

**STATE CODES AND STANDARDS COMMITTEE  
MINUTES**

**October 8, 2014**

1. The Chair called to order the regular meeting of the State Codes and Standards Committee. The meeting was held in the conference room (G38) at 165 Capitol Avenue, Hartford, Connecticut.

2. **In Attendance:**

Henry Miga, Chair  
Anthony M. Bruno  
Paul Costello  
Robert Hanbury  
Donald Harwood  
George Iskra  
David McKinley  
Michael Musco  
Glenn Neilson  
Carlton Smith  
Fred Wajcs, Jr.  
William Zoeller

**Also Present:**

Joseph Cassidy, DCS  
Daniel Tierney, OSBI  
Jenna Padula, DAS Legal  
Bruce Spiewak, AIA CT

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

**4. COMMUNICATIONS**

- a. **A-10-14. Request for 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. On 10/8/14 appellant requested appeal be tabled until the November meeting. No panel was set.**
  
- b. **A-6-14. Correspondence from Brian Smith re appeal of Brian Smith Esq., re Deputy State Building Inspector's decision and Office of Protection and Advocacy's decision re W-43-12RRRR re St. Joseph School, Clairmont Ave., Norwich, CT. See Section Appeal Hearings 8.f. On 9/11/14 appellant requested 30 day postponement (after 10/11/14).**

- c. **A-9-14. Correspondence from David Rutz re appeal from David Rutz re State Fire Marshal's decision re FM0104-14 re Lutheran Church of St. Mark, 75 Griswold Street, Glastonbury, CT. See Section Appeal Hearings 8.i. On 10/1/14 appellant withdrew appeal.**
- d. **A-7-14. Correspondence from Myles Brown re appeal of Joe Polizzotti, Jr., re Deputy State Building Inspector and Office of Protection and Advocacy's decision re W-31-14 re Brookside Shopping Center, 4555 Main Street, Bridgeport, CT. See Section Appeal Hearings 8.g. On 10/7/14 appeal was withdrawn.**

## **5. SUBCOMMITTEE REPORTS**

### **a. Codes Amendment Subcommittee: (Free)**

This subcommittee met on September 10, 2014. The next meeting will be held on October 8, 2014.

**b. Ethics/Procedural Regulations Subcommittee:** There was no report.

## **6. OLD BUSINESS**

It is with sadness to report on the passing of Leo Belval, Sr. He had been a valued member of this committee, serving for 12 years, as well as CBOA, BOCA and many other committees.

## **7. NEW BUSINESS:**

### **a. Staff Report**

There was no report.

### **b. Fire Prevention Code Advisory Committee (Harwood)**

Donald Harwood reported that he had been elected Chairman of this Committee and looked forward to productive involvement.

### **c. Joint Fire Marshal Training Council (Harwood)/Building Code Training Council (Musco) (aka Joint BCTC/FMTC)** There was no report.

### **d. Report on Bills**

There was no report.

## **8. APPEAL HEARINGS**

- a. **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 date to be set. Hearing was set for Wednesday, November 12, 2014 at 9:30 a.m. in room G38.**
  
- b. **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 date to be set. Aggrievement hearing set for Wednesday, November 12, 2014 at 10:30 a.m. in G38.**
  
- c. **A-19-13. Request for 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. Hold on agenda.**

- d. **A-1-14. Request for appeal from Thomas Gribbin re State Fire Marshal's decision re FM-0360-13 re Mystic and Noank Library, 20 Library Street, Mystic, CT.** Panel consists of Michael Sinsigalli, Panel Chair; Louis Free and Fred Wajcs, Jr. Marjorie Shansky will be the alternate. On 1/28/14 correspondence received from Daniel Forrest, Dept. Economic & Community Development. **Hearing was held on April 9, 2014. Decision will be sent out within 90 days [by July 9, 2014]. Decision was sent out on September 11, 2014. Remove from agenda.**
  
- e. **A-5-14. Request for appeal from Gerard Altieri re Waterbury Fire Marshal's decision re 14-05-19 re 233 River Street, Waterbury, CT.** Send letter to appellant requesting clarification on what he is appealing. On 6/20/14 forwarded to Office of State Fire Marshal (OSFM) for appropriate action. On 6/20/14 additional information received from appellant. **On 8/12/14 Initial Report received from Office of the State Fire Marshal, Chuck Kiessling. On 10/6/14 certified letter sent to appellant requesting status of appeal and to respond in writing by October 21, 2014. Hold on agenda.**
  
- f. **A-6-14. Request for appeal from Brian Smith, Esq., re Deputy State Building Inspector and Office of Protection and Advocacy's decision re St. Vincent DePaul Place (aka St. Joseph School) re W-43-12RRRR re Clairmont Ave., Norwich, CT.** Panel consists of John Butkus, Panel Chair; Fred Wajcs, Jr. and David McKinley. Louis Free will be the alternate. **Hearing set for September 16, 2014 was postponed per appellant. On 9/11/14 correspondence received from appellant requesting 30 day postponement. Hold on agenda.**
  
- g. **A-7-14. Request for appeal from Joe Polizzotti, Jr. re Deputy State Building Inspector and Office of Protection & Advocacy's decision re W-31-14 re Brookside Shopping Center, 4555 Main Street, Bridgeport, CT.** On 8/6/14 correspondence received from appellant. Panel consists of Glenn Neilson, Panel Chair; George Iskra and Carlton Smith. David McKinley will be the alternate. **Due to schedule conflict, George Iskra replaced Louis Free as a panel member. On 8/13/14 additional information received from appellant. Hearing was held on September 10, 2014 at 10:00 a.m. in room G38. Hearing was continued pending possible resolution. On 10/7/14 appeal was withdrawn. Remove from agenda.**

- h. A-8-14. Request for 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 set for Wednesday, November 12, 2014 at 8:30 a.m. in room G38.**
- i. A-9-14. Request for appeal from David Rutz re State Fire Marshal's decision re FM-0104-14 re Lutheran Church of St. Mark, 75 Griswold Street, Glastonbury, CT.** Panel consists of David McKinley, Panel Chair; Fred Wajcs, Jr., and Anthony Bruno. Paul Costello will be the alternate. **Hearing set for October 8, 2014 was not held; on 10/1/14 appellant withdrew appeal. Remove from agenda.**
- j. C-1-11. Correspondence from Steven Edelman re complaint request for revocation from Steven Edelman re Windham Building Official (Donald Schultz).** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. On September 22, 2011 correspondence received from appellant. On September 23, 2011 corrected correspondence received from appellant. On October 3, 2011 correspondence received from appellant. On October 17, 2011 referred to Legal Counsel for review. On October 17, 2011 correspondence received from appellant. On November 15, 2011 a follow-up letter was sent to appellant requesting additional information. On March 20, 2012 certified letter sent to appellant requesting clarification and to respond in writing by April 3, 2012. On April 2, 2012 correspondence received from appellant. On April 11, 2012, pending legal review by staff counsel. Procedures will be discussed at meeting of legal counsel, Attorney General's Office, Office of State Building Inspector and Office of State Fire Marshal the week of May 14, 2012. Motion was made and seconded to refer to the Office of State Fire Marshal for investigation. All in favor. None opposed. Motion carried. On June 15, 2012 referred to the Office of State Fire Marshal for investigation. On June 27, 2012 letter sent to appellant advising case was referred to OSFM. On July 5, 2012 correspondence received from appellant (he had also sent it to Rob Ross, OSFM). As of October 10, 2012 OSFM's investigation is on-going. On January 24, 2013 correspondence received from appellant. As of March 13, 2013 OSFM's investigation is on-going. On March 21, 2013, referred to legal counsel.

**On 5/14/14 hearing panel was set. Hearing panel consists of Fred Wajcs, Jr., Panel Chair; Carlton Smith and Keith Flood. Thomas DiBlasi will be the alternate. As of 5/14/14 awaiting OSFM's report. Hold on agenda.**

**9. GOOD OF THE ORDER**

Vote for Codes and Standards officer positions will occur in December. Please contact Henry Miga if you might be interested in serving as Chair, Vice-Chair or Secretary.

The next Codes and Standards Committee meeting is set for **November 12, 2014** and will be held in conference room (G38), at 165 Capitol Avenue, Hartford, Connecticut.

---

David McKinley, Secretary