



City of Middletown
OFFICE OF THE GENERAL COUNSEL
245 deKoven Drive
Middletown, CT 06457-1300
TEL: (860) 638-4820 FAX: (860) 638-1920
TDD: (860) 344-3521

RECEIVED
20 SEP 24 AM 10:47
TOWN CLERK
MIDDLETOWN, CONN.

Minutes

Regular Meeting of September 24, 2020
Code Enforcement Committee

Committee Members Present: Dean Lisitano, Chief Building Official (left at 9:54 a.m.); Ron Baia, Zoning Enforcement Officer (arrived 9:25 a.m.); Kevin Elak, Public Health Manager; Bobbye Knoll Peterson, Chief of Staff; Jason Hurlbut, Deputy Fire Marshal; Joseph Samolis, Director of Planning, Conservation and Development (left at 9:25 a.m.); Art Higgins, Fire Marshal (arrived at 9:40 a.m.); Joseph Salafia, Deputy Fire Marshal; 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 9:14 a.m.

2. **Approval of Minutes**

A. Review and approval of the minutes of the August 27, 2020 regular meeting.

MOTION: Director Samolis made a motion to approve the August 27, 2020 minutes. Chief Building Official Lisitano seconded the motion. Motion passed unanimously at 9:14 am.

Committee Members present at this time was Chief Building Official Lisitano, Deputy Fire Marshal Hurlbut, Deputy Fire Marshal Salafia, Director Samolis, and Assistant General Counsel Forte. Chief of Staff Peterson and Public Health Manager were absent.

3. **Public Session-** None

4. **New Business**

A. Public Works

- 1) Update from the Public Works Department.
 - i. Donation Boxes. Discussion was had regarding donation boxes that are overflowing on multiple properties, a Ghezzi's Liquor Store, Spencer School, and a gas station on South Main Street. The Health Department, and Zoning Enforcement Officer Baia will inspect the properties to see if any further action is needed.

B. Health Department

- 1) Update from the Health Department. No additional update.
- 2) 566 Main Street: The Health Department was made aware of the presence of garbage and bulky waste in an alley behind the property. The Health Department inspected and worked with the property owner to bring the property into compliance. No further action required.

C. Planning, Conservation and Development

- 1) Update from the Planning, Conservation and Development Department.
 - i. 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. Representatives from the Health Department and Building Department will also inspect. Committee will continue to monitor.
 - ii. 132 Pearl Street: The Mayor's Office was made aware of violations located on the property. The Mayor's Office will refer to the Police Department for further investigation, and Zoning Enforcement Officer Baia and representative of the Health Department will inspect the property.

D. Building Department

- 1) Update from the Building Department.
 - i. East Main Street: 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. Will continue to monitor in case further action is required.

E. Police Department

- 1) Update from the Police Department. Not present.

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. No updates

I. Office of the General Counsel:

- 1) Update from the Office of the General Counsel. No further update.
- 2) Review of Code Enforcement Liens: Assistant General Counsel Forte informed the Committee that it will be receiving payment on one of its last outstanding clean-and-liens.

5. Old Business

A. Public Works- No updates, not present.

- 1) 5 Russell Court: There were abandoned cars and potentially hazardous chemicals being stored on the Property. The Zoning Enforcement officer and Public Works Department will follow up and coordinate a response and report their findings back to this Committee. Will continue to monitor in case future action is required.
- 2) Highlands Neighborhood, Westlake. There have been reported issues of overgrown grass, bulk trash and waste being dumped, and a potential rodent harborage in areas that are allegedly maintained by the homeowners association. The ZEO, Public Works and Health Departments inspected the premises and did not find any violations. They indicated they will do a follow up inspection near Inverness Lane to see if any violations exist. Will continue to monitor in case future action is required.

B. Planning, Conservation and Development

- 1) 35 Wall Street: The Zoning Enforcement Officer sent out Notice of Blight Violations to properties located at 15 Wall Street, 35 Wall Street and 35 ½ Wall Street, with 7 days to comply. This committee voted last month to commence clean-and-lien procedures in the event the Notice of Violation is not complied with. Those orders got returned as undeliverable, so Zoning Enforcement Officer Baia is working with the Office of the General Counsel to re-issue the Notices of Violation. Will continue to monitor.

C. Health Department

- 1) 152 Prospect Street. The Health Department received a complaint from a tenant that there are tenants illegally living in the basement, and other reports of unsanitary issues. The Health Department, the City Fire Marshal, and Building Department will follow up and coordinate a response, and report their findings back to this Committee. Will continue to monitor in case future action is required.
- 2) 58 Green Street: Reports of bug infestation from tenants at the property. Health Department inspected the property and worked with the property owner to resolve the issues. No further action required.

D. Building Department

- 1) 520 East Main Street: A hole in the roof exists on this property. The Chief Building Official and the Zoning Enforcement Officer will follow up and inspect to render the building safe. Will continue to monitor in case further action is required.

E. South Fire

- 1) 635 and 644 East Main Street. The South Fire Department has inspected these two properties, because the owner of them has passed away. The properties are currently vacant and there is a potential hoarding situation in both. The property located at 635 East Main has broken windows on the garage, but otherwise the buildings appear to be safe. Activity to clear out the buildings is ongoing. Will continue to monitor in case further action is required.

F. 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 Health Department will continue to try to gain access to the property.
- 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.

6. Adjournment

The Committee adjourned at 9:55 a.m. on motion of Zoning Enforcement Officer Baia, seconded by Public Health Manager Elak, and carried unanimously. Director Samolis, and Building Official Lisitano were not present for this vote.

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