



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 OCT 29 PM 2:57
TOWN CLERK
MIDDLETOWN, CONN.

Minutes

Regular Meeting of October 29, 2020
Code Enforcement Committee

Committee Members Present: Dean Lisitano, Chief Building Official (left at 9:10 a.m.); Ron Baia, Zoning Enforcement Officer; Kevin Elak, Public Health Manager (left at 9:27 a.m.); Bobbye Knoll Peterson, Chief of Staff; Gary Gessaro, Fire Marshal; James Mastroianni, Fire Marshal; Art Higgins, Fire Marshal; Jennifer Sparks, Acting Public Health Manager; Christopher Holden, Deputy Director of Public Works (left at 9:22 a.m.); 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 September 24, 2020 regular meeting.

MOTION: Fire Marshal Gessaro made a motion to approve the September 24, 2020 minutes. Chief Building Official Lisitano seconded the motion. Motion passed unanimously at 9:03 am.

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.

i. 26B Saybrook Road: The Health Department issued an order 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 will refer this matter to the State's Attorney's Office for compliance. Will continue to monitor.

- ii. 546 Main Street: Reported issue with sewage in the building. Health Department will inspect and report back to the Committee. Will continue to monitor.

- 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 Zoning Officer reported no violations and the debris on the property has been removed. The Health Department contacted the owner to clean up the debris in the yard. Will continue to monitor.

C. Planning, Conservation and Development

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

D. Building Department

- 1) Update from the Building Department. No updates.
- 2) 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. Will continue to monitor.

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. No updates.

H. Westfield Fire District

- 1) Update from the Westfield Fire District. Fire Marshal Higgins informed the committee that the Dainty building had been demolished and that their investigation was complete. Additionally, on 159 Tryon Street, which had a fire in July, the Fire District completed their investigation and is working with the property owner to have the building demolished. No further action from the Committee is required.

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

- 1) 5 Russell Court: There were abandoned cars and potentially hazardous chemicals being stored on the Property. Public Works inspected and it was determined that there was no hazardous material on the property. The Zoning Enforcement Officer will follow up to determine whether any zoning or blight violations exist on the property. 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) 15 Wall Street, 35 Wall Street and 35 ½ 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 in September to commence clean-and-lien procedures in the event the Notice of Violation is not complied with. The Zoning Enforcement Officer reported that the property has been brought into compliance, no further action required.
- 2) 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. Committee will continue to monitor.
- 3) 132 Pearl Street: The Mayor's Office was made aware of violations located on the property. The Zoning Enforcement Officer issued blight orders on the property. Committee will continue to monitor.
- 4) Donation Boxes: They have been removed. No further action required.

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 and Fire Departments inspected and did not find any housing or health violations on the property. No further action required.

D. Building Department

- 1) 520 East Main Street: A hole in the roof exists on this property. The Zoning Enforcement Office issued blight orders on the property. Will continue to monitor in case further action is required.
- 2) 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. South Fire

- 1) 635 and 644 East Main Street. **No update**. 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. The Zoning Enforcement Officer has also issued blight orders on the property. 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.

6. Adjournment

The Committee adjourned at 9:33 a.m.

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