



City of Middletown
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Minutes

Regular Meeting of March 11, 2021
Code Enforcement Committee

Committee Members Present: Richard DeMaio, Assistant Building Official; Nick Puorro, Police Officer; Gary Gessaro, Fire Marshal (arrived 9:05 am); James Mastroianni, Fire Marshal; Art Higgins, Fire Marshal; Jennifer Sparks, Acting Public Health Manager; Christopher Holden, Deputy Director of Public Works; Joseph Samolis, Director of Planning, Conservation and Development; Bobbye Knoll Peterson, Chief of Staff (arrived 9:05 am); 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 February 25, 2021 special meeting.

MOTION: Director Samolis made a motion to approve the February 25, 2021 minutes. Fire Marshal Higgins seconded the motion. Motion passed unanimously at 9:03 am. Fire Marshal Gessaro and Chief of Staff Peterson were absent for the vote.

3. **Public Session-** No members of the public present.

4. **New Business**

A. **Public Works.**

1) **Update from the Public Works Department.**

a. *594 Main Street:* Dumpster located on property that is overflowing with refuse. Health Department will inspect and issue orders if necessary. Will continue to monitor.

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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.
 - a. *159 Boston Road:* The Building Department became aware that the power was turned off to the building due to the fact that the building is in disrepair, with holes in the roof and blight in the yard. PCD will issue a blight order and work with the homeowner to achieve compliance. Will continue to monitor.

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. 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 updates.
- 2) Review of Code Enforcement Liens: All liens have been paid.

5. Old Business

A. Public Works.

- 1) Route 9 South by Miller Street: Reports of an abandoned pile of garbage on the right side of the road. Public Works will inspect and follow up.

B. Planning, Conservation and Development.

- 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. PCD issued a Citation, and will look to initiate clean-and-lien procedures if no action has been taken to remediate the violations. 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, 2020 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.

- 3) Catherine Street (Former Untouchable Towing): The Office of the General Counsel received a complaint from a neighbor that the former owner of Untouchable Towing was running an illegal business out of his residence. The Planning, Conservation and Development Department inspected the property numerous times and found no violations on the property. Will keep on agenda for one more meeting and PCD will continue to inspect.

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 and the owner filed an appeal with the State Department of Health. The case before the state has been withdrawn, and the majority of the violations have been rectified as the owner needs to pull permits for the work on the stairs and will fix the roof in the spring.

The Health Department and South Fire 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. The Health Department re-inspected and the property owner has remediated the violations on the property. No further action needed.
- 3) 23 Atkins Street. The Health Department condemned the building and relocated the owners of the building pursuant to the Uniform Relocation Assistance Act. The conservator has worked to remediate the violations on the property, the power has been turned back on. Health, Building and Fire will inspect when the work has been completed to ensure the building is safe and up to code. 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. An inspection has been scheduled for March. Will continue to monitor.

E. 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 Fire Department and Planning, Conservation and Development have issued orders on the property. The Health, Building and Planning, Conservation and Development departments inspected the premises and will be working to obtain compliance. The Police Department inspected and was not able to confirm whether tenants were staying in the property overnight. Will continue to monitor

F. Westfield Fire District. Absent.

- 1) 218 Smith Street (Westfield Pizza). Numerous violations on the property involving the Health Department, Building Department and Westfield Fire Department. The fire suppression system failed inspection, the owner installed grease traps without permits. The Westfield Fire

Department has sent a notice of violation to the owner. Will continue to monitor.

G. Office of the General Counsel.

- 1) 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: Director Samolis made a motion to adjourn. Officer Puorro seconded the motion. Motion passed unanimously at 9:30 am.

The Committee adjourned at 9:30 a.m.

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