

**STATE CODES AND STANDARDS COMMITTEE
MINUTES**

January 14, 2015

1. The Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in the conference room (room 532) at 165 Capitol Avenue, Hartford, Connecticut. Members were thanked for electing the new officers.

Members were advised of the passing of Raymond Overton, Jr., Associate Project Manager with the Connecticut Department of Construction Services. A moment of silence was held in his memory.

2. **In Attendance:**

- Keith Flood, Chair
- John Butkus
- Christopher Cozzi
- Keith Flood
- Louis Free
- Donald Harwood
- George Iskra
- David McKinley
- Henry Miga
- Michael Musco
- Glenn Neilson
- Michael Nero
- Eric Shutt
- Michael Sinsigalli
- Carlton Smith
- Fred Wajcs, Jr.

Also Present:

- Marjorie Shansky
- Terry Gilbertson
- Joseph Cassidy, DCS
- Dan Tierney, OSBI
- William Abbott, OSFM
- Joseph Kingston, OSFM
- William Nash, ICC
- Jenna Padula, DAS Legal
- Joanne Rees, AIA CT
- Diane Harp Jones, AIA CT
- Bruce Spiewak, AIA CT
- Don Vigneau, NEEP

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the December 10, 2014 meeting. All in favor. None opposed. Motion carried.

Motion was made and seconded to go out of order to recognize Marjorie Shansky, past member of the Codes and Standards Committee. All in favor, none opposed. Motion carried. Donald Harwood recognized Marjorie's 24 year tenure with the Codes and Standards Committee and presented her with a commendation signed by Governor Malloy. Marjorie Shansky graciously accepted the commendation. She advised that this Committee's focus has been on the life enhancing preservation for public safety and she had been honored to serve as a member.

4. COMMUNICATIONS

- a. **A-12-14 (A&B). Request for appeal from Natalie Huey Min Lee re
A) Norwich Building Official and
B) Norwich Fire Marshal decisions re 270 Broadway, Norwich, CT
On 1/9/15 appellant requested postponement pending review from her
consultant. Hold on agenda.**
- b. **A-13-14. Request for appeal from Rocco Tirozzi, Esquire, re State Fire
Marshal's decision re 315 York Street, West Haven, CT. Keith Flood is recused.
Panel consists of Michael Sinsigalli, Panel Chair; George Iskra and Henry Miga.
John Butkus will be the alternate. [Hearing was set for Wednesday, February 4,
2015, at 9:00 a.m. in room 532.]**
- c. **Correspondence from Diane Harp Jones re single, unified family of codes. On
1/5/15 forwarded to the Codes Amendment Subcommittee (CAS).**
- d. **Correspondence from William Ethier, Home Builders and Remodelers
Association re single, unified family of codes. Copy had also been sent to CAS.**
- e. **Correspondence from Robert Duval, National Fire Protection Association re
single, unified family of codes. Copy had also been sent to CAS.**
- f. **Correspondence from William Nash, ICC, re single, unified family of codes.
Copy had also been sent to CAS.**

5. SUBCOMMITTEE REPORTS

a. Codes Amendment Subcommittee: (Free)

This subcommittee met on December 10, 2014 and January 7, 2015. The next meeting will be held today. Louis Free briefly discussed code proposals received by CAS.

b. Ethics/Procedural Regulations Subcommittee: Don Harwood advised he would serve as Chair for this subcommittee.

6. OLD BUSINESS

There was no report.

7. NEW BUSINESS:

a. Staff Report

There was no report.

b. Fire Prevention Code Advisory Committee (Harwood)

Bill Abbott, OSFM, advised that the Fire Prevention Code is moving through the review process and is currently at the Attorney General's Office.

c. Joint Fire Marshal Training Council (Harwood)/Building Code Training Council (Musco) (aka Joint BCTC/FMTC) Don Harwood advised that the Committee met on January 14, 2015. They discussed the problem of "no-shows" for course offerings.

d. Report on Bills

There was no report.

e. Public Member Vacancy (previously held by Marjorie Shansky). Joe Cassidy asked members to submit names of individuals that might be interested in serving on this Committee.

f. Approval of proposed regulations concerning classes of certification and standards of qualification for local fire marshals, deputy fire marshals, fire inspectors and other fire officials. On 1/14/15 a discussion was held. Motion was made and seconded to hold, no action taken. All in favor. None opposed. No discussion. Motion carried. Hold on agenda.

8. APPEAL HEARINGS

- a. **A-34-04. Appeal of Steven Edelman re State Building Inspector's decision re 9/1/04 State Building Inspector's decision under 29-252(d) CGS.** Appellant contacted DCS Legal Counsel and requested this appeal be re-opened. **On 12/10/14 noted for the record: John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco and Glenn Neilson are recused. This is a request to re-open an appeal that had been decided. On 1/14/15, appellant's request to re-open this appeal and applicable State Statute was forwarded to members for review. Motion was made and seconded to deny the appellant's request to re-open this appeal. Noted for the record: John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco and Glenn Neilson recused themselves. All in favor. None opposed. Motion carried. Legal counsel will draft letter to appellant.**

- b. **A-4-10. Appeal from Steven Edelman re Windham Building Official's decision re 202 Scotland Road, Windham, CT.** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. On June 21, 2010 a postponement was granted as a result of appellant's request for a stay of the proceedings. On January 24, 2013 correspondence received from appellant. On January 24, 2013 correspondence received from appellant. On March 21, 2013 referred to legal counsel. On 6/3/14 certified letter sent to appellant requesting status of appeal and to respond in writing by 6/17/14. On 6/12/14 correspondence received from appellant advising he wished to pursue this appeal. **Panel consists of Michael Sinsigalli, Panel Chair; George Iskra and William Zoeller. Hearing set for November 12, 2014 was not held; on 11/10/14 appellant requested postponement. [Hearing was set for Wednesday, February 4, 2015 at 10:00 a.m. in room 532.]**

- c. **A-28-11. Appeal from Steven Edelman re Acting State Building Inspector's decision re 29-252(d) re Town of Windham Building permit application re 202 Scotland Road, Windham, CT.** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. **Panel consists of Henry Miga, Panel Chair; Anthony Bruno and George Iskra. David McKinley will be the alternate. Panel will review 29-252(d) as it applies to this appeal. If panel determines aggrievement, then appeal hearing may immediately follow to consider the merits of this appeal. Hearing set for June 16, 2014, was not held; on 6/12/14 appellant requested postponement. Aggrievement hearing set for November 12, 2014 was not held; on 11/10/14 appellant requested postponement. [Hearing was set for Wednesday, February 4, 2015 at 11:00 a.m. in room 532.]**

- d. **A-19-13. Appeal from Jeffrey Reiner re West Hartford Fire Marshal's decision re 25 Stanley Street, West Hartford, CT.** Michael Sinsigalli is recused. Panel consists of Keith Flood, Panel Chair; Glenn Neilson and Carlton Smith. Christopher Cozzi will be the alternate. Hearing to address timeliness and aggrieved party issues set for March 12, 2014 was postponed; on 2/21/14 appellant requested postponement. Aggrievement and timeliness hearing was rescheduled to April 9, 2014; on 3/3/14 appellant requested second postponement. Aggrievement and timeliness hearing was rescheduled to May 14, 2014 in room G38, in Hartford. Appeal hearing may immediately follow. As of 5/14/14 appeal panel is awaiting commentary from legal advisor re timeliness of appeal before rendering their decision. On 11/7/14 correspondence from Michael Sinsigalli requesting action be taken on this appeal. **Aggrievement and timeliness hearing were held on December 22, 2014. Decision will be sent out within 90 days [by March 22, 2015]. Hold on agenda.**

- e. **A-8-14. Appeal from Joe Asklar re State Building Inspector's decision re 350/356 North Main Street, Marlborough, CT.** Panel consists of Henry Miga, Panel Chair; William Zoeller and George Iskra. Thomas DiBlasi will be the alternate. Hearing was set for Wednesday, September 10, 2014 at 11:00 in room G38. On 9/2/14 correspondence received from appellant requesting postponement; Lawrence Stannard, Marlborough Building Official, granted appellant a 30 day extension (until 10/8/14). Hearing was held on November 12, 2014. **Decision will be sent out within 90 days [by February 12, 2015.] Hold on agenda.**

- f. **A-10-14. Appeal from Bruce Spiewak re State Fire Marshal's decision re FM-0263-14 re Sandy Hook School, Building 2, 12 Dickinson Drive, Newtown, CT. Appeal panel was not set.** On 10/8/14 appellant requested appeal be tabled until the November meeting. **On 12/10/14 appellant requested this appeal be postponed until a draft determination is made by the Codes Amendment Subcommittee re what parts of Chapter 10 (Fire Code and Building Code) will be recommended for approval. Reason for modification denial stated in part that, "C&S had not addressed that section of the code yet." Hold on agenda.**

- g. **A-11-14. Appeal from Harry Narine re Waterbury Fire Marshal's decision re 269 Wilson Street, Waterbury, CT.** On 11/18/14 forwarded to the Office of the State Fire Marshal (OSFM) for review. On 11/19/14 additional information received from appellant. On 12/9/14 correspondence received from Chuck Kiessling, OSFM, requesting appeal be tabled for 30 days [until January 14, 2015]. **Hold on agenda.**

9. GOOD OF THE ORDER

The next Codes and Standards Committee meeting is set **February 11, 2015** and will be held in conference room **G38**, at 165 Capitol Avenue, Hartford, Connecticut.

David McKinley, Secretary