



City of Middletown
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Minutes

Regular Meeting of January 28, 2021
Code Enforcement Committee

Committee Members Present: Dean Lisitano, Chief Building Official; Nick Puorro, Police Officer; Jason Hurlbut, Deputy Fire Marshal (arrived at 9:06 a.m.); Gary Gessaro, Fire Marshal; Art Higgins, Fire Marshal (arrived at 9:03 a.m.); Jennifer Sparks, Acting Public Health Manager; Christopher Holden, Deputy Director of Public Works; Ron Baia, Zoning Enforcement Officer; 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 9:03 a.m.

2. **Approval of Minutes**

A. Review and approval of the minutes of the January 14, 2021 special meeting.

MOTION: Zoning Enforcement Officer Baia made a motion to approve the January 14, 2021 minutes. Chief Building Official Lisitano seconded the motion. Motion passed unanimously at 9:03 am. Fire Marshal Higgins and Deputy Fire Marshal Hurlbut were absent for the vote.

3. **Public Session-** None

4. **New Business**

A. **Public Works.**

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

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D. Building Department.

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

E. Police Department.

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

F. City Fire.

- 1) Update from City Fire. No updates.

G. South Fire District.

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

H. Westfield Fire District.

- 1) Update from the Westfield Fire District. Update on 23 Atkins Street. See below.
- 2) 197 Carriage Crossing (Fire): Health and Building Departments inspected with the fire department. There was some water damage and the tenants were relocated. No further action required.

I. Office of the General Counsel.

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

5. Old Business

A. Public Works. No updates.

- 1) Camp Street. Reports of tires that are improperly stored on the premises. Public Works will re-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. 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. The owner is working on achieving compliance. The majority of the violations have been rectified. The Health Department will continue to monitor for compliance.
- 2) 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. Health Department inspected and found that the owner was cleaning up the property. Will re-inspect and continue to monitor.
- 3) 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, and will need to be re-

inspected before the condemnation order can be lifted. Will continue to monitor.

D. 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.

E. Police Department.

- 1) 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) 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

G. Westfield Fire District. Absent. No updates.

- 1) 218 Smith Street (Westfield Pizza). Owner pulled permits for expansion, but project is on hold due to weather and structural issues. Will continue to monitor.

H. 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 conducted a follow up inspection to see whether the violations still exist, and have determined that no further action is required. The Zoning Enforcement Officer issued orders against the property to remove the tree from the driveway, and compliance was achieved. The Health

Department and Planning, Conservation and Development have informed the Committee that no further action is required.

- 2) Middlesex Pool and Tennis Club (432 Laurel Grove). 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: Zoning Enforcement Officer Baia made a motion to adjourn. Chief Building Official Lisitano seconded the motion. Motion passed unanimously at 9:20 am.

The Committee adjourned at 9:20 a.m.

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