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Minutes

Regular Meeting of October 14, 2021
Code Enforcement Committee

Committee Members Present: Lieutenant Nick Puorro; Kevin Elak, Acting Director of Health; Dean Lisitano, Chief Building Official; Christopher Holden, Deputy Director of Public Works; Art Higgins, Fire Marshal; Al Lespier, Deputy Fire Marshal; James Mastroianni, Fire Marshal; Marek Kozikowski, Director of Land Use; and Christopher Forte, Assistant General Counsel.

Members of the Public: Kerry Kincy

1. Call to Order By Staff

Assistant General Counsel Forte called the meeting to order at 9:05 a.m.

2. Approval of Minutes

A. Review and approval of the minutes of the September 23, 2021 regular meeting.

MOTION: Chief Building Official Lisitano made a motion to approve the September 23, 2021 minutes. Deputy Fire Marshal Lespier seconded the motion. Motion passed unanimously at 9:05 am.

3. **Public Session.** Kerry Kincy informed the Committee that there were needles found around the playscape at McDonough School. Deputy Director Holden will go inspect to see if they are located at the public park, which is maintained by the City, or whether it is located at the school, which is maintained by the Board of Education. Will continue to monitor at our next meeting.

4. New Business

A. Mayor's Office.

- 1) Update from the Mayor's Office.
- 2) 22 Fowler Avenue: Report was made to the Mayor's office of a potential rodent harborage on the property adjacent to 22 Fowler Avenue. Acting Director Elak stated that the Health Department inspected the property and found no evidence of a rodent harborage. The Health Department will

continue to inspect and will report back at our next meeting.

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. Lieutenant Puorro informed the Committee regarding several instances of spray painting on City and private property in the past few days. A suspect has been arrested and it is expected that the violations will stop. The Police Department will coordinate with Public Works so that the graffiti can be removed. No further action needed.

G. City Fire.

- 1) Update from City Fire. No updates.

H. South Fire District.

- 1) Update from South Fire District. 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. Mayor's Office

- 1) Wharfside Commons. Since the last meeting, the Police Department was called to the area of reported shots fired, where one went through a residential home located on Green Street. No other updates.

B. Department of Land Use.

- 1) 876 Newfield Street: No violations exist on the property. No further

action required.

- 2) 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 issued a blight order and a zoning order for abandoned vehicles on the property. Orders have been issued against the property, and the owners have made some progress to remediate the violations. Chief Building Official Lisitano and Zoning Enforcement Officer Baia have met with the owner, but were not allowed to inspect the inside of the building. A deadline of October 20 has been given to repair the roof.
- 3) 212 Sisk Street and 20 White Road: 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 a Citation, and the violations have not been remediated, and there has been no meaningful action by the property owner to remediate the violations.

MOTION: Director Kozikowski made a motion to refer this matter to the Office of the General Counsel to commence clean-and-lien procedures and for the issuance of a notice of abatement. The motion was seconded by Acting Director Elak. The motion passed unanimously at 9:25 a.m.

- 4) 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. A deadline of October 20 has been given to repair the roof.

C. Health Department.

- 1) 399 deKoven Drive. The Health Department has issued legal orders against the property owner and tenants for violations in the property. Citations have been issued. Acting Director Elak informed the Committee that health department officials continue to meet with the tenant and the owner of the property to remedy the violations, and another inspection will occur tomorrow. Will continue to monitor.

D. Police Department.

- 1) Mortimer Cemetery. Several complaints were received from the

Middletown Old Burying Ground Association. Since the last meeting, there have been no new complaints. Officer Puorro reported that he has been in direct contact with the Middletown Old Burying Ground Association, who are appreciative of the efforts of the City and the Police Department. Will continue to monitor.

2) 15 Rapallo Avenue. No further action required.

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 people potentially living in the building. The Fire Department has issued orders on the property. The owner has started to work to bring some violations into compliance, and is working to obtain quotes to repair the fire alarm system. Will continue to monitor

6. Adjournment

MOTION: Chief Building Official Lisitano made a motion to adjourn. Deputy Fire Marshal Lespier 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