ANTI-BLIGHT COMMITTEE
Meeting Minutes
August 26, 2014

Members		**Staff**	
Thomas Mills	-present	Paul Zeiss	-present
Franklin Melzer, Esq.	-present	Carrie Dinella	-present
Cari Franzetti	-present		
Patricia Parry	-present	**Special Counsel**	
Roberto Figueroa	- present	Vincent Freccia iii, Esq.	–present

Visitor(s): Richard Gretch – representing owners of 16 Wire Mill Road
Diana Frese ,owner of 268 Dogwood Lane, and Chuck Harliss

1. Call to Order

Mr. Mills called the meeting to order at 5:40 p.m.

2. Approval of Minutes

Draft minutes from Committee meeting were reviewed. Motion made by Patricia Parry to approve the minutes. Motion seconded by Mr. Figueroa. Motion passed 5-0.

3. Collection and Enforcement

Chairman Mills asked Attorney Freccia to review, and give status of, the list of certified properties. Attorney Freccia asked Chairman Mills to first, as a point of order, acknowledge the visitor in attendance. Mr. Richard Gretch is in attendance representing the owners of 16 Wire Mill Road (item f. on the present Agenda).

The following properties will be discussed under Agenda item, Old Business: 13S3 High Ridge Road, 12S High Clear (Skiendziel), 893 Long Ridge Rd (Darling), 109 Seaside Avenue (Silverman) 431 Haviland Rd (Papkin) and 74 Barmore Dr (Eng).

172 Vine Road (Hertle Properties) – Hertle Properties has again filed for bankruptcy. The sale date has been stayed. Counsel for Hertle has told Attorney Freccia that they are working a plan, which will involve payment to the City.

30 Dora Street (Pepaj) – The mortgage bank has redeemed by paying the blight lien. The bank now owns the property. Attorney Freccia collected the funds and gave to ABO Zeiss for forwarding to the Finance Department. At the time of redemption the lien was $45,360.00.

S Randall Ave (Parker) – Attorney Freccia had previously been handling both a tax foreclosure and blight lien foreclosure for this property on behalf of the City. Mr. Randall came in to Attorney Freccia's office and paid off the tax delinquency – and at the same time promised that he would remediate the blight issues in the Spring. To date, nothing has been done. Attorney Freccia sent Mr. Randall a letter, which was returned undeliverable by the post office. There has been a continual problem with having mail delivered to Mr. Parker. As a result, Attorney Freccia has begun to personally drop off the mail into Mr.

Randall's mailbox. In his letter, Attorney Freccia put Mr. Randall on notice that if he did not make an effort to remediate the property he would be moving forward with foreclosure.

12 West Haviland Ln (General Portfolio) – Since the last meeting a foreclosure sale date was set by the court for October 25, 2014.

57 Gerlak Rd (Ying Sun) – This is an unusual case. Ms. Sun's husband, who is not an owner of the property, filed a lawsuit against the City after receiving Attorney Freccia's Notice of Intent to Foreclose. The City's law department is handling the case and Attorney Freccia states that a Motion to Dismiss has been filed by the City. Once the case is dismissed, Attorney Freccia will commence the foreclosure. Mr. Melzer has asked what the nature of the complaint was. Attorney Freccia explained that it is a pro-se complaint with a lot of allegations. He is an occupant so he has standing under the blight laws, but not necessarily in the complaint that he filed with Superior Court.

129 Houston Terrace (Gaudiano) – This property has been remediated and lien has been paid. Attorney Freccia requests removal of the property from the certified list. This will be decided under Agenda item, New Business.

202 Hubbard Av (Hubbard LLC) – There has been an appeal filed in Superior Court by the owner. The case has been verbally settled with Attorney Tooher (representing owner). Attorney Freccia will be going to court in September to formalize the settlement. This property is part of a farm. The building will be demolished. A demo permit will be applied for by owner sometime after Labor Day. After that happens, the property will be removed from the certified list and ABO will monitor the demolition progress. Chairman Mills asked if there was a health and safety reason that the house is being demolished. ABO Zeiss states that it is most likely a safety issue because of the structure of the home.

18 Barmore (Burba) – Foreclosing Bank took title to the property in June. Attorney Freccia has been trying to contact the agency that is representing the Bank but is having difficulty. He will report back at the next Committee meeting.

Guinea Rd (Mullen) – The property has been remediated and settled. Attorney Freccia requests the removal of the property from the certified list. This will be decided under Agenda item, New Business.

268 Dogwood Ln (Frese). The lien on this property was appealed by the homeowner to the Citation Officer. A hearing was held and a settlement reached with the owners, who are actually present at tonight's Meeting. This will be discussed further under Agenda item, Old Business.

Mr. Franzetti asked Attorney Freccia about the property, 81 High Clear. The hand-out given by Attorney Freccia, listing all of the current blighted properties, indicates that it is in foreclosure. Mr. Franzetti inquired if it is the City that is foreclosing on the property or another party. Attorney Freccia explained that the City's foreclosure as well as a bank's foreclosure are pending. The bank's foreclosure is farther along than the City's, therefore, a strategy decision was made to let the bank finish its foreclosure. It's is coming up on the calendar within the next four (4) weeks. Attorney Freccia also explained that any properties on the list not discussed had nothing to report.

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Chairman Mills asked Mr. Freccia for the status of 54 Taff Avenue. Attorney Freccia explained that this property was just certified in June. No foreclosure action has been initiated yet, as he was giving it some time. Attorney Freccia stated that before starting an action, he sends the homeowner a Notice of intent to Foreclose in order to give them an additional chance to remediate the property before filing suit. That will sometimes generate a remediation plan.

The Agenda item, Formal Hearing of Ten Rugby Street/Owner Ten Rugby Street, LLC has been postponed. There are two dates in September when Atty Cassone would be available. Atty Freccia suggested that this formal hearing be scheduled on its own, with no other agenda items since it may be a lengthy hearing. Atty Jim Minor will be presenting at this hearing and will be speaking as to the zoning issues and illegal activities. The two available dates are September 23rd and September 30th. Chairman Mills asked the Committee to comment on their availability All Committee members confirmed their availability for September 23rd at 5:30 p.m. Atty Freccia will notify Atty Cassone and Atty Minor. Mr. Franzetti asked if it would be possible for both attorneys to forward committee members a summary of the facts that will be discussed at the hearing. Mr. Melzer pointed out that there was a brief summary submitted to the Committee by Atty Minor and included in the packet of information provided for tonight's meeting. Chairman Mills thinks it would be good to have Mr. Lunney from Zoning Enforcement attend the hearing since he has been working on the matter for a while. Atty Freccia will notify all of the meeting date.

Chairman Mills states that we would now hear from Anti-Blight Officer Paul Zeiss regarding the presentation of list of properties.

S. Presentation of List of Properties by Anti-Blight Officer/Certification of Blighted Properties

ABO asked the Committee if they would like to go out of order and let Mr. Gretch (representing owners of 16 Wire Mill, item 5f. on the Agenda) speak since he is present. Mrs. Parry made a motion to go out of order and take 16 Wire Mill first. Mr. Figueroa seconded the motion. All in favor, the motion passed 5-0.

f. 16 Wire Mill Road -- Chairman Mills asked ABO Zeiss to present the details of this property before Mr. Gretch speaks. ABO Zeiss explained that this complaint was regarding a dilapidated outbuilding on the property. This property encompasses Long Ridge Road and Wire Mill Road. ABO shows photos showing bushes and grass overgrown, in addition to a broken hand-rail in the front of the home and the dilapidated outbuilding. The grass/bushes and handrail have been taken care of. The outbuilding in the back of the home is still in disrepair. There are rodents going in and out of the building. Mr. Gretch stated that this is an old garage that hasn't been used in many years and he didn't realize that this was part of the blight issue. He asked if it would be ok to have plywood boards put up on the garage to keep the rodents out. ABO Zeiss believes this would cause more of an eyesore: he thought the old garage should be removed or repaired. Chairman Mills agreed. Mr. Melzer asked whether it is being used for anything. Mr. Gretch stated that the garage is not in use and the property is currently for sale. The owners would like to leave the garage. Mr. Figueroa indicated that he drove by the property today and believesthe building in its current state is a safety hazard. Mr. Gretch asked the Committee for options that would address the blight issue Chairman Mills stated that the garage needs to

be repaired or demolished so that rodents do not dwell there. Additionally, if the owners believe that it will add value to the property then it should be repaired. Mr. Gretch explained that the garage is a legal non-conforming use situation and once torn down, it would likely not be allowed to berebuilt. Chairman Mills suggested that in this case, repair would probably be the best option for the owner. Mr. Gretch said he would discuss the matter with the owner and contact ABO Zeiss. ABO Zeiss stated that a permit will be required for either action. Attorney Freccia asked the the Committee to determine a length of time within which the owner has to make a decision. Mr. Melzer suggested granting the owner thirty (30) days to decide whether to demolish the building or repair it and report to ABO Zeiss. At the end of that time, if no decision has been reached the Committee can decide on whether to certify the property. Mr. Melzer made a Motion is to table the issue for thirty days to allow the owner to consider his options. Mrs. Parry seconded the Motion. All in favor, the Motion passed 5-0.

Mrs. Parry made Motion to go out of order to discuss Agenda item, Old Business, 7h. 268 Dogwood Lane since the owners are present. Mr. Figueroa seconded the Motion. All in favor, Motion passed 5-0.

7h. 268 Dogwood Lane – Diana Frese, owner, is present with her husband Chuck Harliss. The property was certified at the June 5, 2014 Committee Meeting and it was thereafter appealed to a Citation Officer pursuant to Connecticut law. A hearing was held and the case settled based upon testimony of remediation. The matter was settled for a $750 fine which will be paid when Mrs. Frese closes her reverse mortgage. . Ms Frese indicated that there was not enough money to pay the $750 fine in addition to making the repairs and painting the home and her concern is that the home is still on the blight list and this may be an issue during a title search. Chairman Mills states that it should not be an issue with a bank; Atty Freccia could prepare a letter for the closing bank indicating that the matter has been resolved. Atty Freccia indicated that closing counsel would treat this lien as any other – when title insurance is granted, the attorney would omit the liens which would be paid at the time of closing. He does not anticipate it being an issue. Mr. Franzetti asked what the original blight issue was. Atty Freccia answered that there was outside debris in the yard, which has now been cleaned up according to the owner's sworn testimony. Chairman Mills thanked Ms. Frese and Mr. Harliss for attending.

Mrs. Parry made a Motion to go back into order. Motion seconded by Mr. Melzer. All in favor, Motion passed 5-0.

5. Presentation of List of Properties by Anti-Blight Officer/Certification of Blighted Properties (con't)

a. 31 Carolina Road – There were complaints by the Fire Marshall's office of illegal activities taking place in the evenings, i.e. squatters and kids breaking into the home. It's an abandoned property. There are boarded up windows and garage was set on fire. Pictures were reviewed by the Committee. Attorney Freccia interjected that all of the properties presented in this item on the Agenda are those for which no owner or representative appeared for a Level 1 Hearing. All of the other properties – about ten (10) others, did appear and are currently working within a time line given by ABO Zeiss to remediate the property. Mr. Figueroa said he drove by the property today and the windows and door are boarded up. The Police Department and Fire Marshall's office go by this property regularly. Mrs. Parry made a Motion to certify the property as blighted. Mr. Melzer seconded the motion. Motion passed 5-0.

b. 20 Hillandale Avenue – Pictures were reviewed. The house is abandoned. There were complaints from the Health Department and neighbors. Mrs. Parry asked if the initial complaint came in from the Health Department or if they had inspected the property. ABO Zeiss indicates that he spoke with Ron Miller but was unsure if the HD inspectors visited the property. Initial complaint came in from the community and was forwarded to the Health Department. There is a pool on the property which is drained but for stagnant water on the bottom. There is a gate on the property but it does not lock which could be a hazard. The yard is overgrown as well. There is also a problem with rodents on the property. Mrs. Parry asked if the certified mail sent by ABO Zeiss had been signed for. All certified mail had been returned by the post office without being signed. Attorney Freccia advised the Committee that prior to level one hearing notices being mailed, he obtains a title search for each property to determine owner name/address as well as all lien holders. All notices are sent to owners as well as lien holders, and occupants by certified mail and regular mail. Chairman Mills made the Motion to certify the property as blighted. Mr. Melzer seconded the motion. Motion passed 5-0.

c. 53 Westover Ave – Pictures were reviewed of the condition of the property and discussion held. The issues revolve around the unfinished construction of the houseon the 2nd floor, with no outside access to this levelin case first responders need to go onto the property. ABO Zeiss states that the owner contacted him and told him that he had lost his job and couldn't afford to make the repairs but he is currently working in Long Island. He obtained a permit in 2006. The last inspection was made in 2008. Owner said he is ready for an insulation inspection (within a week). He is living in the house – without sheet rock and rough electrical in the new construction section. There is no COA (certificate of approval) for the new construction areas and it is unknown if that area is being lived in. ABO Zeiss says he has plans to meet the owner on Saturday to inspect the premises as well as the inside. Mrs. Parry made a Motion to give the owner thirty (30) days within which to meet with ABO Zeiss about the issues that need to be resolved and then ABO Zeiss will report back to the Committee at the next meeting, on September 23rd, about the progress. Motion seconded. Motion passed 5-0.

d. 24 Bonner Street – This property is owned by First Student. Pictures were reviewed of the condition of the property. ABO Zeiss indicates that the property has been remediated, the siding was fixed and boards taken off the windows. However, the garage was taken down without a permit, so the owner is attempting to obtain a permit now. The First Student representative came in to see ABO Zeiss an hour before the meeting and provided pictures of the progress. Mr. Figueroa commented that the house next door is also in disrepair and a garage falling apart. Mr. Figueroa checked and there was no permit for that property, also owned by First Student. ABO Zeiss said that he will continue to inspect the property. The Committee has agreed to take no action on this property, at this time, in light of ABO Zeiss' presentation.

e. 104 Houston Terrance – This is an abandoned property. The certified mail was returned undeliverable by the post office, with the exception of the lien holder banks who did sign for the certified mail. The photos were reviewed by the Committee, showing overgrown lawn etc. as of June 2014. The neighbors are concerned about the house being abandoned and not maintained. The Committee commented that although the grass is overgrown, it is not in the

extreme; it looks like someone is cutting the grass but not regularly. Mr. Melzer commented that it does not look like a blighted piece of property. Chairman Mills asked if anyone was entering the abandoned house. ABO Zeiss indicated that he did not know. There is a notice on the front door that an agency is responsible for monitoring the house. Chairman Mills stated that in that case, the banks must know that the status and condition of the property. Chairman Mills stated that although the blight issues are not extreme, it has to be taken care of, and his concern is that if it is not certified as blighted, there is a risk that nothing will be done. He feels that action will be taked if the property is blighted. Motion made by Mr. Franzetti to certify the property as blighted. Chairman Mills remined the committee that if the property is blighted, they have the authority to to reduce fines if action is taken. Mr. Figueroa seconded the Motion. Mr. Melzer and Mrs. Parry abstained. Motion carried to certify the property 3-2.

g. 83 Dunn Ave – Photos were reviewed. This is an abandoned home. There is overgrown bushes and grass and the house is also in bad shape. While ABO Zeiss was at the home, a neighbor came out and told him that a fire hydrant was covered by weeds. ABO Zeiss chopped the weeds away leaving access to a fire hydrant. The bank signed for the certified mail, but all other mail was returned undeliverable by the post office. Mr. Melzer made a Motion to certify the property as blighted. Mr. Figueroa seconded the Motion. All in favor, Motion carried 5-0.

6. Certification of Blighted Property List. Certification was done during presentation of each property, which were added to the list.

7. Old Business

a. 125 High Clear. Atty Freccia requests the Committee's direction on the following: The property is in blight lien foreclosure, with a sale date set of November 8, 2014. The property has over $59,000 in accumulated blight fines. The foundation was built and then construction was abandoned. Property was overgrown, with a trailer and piles of debris littered the property. There was also an unknown liquid substance in a container on the on the property that concerned the neighbors. Some clean up has been done. Debris, the unknown liquid, and the trailer have been removed. However, the partial construction is still an issue. ABO Zeiss took recent pictures at the request of Ernie Orgera. Representative Gabe Deluca asked Mr. Orgera if it was possible to take blight funds and put a fence on the property so that the neighbors did not have to see the property in its current state. ABO Zeiss passed these photos around to the Committee. Atty Freccia stated he would like the Committee's input on whether the property has been remediated to the point that the fines should stop. He also explained that there is a building permit from 2011 for the construction. Since the foreclosure sale date is coming up soon, he expects a settlement proposal from the owner and wishes to advise Corporation Counsel on the Committee's thoughts on the matter. Per Atty Freccia one of three things can happen, 1) the property is sold at auction; 2) owner could file another bankruptcy petition; 3) owner could contact Attorney Freccia for settlement. If it does go to sale and the judge approves the amount of sale, the City would get all of the fines amassed up until the closing date. Mr. Melzer's opined that fines should not continue is if some progress has been made on the construction, i.e. the foundation filled in etc. Mrs. Parry questioned if work done was enough to arrest the fines?. Atty Freccia noted that more clean up is needed and that partially constructed homes are still a blight condition because they pose a hazard. The condition is a

nuisance and the Committee cannot force the owner to put up a fence, which the owner refuses to do. Mr. Franzetti said the problems with this property have been going on for years. There is garbage on the property and in the area of the unfilled foundation, water accumulates contributing to bugs and rodents. Mr. Franzetti believes that fines should continue to accrue. He and Gabe Deluca represent the neighborhood as members of the Board of Representatives. All committee members believe that the fines should continue to accrue and if a settlement discussion ensues, Attorney Freccia will advise Corporation Counsel of the Committee's position. Attorney Freccia stated that he spoke to Corporation Counsel, at Representatives Franzetti and DeLuca's request, about what the City could do with the property. Kathy Emmett suggested speaking to Attorney Nakian (representing owner) to obtain consent for the City to clean up some of the debris in the yard. The owner has failed to respond.

b. Guinea Rd. (Mullen) The certification of this property was appealed. Settlement occurred as a result of the appeal. The property was remediated. Attorney Freccia is requesting the removal of the property from the certified list. All members were in favor (5-0). Mr. Franzetti asked the amount of the settlement. The settlement was in the amount of $1,250.00.

c. 158 Davenport Rd. The homeowners have a permit from 2013 to remove the wet sheet rock and refinish the floor. The conditions that created the blight were the collection of debris and junk in the yard. The property was blighted in October 2013. Recent pictures however (from August) show that a large cleanup was undertaken. Atty Freccia asked if the owner's efforts were enough to cap the fines, now $28k. Atty Freccia spoke with the owner's attorney and was told that the owner has personal issues with family and has no funds. The Committee agreed that until full remediation occurs, fines continue. ABO Zeiss will review the property with Jim Lunney to determine what else is left to fully remediate the property.

d. 1353 High Ridge Road. At the last meeting, the Committee agreed to accept a $15,000 settlement and the construction to begin before the end of July. This is the property that had damage to its roof as a result of a tree falling during a hurricane and the insurance company delayed paying the homeowner's claim. Since the last meeting , there was a status conference before Judge Mintz, but the mortgage bank has not signed off on the check. Judge Minz is urging all parties to agree and bring the matter to completion. it is past the time within which the Committee gave the homeowner to pay the settlement and begin construction – which is why Atty Freccia is bringing it up under *Old Business*. ABO Zeiss stated a building permit was obtained in April 2014, to repair roof etc. Since that meeting, Atty Freccia obtained another appraisal so that he can reset a sale date for foreclosure. The attorney for the owner called and said he knew Atty Freccia was trying to put pressure on the bank to make a decision; however if the foreclosure comes up again it will force the owners to file for bankruptcy. The item is on the calendar for Tuesday, September 2nd. Blight liens total $75,000.00. Atty Freccia recommends going forward in obtaining a new foreclosure sale date. Perhaps the bank will decide to sign the check currently awaiting their endorsement. Mr. Melzer recommended going to court on Tuesday and advising the bank that if they do not endorse the check that the $15k City settlement offer might be rescinded. That would result in a lien of $75k. Mrs. Parry made the Motion to take action as described by Mr. Melzer and to go forward with setting a new sale date. Mr. Melzer seconded the Motion. All in favor, Motion carried 5-0.

23 Dryden St. They have made progress in cleaning up the property. A shed was constructed on the property without permits and it is not compliant with zoning. They may be applying for a variance. Motion was made to continue and to take no action. All in favor, Motion carried 5-0.

81 Euclid Avenue. The owner had started working on the property without a permit or zoning approval, and then had to stop the work. On 8/14/14 a permit was issued allowing him to continue the work. Motion was made to continue and to take no action. All in favor, Motion carried 5-0.

165 Haviland Rd. This property was tabled from the last meeting, with ABO Zeiss monitoring the progress by owners. Since the last meeting, the owners have applied for a fence permit. They have obtained approval from zoning and EPB and the fence is now in place. Also has a permit for building a mud room and to replace windows. ABO Zeiss has not heard anything further from the tree warden with respect to the trees that were taken down. There have been no more complaints. There has been enough progress as to close out this property and take no further action. Motion made to close it out. All in favor, Motion carried 5-0.

893 Long Ridge Road. ABO Zeiss is not sure how this property has appeared on this Agenda, to his knowledge it should have been closed out as there are no current complaints. Motion made to close out this property and take no further action. All in favor, Motion carried 5-0.

109 Seaside Avenue. This property had previously been certified. The Health Department is satisfied with the progress as of March 19, 2013 and ABO Zeiss went out May 1st. he noted that the property is cleaned up. Mr. Melzer made a motion to remove the property from the list. Mr. Franzetti seconded the Motion. All in favor, Motion carried 5-0.

431 Haviland Rd. ABO Zeiss went to the property on 8/26/14 and took pictures. Owner has made some progress on the property. The owner frequently e-mails ABO about the progress. The owner said he can't go outside to do work in the Summer because of the tics. He still has a barn in the backyard that is caving in. He is knocking it down bit by bit. ABO Zeiss will continue to monitor the progress. Mrs. Parry made Motion to continue this property until the next meeting. Mr. Franzetti seconded the Motion. All in favor, Motion carried 5-0.

74 Barmore Drive. The property has been remediated. This property had previously been certified. Mrs. Parry made a Motion to remove this property from the certified list. Mr. Figueroa seconded the Motion. All in favor, Motion carried 5-0.

7. <u>New Business</u>

129 Houston Terrace. The property was remediated and a settlement was made. ABO Zeiss and Attorney Freccia recommend removing it from the list. Mrs. Parry made a Motion to remove the property from the certified list. Mr. Figueroa seconded the Motion. All in favor, Motion carried 5-0.

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Chairman Mills asked ABO Zeiss if he had looked into the 89 Richmond Hill Avenue address. ABO Zeiss advised that the property owner was issued a Level 1 Hearing Notice and attended the Hearing in early August. The property has been significantly cleaned up and he will continue to monitor. Chairman Mills also asked ABO Zeiss to look into a possible blight condition at 127 Clover Hill Road. It's possibly an abandoned property. Attorney Freccia also mentioned a property that is overgrown on Stillwater Road.

Chairman Mills asked if Blight funds can be used to help elderly individuals or those who cannot afford to address blight issues. Attorney Freccia advised that he talked to Attorney Emmett – and if consent from the owner is obtained then it should be okay.

There being no further business, a motion to adjourn was made, 2nd and carried unanimously. Meeting adjourned at 7:48 p.m. The next meeting is scheduled for Septemebr 23, 2014 at 5:30 PM.

Respectfully submitted,

Patricia Parry

Patricia Parry
Secretary