

**MORRIS COUNTY CONSTRUCTION BOARD OF APPEALS
MINUTES**

DATE: Thursday, October 27, 2016 - 7:30 p.m.
OIT CONFERENCE ROOM, 30 Schuyler Place, 4th Floor

Chairman Theodore Maglione called the meeting to order
Pledge of Allegiance
Open Public Meeting Statement
Chairman Maglione requested a roll call

PRESENT: Regular Members: Chairman Ted Maglione, Vice Chairman Jeffrey Betz, (5)
Edward Bucceri, Harold Endean, Craig Villa

Alternate Members: Sean Donlon (1)

ABSENT: William Asdal, Timothy Braden, Kimberly Hurley, Keith Lynch (4)

ALSO PRESENT: W. Randall Bush, Esq., First Assistant County Counsel
Evelyn Tierney, Board Secretary

APPROVAL OF MINUTES:

Minutes of the meeting held July 28, 2016 were previously distributed. Edward Bucceri made a motion to approve the minutes as submitted. Jeffrey Betz seconded the motion. The Board approved the minutes as submitted by the following roll call vote:

YES: Chairman Ted Maglione, Vice Chairman Jeffrey Betz, Edward Bucceri, (6)
Harold Endean, Craig Villa, Sean Donlon

NO: None (0)

CASE TO BE HEARD ---NONE---

CASES POSTPONED (correspondence received/ issued - made part of the case files)

MC#2015-20 Center Court at Morristown LLC (Block 9003, Lot 10 worksite: 65 Columbia Rd) v. Township of Morris Bureau of Fire Prevention (11/19/15 1st meeting date, stayed pending Superior jurisdiction decision, Board will be kept updated on progress – status update received 4/20/16)

CASES WITHDRAWN (“Withdrawal Confirmation” letters issued to all parties and made part of the case files)

MC#2016-17 170 Madison Ave, LLC – S. Samman v. Town of Morristown **ESCROW APPEAL**

MC#2016-18 New Montville Realty LLC. (Block 123, Lot 2 worksite: 107 Changebridge Road) v. Township of Montville

MC#2016-19 Montville Chase Condo Association v. Township of Montville Fire Prevention Bureau District 1– Appeal filed July 27, 2016, HN issued, appeal withdrawn August 4, 2016. Appellant requesting refund of appeal fee **Action Taken:** Discussion by the Board followed, and it was noted that minimal correspondence was processed by the Board

Secretary. Chairman Ted Maglione made a motion to approve the request for the refund of the appeal fee. The motion was seconded by Edward Bucceri. The motion to refund the appeal fee was approved by the following roll call vote:

YES: Chairman Ted Maglione, Vice Chairman Jeffrey Betz, Edward Bucceri, (5)
Craig Villa, Sean Donlon

ABSTAIN: Harold Endean (1)

NO: None (0)

The Secretary was requested to process the necessary documents to refund the appeal fees.

MC#2016-20 The Mall at 206 Condominium Assoc. (Premises: 240 Rt. 206) v. Township of Mt. Olive
Office of the Fire Marshall

CORRESPONDENCE

- MC#2016-21 NA – CASE FORWARDED TO SUSSEX COUNTY – CONFLICT OF INTEREST – Notice issued by Mine Hill Twp. Construction Official, Sean Donlon. Appeal document package received on September 13, 2016 and forwarded to Sussex County CBA by letter dated September 14, 2016 copying all parties to the appeal.

Budget Balance as of October 27, 2016 = \$2,842.90

OLD BUSINESS --- NONE---

NEW BUSINESS

- The Board secretary advised that Edward Bucceri was re-appointed to a four-year term on October 13, 2016 by resolution #37. The members thanked Mr. Bucceri for his continued service. Other members term expiring December 2016 include Ted Maglione and Keith Lynch, both indicated their desire to continue to serve. The secretary will provide the re-appointment information to the Freeholder Board for their annual re-org meeting.
- Discussion on paragraph two of the Rules of Procedure referring to counsel representation. The secretary and counsel were requested to reach out to the Department of Community Affairs for clarification, and report to the Board at the next meeting.

NEXT MEETINGS: Thursday November 17, 2016

ADJOURN: On motion duly made and seconded, the meeting was adjourned at 7:45 p.m.

Evelyn Tierney, Board Secretary