



City of Middletown  
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TOWN CLERK  
MIDDLETOWN, CONN.

### Minutes

Regular Meeting of April 8, 2021  
Code Enforcement Committee

**Committee Members Present:** Nick Puorro, Police Officer; James Mastroianni, Fire Marshal; Jennifer Sparks, Acting Public Health Manager; Joseph Samolis, Director of Planning, Conservation and Development; Dean Lisitano, Chief Building Official; Christopher Holden, Deputy Director of Public Works; Bobbye Knoll Peterson, Chief of Staff; Gary Gessaro, Fire Marshal; Jason Hurbut, 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 9:01 a.m.

2. **Approval of Minutes**

A. Review and approval of the minutes of the March 25, 2021 regular meeting.

**MOTION:** Fire Marshal Mastroianni made a motion to approve the March 25, 2021 minutes. Deputy Director Holden seconded the motion. Motion passed unanimously at 9:02 am.

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

4. **New Business**

A. **Public Works.**

- 1) Update from the Public Works Department. No updates.
- 2) 80 Hillside Avenue (Illegal Dumping). Material was left outside and around the dumpster located on the property. The property owner remediated the violation. No further action needed.

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.

**D. Building Department.**

- 1) Update from the Building Department. No updates.
- 2) 399 deKoven Drive. The Building Department condemned the property due to a water leak that affected the building's electrical panels. Tenants were living in four apartments in the building that were relocated by the Health Department. The Police Department was called numerous times, but the Police Department and Health Department have confirmed that tenants are not living in the condemned units. An electrician has been on site attempting to remediate the violations. City Fire will be reaching out to the property owner to schedule a fire code walkthrough. Will continue to monitor.

**E. Police Department.**

- 1) Update from the Police Department. No updates.
- 2) Preston Avenue (Illegal Dumping). Bulky waste and illegal dumping were located on site, and was remediated by Public Works. No further action required.

**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. Absent. No updates.

**I. Office of the General Counsel.**

- 1) Update from the Office of the General Counsel. No updates.

**5. Old Business**

**A. Planning, Conservation and Development.**

- 1) 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.
- 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, 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.

- 3) 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.
- 2) 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. No further action required.

#### **B. Health Department.**

- 1) 26B Saybrook Road: The owner of the property needs to fix the roof, which the owner has indicated will happen this month. The owner will then need to schedule an inspection with Building, Health and Fire to ensure it is up to code. The Health Department and South Fire will continue to monitor for compliance.
- 2) 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. The owners are no longer living at the property, and the conservator is looking to sell the property. Until that time, the Committee will continue to monitor.

#### **C. 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 for a final certificate of occupancy occurred and the property owner completed the outstanding items. No further action required.

#### **D. 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. Will continue to monitor

**E. Westfield Fire District. Absent, no updates.**

- 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. The property owner has submitted new plans to the Building Department and construction is ongoing. Will continue to monitor.

**F. South Fire District.**

- 1) Open Burning Ordinance. Fire Marshal Mastroianni updated the Committee on the City of Middletown's Open Burning Ordinance, and stated that the fire marshals will be reviewing the ordinance and will contact the Office of the General Counsel when they are ready to propose changes. Will continue to monitor.

**G. Office of the General Counsel.**

- 1) 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, the probate court, and the insurance company to demolish the building. Contractors have reached out to the Building Department to discuss the demolition permit. Will continue to monitor in case 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:** Chief Building Official Lisitano made a motion to adjourn. Fire Marshal Mastroianni seconded the motion. Motion passed unanimously at 9:23 am. Director Samolis was absent for the vote.

The Committee adjourned at 9:23 a.m.

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