRIMER – THE BASICS

DCA – The Department of Community Affairs

The DCA certifies and regulates CCRCs under the CCRC Regulation and Financial Disclosure Act.

oranjccrc.org/ccrc-regulation-and-financial-disclosure-act/ DCA publishes a guidebook on CCRCs, but it hasn't been updated since 2019 and the list of certified CCRCs is out of date.

Nevertheless, the guidebook is still a useful publication.

https://www.state.nj.us/dca/divisions/codes/publications/pdf_ccrc/ccrc2011.pdf

The second page of the guidebook tells us something about the DCA organization chart. The CCRC section is under the Bureau of Homeowner Protection, which is under the Codes and Standards Division of the DCA. The DCA is huge with many responsibilities, too many for the staff, it seems. This year ORANJ has been unsuccessful in its many attempts to contact the head of the CCRC section of the DCA.

LeadingAge NJ & Delaware is the statewide organization for providers of not-for-profit senior care organizations <https://leadingagenj.org/>. Providers of nonprofit CCRCs are members, along with non-profit providers of assisted living and long-term care institutions, hospice, home care companies, affordable senior housing, independent senior housing, PACE and more. Sometimes LeadingAgeNJ/DE and ORANJ are on opposite sides of lobbying efforts and sometimes on the same side. Currently LeadingAge and ORANJ are working together in opposition to the refundable bill described by Rick Ober in this issue.

ORANJ – The sidebar on the first page shows the 24 CCRCs that have residents associations that are members of ORANJ. Some are not-for-profit, others are for-profit. Some are stand-alone CCRCs, others are multifacility. Dues from these 24 residents associations cover our expenses.

ORANJ is a volunteer organization with no paid staff and no office. We have an amazing website because we have an amazing volunteer webmaster. Please spend some time on our website, oranjccrc.org/

ORANJ has no paid lobbyists; we have residents who answer the call. A 6/30/18 photo in Trenton is below.



NaCCRA – National Continuing Care Residents Association <https://naccra.com/> NaCCRA has published a number of useful documents which are available at the top of our publications page at <https://oranjccrc.org/publications/>. NaCCRA has 1267 individual members, dozens of residents association members, and only a few state organization members like ORANJ. The NaCCRA website has a forum which is open to members.

NEW REGIONAL VICE PRESIDENTS

by Paul Basham, Chair Nominating Committee and Secretary

Wayne Steadman, VP Southeast Region



Wayne Steadman has been appointed the ORANJ Vice President of the Southeast Region. For the last seven years he has been a resident of Seabrook Village of Tinton Falls where he serves as Vice President of the Resident Advisory

Council and is a member of the RAC Diversity and Inclusion Committee. In addition, he has served on the RAC Finance Committee and been Resident Director of the Seabrook Village Board of Directors.

Wayne has a bachelor's and a master's degree in chemical engineering from the Stevens Institute of Technology in Hoboken, NJ. Over the course of 33 years he has been an engineer and management executive with Mobil Oil Corporation involved with product development, international supply and distribution, international technical service and procurement management. Wayne was a licensed real estate associate broker in the State of Georgia and president of a condo board in Savannah, GA, as well as president of a condo board in Asbury Park, NJ.

Wayne and his wife, Pam, have been married for 55 years. They have three sons and four grandchildren. They enjoy traveling domestically and internationally and they have lived in England for four years and in Singapore for two years. Wayne enjoys playing golf, bocci and poker and is active in Seabrook's Fitness Center.

In addition to Seabrook, the other retirement communities in the Southeast Region are Crestwood Manor and Pines Village, both in Whiting, and Harrogate in Lakewood.

In accepting the position as ORANJ Vice President of the Southeast Region, Wayne said, "I am looking forward to working with the ORANJ representatives in each of those communities on common goals for the well-being of CCRCs in the State of New Jersey."

Andy Kleppe, VP Northwest Region



Andy Kleppe has been appointed the ORANJ Vice President of the Northwest Region. Since 2017 he has been a resident of The Oaks at Denville, where he serves on the Bylaws Committee, the Resident Communication Committee, is the chair of the Finance Committee and is a

member of the Oaks Chorus.

He was active in the West Essex community, serving on nonprofit boards, and is a Paul Harris Fellow in the local Rotary Club.

Andy grew up in Montclair, and graduated from The Citadel, Charleston, SC, in 1955 with a BS in commerce. He served in the US Army for two years as first lieutenant in the NIKE Guided Missile Program while stationed in NJ.

He joined the Prudential Insurance Co. in 1958 and attended Seton Hall School of Law in Newark at night, graduating in 1962 with a JD degree. After leaving Prudential he joined a law firm and practiced law for 57 years, mainly in real estate, trusts and as counsel to a savings and loan mortgage company.

In 1958 Andy married Nancy Downey, who died in 1999. Andy said, "In 2002 I married Beverly Jeck. We now are a blended family with five surviving children, 16 grandchildren and one great grandchild." He has traveled widely throughout the United States as well as to many European countries, the Arctic and Antarctica, and he went on a safari in Tanzania.

In addition to the Oaks, the other CCRCs in the Northwest Region are Bristol Glen, Cedar Crest, Crane's Mill, and Riverwalk Village at the House of the Good Shepherd. In accepting the position as Northwest Region Vice President, Andy said, "As an avid promoter of ORANJ, I look forward to discussing matters of common concern with leaders of other CCRCs, especially in small informal group settings."