

**PASSAIC COUNTY CONSTRUCTION BOARD OF APPEALS
MINUTES
APRIL 21, 2022**

Secretary Schlosser opened the meeting at 4:15 PM and read the notice that the requirements of the Open Public Meeting Act had been met. She then proceeded to call the roll.

MEMBERS PRESENT

1. John Bleeker, Vice Chair
2. James Booth, Commissioner
3. Robert Lynch, Commissioner
4. Nadege Allwaters, Counsel
5. Erin Schlosser, Secretary

MEMBERS ABSENT

1. Phillip Cheff, Chair
2. Dennis Kolano, Alternate Commissioner

APPEALS TO THE BOARD

Isabelle 1 LLC, 196 Parker Ave, Passaic

PRESENT: Josean R. Otero, Esq., Attorney for the Appellant

VIOLATION: N.J.A.C. 5:23-2.32 Unsafe structure

Mr. Otero stated that since the violation was issued, the Appellant had hired its own engineer, BNJ Engineering PC, to conduct an inspection of the unit in question (Unit #4) and to create a report.

Vice Chair Bleeker asked if the report was submitted to the Board. Mr. Otero stated it was not.

Mr. Otero stated the report by BNJ Engineering found that there was sagging in the floors of the unit, and they did identify issues, however the findings and determinations did not find that these issues were an immediate hazard that required the tenant to vacate the unit. Mr. Otero stated that the Appellant followed the recommendations of the BNJ Engineering report, and a permit was submitted to the City for repairs to fix the sagging floors. The permit was approved by the City on April 13, 2022. Work, including adding to joist supports in the floor, was completed at the property on April 15, 2022.

Commissioner Booth asked if there were final inspections done at the property. Mr. Otero stated that to his knowledge, there were no final inspections.

Vice Chair Bleeker asked if Mr. Otero had communicated with the City of Passaic regarding this matter.

Mr. Otero stated that he had not communicated with the City, but his client had. Vice Chair Bleeker asked if the report from BNJ Engineering was submitted to the City. Mr. Otero stated that to his knowledge, it was submitted to the Construction Official. Mr. Otero stated that the Appellant made corrections to the property based on the BNJ Engineering report and that the work completed did not disturb the tenant.

Vice Chair Bleeker stated that the permit was issued to the Appellant after the BNJ Engineering report was submitted to the City, and that the item was most likely marked as resolved by the City. The City of Passaic Construction Official did not appear at the meeting.

Commissioner Lynch asked how the item can be resolved with no final inspection.

Vice Chair Bleeker asked if the Board could receive an update from the City of Passaic Construction Official. Vice Chair Bleeker proposed carrying this matter thirty (30) days based upon the findings from the Construction Official.

Commissioner Booth asked that Mr. Otero communicate with the Board regarding any notifications Mr. Otero receives from the Construction Official.

Ms. Allwaters requested documents, including the BNJ Engineering Report and the permit issued by the City of Passaic, be submitted to the Board. Vice Chair Bleeker requested that photos of the completed work and a summary of the repairs be submitted to the Board. Mr. Otero submitted copies of the BNJ Engineering report, the permit issued by the City of Passaic, photos of the completed work, and an invoice for the completed work to the Board.

A motion was made by Commissioner Booth and seconded by Commissioner Lynch to accept the documents submitted to the Board. The motion passed unanimously.

A motion was made by Commissioner Booth and seconded by Commissioner Lynch to carry this matter thirty (30) days. The motion passed unanimously.

OFFICIAL BUSINESS

A motion to adopt the minutes of the January 20, 2022 and February 17, 2022 Construction Board of Appeals meetings was made by Commissioner Booth and seconded by Commissioner Lynch. The motion passed unanimously.

A motion was made by Vice Chair Bleeker and seconded by Commissioner Lynch to adjourn. The meeting adjourned at 4:24 PM.

The next meeting of the Board will be May 19, 2022.

/ s / Erin M. Schlosser
Secretary, Passaic County Construction Board of Appeals