

CITY OF EAST CHICAGO BOARD OF PUBLIC SAFETY  
BOARD OF DIRECTORS

BOARD MEMBERS

Milton Reed, President  
Richard Trembczynski, Vice-President  
Thomas Davis, Member

Regular Meeting Minutes  
Wednesday, June 24, 2020, at 5:30 p.m.

Call to Order: 5:30 p.m.

Pledge of Allegiance

Roll Call: Present: Milton Reed  
Richard Trembczynski  
Thomas Davis

Staff Present: Richard Morrisroe, Attorney  
Carla Morgan, Attorney  
James Portalatin, Building Department  
Zoom: Kevin Smith, Attorney

MR. REED: Is there a motion to approve  
the regular meeting minutes of June 10, 2020?

Motion to approve meeting minutes of June 10, 2020, made  
by Richard Trembczynski. Second by Thomas Davis.

Questions/Comments: None

MR. REED: All in favor signify aye.  
(All signify aye.)

MR. REED: Motion carries.

There is no correspondence before  
us. We now have Resolution 2020-09, 3524 Pennsylvania,  
Release of Lien. Motion to approve Resolution 2020-09,  
3524 Pennsylvania, Release of Lien.

Motion to approve Resolution 2020-09, made by Richard  
Trembczynski. Second by Thomas Davis.

MR. REED: Moved and properly second.

Any questions? (None) No questions, we'll take a vote.  
All in favor signify aye.

(All signify aye.)

MR. REED: Motion carries.

1                   Next we have from BP - Michels -  
2 City of East Chicago, a Side letter agreement. And as I  
3 understand, Kevin, we just need to approve this letter  
4 of agreement?

5                   MR. SMITH: Yes, that's correct.

6                   MR. REED: Is there a motion to approve  
7 the letter of agreement?  
8 Motion to approve Side letter of agreement made by  
9 Richard Trembcynski. Second by Thomas Davis.

10                  MR. REED: Anyone like to speak to this  
11 or anything specifically?

12                  MR. SMITH: Mr. President, I'd be happy  
13 to, if you'd like me to.

14                  MR. REED: Sure.

15                  MR. SMITH: Just very briefly. This is a  
16 property in Marktown area that we have had under order  
17 of demolition for a year and a half. BP has reached an  
18 agreement with the current owner to purchase it. They  
19 have indicated they are going to self demo the property,  
20 which of course is to the City's advantage because the  
21 City will not have to spend funds to demo. This gives  
22 them an extension to do so through the end of the year.  
23 If they don't do that, we can then proceed with our demo  
24 order as we currently have. This gives them an  
25 opportunity to purchase the property, to demo it  
themselves. And if they do so, we'll then release it  
from the order. If they do not, we can proceed with the  
demolition. It's my understanding with speaking to the  
attorney at BP, they have every intention of demolishing  
that well before the end of the year.

                  MR. REED: Okay. It's been -- did I call  
for a motion on this? Can I have a motion to agree to  
the side letter of agreement?  
Motion to approve side letter agreement made by Thomas  
Davis. Second by Richard Trembczynski.

                  MR. REED: Moved and properly second on  
the agreement. Any questions on the agreement? (None)  
If there are none, we'll take a vote. All in favor  
signify aye.

1 (All signify aye.)

2 MR. REED: Motion carries.

3 Now we have a letter of  
4 recommendation from our Building Department to revoke  
5 Baniyan Construction contractor's license. Would  
6 someone like to speak to that, please?

7 MR. PORTALATIN: James Portalatin, East  
8 Chicago Building Department. This is in reference to  
9 Baniyan Construction. They are a general contractor in  
10 the City of East Chicago. They pulled the permit for  
11 3804 Parrish and they actually pulled the permit for an  
12 unlicensed contractor under their license. And what  
13 ended up happening is that that contractor left the job,  
14 leaving a gapping hole on the second floor, per the  
15 pictures you have.

16 MR. REED: The one with the blue tarp?

17 MR. PORTALATIN: Yes. I tried to meet  
18 with the contractor on-site and he is not able to do the  
19 repairs. Therefore, I believe this is, and should be,  
20 to revoke his license. Attorney Carla Morgan has the  
21 ordinance, so she can speak to that.

22 MS. MORGAN: Good afternoon. Per City  
23 Code 115-0101, License Suspension and Revocation. So  
24 the license can be revoked when the building contractor  
25 shall be guilty of fraud and misrepresentation,  
negligence, or for violation of any of the building or  
zoning provisions of the City.

So we think they are guilty of  
fraud, misrepresentation, negligence, and violation of  
the Building Code. So we'd ask that you all revoke the  
license.

And just for the record, under the  
next section, Section 115-0102, they do have a right of  
appeal, which they can appeal to the Board of Public  
Safety if they think they have been -- you know -- was  
wrong for us to take away their license. But the  
picture is worth a thousand words, I think.

MR. REED: I've seen it. It's bad.  
Okay. Thank you for that.

Is there a motion to accept the  
recommendation of the Building Department to revoke the  
contractor's license, Baniyan Construction.

Motion to accept recommendation of Building Department

1 to revoke contractor's license, made by Richard  
2 Trembczynski. Second by Thomas Davis.

3 MR. REED: Moved and properly second.  
4 Any questions? My question is, is there anything --  
5 what is the City able to do with that situation that  
6 exists right now? There's a tarp on it.

7 MS. MORGAN: This is a dispute between  
8 private parties, the homeowner against the contractor.  
9 They can try and get compensated for what they have lost  
10 or damages.

11 MR. REED: Otherwise the City has to sit  
12 back and wait.

13 MS. MORGAN: We can issue a citation to  
14 the contractor, but the real issue, it's a dispute  
15 between private parties. And so the homeowner may want  
16 to sue the contractor, unless the contractor would  
17 exercise their bond and have their insurance pay the  
18 homeowner.

19 MR. PORTALATIN: We have cited the  
20 contractor, in addition to this. So we have poor  
21 workmanship and the owner has requested the information  
22 for his attorney. We were able to give them that  
23 information, but he will have to have his attorney --  
24 there is another contractor that has already applied for  
25 the work, that will be doing the work.

MR. REED: Okay. Just -- we are raising  
our standards in East Chicago. I think of the next door  
neighbor. I think of people driving down the street,  
what image it does to us overall, and I appreciate you  
all working on that. No further questions, we'll take a  
vote. All in favor signify aye.

(All signify aye.)

MR. REED: Motion carries.

Now we have Notice of Emergency  
Order to demolish an unsafe building, 4511 Baring  
Avenue. Is there a motion to approve?

Motion to approve emergency order to demolish made by  
Richard Trembczynski. Second by Thomas Davis.

MR. REED: Mr. Morrisore, should it be  
noted this is done after the fact -- for the record --  
because the emergency -- was it already demolished?

1 MR. PORTALATIN: No. We are in the  
2 process of waiting on Nipsco's termination.

3 MR. REED: Okay. I just wanted to see if  
4 Mr. Morrisroe needed to say something or something we  
5 need to note, for the record. Okay. So it's been moved  
and properly second. Are there any questions? (None)  
I have none. If not, we'll take a vote. All in favor  
signify aye.

(All signify aye.)

6 MR. REED: Motion carries.  
7 Now if we can turn this over to the  
8 Building Department and Attorney Smith for the status of  
the properties.

9 MR. SMITH: Yes. Mr. President, you have  
a list, beginning with 3912 Alder Street.

10 MR. REED: Yes.

11 MR. SMITH: All right. If it's okay with  
12 you, I will do like we did last month and just proceed  
through. And then the Board would do a motion at the  
13 end. Is that how you would like to proceed, Mr.  
President?

14 MR. REED: Yes, sir.

15 MR. SMITH: All right. If Mr. Portalatin  
has anything to add, I'm sure he will pop up.

16 Based on my conversation with Mr.  
17 Portalatin and his staff throughout the last several  
weeks, 3912 Alder Street -- front -- I'm happy to report  
18 that the owner has brought the property in compliance  
and this property will be removed from the demo list and  
from the Board of Safety status reports.

19 4846 Alexander Avenue -- front and  
20 garage -- this is owned by Mr. Robert Davis. He's  
appeared in the past. Permits have been pulled and we  
would ask that the Board set this matter for status on  
21 August 26, 2020.

22 4854 Alexander Avenue -- front and  
garage -- this is owned by the Brooks family. No work  
has been done on this property and Mr. Portalatin would  
23 like to set this for open bid. We'll be proceeding with  
the paperwork to allow this to be bid out.

24 4858 Alexander Avenue -- front and  
25 rear -- the owner is listed as Enrique Murciano. There  
has been no work on this property. At one point he did

1 have an attorney appear, although we have heard nothing  
2 from him or the owner. No work has been done on this  
3 property and we'll proceed with setting it for open bid.

4 MR. REED: Excuse me, you said 4848  
Alexander --

5 MR. SMITH: I have 4854 on my list and  
6 4858.

7 MR. REED: We have 4848 on our agenda.  
8 So should it be 4858, not 4848?

9 MR. SMITH: Yes, 4858 is the correct  
10 address, Mr. President. So it would be 4854 and 4858.

11 MR. REED: Thank you, sir.

12 MR. SMITH: All right. 3806 Catalpa,  
13 this is -- the owner is listed as Mr. Morris. The  
14 permit has been acquired. Work is in progress. We  
15 would request this be set over for next status,  
16 August 26, 2020.

17 3808 Catalpa, which is next door,  
18 also owned by Mr. Morris, same request. Permits have  
19 been acquired and pulled. Work is in progress. Request  
20 status date of August 26th.

21 516-18 Columbus Drive, Vidimus. Mr.  
22 Steve Maisch is the attorney on this property. By  
23 agreement with Vidimus and the Building Commissioner,  
24 Mr. Portalatin, the masonry work has been completed and  
25 should be removed from the demo list after today's date.

3927 Deodor Street, in the front.  
This is owned by Connect-the-Dots, LLC, with other  
persons having interest due to contract sale. This has  
been acquired. Work is in progress by the contract  
owners, and we would request it be set over for status  
on August 26, 2020.

3618 Hemlock Street, in the rear.  
This is also owned by East Chicago Land Development,  
LLC. However, there is a contract owner that is asking  
to do work on the property. Work is in progress. We'd  
also ask this be set over for status on August 26, 2020.

3809 Ivy Street. This owner is  
listed as Beltron. Unfortunately there's no progress.  
There was an inspection on February 11th. However,  
there was no interior inspection done. No work has been  
done on the property and we'll proceed with open bids on  
this property.

1                   Last property on my list is 4750  
2 Melville. This is owned by Belsworck and they have  
3 appeared before you, before this Board. Work is  
4 continuing and Mr. Portalatin would like to set this  
5 matter over for status on August 26, 2020.

6                   That completes my status report, Mr.  
7 President and Board.

8                   MR. REED: Okay. Thank you for that.  
9 May we have a motion to accept the status report from  
10 the Building Department?

11 Motion to approve status reports as stated made by  
12 Thomas David. Second by Richard Trembczynski

13                   MR. REED: Moved and properly second.  
14 Are there any questions? (None) No questions, we'll  
15 take a vote. All in favor signify aye.

16                   (All signify aye.)

17                   MR. REED: Motion carries.

18                   There is no audience here for any  
19 participation. Our next regular meeting will be July 8,  
20 2020, at 5:30 p.m.. And if there is nothing else before  
21 us, we'll take a motion to adjourn.

22 Motion to adjourn meeting made by Thomas Davis. Second  
23 by Richard Trembczynski.

24                   MR. REED: All in favor signify aye.

25                   (All signify aye.)

MR. REED: Motion carries. Thank you  
everyone.

\*\*\* Meeting adjourned at 5:40 p.m.\*\*\*

1  
2 Approval of the Regular Meeting Minutes  
3 Approved and Signed, Wednesday, June 24, 2020.  
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5 \_\_\_\_\_  
6 Milton Reed, President  
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9 Richard Trembczynski, Vice President  
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11 \_\_\_\_\_  
12 Thomas Davis, Member  
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15 Olga Cosme, Secretary  
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## C E R T I F I C A T E

I, Peggy S. LaLonde, a competent and duly qualified court reporter, do hereby certify that I did report in machine shorthand the foregoing proceedings and that my shorthand notes so taken at said time and place were thereafter reduced to typewriting under my personal direction.

I further certify that the foregoing typewritten transcript constitutes minutes of the said proceedings taken at said time and place, so ordered to be transcribed.

Dated at Munster, Indiana, this 29th day of June, 2020.

*Peggy S. LaLonde*



Peggy S. LaLonde, CSR, RPR