

C&S STATE CODES AND STANDARDS COMMITTEE MEETING MINUTES

June 14, 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 - **Absent**
John Butkus, AIA, Architect - **Absent**
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 - **Absent**
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 - **Vacation**
Rebecca Tamborra, DAS/Legal
William Abbott, State Fire Marshal
David Woods, OSFM, Fire & Life Safety Supervisor
Joseph Duval, OSFM
Bethy Guiles, DAS/OSBI - Admin

PUBLIC:

Joseph Kingston (retired); Joseph Cassidy (retired); Michael Hart
Joe Versteeg;

1) MINUTES

- a) A motion (GN) was made and seconded (TM) to accept the minutes of the **May 10, 2023**, meeting minutes. **All in favor. None opposed. Motion carried.**

2) COMMUNICATIONS

- a) **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, Easton Building Official, to issue a Certificate of Occupancy for an indoor equestrian riding arena. **Panel assigned: Glenn Neilson, Chair; Lou Free, Tim Mikloiche, Anthony Cinicola (alternate).**
- b) **C-23-01** Correspondence received 6/1/23 from Heide Mizak RE: [Willington Town Inspector, Mr. Rupert].
- c) **A-13-22** Correspondence received 6/9/23 from Walter J. Onacewicz, Esquire, Nair & Levin, P.C. RE: [240 South Main Street, East Windsor, CT] – Appellant withdrew appeal.

3) SUBCOMMITTEE REPORTS

- a) **Codes Amendment Subcommittee (CAS) (Free)** – No report.
- b) **Ethics/Procedural Regulations Subcommittee (Harwood) – Actions Steps:**
 - CGS Part 1 & 1-A, sections 29-260, 29-261 & 29-262, and other sections if overlooked, defining Building Official appointment, removal, appeal etc.
 - CT State Building Code sections 103 (103.2), 104.1, section 113 (113.1, 113.2 & 113.7 and other sections if overlooked, defining Building Official appointment, general terms, means of appeal removal etc.
 - IBC section 104 (104.1, 104.2, 104.3 & 104.4 Duties & Powers of Building Official
 - Rebecca Tamborra (DAS/Counsel) will develop a legal flowchart (if yes.... if no....style) to show the hurdles that must be met to get a complaint legally through the channels to the C&S Committee. Draft should be sent to the Ethics Committee by July 7th. Draft to be provided to full C&S Committee on 7/26. Final adoption to be made at the August 9 C&S Meeting.

4) OLD BUSINESS

- a) There was no old business.

5) NEW BUSINESS

- a) Staff Report
 - i) **Omarys Vasquez, State Building Inspector:**
 - Scott Phelps, Supervisor Technical Services – resigned. Last day 6/23/23
 - Peter Zvingilas hired as Assistant Director, Regulatory Compliance
 - 2 new candidates to start (1 Technical Services Team; 1 State Construction Services Team)
 - ii) **William Abbott, State Fire Marshal** –
 - Abatement letters posted on our website (1 Fire Safety Code, 1 Fire Prevention Code)
 - We have (1) vacancy
 - Gas Detection in exiting building bill did not pass
 - Fire Marshals removed from inspection process for renewal of liquor licenses. However, there is a discrepancy with Subsection F to our 29-305 requirement for inspections which conflicts with the other part of the statute that tells us to set a schedule. Will meet with Amy Lachance from legal to resolve.
 - 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)** – Met with Mike Fullerton, Director ODEM. We are setting goals & objectives.
- d) **Report on Bills (Vasquez)** – Diaper Changing Stations bill passed. Pool Barrier bill did not pass.

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.**
- 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. 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.**
- f) **A-13-22 RE:** Request for Appeal received 10/24/22 from Walter J. Onacewicz, Esquire, Nair & Levin, P.C. for James A. Balch. RE: [250 South Main Street, East Windsor, CT 06016] – State Building Code Section 117 Violation September 14, 2022, Notice of Imminent Danger, Order to Vacate and Posting of Unsafe Structure (“Order”) from Kenneth A. Rich, East Windsor Building Official. 11/4/22 Correspondence received from Brian L. McCann, Esq/Joshua A. Hawks-Ladds, Esq, Pullman & Comley, LLC - Town of East Windsor's reply to “Notice of Appeal” filed by the Appellant, James A. Balch, dated October 24, 2022. Referred to OSBI for follow up. Status letter was mailed out on May 16, 2023, with a request to respond no later than 5/31/23. Parties will report to the Committee prior to June 14, 2023. On 6/9/23, Appellant withdrew appeal. **Remove from agenda.**

- g) **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). **Compliance Panel Meeting 7/19/23 at 9:00a.m. Per Counsel, Compliance Meeting cancelled until Compliance process is finalized. Hold on agenda.**
- h) **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). Hold on agenda.**
- i) **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.**
- j) **A-23-05 RE:** Request for Appeal received 4/5/23 from David Taylor RE: [111 Founders Pl/323 Pitkin Street, East Hartford, CT] 2022 CSFSC Part IV 39.4.2.1. Appellant is asking the C&S Committee to review the compliance plan submitted to the East Hartford Fire Marshal (John Pelow) and reverse his decision to reject this plan. A motion to refer to the OSFM (KF), seconded by (MS). All in favor, none opposed. OSFM is working with Counsel to determine if they have jurisdiction. Hold on agenda for 30 days. **One 6/12/23 Appellant withdrew appeal. Remove from agenda.**

7). [GOOD OF THE ORDER](#)

The next Codes and Standards Committee meeting is scheduled for, **Wednesday, August 9, 2023-1:00 p.m.** Meeting format (on-line or in person) will be determined prior to the meeting,

8). [ADJOURNMENT](#)

Johnny Carrier (bag)

Johnny Carrier, P.E., C&S Chair
Connecticut State Codes & Standard Committee
CSMN2306

