

**STATE CODES AND STANDARDS COMMITTEE
MINUTES**

February 11, 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 G32) at 165 Capitol Avenue, Hartford, Connecticut.

2. **In Attendance:**

Keith Flood, Chair
Anthony Bruno
John Butkus
Thomas DiBlasi
Louis Free
David McKinley
Glenn Neilson
Eric Shutt
Michael Sinsigalli
Carlton Smith
Fred Wajcs, Jr.
William Zoeller

Also Present:

William Abbott, OSFM
Jenna Padula, DAS Legal
Bruce Spiewak, AIA CT
Seamus Andolsek

3. Attendance was taken and a quorum was present. A motion was made and seconded to accept the minutes of the January 14, 2015 meeting. All in favor. None opposed. Motion carried.

4. COMMUNICATIONS

- a. **Correspondence from Karen Facey, New Milford Fire Marshall re State Fire Marshal's decision re FM-0001-15 re apartment building, 68-70 East Street, New Milford, CT requesting clarification re Section 3406.1. Refer to Codes Amendment Subcommittee.**
- b. **A-1-15. Request for appeal from Alfred Xhuti re Waterbury Fire Marshal's decision re 359-361 Highland Avenue, Waterbury, CT. On 2/4/15 additional information received from appellant. No panel was set. Refer to the Office of the State Fire Marshal (OSFM).**

- c. **A-13-14. Correspondence from Rocco Tirozzi, Esq. re appeal of Rocco Tirozzi, Esq. re State Fire Marshal's decision re 315 York Street, West Haven, CT. See section Appeal Hearings 8.i. On 1/23/15 appellant requested postponement.**
- d. **A-2-15. Request for appeal from Max Case, Esq., re Milford Building Official's decision re 354 Woodmont Road, Unit 3 & 4, Milford, CT. Panel consists of Glenn Neilson, Panel Chair; Louis Free and Fred Wajcs, Jr. Carlton Smith will be the alternate. Hearing was set for Wednesday, March 11, 2015 at 11:00 a.m. in room G38.**
- e. **A-11-14. Correspondence from Chuck Kiessling, OSFM, re appeal of Harry Narine re Waterbury Fire Marshal's decision re 269 Wilson Street, Waterbury, CT. See section Appeal Hearings 8.g. On 2/9/15 information received from OSFM.**

5. SUBCOMMITTEE REPORTS

a. Codes Amendment Subcommittee: (Free)

This subcommittee met on January 28, 2015. The next meeting will be held today.

b. Ethics/Procedural Regulations Subcommittee: (Harwood)

There was no report.

6. OLD BUSINESS

- a. Proposed regulations concerning classes of certification and standards of qualification for local fire marshals, deputy fire marshals, fire inspectors and other fire officials. Motion was made and seconded to support the proposed regulations. All in favor. No abstentions. Motion carried.

7. NEW BUSINESS:

a. Staff Report

Bill Abbott, State Fire Marshal, advised that his office was working on code issues. Jenna Padula, Esq., advised that she recently met with the new Department of Administrative Services Commissioner, Melody Currey, and oriented her regarding the Codes and Standards Committee.

b. Fire Prevention Code Advisory Committee (Harwood)

There was no report.

- c. **Joint Fire Marshal Training Council (Harwood)/Building Code Training Council (Musco) (aka Joint BCTC/FMTC)** There was no report.
- d. **Report on Bills**
A discussion was held regarding proposed bills addressing timely inspections and local municipalities proposing to adopt more stringent codes on the local level.
- e. **Public Member Vacancy:** There was no report.

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. Hold on agenda.**
- 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 held on February 4, 2015. Decision will be sent out within 90 days [by May 4, 2015]. Hold on agenda.**

- 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 held and closed on February 4, 2015. The parties were given 7 working days [until February 17, 2015] to submit briefs. Hold on agenda.**
- 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. Appeal panel was not set.** 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]. On 2/9/15 correspondence received from Chuck Kiessling, OSFM. **Hold on agenda; send status letter if no resolution by 3/11/15 C&S meeting.**
- h. **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. Send status letter to appellant requesting her to clarify what issues she is appealing.**
- i. **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 set for February 4, 2015, was postponed; on 1/23/15 correspondence received from appellant requesting postponement. Hold on agenda.**

9. GOOD OF THE ORDER

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

David McKinley, Secretary