

**STATE CODES AND STANDARDS COMMITTEE
AGENDA**

**June 8, 2011
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- 1. CALL TO ORDER**
- 2. ATTENDANCE**
- 3. APPROVAL OF MINUTES OF MAY 11, 2011 MEETING**

Motion for Executive Session:

Discussion of pending litigation: The State Building Inspector v. Codes and Standards Committee, Judicial District of New Britain

4. COMMUNICATIONS

<u>SUBJECT & DATE RECEIVED</u> (mm/dd/yy)	<u>FROM - TO</u>	<u>DESCRIPTION</u>
a. Correspondence 5/23/11	Barry Rickert, OSFM C & S	C-1-10 – Complaint request for revocation investigation re Shelton Building Official's license (Elliot Wilson)
	ACTION: <u>See Appeal Hearings 8.h.</u>	
b. Correspondence 5/25/11	Barry Rickert, OSFM C & S	Correspondence from Connecticut Fire Marshal's Association re Connecticut Fire Safety Code
	ACTION: _____	

c. Correspondence
5/26/11

Robert Mauborgne
C & S

Correspondence forwarded from
Commissioner Bradford from
Robert Mauborgne re 2011
National Electrical Code

ACTION: _____

d. Request for appeal
6/6/11

Gary Seymour, Esq.
C & S

A-15-11 – Request for appeal from
Gary Seymour, Esquire re Deputy
State Fire Marshal’s decision re
FM-0072-11 re 215 Coram Avenue,
Shelton, CT

ACTION: _____

5. SUBCOMMITTEE REPORTS:

a. Codes Amendment Subcommittee: Meetings were held on May 11th and May 25th, 2011. Next meeting is set for June 8, 2011 at 1:30 p.m.

b. Ethics/Procedural Regulations Subcommittee:

6. OLD BUSINESS

a. Review Dormant List

7. NEW BUSINESS

a. **Staff Report**

1. Joint Building\Fire modification process (Humble)

b. **Fire Prevention Code Advisory Committee** (Hanbury/Shansky)

c. **Fire Marshal Training Council** (Harwood)

d. **Building Code Training Council** (Musco)

- e. **Residential Sprinkler Work Group** (Ross) A meeting was held on May 13, 2011. Next meeting is set for Friday, June 10, 2011, 9:00-11:00 a.m.
- f. **Report on Bills**
 - 1. Bill 487
 - 2. File #739 (Bill 1010)
- g. **Health Position vacancy (effective 6/1/11)** In the process of being filled

8. APPEAL HEARINGS

- a. **A-48-10. Request for appeal from Denise Sullivan re State Building Inspector and Office of Protection and Advocacy's decision re W-52-10 re Naugatuck YMCA, 284 Church Street, Naugatuck, CT.** Panel consists of Robert Hanbury, Panel Chair; Andrew Rizzo, Jr. and David McKinley. Irving Moy will be the alternate. On December 7, 2010 correspondence received from appellant. **Hearing was held on December 8, 2010 and recessed pending possible resolution.** On January 5, 2011 correspondence received from Rick Martin (interested person). On February 18, 2011 certified letter sent to appellant requesting status of appeal and to respond in writing by March 4, 2011. On March 7, 2011, correspondence received from appellant requesting appeal remain open. **On May 16, 2011 certified letter sent to appellant requesting status of appeal and to respond in writing by May 30, 2011. As of June 6, 2011 no correspondence received.**
- b. **A-9-11. Request for appeal from Edward Howland re State Building Inspector's decision re M-44-11 re 67 Dean Road, New Milford, CT.** Panel consists of Glenn Neilson, Panel Chair; Louis Free and Robert Hanbury. Thomas DiBlasi will be the alternate. On February 18, 2011 correspondence received from Lisa Humble, State Building Inspector, advising Daniel Tierney, Deputy State Building Inspector, will represent her for this appeal. **Hearing was set for Wednesday, May 11, 2011 at 11:30 a.m. in room 348. Decision will be sent out within 90 days [by August 11, 2011]. Decision was sent out on May 18, 2011.**
- c. **A-10-11. Request for appeal from Denise Sullivan re State Building Inspector's decision re M-79-11 re YMCA of Naugatuck, 284 Church Street, Naugatuck, CT.** On March 21, 2011 correspondence from Lisa Humble advising Daniel Veronick will represent her for this appeal. Panel consists of Robert Hanbury, Panel Chair; David McKinley and Andrew Rizzo, Jr. John Butkus will be the alternate. **Hearing was held on May 25, 2011. Decision will be sent out within 90 days [by August 25, 2011].**

- d. **A-11-11. Request for appeal from Michael Horn re Deputy State Building Inspector's decision re M-111-11 re 172 Mohawk Drive, West Hartford, CT.** On April 1, 2011 supporting documentation received from appellant; appellant requests electronic review. A discussion followed. Send letter to appellant denying request. Panel consists of George Iskra, Panel Chair; Fred Wajcs Jr. and Robert Hanbury. Louis Free will be the alternate. **On May 2, 2011 additional information received from appellant. Hearing was set for Wednesday, June 8, 2011 at 11:30 a.m. in room 348.**
- e. **A-12-11. Request for appeal from McKee Patterson, AIA, re State Building Inspector's decision re M-130-11 re 16 Hemlock Hill Road, New Canaan, CT.** On March 25, 2011 correspondence from Lisa Humble advising that Daniel Veronick will represent her on this appeal. On April 7, 2011 additional information received from appellant. Panel consists of Glenn Neilson, Panel Chair; Louis Free and Henry Miga. Robert Hanbury will be the alternate. **Hearing was set for Wednesday, June 8, 2011 at 10:30 a.m. in room 348.**
- f. **A-13-11. Request for appeal from Doug Golden c/o Bruce Spiewak re Deputy State Fire Marshal's decision re FM-0086-11 re 135 College Street, 127-155 College Street, New Haven, CT.** Andrew Rizzo, Jr. is recused. Panel consists of Donald Harwood, Panel Chair; *John Jackman and Henry Miga. *Michael Sinsigalli is the alternate. Due to schedule conflict, Michael Sinsigalli will serve as panel member and John Jackman will be the alternate. **Hearing set for May 11, 2011 was not held; on April 29, 2011 appellant requested postponement pending reconsideration.**
- g. **A-14-11. Request for appeal from John Madzula re State Building Inspector's decision re M-75-11 re 26 Chimney Point Road, New Milford, CT.** Panel consists of Glenn Neilson, Panel Chair; Robert Hanbury and Louis Free. Henry Miga will be the alternate. On April 28, 2011 correspondence from Lisa Humble advising Daniel Tierney will represent her for this appeal. **Hearing was set for Wednesday, August 10, 2011 at 11:30 a.m. in room 348.**
- h. **C-1-10. Correspondence from Mark Sommaruga, Esquire, re complaint request for revocation investigation re Shelton Building Official's license (Elliot Wilson).** Panel was set on November 10, 2010. Panel consists of Donald Harwood, Panel Chair; Louis Free and Andrew Rizzo, Jr. Irving Moy will be the alternate. On February 8, 2010, letters were sent to Robert Ross (Director, Division Fire Emergency and Building Services) and Attorney Dawn Hellier (Dept. Public Safety Legal Affairs) requesting staff assistance to conduct an investigation. On February 24, 2010, Barry Rickert, Deputy State Fire Marshal, advised an investigator (Sgt. Christopher Guari) had been assigned to this investigation. On February 26, 2010, correspondence received from Attorney Hellier, DPS, advising staff assistance was granted to conduct an investigation. As of October 13, 2010, no additional information received. On October 13, 2010, Barry Rickert, OSFM, advised investigation is on-going.

On November 10, 2010, Rob Ross submitted the Office of State Fire Marshal's investigative report regarding the Shelton Building Official [re C-1-10] to Codes and Standards for appropriate action. Barry Rickert advised the Committee that his office is working on an addendum to this report and should provide it approximately the first or second week of December. Janet Ainsworth advised a compliance conference (per CGS 4-182(c)) should be scheduled prior to a hearing. Barry Rickert advised that Investigator John Sawyer, OSFM, will do the compliance conference and Barry will notify John Sawyer of same. As of January 18, 2011, no additional information received. On January 19, 2011 Barry Rickert, OSFM, advised that OSFM's report was complete and could be forwarded to the appeal panel. On January 26, 2011, letter sent to Barry Rickert, OSFM, requesting clarification if a compliance conference had occurred. On February 9, 2011 the Committee verbally requested Barry Rickert, OSFM, to respond in writing to their January 26, 2011 letter re compliance conference. Janet Ainsworth advised that the Office of the State Fire Marshal sent a letter to the appellant. **Appellant has until March 15, 2011 to respond regarding a compliance conference. If no response is received by that date, then Codes and Standards can proceed. On March 25, 2011 correspondence forwarded from Barry Rickert from appellant. On May 11, 2011 Barry Rickert advised the compliance conference was held. On May 23, 2011 correspondence received from Barry Rickert.**

9. GOOD OF THE ORDER

The next Codes and Standards Committee meeting is set for **August 10, 2011**, at 1:00 P.M. The Committee does not meet in July.

10. ADJOURNMENT

C&S\AG1106