

**JANUARY 2004 MINUTES
STATE ELEVATOR INSTALLATION, REPAIR, & MAINTENANCE
WORK EXAMINING BOARD**

DEPARTMENT OF CONSUMER PROTECTION

JANUARY 12, 2004

The meeting was called to order by Steven M. Roth, Acting Chairman, at approximately 9:50 a.m., in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT.

Members Present: Steven M. Roth, Acting Chairman, Public Member
Michael T. Molleur, Contractor
Thomas J. O'Reilly, Contractor
Paul Farnsworth, Contractor
Michael D. Griffin, Journeyman
Jeffrey J. Hogan, Public Member
John R. DeRosa, Jr., Journeyman

Members Absent: None

Member Vacancy: Governor Appointment, Public Member (1)

Board Counsel Present: Raul Rodriguez (*Late Arrival*)

DCP Staff Present: Richard M. Hurlburt, Director
Anthony Santoro, Administrative Hearings Attorney
Tracy L. Cicero, Board Secretary

Others Present: Steven A. Bruno, IUEC Local 91
Dan Kelly, IUEC Local 91

The next scheduled meeting of this Board is scheduled for Monday, March 8, 2004 at 9:30 a.m., in Room 117.

NOTE: The administrative functions of this Board are carried out by the Department of Consumer Protection, for information call Richard M. Hurlburt, Director of Occupational and Professional Unit at (860) 713-6135.

REVIEW MINUTES OF PREVIOUS MEETING(S)

The minutes of the November 10, 2003 board meeting were reviewed, revised with minor corrections, and approved as written. The motion carried 5.0.0.

REVIEW OF APPLICATION(S) FOR LICENSURE EXAMINATIONS

1. **Jason E. Brody, East Hampton, CT – R-2 License Application – APPROVED**
The Board motioned to approve Mr. Brody's application. Mr. O'Reilly abstained. The motion carried 5.0.1.
2. **Michael P. Westerman, Bolton, CT – R-2 License Application – DENIED**
The Board motioned to deny Mr. Westerman's R-2 application, due to lack of helpers card, no apprenticeship letter from the Department of Labor, lack of contractors letter, no notarized statement of experience, and page 2 of the application was incomplete. A motion was made and seconded. The motion carried 5.0.0.

SETTLEMENT OR STIPULATION AGREEMENTS

1. **In The Matter of Paul Farnsworth** **Docket No. 03-702 - DISMISSED**
In The Matter of Handi-Lift CT, Inc. **Docket No. 03-702 - ACCEPTED**

Mr. Farnsworth recused himself from the Board Meeting while the case was reviewed and discussed.

Stipulation was accepted and signed by the President of Handi-Lift CT, Inc. dated on October 24, 2003 and dismiss the Matter of Paul Farnsworth on the grounds that he had no involvement with the project until the incident occurred. The Department accepted the stipulation dated on November 6, 2003. Motion was made and seconded. Motion carried 5.1.1

- Anthony Santoro telephoned Raul Rodriguez and Nancy Arnold of the Attorney General's Office for counsel or legal advice on the matter mentioned above. The advice was to contact the Contractor of Records or withdraw.
- Prior to Raul Rodriguez' late arrival, Acting Chairman Roth, motioned to table all stipulations and hearings until a decision is made from the State Attorney General's Office. Clarification is needed as to which entity is responsible in matters of complaints.

- It was ordered by Acting Chairman Roth that a letter is drafted to Nancy Arnold, Assistant Attorney General/Department Head, Attorney General's Office, requesting notification 15 days prior to the next schedule meeting, if a representative from the AG's office is unable to attend bi-monthly meetings for legal representation. The Board is also requesting information as to which entity is responsible in the matter of complaints. A motion was made and seconded. The motion carried 4.2.0.

FOR THE RECORD: Handi-Lift CT, Inc. has 20 licenses issued by DCP. They also from time-to-time subcontract work to the union. Remarks from John DeRosa, Board Member, discrediting Mr. Farnsworth and/or his company should be withdrawn from the record. Mr. DeRosa did apologize and his derogatory remarks against Mr. Farnsworth were removed.

2. **The Matter of Bay State Elevator** **Docket No. 03-1075 - TABLED**

REQUEST FOR RECONSIDERATION

The Matter of Rafael Cotto **Docket No. 95-642 – WITHDRAWN**
- Lori M. Dion, Esq., legal counsel for Mr. Cotto has withdrawn from the case.

FINAL DECISIONS AND ORDERS PENDING SIGNATURE

In the Matter of Richard Nalette **Docket No. 03-333 - SIGNED**

CORRESPONDENCE

1. Certified Accessibility and Private Residence Lift Technician, the CAT™ Curriculum.
2. OCC/PRO Licensing Division 2004 Schedule for Board, Commission, and Council Meetings.
3. Handi-Lift Connecticut, Inc., Journey person Development Program Information dated June 11, 2001 (Pages 1-3).
4. PSI Examination Services Examination Results (Test Dates: 12/1/03 – 12/30/03) – **CIRCULATED TO BOARD MEMBERS.**
5. PSI Examination Services – DCP Occupational Licensing Crane and Conveyor Trades Candidate Information Bulletin.

OLD BUSINESS

- **James P. Hopkins, Manchester, CT – R-2 - DENIED**
After review and discussion of Mr. Hopkins’s R-2 application, the Board voted to deny his application due to lack of documentation. Mr. Hopkins did not comply with the Board’s request that he complete and forward certification of NEIPP Module 8 and page 2 of the application, to John DeRosa, Board Member, for review.
- **N.A.E.C. CET Program** – There was a revote by Board Members of subcommittee membership to the N.A.E.C. CET Program. The subcommittee panel will consist of the following people:
 - (1.) Michael T. Molleur, Contractor – **Chairperson**
 - (2.) Paul Farnsworth, Contractor
 - (3.) Thomas J. O’Reilly, Contractor
 - (4.) John R. DeRosa, Jr., Craftsman/Journeyman
 - (5.) Michael D. Griffin, Craftsman/Journeyman

Thomas J. O’Reilly distributed to Board Members a document entitled “Elevator World”, which pertained to the CET Program.

Mr. O’Reilly also requested from Tracy L. Cicero, Board Secretary, a copy of the tape recordings of the November 10, 2003 meeting to verify who was initially chosen for the Elevator Subcommittee. This committee will be responsible for obtaining additional information on topics for discussion before each scheduled meeting.

NEW BUSINESS

- **Apprenticeship Education and Training** – John DeRosa questioned whether an individual had to be in an apprenticeship program to take the NEIPP Apprenticeship Program course. Raul Rodriguez’ answer was that an individual does not have to be an apprentice to take any course, which is equivalent to what is required for the industry.

There being no further business, the meeting adjourned at 12:30 p.m.

Respectfully Submitted,

Tracy L. Cicero
Board Secretary