

MINUTES

PLUMBING AND PIPING WORK EXAMINING BOARD

DECEMBER 20, 2007

The meeting was called to order by Charles Appleby, Sr., Acting Chairperson at 9:38 a.m. in Room 17 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106.

Members Present: Charles E. Appleby, Sr., Contractor, Chairperson
George C. Sima, Well Drilling Contractor
James Piccoli, Contractor
Christopher M. Bowman, Contractor
John R. Damico, Journeyman
Anthony Calandrino, Journeyman
John R. Sullivan, Public Member
Joyce Topshe, Public Member

Member Absent: Michael E. Cluney, Public Member
Melissa C. Sheffy, Public Member

Board Vacancies: Two Journeymen

Board Counsel Present: None

DCP Staff Present: Nelson Leon, Board Secretary
Richard M. Hurlburt, Director
Anthony Santoro, Administrative Hearings Attorney
Jim McCann, Administrative Hearings Attorney
Helen Hilman, Consumer Information Representative

Public Present: Jeff Gmuer Nelson Parzuchowski
Cliff Canfield David Acampora
Joseph Lovejoy Philip Robinson
Peter Tsiralidis Thomas Buehler
Anthony Possidento George Hargraves
Arpad Kastal John J. Esposito
Jamie Feldman Neil Schaefer
Mathurin Menelas Lawrence McLaurin
Jonathan Laukaitis Timothy Kennedy
Joe Pellicchia

Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135.

Agency Website: www.ct.gov/dcp

ACTING BOARD CHAIRPERSON

The Board voted unanimously to appoint Board member Charles E. Appleby, Sr. as the Acting Chairperson until such time the Honorable Governor M. Jodi Rell officially appoints a permanent Chairperson.

MINUTES OF PREVIOUS MEETINGS

The Board voted unanimously to approve minutes of the August 16, 2007 and November 15, 2007 Plumbing and Piping Work Examining Board meeting. The Board voted to approve minutes of the October 18, 2007 Plumbing and Piping Work Examining Board meeting with Board member John R. Sullivan abstaining from voting due to his absence at the October 18, 2007 meeting.

BOARD MEMBER RE-APPOINTMENT LETTERS

Re-appointment letters dated August 9, 2007 from the Honorable Governor M. Jodi Rell, concerning the re-appointment to the Plumbing and Piping Work Examining Board of Anthony Calandrino as an Unlimited Journeyman, John R. Damico as an Unlimited Journeyman, James Piccoli as an Unlimited Contractor and John R. Sullivan as a Public Member.

Charles E. Appleby, Sr. announced the above re-appointments to the Plumbing and Piping Work Examining Board and congratulated each member for time served and re-appointment.

APPLICANTS REQUESTING TO APPEAR BEFORE THE BOARD REQUESTING CREDIT FOR NON-COMPLETION AND/OR UNREGISTERED APPRENTICESHIP HOURS

David J. Acampora, Killingworth, CT – (P-2) Unlimited Journeyman Application – Denied

The Board voted unanimously to deny Mr. Acampora's application due to lack of a required "Letter of Apprenticeship Completion" certificate.

Fredericka M. Brown, Hartford, CT – (P-1) Unlimited Contractor Application – No Action

Ms. Brown was not present today. Therefore, the Board took no action on her application.

John J. Esposito, III, Danbury, CT – (P-2) Unlimited Journeyman Application – Approved

The Board voted unanimously to approve Mr. Esposito's application.

Jamie B. Feldman, S. Glastonbury, CT – (J-4) Limited Journeyman Application – Approved

The Board voted unanimously to approve Mr. Feldman's application, contingent upon receipt of verification from the CT Department of Education that he has completed all the required occupational school related instructional courses.

Jeffrey F. Gmuer, Torrington, CT – (P-2) Unlimited Journeyman Application – Approved

The Board voted unanimously to approve Mr. Gmuer's application.

Mark E. Goodwin, New Haven, CT – (P-2) Unlimited Journeyman Application – No Action

Mr. Goodwin was not present today. Therefore, the Board took no action on his application.

George W. Hargraves, Enfield, CT – (P-2) Unlimited Journeyman Application – Denied

The Board voted unanimously to deny Mr. Hargraves' application due to lack of required occupational related experience and lack of school related instructional experience.

John J. Holleran, Bridgeport, CT – (J-4) Limited Journeyman Application – No Action

Mr. Holleran was not present today. Therefore, the Board took no action on his application.

Arpad Kastal, Farmington, CT – (P-2) Unlimited Journeyman Application – Denied

The Board voted unanimously to deny Mr. Kastal's application due to lack of a required "Letter of Apprenticeship Completion" certificate.

Jonathan L. Laukaitis, Woodbury, CT – (P-2) Unlimited Journeyman Application – Approved

The Board voted unanimously to approve Mr. Laukaitis' application.

Anthony Longo, Stamford, CT – (P-2) Unlimited Journeyman Application – Denied

The Board voted unanimously to deny Mr. Longo's application due to lack of a required "Letter of Apprenticeship Completion" certificate.

Joseph Lovejoy, Cheshire, CT – (P-2) Unlimited Journeyman Application – Tabled

The Board voted unanimously to table Mr. Lovejoy's application, contingent upon receipt of notarized statements from occupational related employers as to dates and duties of employment and transcripts of his occupational school related instructional experience. Board member Christopher M. Bowman recused himself from participating on this matter.

Lawrence McLaurin, New Haven, CT – (P-2) Unlimited Journeyman Application – No Action

Mr. McLaurin was not present today. Therefore, the Board took no action on his application.

Mathurin Menelas, New Haven, CT – (P-2) Unlimited Journeyman Application – Approved

The Board voted unanimously to approve Mr. Menelas' application.

Joseph J. Pellecchia, Trumbull, CT – (P-2) Unlimited Journeyman Application – Approved

The Board voted unanimously to approve Mr. Pellecchia's application, contingent upon receipt of verification from the CT Department of Education that he has completed all the required occupational school related instructional courses.

Philip A. Robinson, Bridgeport, CT – (P-2) Unlimited Journeyman Application – Approved

The Board voted unanimously to approve Mr. Robinson's application.

Thomas J. Tabacco, Bristol, CT – (P-7) Limited Contractor Application – No Action

Mr. Tabacco was not present today. Therefore, the Board took no action on his application.

Peter A. Tsiralidis, Stamford, CT – (J-3) Limited Contractor Application – Approved (J-4)

The Board voted unanimously to approve Mr. Tsiralidis' application, contingent upon receipt of verification from the CT Department of Education that he has completed all the required occupational school related instructional courses.

CONTINUING EDUCATION WAIVER REQUEST

Thomas A. Buehler, N. Stonington, CT – (P-1) Unlimited Contractor.

Mr. Buehler's (P-1) Unlimited Contractor license lapsed on 10/31/05. Mr. Buehler is requesting waiver of continuing education requirements to renew his license due to being out of the country and not practicing plumbing work in Connecticut.

The Board unanimously decided that DCP have a PSI representative contact Mr. Buehler to assist him in scheduling his examination.

SEEKING BOARD OPINION REGARDING INCIDENTAL WORK

Gary E. Schmidt, Kensington, CT – (P-7) Limited Contractor.

Gary E. Schmidt's legal counsel, Dennis L. Kern is seeking the Board's opinion via his letter dated 12/10/07 concerning incidental work he claims to have performed on a plumbing job.

The Board unanimously concluded that the excavation and work performed to repair the driveway and disturbed lawn is in fact incidental work to the sewer work being performed and does not fall under the guidelines of the CT Home Improvement Act.

CORRESPONDENCE

1. **"DRAFT"** Sheet Metal Odor Control and Aeration Piping.
2. **Public Act No. 07-188 of Chapter 393 of the CT General Statutes**
(An act concerning the enforcement of certain professional and occupational licensing, certification and registration laws.)
3. 2008 scheduled meetings of the Plumbing and Piping Work Examining Board.

NEW BUSINESS

Draft Well Casing Extension Completion Report - The Board reviewed the draft well casing extension completion form and unanimously decided to revise it, requiring additional information relating to the depth of well and static water table, with a copy to be filed with the Dept of Consumer Protection, Local Town Building Official, Home Owner, Well Driller, CT Dept of Public Health and CT Dept of Environmental Protection.

REQUEST FOR RECONSIDERATION

In the Matter of Alan R. Cyr

Docket No. 06-959

A Formal Administrative hearing was held on this matter 7/20/06 and the hearing was concluded. The Board decided to issue an Immediate Order of Discontinuance, Civil Penalty in the amount of \$17,500.00, Restitution in the amount of \$6,500.00 and suspension of Mr. Cyr's (P-1) Unlimited Contractor license for a period of 90 days.

Joseph Elder, legal counsel for Alan R. Cyr appeared before the Board at their 4/19/07 to request a continuance on this matter in order to allow Mr. Cyr an opportunity to be heard and present evidence which contradict the charges against him. The Board tabled this matter to their 6/21/07 meeting and requested that Attorney Elder provide the Board with a copy of the court decision regarding the disposition of Mr. Cyr's criminal case. This matter was tabled again at the Board's 6/21/07 meeting for continuance to the Board's 10/18/07 meeting in which there was no quorum to conduct business.

Mr. Cyr and his legal counsel were not present at today's meeting. After further review and discussion on this matter, the Board voted unanimously to deny Mr. Cyr's request for reconsideration.

In the Matter of Christian M. Scinto

Docket No. 06-2121

A Formal Administrative hearing was held on this matter 2/15/07 and the hearing was concluded. The Board recommended issuing an Immediate Order of Discontinuance, Civil Penalty in the amount of \$14,500.00 and revocation of Mr. Scinto's (P-2) Unlimited Journeyman license if the Civil Penalty is not paid in full within ninety days or Mr. Scinto fails to establish a payment plan agreeable to DCP. The Board decided at their 6/21/07 meeting to agree with the recommendation made by the Board at their 2/15/07 meeting.

Mr. Scinto was not present at today's meeting. After further review and discussion on this matter, the Board voted unanimously to agree to a payment plan consisting of a \$7,000.00 initial payment within sixty days from today and monthly payments of \$500.00 until the \$14,000.00 Civil Penalty is paid in full.

In the Matter of Robert Skirvin

Docket No. 07-1298

A Formal Administrative hearing was held on this matter 9/28/00 and the hearing was concluded. The Board decided to issue an Immediate Order of Discontinuance and a Civil Penalty in the amount of \$1,000.00.

Mr. Skirvin was not present at today's meeting. After further review and discussion on this matter, the Board voted unanimously to deny Mr. Skirvin's request for reconsideration.

FORMAL ADMINISTRATIVE HEARING

In the Matter of Timothy Kennedy Docket No. 07-1105

A Formal Administrative hearing was held on this matter on 10/18/07 and the hearing was continued to 11/15/07 and continued again to 12/20/07.

Mr. Kennedy was present at today's meeting. Attorney McCann reports to the Board that there are two complainants remaining concerning this matter, of which one is not showing-up and the other refuses to attend, and that there is no issue of restitution. After further review and discussion on this matter, the Board voted unanimously to refer this matter to the CT Attorney General for further enforcement.

There being no further business, the meeting adjourned at 1:09 p.m.

Respectfully submitted,

Nelson Leon
Board Secretary

The next regular meeting is scheduled for Thursday, February 21, 2008, at 9:30 A.M. in Room 117.