



City of Middletown
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Minutes

Regular Meeting of April 13, 2023
Code Enforcement Committee

Committee Members Present: Art Higgins, Fire Marshal; Thomas Hazel, Zoning Enforcement Officer; Lieutenant Nick Puorro; Dean Lisitano, Chief Building Official; Christopher Holden, Director of Public Works; Jennifer Sparks, Chief Public Health Sanitarian; Marek Kozikowski, Director of Land Use; and Christopher Forte, Assistant General Counsel.

Members of the Public: Councilperson Ed McKeon, Rick DeMaio.

1. **Call to Order By Staff.** AGC Forte called the meeting to order at 9:01 a.m.

2. **Approval of Minutes.**

Review and approval of the minutes for the March 23, 2023 regular meeting. MOTION by Dean Lisitano, seconded by Jennifer Sparks, and passed unanimously at 9:02 a.m.

3. **Public Session.** Ed McKeon, 76 Pearl Street: Stated that he had difficulty signing on to the last meeting, that the hyperlinks for the meeting should be more accessible, and would be willing to speak on the Middlefield Street issue when we reach that portion of the agenda.

4. **New Business.**

A. **Mayor's Office.**

1. Update from the Mayor's Office. Absent. No updates.

B. **Public Works.**

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

C. **Health Department.**

1. Update from the Health Department. No updates.

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. Absent. No updates.

H. South Fire District.

1. Update from the South Fire District. Absent. 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 and Bobby Peterson are working with the Bird manager regarding noncompliance with zoning. Christopher Holden will follow up with an update for the next meeting.

B. Health Department

1. 455 & 465 Middlefield Street:

Jennifer Sparks, Marek Kozikowski, and the City Fire Marshal inspected the second floor of the property with a representative from DEEP. The owner of the cabinet business bought a ventilator booth that is vented out of the ceiling to reduce the emissions from the property. DEEP will issue a final report by April 24. The owner will also need to work with Dean Lisitano at Building Department to pull the necessary permits for installation.

Michelle Hanson and Don Fisco started obtaining samples from the wells of 8 neighbors so that they can be tested for contamination. 2 more wells will be sampled this upcoming week. The lab results should be back within one week.

Lieutenant Puorro inspected the second and third floors of the property in the past two weeks. There was no evidence of anyone living on the property, just evidence of business uses. Lieutenant Puorro also has driven by the property at night on numerous occasions and found no indication of residents living on the property. Lieutenant Puorro and police for the Department of Motor Vehicles inspected the property and found violations. DMV Police will re-inspect on April 19 and will take enforcement action if needed. There have been no other calls for service to the PD regarding the property.

Councilman McKeon stated that while he understands that this meeting is the meeting where the City's code enforcement officials work together, he would prefer a point person on this topic. He thanked the members of the Committee for taking this issue seriously. He also acknowledged the residents longstanding concerns on the site, including the concern of whether the uses are appropriate under the Zoning Code.

Marek Kozikowski stated that the cabinet business on the second floor is classified as a manufacturing use under the Zoning Code, and as a result, such use does not require a 100-foot setback from residential properties.

C. Department of Land Use

1. 23 Silver Street: AGC Forte stated that the \$11,600 blight lien was paid when the property sold. Tom Hazel has issued a Notice of Violation to the new owners, which gives them until April 28 to bring the property into compliance.
2. 542-544 Main Street: Notice of violation issued. Citation will be issued because blight has not been 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 still 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. No further action required.
2. 699 Country Club Road: Dean Lisitano to coordinate with Tom Hazel to

seek entry and send letter to owner to ensure the new building complies with Zoning and Building. 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. Property owner has remediated the violations on the property. No further action required.

6. **Adjournment.** Motion to adjourn by Nick Puorro, seconded by Dean Lisitano, and passed unanimously. The meeting adjourned at 9:33 a.m.