

**A Special Magistrate Hearing was held on October 15, 2025.
The hearing was called to order at 2:30 PM, Adjourned at 2:56 PM.**

Code Enforcement and City Representatives Present:

Kevin Wagner, Special Magistrate
Lawonda Warren, Assistant City Attorney
Delinda Witkowski, Code Officer

Owners and/or Respondents Present:

Chad Nitzky, General Manager , Big Time Restaurant on behalf of the owner.
Christina Godboute, General Manager

Code25-000138

Owners Name: Bright Horizons Investment Corp.
Registered Agents: Samuel J Cantor R/A & Gwen Gove R/A
Property Address: 32 E Atlantic Avenue
Presented by: Delinda Witkowski

Violation- 4.6.6 (C)(1) Screening of Refuse Areas

The Special Magistrate called the hearing to order.

Code Enforcement Officer Delinda Witkowski presented the case and provided evidence of the code violations. She testified that that while a permit application was submitted, an approved permit was not obtained.

Lawonda Warren questioned the code officer in reference to the case and entered 5 exhibits into evidence without any objections. She also established that the requirements to apply for a permit by 8/21/2025 and obtain approved permit by 10/5/2025 were not met.

Representative for the Owner, Chad Nitzky, testified that permit application was submitted and city correspondence detailing items pending re-submission. In addition, Mr. Nitzky stated the company is working with a Civil Engineer and anticipates final document re-submission on Friday, October 17, 2025.

The city recommends that the owner obtains the permit within 30 days or a daily fine of \$100.00 per day.

Special Magistrate, Kevin Wagner, questioned Code officer, Witkowski, on the approval process and the proposed 30 day time frame for permit approval. Officer Witkowski explained the process and confirmed that 30 days was sufficient time to obtain permit approval. In addition, owner representative, Chad Nitzky had no objections to the 30-day requirement to secure permit approval.

Kevin Wagner, Magistrate, ordered that the property is in violation of 4.6.6 (C)(1) Screening of Refuse Areas. The owner will be given 30 days to obtain the permit or \$100.00 daily fine.

Code25-000139

Owners Name: Sure Ring Inc.

Registered Agents: Alan Schuering R/A

Property Address: 8 E Atlantic Avenue

Presented by: Delinda Witkowski

Violation- 4.6.6 (C)(1) Screening of Refuse Areas

Code Enforcement Officer Delinda Witkowski presented the case and provided visual evidence of the code violations. She testified that according to our records, the company had not submitted a permit application.

Lawonda Warren questioned the code officer in reference to the exhibits and entered 4 exhibits into evidence without any objections. Lawonda established that requirements to apply for a permit by 8/21/2025 and obtain approved permit by 10/5/2025 were not met.

General Manager, Christina Godboute, appeared on behalf of Sure Ring Inc. Ms. Godboute provided visual evidence of the company's compliance, depicting refuge dumpsters correctly stored in the required enclosed area.

Kevin Wagner, Special Magistrate, accepted image into evidence as respondent exhibit R1 without any objections. Based on the evidence provided, it was determined that the company has come into compliance. Magistrate Wagner advised respondent that future violations of this nature will be handled as a "repeat offense" resulting in higher fines.

Respondent requested guidance on how to address putting out trash dumpsters for early morning pickups. Lawonda recommended that the respondent reach out to Development Services for guidance.

Kevin Wagner, Magistrate, ordered that the property is in violation of 4.6.6 (C)(1) Screening of Refuse Areas but has since come into compliance after the initial compliance date.

Adjournment 2:56 PM

Special Magistrate Hearing
October 15, 2025
Meeting Minutes

The undersigned is the Secretary of the Special Magistrate, and the information provided herein is the minutes of the meeting of said Special Magistrate Hearing on October 15, 2025, which minutes were formally approved and adopted by the Special Magistrate on November 5, 2025.

ATTEST:



MAGISTRATE



MAGISTRATE LIAISON

NOTE TO READER: If the minutes you have received are not completed as indicated above, this means they are not the official minutes of the (Board Name). They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.