



City of Middletown
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TOWN CLERK
MIDDLETOWN, CONN.

Minutes

Special Meeting of January 14, 2021
Code Enforcement Committee

Committee Members Present: Dean Lisitano, Chief Building Official; James Mastroianni, Fire Marshal; Nick Puorro, Police Officer; Jason Hurlbut, Deputy Fire Marshal; Gary Gessaro, Fire Marshal; Art Higgins, Fire Marshal; Jennifer Sparks, Acting Public Health Manager; Bobbye Knoll Peterson, Chief of Staff; and Christopher J. Forte, Assistant General Counsel.

Members of the Public: None

1. **Call to Order By Staff**

Assistant General Counsel Forte called the meeting to order at 9:04 a.m.

2. **Approval of Minutes**

A. Review and approval of the minutes of the December 22, 2020 special meeting.

MOTION: Fire Marshal Gessaro made a motion to approve the December 22, 2020 minutes. Officer Puorro seconded the motion. Motion passed unanimously at 9:04 am.

3. **Public Session-** None

4. **New Business**

A. **Public Works.**

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

B. **Health Department.**

1) Update from the Health Department. No updates.

C. **Planning, Conservation and Development.**

1) Update from the Planning, Conservation and Development Department.
Absent. No updates.

D. **Building Department.**

- 1) Update from the Building Department. No updates.

E. Police Department.

- 1) Update from the Police Department. No updates.
- 2) Washington Street Plazas (Illegal Dumping Issues). The Middletown Police Department has been investigating illegal dumping of junk, and various furniture. Will coordinate with Public Works and continue to monitor.

F. City Fire.

- 1) Update from City Fire. No updates.

G. South Fire District.

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

H. Westfield Fire District.

- 1) Update from the Westfield Fire District. Nothing new to report.

I. Office of the General Counsel.

- 1) Update from the Office of the General Counsel. No further update.
- 2) Review of Code Enforcement Liens: No updates.

5. Old Business

A. Public Works. Absent. No updates.

- 1) Camp Street. Reports of tires that are improperly stored on the premises. Public Works will inspect and follow up. Will continue to monitor.

B. Planning, Conservation and Development. Absent. No updates.

- 1) 212 Sisk Street: The Planning, Conservation and Development Office was made aware that this property was in a state of disrepair, including having a hole in the roof, and junk located in the back of the property. Zoning and Wetlands Enforcement Officer Baia has issued blight and zoning orders against the property, and the violations have not been remediated. ZEO Baia will follow up with a Citation. Committee will continue to monitor.
- 2) 520 East Main Street: A hole in the roof exists on this property. The Zoning Enforcement Office issued blight orders on the property. The owner is working with the ZEO and Building Department to remediate the violations. For now, the owner has installed a tarp on the roof. Will

continue to monitor in case further action is required.

- 3) 311 Main Street Extension. Auto parts store located on property on East Main Street burned down. The South Fire Marshals have completed their investigation, and the Chief Building Official is working with the owners and their insurance company to remove the structure on the property. The Building Department was made aware that the owner of the property passed away recently, which has slowed down the process for obtaining a demolition permit.

ZEO Baia issued a blight order on December 11 against the owners of the property for blight violations as a result of the building burning down. The owner is attempting to work with their attorney and the insurance company to demolish the building. The Mayor's Office reached out to Public Works because there were reports of people breaking into the property. Public Works and the Middletown Police Department will investigate to see whether the property needs to be made safe, and police will monitor. Will continue to monitor in case further action is required.

C. Health Department.

- 1) 26B Saybrook Road: The Health Department condemned the property as a result of exposed electrical wires that posed an imminent danger to human life, and has issued other orders on the property regarding damage to the roof, violations regarding the bathroom, among others. The owner of the property failed to cure the violations within the time set forth in the order. The Health Department referred the matter to the States Attorney's Office. Since last month, the property was transferred to a new owner, who is working on achieving compliance. The majority of the violations have been rectified. The Health Department will continue to monitor for compliance.
- 2) 546 Main Street: Reported issue with sewage in the building. Health Department inspected, and the violations have been remediated. No further action required.
- 3) 37 Park Place: The City was made aware of reports of garbage located on the property, and a missing window on the third floor, and a missing basement door. The Health Department, Building Official and Zoning Enforcement Officer inspected the property, and conducted a follow up inspection this past month. The ZEO issued a blight order against the property owner for debris, mattress and furniture located on the premises. It was discovered that the cellar door was not broken. Will continue to monitor.
- 4) 23 Atkins Street. The Health Department condemned the building and

relocated the owners of the building pursuant to the Uniform Relocation Assistance Act. Since last month the probate court has appointed a conservator over the owners, who is working to remediate the violations on the property. The Fire and Building departments will conduct follow up inspections once the property is cleaned out. Will continue to monitor.

D. City Fire.

- 1) 52 North Main Street. The Health Department forwarded this to City Fire, there are reports of illegal gatherings on the premises in violation of COVID-19 guidelines. City Fire inspected the premises and found numerous Fire Code violations, including potentially people living in the building. The Health, Building and Planning, Conservation and Development departments will schedule inspections. Will continue to monitor

E. Building Department.

- 1) 980 Arbutus Street. The City's Building Department was made aware that the building on the property was being occupied without a certificate of occupancy, which is in violation of the Building Code. The Building Department and Office of the General Counsel will follow up and work to achieve compliance and schedule an inspection. Will continue to monitor.

F. Westfield Fire District.

- 1) 49 FedEx Drive (FedEx). FedEx took out a permit to expand their operation on the site. No code violations. No further action required.
- 2) 218 Smith Street (Westfield Pizza). Owner pulled permits for expansion. Will continue to monitor.

G. Office of the General Counsel.

- 1) 74 Country Club Road: The property owner appealed a decision of the Connecticut Department of Public Health affirming the Middletown Health Department's order to cure various violations of the Public Health Code and Middletown Code of Ordinances on the property. The appeal was denied by the Department of Public Health and the City's legal order was modified, and affirmed. The owner has appealed to the Superior Court, and the City succeeded in dismissing the appeal. The owner's bankruptcy case has been dismissed. The Health Department has attempted to conduct a follow up inspection to see whether the violations still exist, but were unable to gain access to the property. The Zoning Enforcement Officer issued orders against the property to remove the tree

from the driveway, and compliance was achieved. The Health Department will continue to try to gain access to the property to determine whether the longstanding health violations on the property continue to exist. Will continue to monitor.

- 2) Middlesex Pool and Tennis Club (432 Laurel Grove). **No further update.** In 2019, the clubhouse located on the property burned down. The Building Department, in conjunction with Fire, Planning, Conservation and Development, and the Office of the General Counsel have been working with the owner to have the structure removed. The structure has now been taken down, and the pool still remains. The Building Official and Health Department issued orders to fix the fence and to drain the pool. The property owners failed to comply, and the Office of the General Counsel issued a notice of abatement to the property owner. Since then, the City of Middletown is working to acquire title to the property, so code enforcement activities have been put on hold for time being. Will continue to monitor.

6. Adjournment

MOTION: Chief Building Official Lisitano made a motion to adjourn. Fire Marshal Gessaro seconded the motion. Motion passed unanimously at 9:32 am.

The Committee adjourned at 9:32 a.m.

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