

**MORRIS COUNTY CONSTRUCTION BOARD OF APPEALS  
MINUTES**

Thursday, January 11, 2024 – 6:00 P.M.  
Morris County Commissioners Public Meeting Room  
Administration & Records Building  
10 Court Street  
Morristown, New Jersey 07963-0900  
Webex Video – Public Access

<https://morriscountynj.webex.com/morriscountynj/j.php?MTID=m4b4e62f29482823d9deb9c4d74bbba53>  
password: PpTWAuZB678

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, Vice Chairman Jeffrey Betz,  
John Kostrowski, Jr., Keith Lynch, Sean Donlon (5)

Alternate Members: Timothy Braden, (1)

ABSENT: Harold Endean, Kimberly Hurley, Nick Marucci (3)

ALSO PRESENT: Staci L. Santucci, Esq., Assistant County Counsel,  
John Barbarula, Esq., Special Counsel  
Sheila M. Leary, CPM, Board Secretary

**EXECUTIVE SESSION** (Statement Read by Staci L. Santucci, Esq.)  
By motion of Timothy Braden and seconded by Keith Lynch, the Board went into Executive Session to discuss pending litigation. 6:05 P.M. – 6:37 P.M.

**The Board Returned to the Regular Session of the Open Public Meeting at 6:40 P.M.,  
By motion of Chairman Theodore Maglione and seconded by John Kostrowski, Jr.**

Chairman Maglione initiated a discussion to identify and schedule a meeting date and time to amend Resolution MC 2023-3, previously approved on June 22, 2023, in the matter of Appeal MC#2023-6 Morris Blue Inc./CoHome (42-46 Miller Road, Morristown, NJ) v Town of Morristown. By Motion made by John Kostrowski, Jr., and seconded by Timothy Braden, the date and time of meeting was unanimously approved and scheduled for March 14, 2024, at 5:00 PM.

**APPROVAL OF MINUTES:** Draft minutes of the meeting held on September 28, 2023, previously distributed and unanimously approved by motion of John Kostrowski, Jr., and seconded by Sean Donlon.

**APPROVAL OF EXECUTIVE SESSION MINUTES:** Draft minutes of the executive session meeting held on September 28, 2023, previously distributed and unanimously approved by motion of John Kostrowski, Jr., and seconded by Sean Donlon.

**APPROVAL OF RESOLUTION:** MC: CBA Resolution 2024-1 *Meeting Dates, Location & Time*, previously distributed and unanimously approved by motion of John Kostrowski, Jr., and seconded by Keith Lynch.

**CASES TO BE HEARD - NONE**

**CASES POSTPONED - NONE**

**CASE(S) WITHDRAWN**

**MC#2023 -10**, Armando Manna and Maria Manna, 46 Cooks Lane (Block 3, Lot 30.1), Lincoln Park, NJ v Borough of Lincoln Park, NJ (Withdrawn December 8, 2023)

**MC#2023 - 12**, Zhou J. Yeung & Jennie Lam, 6 Palm Street (Block 2311, Lot 1), Dover, NJ v Town of Dover, NJ (Withdrawn December 13, 2023)

**MC#2023-13**, David & Georgie Chan, 587 Fairmount Avenue (Block62.03, Lot 33), Chatham, NJ v Chatham Township, NJ (Withdrawn October 10, 2023)

**MC#2023 - 14**, David Opsal 7 Laurel Avenue Denville, NJ v. Twp of Denville, N.J. (Withdrawn January 10, 2024)

**MC#2023 -15**, Lincoln Park Airport, Inc., 425 Beaver Brook Rd., (Block 3, Lot 7 &10) Lincoln Park, NJ 07035 v Borough of Lincoln Park, NJ (Withdrawn December 29, 2023)

**MC#2024 – 1**, Settembrino Architects (worksite 205 Mountain Way Drive) v Borough of Morris Plains, NJ (Withdrawn January 8, 2024)

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

**CORRESPONDENCE:** Budget \$2,130.73

**OLD BUSINESS:** • Vacancy – Alternate Board Member Electrical Subcode Official - NJAC 5:23A-1.3 (b) 2

**NEW BUSINESS**

- 2023 Annual Report distribution
- 2024 Membership Qualification & Contact Information (confidential - please review & advise secretary of any necessary updates)
- 2023 Summary of Appeals

The Board discussed the meeting room capability to view the Uniform Construction Code, digitally, with input from the Office of Technology representative, Nick Micchelli. Clarification of the Webex platform’s, “Participant” and “Attendee” distinctions were made for the purpose of understanding the hybrid options available as needed to accommodate the work of the Board.

**NEXT MEETING:** February 22, 2024, at 6:00 P.M.

**ADJOURN:** On motion duly made by Chairman Maglione., and seconded by John Kostrowski, Jr., the meeting adjourned at 7:10 P.M.

*Sheila M. Leary, CPM*

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Sheila M. Leary, CPM  
Board Secretary