

**MORRIS COUNTY CONSTRUCTION BOARD OF APPEALS
MINUTES**

DATE: Thursday, May 25, 2017 - 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 Theodore Maglione, John Kostrowski, Jr. (2)

Alternate Members:

Timothy Braden, Sean Donlon, Kimberly Hurley, Keith Lynch (4)

ABSENT: Vice Chairman Jeffrey Betz, William Asdal, Harold Endean, Craig Villa (4)

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

APPROVAL OF MINUTES:

Minutes of the meeting held March 23, 2017 were previously distributed. Chairman Theodore Maglione made a motion to approve the minutes. John Kostrowski, Jr., seconded the motion. The Board approved the minutes as submitted by the following roll call vote:

YES: Chairman Ted Maglione, Sean Donlon, John Kostrowski, Jr., Keith Lynch (4)

NO: None (0)

NOT VOTING: Timothy Braden, Kimberly Hurley (2)

CASE TO BE HEARD

MC#2017-4 Christine Coster & Wolfgang Hofgaertner (Block 3902, Lot 4.02 worksite: 89A Brooklake Road) v. Borough of Florham Park

Counsel Bush indicated that the parties request some more time to allow for discussions.

Appearances:

Gerard Onorata, Esq., *representing the appellant*

Joseph Bell, Esq., *representing the municipality*

After a break (7:40 pm – 8:15 pm) the parties requested that the matter be postponed until the next meeting date to allow for additional settlement discussions. The Chairman acknowledged the request and advised the parties that the appeal will be postponed to the June 22, 2017 meeting date. It was requested that if a settlement is reached between the parties prior to the date that the Board Secretary will be advised in writing.

The parties were excused.

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, 11/14/16, and 4/10/17*)

CASES WITHDRAWN (*“Withdrawal Confirmation” letters issued to all parties and made part of the case files*)

MC#2017-3 William T. Cooper, Sr. c/o Cooper, Cottell & Taylor LLC (Block 113, Lot 1 worksite: 25 West High Street) v. Borough of Somerville - Bureau of Fire Prevention (SOMERSET COUNTY)

CORRESPONDENCE

MC#2016-26 Wildrik Blok & Linda Wagner Blok v. Borough of Florham Park - Letter dated March 27, 2017 received from Mr. Blok, requesting the refund of the appeal fee. Appeal filed December 20, 2016 – 1st mtg. 1/26/17, 2nd mtg. 2/23/17 withdrawn 2/15/17. **Action Taken:** Discussion by the Board followed, and it was noted that the Board Secretary processed numerous correspondence. Chairman Ted Maglione made a motion to deny the request for the refund of the appeal fee. The motion was seconded by John Kostrowski, Jr. The motion to deny the refund of the appeal fee was approved by the following roll call vote:

YES: Chairman Theodore Maglione, John Kostrowski, Jr., Timothy Braden, Sean Donlon, Kimberly Hurley, Keith Lynch (6)

NO: None (0)

Budget Balance as of May 25, 2017 = \$2,111.90

OLD BUSINESS

The secretary noted that all members as required filed the 2017 Financial Disclosure online.

NEW BUSINESS ---NONE---

NEXT MEETINGS: Thursday June 22, 2017

ADJOURN: On motion duly made and seconded, the meeting adjourned at 8:20 p.m.

Evelyn Tierney, Board Secretary