



City of Middletown
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Minutes

Regular Meeting of January 12, 2023
Code Enforcement Committee

Committee Members Present: Art Higgins, Fire Marshal; Kevin Elak, Director of Health; Dean Lisitano, Chief Building Official; Gary Gessaro, Fire Marshal; Christopher Holden, Director of Public Works; James Mastroianni, Fire Marshal; Thomas Hazel, Zoning Enforcement Officer; and Christopher Forte, Assistant General Counsel.

Members of the Public: None.

1. **Call to Order**

Assistant General Counsel Forte called the meeting to order at 9:03 a.m.

2. **Approval of Minutes**

A. Review and approval of the minutes of the December 22, 2022, regular meeting.

MOTION: Fire Marshal Gessaro made a motion to approve the December 22, 2022 minutes. Director Elak seconded the motion. Motion passed unanimously at 9:04 am.

3. **Public Session.** None.

4. **New Business**

A. **Mayor's Office.**

1) Update from the Mayor's Office. Absent. No updates.

B. **Public Works.**

1) Update from the Public Works Department. No updates.

C. **Health Department.**

1) Update from the Health Department. No updates.

2) 486 High Street. Squatters have been located on the property and have been arrested by the Police Department. The structure has no utilities. Kevin placarded the property and issued an order. The owner of the

properties have contacted him and are working to make the structure safe.
No further action needed.

D. Department of Land Use.

- 1) Update from the Department of Land Use. 749 Saybrook Road: Working with the Health Department and PD to confiscate expired liquor license. No further action required.

E. Building Department.

- 1) Update from the Building Department. 549 Main Street: Reports of broken windows on the property. ZEO will inspect and follow up.

F. Police Department.

- 1) Update from the Police Department. Absent. No updates.

G. City Fire.

- 1) Update from City Fire. No updates.

H. South Fire District.

- 1) Update from South Fire District. No updates.

I. Westfield Fire District.

- 1) Update from the Westfield Fire District. No updates.

J. Office of the General Counsel.

- 1) Update from the Office of the General Counsel. 699 Country Club Road: Reports of a structure being added to the garage illegally. Will refer to Land Use to issue a notice, and to the Health Department to inspect to see whether the new structure encroached on the property's septic system. Building will also need to approve a permit. Will continue to monitor.

5. Old Business

A. Department of Health

- 1) 460 Main Street: Reports that the owners were not making repairs to the structural foundation to the building. Sewer backup reported on site, and claims by the owner that the City is holding up work on the property. Director Holden shared that there was a letter from a structural engineer stating that the building was structurally sound. Chief Building Officer Lisitano stated that water was entering the basement through the foundation, but absent a permit pulled they have no enforcement mechanism. Lisitano went on to state that he is aware Lenscrafters is leaving the building and when they do renovations they will need to pull permits, so the Building Department can address the water at that time.

Since the last meeting Director Holden and Chief Building Official Lisitano inspected the property and found that it was structurally sound. Director Elak stated that the Health Code requires that buildings be water tight so the Health Department will inspect to determine whether any additional enforcement steps needs to be taken.

B. Department of Land Use.

- 1) 23 Silver Street: Fire at the building which is now blighted and falling down. ZEO and Fire Department have reached out to the property owner and the insurance company. ZEO contacted new owners of the property and has issued a Notice of Violation for Blight on the property for a building that has burned down greater than 2 months ago. Owner has started clearing out the property and is looking to rehabilitate the structure. Owner has approached the building department for a permit, and was informed that a report from a structural engineer will be needed. Will move through the process if no progress made. Will continue to monitor.
- 2) 44-465 Middlefield Street. Letter was received from neighbors claiming that people living unlawfully at the premises, illegal dumping in the river. Police inspected and found there were no noise complaints made on the property, and there were no issues at all hours of the day when they inspected. Health department has reached out to the state to inquire about the testing of wells and was informed it was about \$400 per test. Health and Water & Sewer met regarding potential contamination and determined that only 8 houses would be at risk if there was dumping on the site. Will follow up with the mayor's office regarding testing. Will continue to monitor.

C. Office of the General Counsel.

- 1) 159 Boston Road: Inspections found hole in roof, owner not living in house and refusing help for social workers. Citation issued on September 13, 2022, Failure to Pay Fines Notice issued and the homeowner has appealed to the City's Zoning Citation Hearing Officer. Hearing was held on November 14, 2022. Judgment obtained in the amount of \$74,800 for blight violations. No further action required.
- 2) 26 Delwood Avenue. Judgment entered in the amount of \$30,000.00 for blight violations. No further action required.

6. Adjournment

MOTION: Chief Building Official Lisitano made a motion to adjourn. Fire Marshal Gessaro seconded the motion. Motion passed unanimously at 9:25 am.

The Committee adjourned at 9:25 a.m.

cc: Hon. Benjamin Florsheim, Mayor
Code Enforcement Committee Members
OGC Personnel