



City of Middletown  
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### Minutes

Regular Meeting of March 23, 2023  
Code Enforcement Committee

**Committee Members Present:** Bobbye Knoll Peterson, Acting Chief of Staff and Acting Director of Economic and Community Development; Gary Gessaro, Fire Marshal; Art Higgins, Fire Marshal; James Mastroianni, Fire Marshal; Thomas Hazel, Zoning Enforcement Officer; Lieutenant Nick Puorro; Dean Lisitano, Chief Building Official; and Brig Smith, General Counsel.

**Members of the Public:** None.

1. **Call to Order By Staff.** Brig Smith called the meeting to order at 9:02 a.m.

2. **Approval of Minutes.**

Review and approval of the minutes for the March 9, 2023 regular meeting. MOTION by Fire Marshal Gessaro, seconded by Dean Lisitano, and passed unanimously.

3. **Public Session.** None.

4. **New Business.**

A. **Mayor's Office.**

1. **Update from the Mayor's Office.** Bobbye Knoll Peterson suggested a follow-up discussion with MPD regarding the Forbidden Llama. Tom Hazel advised that a video recently surfaced showing someone apparently smoking a hookah, which is against zoning. He will follow up.

B. **Public Works.**

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

C. **Health Department.**

1. **Update from the Health Department.** Absent. Brig Smith provided updates instead.

409 Middlefield St. – Health Department received a complaint about alleged illegal construction activity on this site. The complainant is concerned that a septic system is being installed. Dean Lisitano said that the owner has the proper permits and approval to construct a garage with an upstairs apartment. Kevin Elak confirmed with Daniel Pitsurenko from the Water and Sewer department that the property is served by public sewer. He also confirmed with Lee Muscatello from the Tax Collector’s office that the owner of the property received a water/sewer bill. He let the complainant know about his findings.

30 Denison- Bulk waste has been removed.

**D. Department of Land Use.**

1. Update from the Department of Land Use. No updates.

**E. Building Department.**

1. Update from the Building Department. No updates.

**F. Police Department.**

1. Update from the Police Department. No updates.

**G. City Fire.**

1. Update from City Fire. No updates.

**H. South Fire District.**

1. Update from the 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. No updates

**5. Old Business.**

**A. Public Works**

1. 635 East Main Street: Tom Hazel is working with the Bird manager regarding noncompliance with zoning. A potential fire hazard exists as well.

**B. Health Department**

1. 455 & 465 Middlefield Street:

Tom Hazel will confirm whether there are 100-foot setbacks to both a residential zone and waterways. The IWWA has already been involved, but Tom will follow up with Jim Sipperly about additional review.

The Health Department went out twice on March 22. In the morning, Jennifer Sparks was on-site and did not detect any noxious fumes. In the afternoon, Dennis Murray knocked and was granted entry into “Custom Interiors.” The window on Middlefield Street facing north was open and a strong smell of urethane was present. The south wall is a full-wall built-in filter (approx. 8 feet by 20 feet). Dennis advised the owner that the amount of usage is overwhelming the homemade filtering system, compounded with a negative airflow. The owner stated he is going on March 24 to Pennsylvania to buy a spray booth. Dennis requested he send him the specifications for it.

Lt. Puorro advised that he recently came by at approximately 10:30 p.m. He did not uncover any residents living there, but will do a follow up site visit in the future. He will also follow up with the DMV on the results of an inspection they recently performed there.

2. 1149 Long Hill Road Per the Health Department, the chickens are properly cooped and, per Tom Hazel, there are no zoning violations.

**C. Department of Land Use**

1. 23 Silver Street: Sale to occur March 23 and purchaser to pay off \$11,600 blight lien. Tom Hazel to follow up in approximately one week to check on status and proceed with notice of violation depending on results.
2. 542-544 Main Street: Notice of violation issued. Citation to issue April 9 if not yet remediated.
3. 35 Clinton Avenue: Inspection revealed illegal unit. Homeowner will remove stove outlet, which will allow it to comply. Tenants have vacated and are removing their possessions.

**D. Building Department**

1. 248 Williams Street (Forest City Cleaners): Public Works has boarded up the windows on the property to make the property safe. The City continues

to work to obtain a contractor with state approval to raze the building on the property.

2. 699 Country Club Road: Dean Lisitano to coordinate with Tom Hazel to seek entry. Dog shed will require site plan approval through Land Use before it can be permitted through Building.

**E. Office of the General Counsel**

1. 2 Hillside Court Assessment of \$5,400 entered by citation hearing officer on March 9, 2023. If no appeal is filed by April 9, city will file with the court for judgment.

6. **Adjournment.** Motion to adjourn by Dean Lisitano, seconded by Art Higgns, and passed unanimously. The meeting adjourned at 9:23 a.m.