

**TOWNSHIP OF MAHWAH
BOARD OF ADJUSTMENT**

MINUTES

MARCH 16, 2011

The combined public/work session meeting of the Board of Adjustment held at the Municipal Building, 475 Corporate Drive, Mahwah, NJ, beginning at 8:17 pm was called to order by Mr. Rabolli, Chairman with the reading of the opening statement followed by the flag salute and a moment of silence in observance of the passing of Mayor Martel.

These minutes are a synopsis of the meeting. A verbatim audio tape recording is on file with the Board Secretary at the Board of Adjustment Office, 475 Corporate Drive, Mahwah, NJ. Copies of the tapes may be purchased for a fee.

PRESENT:	Mr. Rabolli	Mr. Cimis
	Mr. Dator	Mr. Whiteman
	Mr. Kezmarsky	Mr. Laforet
ABSENT:	Mr. Savino	Mr. DeSilva
	Mr. Larson	
ATTORNEY:	Mr. Ben R. Cascio, Esq.	

I. APPROVAL OF BILLS:

None to present.

II. APPROVAL OF MINUTES:

A. MINUTES OF FEBRUARY 16, 2011

Two revisions were noted by Mr. Cimis. One to update the 'Approval of Minutes' to reflect only those eligible members voted in favor, and two, that the certification received by Mr. Whiteman be specified. A motion to approve, with revisions, was made by Mr. Cimis, seconded by Mr. Kezmarsky. All eligible members voted in favor.

III. MEMORIALIZING RESOLUTIONS:

A Resolution of Appreciation was introduced and read into the record by Mr. Rabolli honoring Mr. George Cimis for his approximate 40 years of service to the Board of

Adjustment. A motion to approve was made by Mr. Dator, seconded by Mr. LaForet. All members voted in favor.

Mr. Cimis accepted the honor and appreciates the recognition.

IV. OPEN TO THE PUBLIC:

Mr. Rabolli opened the meeting to the Public for general questions or statements. None were received.

V. PUBLIC HEARINGS:

**A. DKT.#1284-09 – CHAI LIFELINE, INC.
1058 RAMAPO VALLEY ROAD, BLOCK 25, LOT 28**

This is a continuation of the Public Hearing from January 19, 2011.

Attorneys present:

Marc E. Leibman, Attorney for the Applicant, Chai Lifeline, Inc.
William T. Smith, Attorney for the Objectors, William and Mary Grob, 1064 Ramapo Valley Road, Mahwah, New Jersey 07430

Mr. Joseph Burgis, Professional Planner, was also present.

Mr. Rabolli addressed Mr. Leibman. At the last hearing, Mr. Leibman was in the process of cross examining Mr. Kauker. Mr. Kauker was not in attendance and Mr. Smith was attempting to contact him. Mr. Leibman explained that his planner, Mr. Jakubowski, moved to Colorado. Another planner from the same firm was in attendance.

Mr. Dator and Mr. Cimis both recused themselves from this Application.

There was a short discussion about the number of Board members in attendance and eligible to vote as well as how to proceed since Mr. Kauker was not in attendance. Mr. Leibman requested a short recess to discuss continuing the hearing with his client.

Mr. Rabolli called a break at 8:29 pm.

The meeting reconvened at 8:32 pm.

Mr. Leibman addressed the Board and gave a statement on his position. Due to Mr. Kauker's absence and there not being enough of Board members present to vote, he requested the hearing be carried to a future date. Mr. Rabolli would have liked to continue hearing as much testimony as possible; however, after speaking to Mr. Burgis, agreed the hearing should be carried. Dates for the next hearing were discussed. Mr. Savino should

be back by April 10, 2011. It was agreed to carry the hearing to the May 4, 2011 meeting. There should be six eligible members to vote at this meeting. Mr. Rabolli requested that Mr. Smith check with Mr. Kauker and confirm his availability, and if there are any issues to let Mr. Cascio know. If Public Notice is warranted, this can be addressed at the April 6, 2011 meeting.

Ms. Adrian Vas, 1056 Ramapo Valley Road, approached. She questioned where Mahwah citizens can go to ensure Board members are present at the scheduled hearings. Ms. Vas expressed frustration with the continuations of this Application over the past few years. Ms. Vas has made arrangements to be able to attend the meetings. Mr. Rabolli addressed Ms. Vas indicating that the Board members are appointed, and they are all volunteers. There are seven members with two alternates. Mr. Rabolli described the role of the Board members and due to timing, appointments, etc., not everyone will be eligible to vote. Ms. Vas appreciates the Board's role, but this situation has been going on for a number of years. She is looking for closure on this issue. Due to unfortunate circumstances, the hearing will need to be carried to be fair to all parties. Mr. Rabolli expects to have a vote for this Application at the May 4, 2011 meeting.

Mr. Robert Amarante, 1066 Ramapo Valley Road, approached. Mr. Amarante thanked the Board for all they have done throughout this long Application.

A motion to carry the Public Hearing to May 4, 2011 was made by Mr. Whiteman, seconded by Mr. Kezmarsky, with all voting in favor.

VI. WORK SESSION:

There were no issues raised for the Work Session portion of the meeting.

VII. ADJOURNMENT:

The meeting was adjourned at 8:45 pm by Mr. Whiteman, seconded by Mr. Kezmarsky.

RESOLUTION
ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF MAHWAH

RESOLUTION OF APPRECIATION
FOR
GEORGE CIMIS

WHEREAS, in August of 1970, George Cimis moved with his family from Teaneck, New Jersey, to reside in the Township of Mahwah, having been employed by Volkswagen of America and the Ford Motor Company, located at what is now known as the Crossroads Hotel Property on Route 17; and

WHEREAS, on January 1, 1973, George Cimis was appointed by Mayor Livingston Goodman as a member of the Mahwah Board of Adjustment, on which Board he has continued to serve uninterrupted for nearly 40 years; and

WHEREAS, George Cimis immediately became involved in municipal affairs and ran for Town Council with Nick Savino in 1972, and also became President of the Mahwah Republican Club; and

WHEREAS, George Cimis was also appointed concurrently as a member of the Mahwah Planning Board in 1982; and

WHEREAS, George Cimis has served as a member of the Board of Adjustment, as well as Vice-Chairman, and served as Chairman of the Board from 2006 until July of 2010; and

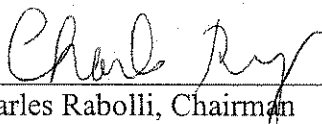
WHEREAS, research has indicated that George Cimis having served as a member of the Mahwah Board of Adjustment for nearly 40 years, continuing to the present time, is one of the longest known terms of membership on any Municipal Board in Bergen County; and


WHEREAS, George Cimis has served the Township of Mahwah in an exemplary and outstanding manner for this extraordinarily long period of time, thereby acquiring the recognition and respect of the municipal officials and the citizens of the Township of Mahwah.

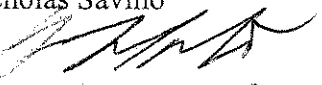
NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Township of Mahwah that George Cimis is hereby recognized and honored by this Resolution of Appreciation for his nearly 40 years of service to the Township of Mahwah;

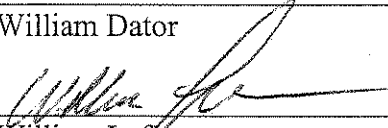
BE IT FURTHER RESOLVED that this Resolution of Appreciation shall be published in the official newspaper of the Township and posted on the bulletin board in the Township Municipal Building.


Adopted by Unanimous Acclamation at the regularly scheduled meeting of the Mahwah Board of Adjustment on March 16, 2011


Charles Rabolli, Chairman



Nicholas Savino

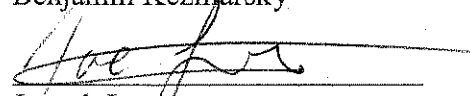

William Dator



William Laforet


Rick DeSilva, Secretary


Wesley Whiteman


Benjamin Kezmarsky


Joseph Larson


Prepared by: Ben R. Cascio, Esq.