

**MORRIS COUNTY CONSTRUCTION BOARD OF APPEALS
MINUTES**

Thursday, January 23, 2020 - 7:00 p.m.
MC CBA Hearing Room
30 Schuyler Place, 2nd Floor, Morristown, NJ 07960

Chairman Theodore Maglione called the meeting to order.
Pledge of Allegiance
Open Public Meeting Statement

MEMBERSHIP

As per resolution #22 dated January 3, 2020 – Chairman and Vice Chairman Appointments were made by the Morris County Board of Chosen Freeholders

Chairman Maglione requested a roll call.

PRESENT:

Regular Members: Chairman Theodore Maglione, Vice Chairman Jeffrey Betz, (5)
Harold Endean, John Kostrowski, Jr., Keith Lynch

Alternate Members: Sean Donlon, Kimberly Hurley, Nick Marucci, Chris Walthour (4)

Absent: Timothy Braden (1)

ALSO PRESENT: Staci L. Santucci, Esq., Assistant County Counsel
Evelyn Tierney, Board Secretary

APPROVAL OF MINUTES:

Minutes of the meeting held on November 19, 2019 were previously distributed. Chairman Maglione made a motion to approve the minutes as submitted. Member Kostrowski, Jr. seconded the motion. The Board approved the minutes as submitted by the following roll call vote:

YES: Chairman Theodore Maglione, Harold Endean, John Kostrowski, Jr., (7)
Sean Donlon, Kimberly Hurley, Nick Marucci, Chris Walthour

NO: None (0)

NOT VOTING: Vice Chairman Jeffrey Betz, Keith Lynch (2)

APPROVAL OF RESOLUTION(s):

Approval of Resolution 2020-1 (2020/21 CBA Meeting Time/Dates). The Board reviewed the 2020/21 meeting date schedule for any potential conflicts. Member Endean made a motion to approve the resolution as submitted. Member Hurley seconded the motion. The Board approved the resolution as submitted unanimously.

Resolution for approval for the matter heard and decided by the Board on November 19, 2019 was previously distributed. **MC#2019-15** Xavier Pimenta (Block 701, Lot 5 worksite: 46 Waterloo Valley Road) v. Township of Mount Olive. Chairman Maglione made a motion to approve the resolution. Member Kostrowski, Jr. seconded the motion. The Board approved the resolution by the following roll call vote:

YES: Chairman Theodore Maglione, Harold Endean, John Kostrowski, Jr., (7)
Sean Donlon, Kimberly Hurley, Nick Marucci, Chris Walthour

NO: None (0)

NOT VOTING: Vice Chairman Jeffrey Betz, Keith Lynch (2)

Resolution for approval for the matter heard and decided by the Board on November 19, 2019 was previously distributed. **MC#2019-11** Asma Norris (Block 16, Lot 25 worksite: 27 Parker Road) v. Township of Chester. Member Kostrowski, Jr. made a motion to approve the resolution. Member Endean seconded the motion. The Board approved the resolution by the following roll call vote:

YES: Chairman Theodore Maglione, Harold Endean, John Kostrowski, Jr., (7)
Sean Donlon, Kimberly Hurley, Nick Marucci, Chris Walthour

NO: None (0)

NOT VOTING: Vice Chairman Jeffrey Betz, Keith Lynch (2)

CASE TO BE HEARD --- NONE ---

CASE(S) POSTPONED (*correspondence received/ issued - made part of the case files*)

MC#2017-8 Estate of Edward Cantor (Block 12 Lots 1.10, 1.12) v. Township of Chester (*1st mtg. date 10/26/2017 - stayed pending Superior Court proceedings to 2/27/2020*)

MC#2019-6 Reiter & Rayter, Tatiana & Wyczeslav (Block 96, Lot 47, worksite: 30 Katie Court) v. Township of East Hanover (*1st mtg. date 3/28/2019, 2nd mtg. date 5/23/2019, 3rd mtg. date 8/22/2019 HD – stayed on 8/15/2019 pending “New Jersey Appellate Division” appeal conclusion*)

MC#2019-7 Reiter & Rayter, Tatiana & Wyczeslav (Block 96, Lot 47, worksite: 30 Katie Court) v. Township of East Hanover (*1st mtg. date 5/23/2019, 2nd mtg. date 8/22/2019 stayed on 8/15/2019 pending “New Jersey Appellate Division” appeal conclusion*)

MC#2019-23 Madison Movie Development LLC (Block 2702, Lot 24 worksite: 14 Lincoln Place) v. Borough of Madison (*1st mtg. date 1/23/2020, stayed pending BOA/other jurisdiction determination*)

MC#2020-1 EH Associates LLC, d/b/a OYO Hotel (Block 96, Lot 83, worksite: 130 Route 10) v Township of East Hanover (*1st mtg. date 01/23/2020, 2nd mtg. date will be 2/27/2020*)

CASE(S) WITHDRAWN (“*Withdrawal Confirmation*” letters issued to all parties and made part of the case files)

MC#2019-18 John Zhang c/o Alcott Manor (Block 163, Lot 7 worksite: 161 Mendham Road) v. Mendham Township Fire Prevention Bureau

MC#2019-19 Rao, G.U. (Block 3201, Lot 21, worksite: 168 Route 46) v. Township of Mount Olive

MC#2019-20 Mr. & Mrs. DeFalco (Block 172, Lot 39 worksite: 5 Levan Court) v. Township of Bridgewater (SOMERSET COUNTY)

MC#2019-21 D. Cristiano (Block 18, Lot 7 worksite: 19 Village Road) v. Township of Harding

MC#2019-22 Mezini General Construction (Block 8300, Lot 3 worksite: 69 Stephens Park Road) v. Township of Mount Olive

CORRESPONDENCE

MC#2019-17 Carant Limited Partnership (Block 1700, Lot 2 worksite: 1200 Bloomfield Avenue) v. Township of West Caldwell/*ESSEX COUNTY*. *Appeal returned to Essex County CBA by letter dated November 21, 2019 (Morris County Conflict). Applicant is requesting the refund of the appeal fee.* Chairman Maglione made a motion to deny the refund of the appeal fee due to the administrative involvement in this matter. Member Kostrowski, Jr. seconded the motion. The Board approved the denial of the refund of the appeal fee unanimously.

- MC#2019-24 NA Parsippany Road LLC (Block 4202 Lot 1 worksite: 26 Parsippany Road) – CASE FORWARDED TO WARREN COUNTY – CONFLICT OF INTEREST – Notice issued by Hanover Twp. Construction Official, Sean Donlon. Appeal document package forwarded to Warren County CBA by letter dated January 3, 2020 copying all parties to the appeal.
- Budget Balance as of January 23, 2020 = \$2,991.90

OLD BUSINESS --- NONE ---

NEW BUSINESS

- 2019 Annual Report distribution
- 2020 Membership qualification & contact information (confidential - please review & advise secretary of any necessary updates)
- 2020 Summary of Appeals

NEXT MEETING: Thursday, February 27, 2020 at 7:00 p.m.

ADJOURN: On motion duly made and seconded, the meeting adjourned at 7:20 p.m.

Evelyn Tierney, Board Secretary