

MINUTES

ELEVATOR INSTALLATION, REPAIR AND MAINTENANCE WORK EXAMINING BOARD

MAY 18, 2017

The meeting was called to order by Acting Chairperson John DeRosa on Thursday, May 18, 2017 at 9:05 a.m. at 450 Columbus Boulevard, Hartford, CT, 06103 in Hearing Room J.

Members Present: John R. DeRosa, Jr., Elevator Craftsman,
Acting Chairperson
Michael Griffin, Elevator Craftsman
Thomas J. O'Reilly, Unlimited Contractor
Paul Farnsworth, Unlimited Contractor
Todd Johnston, Public Member
Dale Clayton, Public Member

Members Absent: Joseph Bayusik, Unlimited Contractor

Board Vacancies: Public Member

DCP Board Staff: Richard M. Hurlburt, Director
Karen Layman, Secretary

Board Council Present: None

Others Present: Julianne Avallone, Director
John Neumon, Director
Paulette Annon, DCP Staff Attorney
David Bullock, Bullock Access
Gil LaClair, IUEC Local 91
William Bohmbach, Home Healthsmith, LLC
Linda Bohmbach, Home Healthsmith, LLC
Jane Roggero, Home Healthsmith, LLC
Laurie Hampfeld, Peltons, Inc.
Karen Pinedo, Peltons, Inc.

Note: The administrative functions of the Boards, Commissions and Councils 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 or Fax: (860) 706-1255.

Agency Website: www.ct.gov/dcp **Division E-Mail:** dcp.occupationalprofessional@ct.gov

REVISION TO THE AGENDA BY BOARD VOTE:

The Board voted unanimously to add the following correspondence to the agenda under the section entitled Applicant to Appear for Review of Application: Email from Julianne Avallone to Richard Hurlburt dated May 11, 2017 regarding R-7 Licensing Determination: VRC Work

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

None

APPLICANT TO APPEAR FOR REVIEW OF APPLICATION:

Christopher Kenlan, Dingmans Ferry, PA – (R-7)

Mr. Kenlan requested a review of the scope of work allowed under the R-7 Limited Conveyor Contractor License.

Correspondence – E-mail from Julianne Avallone to Richard Hurlburt dated May 11, 2017 regarding R-7 Licensing Determination: VRC Work

The Board reviewed this correspondence and provided a detailed explanation as to their specific concerns regarding the Department’s determination as set forth in this email that would allow an R-7 to work on VRC equipment without the requirement to hold an R-1 or R-2 license. Director Julianne Avallone was present to further elaborate on this decision rendered by the Legal Division.

The Board stated that they would like an opportunity to discuss possible regulation changes in this area. The Board voted unanimously to set up a task force to look into VRC’s and their licensure requirements.

INTRODUCTION OF DCP STAFF ATTORNEY, PAULETTE ANNON:

Director Julianne Avallone introduced Paulette Annon, a newly hired staff attorney for DCP. Ms. Annon will handle occupational and professional enforcement cases.

MINUTES FROM PREVIOUS MEETINGS:

The Board reviewed the draft minutes of the February 16, 2017 Elevator Installation, Repair, and Maintenance Work Examining Board meeting and voted to approve as written. Michael Griffin abstained.

OLD BUSINESS:

1. Application of William Bohmbach remanded back to the Board

The Board denied Mr. Bohmbach’s application on November 22, 2016 and on February 21, 2017. Subsequently, Former DCP Commissioner Jonathan A. Harris reviewed these actions and remanded the Board’s proposed decisions to deny. In response to this, the

Board reconsidered the application and their previous ruling, and provided a detailed description of their reasons for denial, as follows:

John DeRosa began by providing a summary of the Connecticut requirements for the R-1 Unlimited Elevator Contractor license, which is to have held an R-2 Unlimited Journeyperson license for two years. The requirement for the R-2 Unlimited Journeyperson license is to have completed an apprenticeship, under Connecticut Codes and Practices, and under the direct supervision of an R-1 Contractor. An R-1 licensee having this experience and training is crucial to public safety. The applicant did not have this background and experience, and that is one of the reasons for the Board's denial.

John DeRosa refers to Statute in which it is stated that the Board may issue a license under "equivalent experience and training". He stated that he feels that issuing a license under this category would be a big risk, as the applicant has worked under different codes, different practices, and has not met the R-2 two-year requirement as a journeyperson.

John DeRosa also states that the on-the-job experience was also a concern, as the applicant did not any have training or experience with escalators, travellers, etcetera and has worked with only residential elevators and accessibility equipment for the previous five years.

Dale Clayton added that an R-1 license holder is allowed to work on escalators, dumb waiters, elevators, moving walks, etcetera. If the applicant was issued an R-1 license, this would allow him to conduct this type of work, which would pose a risk to the public. Since an R-1 is allowed to install escalators under Connecticut regulations, and the applicant does not have this experience, this would be a risk to the public. Given that, Mr. Clayton feels the applicant does not have the equivalent experience and training, and therefore does not qualify for the R-1.

Director Julianne Avallone was present and spoke with the Board for a clarification of the Board's description of this denial, as requested of them at this meeting. Ms. Avallone inquired as to whether or not the Board conducted an analysis of the Rhode Island license to determine if the training and experience required to obtain such license was equivalent to Connecticut's license requirements.

John DeRosa and Dale Clayton summarized by stating that the Board's decision was based on the all of the applicant's experience and on the job training, lack of two years as a Connecticut R-2 journeyperson, lack of experience with escalators and other aspects of the trade that are within the scope of work of the R-1, the variation of codes and scope of work between states, and the potential risk to the public.

Mr. Bohmbach was present and states that he feels there has been a misrepresentation of his work experience and that the Board is excluding him from working in Connecticut. He states that he would not work on escalators if issued an R-1 license.

The Board voted to stay with the decision to deny this application. Thomas O'Reilly abstained.

NEW BUSINESS:

1. Review of PSI exam results

Board so noted.

2. DCP website location to verify a license; for the Board's information

Board so noted.

3. Building and Fire Safety Code Adoption; for the Board's information

Board so noted.

CORRESPONDENCE:

None

DCP INVESTIGATION DIVISION:

1. Review of complaint report including open, closed, and dismissed cases

Director John Neumon appeared and provided details regarding cases on this report, as well as general information on the Division's procedures regarding investigations and complaints.

2. Occupational Licensing Enforcement Report Pursuant to P.A. 14-210

Director John Neumon appeared and provided an overview of this report.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

None

RESIDENTIAL STAIR LIFT INSTALLERS LICENSE REGULATIONS:

The Board discussed the recent regulation change and the new Residential Stair Lift Installers License. The Board requests that this topic be added to the August 17, 2017 agenda, and that documentation be provided by the Department regarding this license and related regulations at this meeting.

There being no further business, the meeting adjourned at 10:43.

Respectfully submitted,

Karen Layman,
Board Secretary

2017 MEETING SCHEDULE

- August 17
- November 16

Meetings will be held at 450 Columbus Boulevard, Hartford, CT, 06103 at 9:00 a.m.