

## MINUTES

### HEATING, PIPING, COOLING AND SHEET METAL WORK EXAMINING BOARD

JULY 19, 2007

The meeting was called to order by Robert H. Barrieau, Acting Chairperson at 9:45 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: Robert H. Barrieau, Unlimited Contractor, Acting Chairperson  
Thomas F. Casey, Jr., Unlimited Contractor  
Cameron G. Champlin, Jr., Unlimited Journeyperson  
Philip H. Benoit, Limited Sheet Metal Journeyperson

Members Absent: David G. Foster, Unlimited Contractor / General Contractor  
Patrick Duane, Limited Sheet Metal Contractor  
Michael Rosario, Unlimited Journeyperson  
Ronald J. Crabb, Unlimited Journeyperson  
Joseph Minoski, Public Member  
Joseph Leggo, Public Member

Board Vacancies: Two Public Members, appointed by the Governor

Board Counsel Present: None

DCP Staff Present: Nelson Leon, Board Secretary  
Richard M. Hurlburt, Occupational Trade Director  
Richard Maloney, Occupational Trade Enforcement Director  
Jim McCann, Administrative Hearings Attorney  
Helen Hillman, Consumer Information Representative

Public Present: Jeff Parker                      Trevor J. Gevaws      Jeff Beaupre  
Kyle Parker                      Ronald Serville      Jason Neri  
Dan Symolon                      Michael Berube  
Matthew Costello                Timothy Aker  
Mike Wagner                      Ryan Souza  
Mike Ritchie                      Mark Grieco  
John Ungiechajer                Tony Donahoe  
Todd Newman                      Roger Krar  
George Masse                      Haz Cummings, Esq.  
Ismet Dzananouic                David Beaupre

**Note:** The administrative functions of this Commission are carried out by the

Department of Consumer Protection, Occupational and Professional Licensing Division.  
For information, call Richard M. Hurlburt, Director, at (860) 713-6135.

Agency Web site: [www.ct.gov/dcp](http://www.ct.gov/dcp)

### **MINUTES OF PREVIOUS MEETINGS**

The Board voted unanimously to approve minutes of the March 24, 2007 Heating, Piping, Cooling and Sheet Metal Work Examining Board meeting.

### **APPLICANTS REQUESTING TO APPEAR BEFORE THE BOARD FOR CONSIDERATION OF UNREGISTERED APPRENTICESHIP HOURS**

**Michael S. Berube, Plantsville, CT – (D-2) Limited Journeyman Application – Denied**

**Ismet Dzananovic, Newington, CT – (S-2) Unlimited Journeyman Application – Approved**  
The Board voted unanimously to approve Mr. Dzananovic's application.

**George F. Massey, Stratford, CT – (S-1) Unlimited Contractor Application – Approved (S-2)**  
Mr. Massey changed the license category to an (S-2) Unlimited Journeyman. After further review of Mr. Massey's application, the Board voted unanimously to approve his application.

**Todd F. Newman, Torrington, CT – (D-2) Limited Journeyman Application – Approved**  
The Board voted unanimously to approve Mr. Newman's application.

**Joseph F. Smith, Thomaston, CT – (D-2) Limited Journeyman Application – No Action**  
Mr. Smith was not present at today's meeting. Therefore, the Board took no action.

**Ryan M. Souza, Pleasant Valley, CT – (S-2) Unlimited Journeyman Application – Denied**  
The Board voted unanimously to deny Mr. Souza's application due to lack of a required "Letter of Apprenticeship Completion" certificate.

### **APPLICANTS APPEARING IN PERSON**

(The Board unanimously decided to review the following applicants appearing in person)

**Timothy J. Aker, Canton, CT – (S-2) Unlimited Journeyman Application – Approved (S-10)**

Mr. Aker changed his application to an (S-10) Limited Journeyman. The Board voted to approve Mr. Aker to sit for the (S-10) Limited Journeyman examination. Board member Robert H. Barrieau was opposed.

**Jeffrey D. Beaupre, Manchester, CT – (B-2) Limited Journeyman Application – Approved**

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

**Matthew J. Costello, Manchester, CT – (S-2) Unlimited Journeyman Application – Approved**

The Board voted unanimously to approve Mr. Costello's application, contingent upon Mr. Costello verifying two years as a registered apprentice.

**Anthony W. Donahue, Bristol, CT – (D-2) Limited Journeyman Application – Approved**

The Board voted unanimously to approve Mr. Donahue's application, contingent upon receipt of Mr. Donahue's CFC certification.

**Trevor J. Evans, Woodbury, CT – (B-2) Limited Journeyman Application – Approved**

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

**Kyle J. Parker, Bethel, CT – (D-2) Limited Journeyman Application – Approved**

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

**Ronald A. Serville, Windsor, CT – (D-2) Limited Journeyman Application – Approved**

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

**Mike J. Wagner, Bristol, CT – (S-8) Limited Journeyman Application – Denied**

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

**CORRESPONDENCE**

1. Board members who may consider and act upon matters concerning sheet metal work.
  - General contractor or an unlimited contractor licensed to perform heating, piping and cooling work (David G. Foster).
  - Limited contractor licensed to perform sheet metal work (Patrick Duane).
  - Journeyman sheet metal worker, who at time of appointment shall be a member of a trade union (Philip H. Benoit).
  - All public members (Joseph Leggo & Joseph Minoski).
2. CT Attorney General's Office Press Release dated June 19, 2007, in which Attorney General Richard Blumenthal announced that Newtown Oil and its owners have agreed to pay \$260,000.00 to consumers and the State to settle allegations the company entered into fraudulent pre-paid home heating oil contracts during the 2002-2003 heating season.

## **NEW BUSINESS**

Follow-up report from Richard Maloney, DCP Trade Enforcement Director, concerning applicants appearing before the Board, who have not been properly registered as apprentices and/or have not completed an apprenticeship program while working in CT, and continue to work in CT without being properly registered as apprentices by their respective employer(s).

Mr. Maloney reports on the passage of Substitute House Bill No. 6983, effective October 1, 2007, making it a Class B misdemeanor for any person who engages in or practices the work or occupation for which a license or apprentice registration is required.

Mr. Maloney informed the Board that his staff is close to cleaning up all Heating, Piping, Cooling and Sheet Metal Work complaints, with a tremendous amount of assessed civil penalties, and that with the passage of Substitute House Bill No. 6983, his staff is ready to aggressively pursue employers who willfully employ unlicensed trades people or unregistered apprentices. Any active open investigations are moving forward a resolution in order to get a clean slate come October 1, 2007. There were about 1,000 open complaints when Mr. Maloney took over, with 300 left, 150 scheduled for closing, and another 150 pending open investigations.

Mr. Maloney reports on his Investigators being well versed on their investigative narrative report writing techniques, getting warrants ready to go, and are working with the CT Chief States Attorney office to roll out this enforcement and prosecute cases.

The Board expressed concern regarding unlicensed trades people and the high number of applicants coming before the Board for consideration of unregistered apprenticeship hours. The Board further

expressed the need for additional inspectors to properly manage the trade industry in CT and inquired on the amounts of assessed penalties for violators.

Mr. Maloney informed the Board that it needs to meet with DCP Commissioner to discuss the need and avenue for getting more inspectors, and that it may require parameters outside the legislature. Mr. Maloney further informed the Board that penalties imposed and collected are in the range of \$250.00 – \$1,000.00.

Mr. Maloney suggested to the Board that he be provided with a list of names of unregistered applicants and names of their respective employers, so that he can write to them to see what their response is and perhaps fine them and get them into compliance, in addition to warning them that effective October 1, 2007, the practice any person who willfully engages in or practices the work or occupation for which a license or apprentice registration is required, becomes a criminal offense.

### **REQUEST FOR RECONSIDERATION**

#### **In the Matter of Thomas Charles      Docket No. 06-977**

A Formal Administrative Hearing was held on this matter March 22, 2007 and the Board decided to issue a Cease and Desist Order, Civil Penalty in the amount of \$521,500.00, and revocation of Mr. Charles' (S-1) Unlimited Contractor license and (SM-1) Limited Sheet Metal Contractor license.

The Respondent, Thomas Charles was not present today. Attorney Max L. Rosenberg, legal counsel for Mr. Charles appeared before the Board today. After further review and discussion on this matter today, the Board voted unanimously to deny Mr. Charles' request for reconsideration of the Board's March 22, 2007 decision.

#### **In the Matter of Guillermo Gonzalez      Docket No. 06-2709**

A Formal Administrative Hearing was held on this matter March 22, 2007 and the Board decided to issue a Cease and Desist Order, Civil Penalty in the amount of \$14,500.00, and suspension of Mr. Gonzalez's (D-1) Limited Contractor license until such time he has paid the Civil Penalty in full, and appears before the Board to request reinstatement of his (D-1) Limited Contractor license.

The Complainant, Guillermo Gonzalez appeared before the Board today. After further review and discussion on this matter today, the Board voted unanimously to reconsider and modify their March 22, 2007 decision, to reflect a reduction of the Civil Penalty from \$14,500.00 to \$12,000.00.

**COMPLAINT (JEREMIAH HAMK) REQUEST FOR RECONSIDERATION OF THE BOARD'S AUGUST 24, 2006 FINAL DECISION AND ORDER**

**In the Matter of Servco, Inc.**

**Docket No. 05-1266**

The Complainant, Jeremiah Hamak is requesting reconsideration of the Board's August 24, 2006 Final Decision and Order on this matter. Attorney Paul Solder, legal counsel for Mr. Hamak is requesting a continuance to the Board's next meeting on Thursday, September 27, 2007. The Board voted unanimously to continue this matter to their next meeting on Thursday, September 27, 2007.

**MOTION FOR MODIFICATION OF FINAL DECISION AND ORDER**

**In the Matter of Roger M Krar**

**Docket No. 05-346**

A Formal Administrative Hearing was held on this matter April 28, 2005 and the Board decided to issue a Cease and Desist Order, and a Civil Penalty in the amount of \$4,250.00.

The Respondent, Roger M. Krar and his legal counsel, Attorney Haz Cummings appeared before the Board today. After further review and discussion on this matter today, the Board voted unanimously to reconsider and modify their April 28, 2005 decision, to reflect a reduction of the Civil Penalty from \$4,250.00 to \$2,875.00.

There being no further business, the meeting adjourned at 12:50 p.m.

Respectfully submitted,

Nelson Leon  
Board Secretary

**The next meeting is scheduled for Thursday, September 27, 2007 at 9:30 A.M. in Room 117.**