

## C&S STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

August 9, 2023

The Chair called to order the regular meeting of the State Codes & Standards Committee at 1:00 p.m. The meeting was held online using a Teams format.

Attendance was taken and a quorum was present.

### In Attendance:

Anthony Bruno, Health  
John Butkus, AIA, Architect  
Johnny Carrier, P.E., **C&S Chair**, Residential Contractor Member  
Anthony Cinicola, Building Official  
Paul Costello, Labor Trades  
Hank Cullinane, HVAC Member  
Thomas DiBlasi, P.E., Structural Engineer Member  
Donald Doeg, Esq, Public Member  
Keith Flood, Fire Marshal  
Louis Free, Architect, **CAS Chair**,  
Donald Harwood, Public Member  
David McKinley, Advocacy  
Henry Miga, Building Official  
Tim Mikloiche, Electrical Contractor  
Mike Musco, P.E. Electrical Engineer  
Glenn Neilson, Building Contractor  
Ilona Prosol, P.E., **C&S Vice Chair**, Fire Protection Engineer  
Mike Sinsigalli, Fire Marshal  
Eric Shutt, Plumbing Trades Contractor - **Vacation**  
Fred Wajcs, Jr., **C&S Secretary**, Public Member  
William Zoeller, Energy Efficiency

### Also Present:

Omarys Vasquez, AIA, NOMA, State Building Inspector  
Anne Peterson, DAS/Legal -  
Rebecca Tamborra, DAS/Legal  
William Abbott, State Fire Marshal - **Vacation**  
David Woods, OSFM, Fire & Life Safety Supervisor  
Joseph Duval, OSFM  
Bethy Guiles, DAS/OSBI - Admin

### PUBLIC:

Joseph Kingston (retired);

### 1) MINUTES

- a) A motion (MS) was made and seconded (DH) to accept the minutes of the **June 14, 2023**, meeting minutes. **All in favor. None opposed. Motion carried.**

## 2) COMMUNICATIONS

- a. **A-23-07 RE:** Request for Appeal received 7/13/23 from Justin Meneguzzo, Chris & M.E. O'Connor, Chris Hallenbeck of Yankee Custom Builders **RE: [310 Oenoke Ridge Road, New Canaan, CT]**. Appeal of OSBI's denial regarding Section AF101.2 of the 2021 IRC - to allow removal of the radon mitigation system for a single-family home with a high-water table. **Panel assigned: Timothy Mikloiche, Chair; Johnny Carrier, Panel; Donald Harwood, Panel; William Zoeller, Alternate.**
- b. **A-23-08 RE:** Request for Appeal received 7/19/23 from Jennifer Mahr, Middlebury, CT. **RE: [68 Abbott Farm Road, Middlebury, CT 06762]**. The Town of Middlebury does not have a municipal Board of Appeals; therefore, I am appealing a decision made by Middlebury's Building Inspector (Mark Lubus) RE: Cease and Desist Order dated July 7, 2023, Permit No. 23-52B. **Panel assigned: Henry Miga, Chair; Ilona Prosol, Panel; Anthony Cinicola, Panel; Johnny Carrier, Alternate.**
- c. **A-23-09 RE:** Request for Appeal received 7/25/23 from Sam Li, West Hartford, CT. **RE: [10-12-14 Mitchell Place, West Hartford, CT 06107]**. Appeal of Russel Duffy, West Hartford Fire Marshal's decision (6/27/23) – Fire Safety Code Sections (part IV 8.3.2.2, Part IV 31.3.2.1, Part IV 9.1.2. **Forward to Office of the State Fire Marshal.**
- d. **A-23-10 RE:** Request for Appeal received 8/7/23 from Michael & Kimberly Palmerie, Prospect, CT. **RE: [Prospect Memorial – 122 Waterbury Road, Prospect, CT 06712]**. Appeal of Antonio Muniz, Prospect Fire Marshal's decision (7/31/23) Fire Safety Code Section (903.2.1.3 Group A-3). **Panel assigned: Keith Flood, Chair; Michael Sinsigalli, Panel; Glenn Neilson, Panel; Donald Harwood, Alternate.**

## 3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free) – No report.**
- b) **Ethics/Procedural Regulations Subcommittee (Harwood) – Actions Steps:**  
Follow-up Action Summary 7-26-23
  - Flow Chart - Tom will modify & forward to committee.
  - Final compilation of all items will be done by Rebecca, this will include:
  - Complaint form
  - Flow chart
  - Statutes - Appointment, dismissal, suspension, revocation
  - Duties
  - Requirements
  - Script

Upon final compilation, the full package will be sent to the committee members for final comment during the week of July 31st. Committee members will need to provide any comments back by August 3rd. Subsequently, Rebecca/Bethy will send the package to all C&S members by August 7th. Final action on the package for adoption will be made at the C&S meeting set for August 9th. time for more in depth review. This decision is up to the full body. **Admin will send invite to all C&S Committee Members who wish to sit in on the scheduled Ethics Meetings.**

## 4) OLD BUSINESS

- a) There was no old business.

**5) NEW BUSINESS**

- a) Staff Report
- i) **Omarys Vasquez, State Building Inspector:**
- Robert Walsh, Technical Services team for modification and code questions.
  - Anthony Arborio for State construction services
  - 3 more pending offers going out.
- ii) **William Abbott, State Fire Marshal** – no report
- iii) **Anne Peterson/Rebecca Tamborra, Staff Counsel** – No report
- b) **Fire Prevention Code Advisory Committee (Harwood & Sinsigalli)** – No report
- c) **Training Councils**
- i) **Building Code Training Council (Musco)** – No report
- ii) **Fire Marshal Training Council (Harwood)** – No report
- d) **Report on Bills (Vasquez)** – Public Act 23-143 protection of birds, PA 23-72 Diaper changing stations, and PA 23-102 ACT STRENGTHENING PROTECTIONS FOR CONNECTICUT'S CONSUMERS OF ENERGY (for the inclusion of gas detectors in buildings)

**6) APPEAL HEARINGS**

- a) **A-06-21 RE:** Request for Appeal received 06/02/21 from Mr. Mayer Muller, Owner; common Hartford Accommodation RE: [2370-2374 Main Street, Hartford, CT]. Order to Vacate due to Fire/Life Safety Hazards – Connecticut State Fire Safety CGS Section 29-306(c). Hearing panel assigned: Keith Flood, Chair; Ilona Prosol, Panel; Henry Miga, Panel; Mike Sinsigalli, Alternate. Hearing held on March 8, 2023 at 9:00 a.m. Drafted decision submitted to panel members - upon approval, decision mailed out. **Decision was mailed out on 6/15/2023. Remove from agenda.**
- b) **C-22-01 RE:** Complaint regarding Richard Leighton, Chester Building Inspector and Fire Marshal RE: [43-45-47 Main Street, Chester, CT] received 5/3/22 from John R. Schroeder, AIA LLC. Referred to OSBI to seek more information from Complainant to substantiate complaint. Complainant reports that he does not have any additional information to submit. The Complaint Review Committee will make a recommendation to the full Committee. Recommend Committee to send status letter to dismiss. **Counsel will send out status letter to dismiss. Hold on agenda.**
- c) **C-22-02 RE:** Complaint regarding Town of Chester, Richard Leighton, Building Inspector & Fire Marshal. This is in reference to the building permits issued for buildings located RE: **[189-191 Middlesex Avenue, Chester, CT]** received 5/3/22 from Mr. Thomas A. Gribbin A.I.A Noyes Vogt Architects. Referred to OSBI. OSBI investigated and submitted a report to the Committee. Compliance Panel assigned: Glenn Neilson, Lou Free, Henry Miga. Per Don Harwood's ethics report, we are waiting for the whole process is put together before we formally meet. **Hold on agenda.**
- e) **C-22-03** Correspondence received 9/27/22 from Patricia A. Cofrancesco, Esq., Law Offices of Patricia A. Cofrancesco RE: **[60 Pinehurse Drive, East Haven, CT – Elaine Cioffi (Owner)]**; Seeking Revocation of East Haven Building Official's License (James Bassett). Referred to OSBI for investigation. The Complaint Review Committee will make a recommendation to the full Committee. Compliance Panel assigned: Henry Miga, Paul Costello, William Zoeller, Anne Peterson (DAS/Legal), Rebecca Tamborra (DAS/Legal). Compliance meeting scheduled: 7/13/23 9:00 a.m. **Hold on agenda.**

- f) **C-23-01 RE:** Complaint received 2/28/23 from Heide Mizak, RE: [69 Lohse Road, Willington, CT] James Rupert, Willington Building Official's "alleged" Work Ethics Violations (see attached email (2/14/23) and complaint letter to Willington Selectmen dated 11/22/22). Referred to OSBI for further investigation. Hold on to the agenda until we gather more information. Compliance Panel assigned: David McKinley, Tim Mikloiche, Mike Sinsigalli, Anne Peterson, (DAS/Legal), Rebecca Tamborra, (DAS/ Legal). Correspondence received 6/1/23 from Heide Mizak RE: [Willington Town Inspector, Mr. Rupert]. Compliance Panel Meeting 7/19/23 at 9:00a.m. Per Counsel, Compliance Meeting cancelled until Compliance process is finalized. **Hold on agenda.**
- g) **A-23-03 RE:** Request for Appeal received 2/21/23 from Bruce Kramer, New Fairfield RE: [20 Cloverleaf Drive, New Fairfield] Abatement Order. The Town of Fairfield does not have an "appeals board". Appellant is asking the Committee to overturn the Notice of Violation and Order to Abate because it creates an undue hardship and is procedurally defective. Per Chair, hold on agenda for further investigation. OSBI to investigate and request more information. OSBI reached out to the Appellant and Building Official and recommends moving forward. Hearing Panel assigned: Johnny Carrier, Chair; Anthony Cinicola, Lou Free, Henry Miga (alternate). Hearing scheduled: Wednesday, August 16, 2023 at 9am. **Hold on agenda.**
- h) **A-23-04 RE:** Request for Appeal received 3/3/23 from Paul Payne, New Canaan Fire Marshal RE: [17 & 23 Hill Street, New Canaan] appeals/does not support the OSFM approval - Part II Section (3) 503.1.2 and 01.233 – "If agreeable to the owner/applicant & schedule allows. A site visit would be prudent". OSFM approved modification. Local Fire Marshal requested an appeal of the State Fire Marshal's decision. Counsel will look further into the jurisdiction of the appeal statute. Counsel requested to hold until next meeting. **DAS Counsel is still working on this appeal. Hold on agenda.**
- i) **A-23-06** Request for Appeal received 5/24/23 from Steven R. Montgomery, Lewis Brisbois RE: **[422 Sport Hill Road, Easton, CT 06612]**. Appeal of a determination made by Peter Howard, the Town of Easton Building Inspector, to issue a Certificate of Occupancy for an indoor equestrian riding arena. Panel assigned: Glenn Neilson, Chair; Lou Free, Tim Mikloiche, Anthony Cinicola (alternate). Hearing scheduled: Friday, July 14, 2023 at 10:00 a.m. Hearing held: A motion was made (LF) to continue the hearing in 30 days to allow additional work to be done. Seconded (GN). All in favor. None opposed. **Hearing scheduled Thursday, August 17, 2023 at 9:00 a.m. Hold on agenda.**

7). **GOOD OF THE ORDER**

A Note from Mr. Bruce Spiewak:

**NOTE TO ALL ABOUT MY RETIREMENT AND BUSINESS CLOSURE:**

My intention is to retire and close my office operation completely. As of now, the schedule calls for a time about the beginning of September. I will be clearing out all original paper documents for recycling, so **if you have any objection, please let me know immediately.** It has been a pleasure working with you over the last 40 years! If you need to contact me, please use my new Gmail address: [brucespiewak@gmail.com](mailto:brucespiewak@gmail.com) and my mobile number remains the same.

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, September 13, 2023-1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting,

8). ADJOURNMENT

*JOHNNY CARRIER (bag)*

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**Johnny Carrier, P.E., C&S Chair**  
**Connecticut State Codes & Standard Committee**  
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