

# MINUTES

## PLUMBING AND PIPING WORK EXAMINING BOARD

**FEBRUARY 21, 2008**

The meeting was called to order by Charles Appleby, Sr., Chairperson at 9:37 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, Journeyperson  
Anthony Calandrino, Journeyperson  
John R. Sullivan, Public Member  
Melissa C. Sheffy, Public Member

Member Absent: Joyce Topshe, Public Member

Board Vacancies: Two Journeypersons  
One Public Member

Board Counsel Present: None

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

Public Present: Nelson Parzuchowski Vinnie Valende  
Antonio Sandalo Frank DeCato  
Anthony Possidento Joseph Elder  
Trenton Anderson  
Jeff Merk  
Ronald LeMay  
Al Cyr  
Brad Oatley  
Paul Holmes  
Chris Daigle  
Kenn Duff  
Peter Palmer

**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](http://www.ct.gov/dcp)

### **MINUTES OF PREVIOUS MEETINGS**

The Board voted unanimously to approve minutes of the December 20, 2007 Plumbing and Piping Work Examining Board meeting.

### **BOARD MEMBER RE-APPOINTMENT LETTERS**

Re-appointment letter dated August 30, 2007 from the Honorable Governor M. Jodi Rell, concerning the re-appointment of George Sima to the Plumbing and Piping Work Examining Board.

### **BOARD MEMBER RE-APPOINTMENT / CHAIRPERSON APPOINTMENT LETTER**

Re-appointment letter dated December 4, 2007 from the Honorable Governor M. Jodi Rell, concerning the re-appointment of Charles E. Appleby, Sr. as the Chairperson to the Plumbing and Piping Work Examining Board.

### **APPLICANTS REQUESTING CREDIT FOR NON-COMPLETION AND/OR UNREGISTERED APPRENTICESHIP HOURS**

#### **Carl M. Alterio, Bridgeport, CT – (P-2) Unlimited Journeyman – Denied**

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

#### **Sergei I. Churyk, Brewster, NY – (W-5) Well Casing Extension Contractor – Approved**

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

#### **Paul A. Holmes, Plainville, CT – (J-4) Limited Journeyman – Approved**

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

#### **John T. Huizinga, Danbury, CT – (P-1) Unlimited Contractor – Approved**

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

**Joseph Lovejoy, Cheshire, CT – (P-2) Unlimited Journeyperson – Denied**

The Board voted tabled Mr. Lovejoy’s application at their 12/20/07 meeting, contingent upon receipt of notarized statements from his occupational related employers as to dates and duties of employment and transcripts of his school related instructional experience. Board member Christopher M. Bowman recused himself from participating on this matter.

After further review of Mr. Lovejoy’s application at today’s meeting, the Board voted to deny his application due to lack of a required “Letter of Apprenticeship Completion” certificate. Board member Christopher M. Bowman recused himself from participating on this matter.

**Matthew R. Melillo, North Branford, CT – (J-2) Limited Journeyperson – Denied**

The Board voted unanimously to deny Mr. Melillo’s application due to lack of a required “Letter of Apprenticeship Completion” certificate.

**Nelson Parzuchowski, Danbury, CT – (P-2) Unlimited Journeyperson – Approved**

The Board initially denied Mr. Parzuchowski’s application with Board member James Picolli opposing and John R. Sullivan abstaining. The Board re-evaluated Mr. Pazuchowski’s application later in the meeting and voted to rescind their earlier denial and approved his application, and that Mr. Parzuchowski’s current employer is notified of their violation concerning non-registration of apprentices. Board member Melissa C. Sheffy was opposed.

**Anthony M. Possidento, Trumbull, CT – (P-2) Unlimited Journeyperson – Denied**

The Board voted unanimously to deny Mr. Possidento’s application due to lack of required occupational school related instructional experience.

**Antonio C. Sandalo, Stamford, CT – (P-1) Unlimited Contractor – Approved**

The Board voted unanimously to approve Mr. Sandalo’s application.

**REQUESTING REINSTATEMENT OF LAPSED PLUMBING LICENSE**

**Peter Palmer, Fairfield, CT – (P-1) Unlimited Contractor.**

Mr. Palmer is requesting reinstatement of his (P-1) Unlimited Contractor license (lapsed 10/31/04).

The Board voted unanimously to require Mr. Palmer re-apply and re-test for his (P-1) Unlimited Contractor license.

## **CORRESPONDENCE**

1. PSI examination results for month of January 2008.
2. Apprentice program sponsors as of 2/4/08.
3. Pump servicer and installer 630.684.018 prime objective – work schedule “A”.
4. “Draft” Lightning Protection Systems.

Lightning protection system, different type of corrugated metals. To install this type of tubing, one has to go through manufacturers training. Tubing or adapter to be properly grounded to an independent ground rod or a panel, which a plumber is not allowed to go to an electrical panel to do so, unless properly licensed in that trade to perform any bonding. Another alternative is ground rods driven into the ground and properly grounded. Mr. Hurlburt said that the Electrical Board said a licensed electrician should do this type of work, and that the definition of electrical work pursuant to Chapter 393, Section 20-330 of the CT General Statutes stipulates that "Electrical work" means the installation, erection, maintenance, alteration or repair of any wire, cable, conduit, busway, raceway, support, insulator, conductor, appliance, apparatus, fixture or equipment that generates, transforms, transmits or uses electrical energy for light, heat, power or other purposes, but does not include low voltage wiring, not exceeding twenty-four volts, used within a lawn sprinkler system. The Board voted unanimously to table further discussion on this matter to their next meeting on 4/17/08, and suggested inviting the Electrical Board Chairperson, Larry Valleries for continued discussion and input.

## **PRESS RELEASES**

1. Press Release dated January 30, 2008 concerning Timothy Kennedy, a Rocky Hill contractor who violated numerous State laws related to occupational heating and cooling work, has lost his license and has been ordered to pay \$35,500.00 in civil penalties and restitution.
2. Press Release dated February 11, 2008 concerning James R. Lathrop, former owner of Independent Services of Coventry sentenced to prison for performing heating and piping work without a license.

## **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; therefore, the matter was continued to the Board's 12/20/07 meeting. Mr. Cyr and his legal counsel were not present at the Board's 12/20/07 meeting. After further review and discussion on this matter at the Board's 12/20/07 meeting, the Board voted unanimously to deny Mr. Cyr's request for reconsideration. Attorney Elder is again requesting reconsideration via his letter dated 1/11/08.

Attorney McCann informed the Board that this matter concerns a request for reconsideration, not a request for re-litigation, and that if information is now available that was not available at the time of the hearing or new evidence that is being presented that would materially change the outcome, the Board may consider the information. After further review, discussion and information provided by Attorney Elder, the Board voted unanimously deny Mr. Cyr's request for reconsideration "without prejudice" based on lack of evidence for the Board to reconsider their 7/20/06 decision. Attorney McCann informed the Board that he will provide Mr. Cyr sixty days to present any new evidence warranting a reconsideration before asking the board to suspend Mr. Cyr's plumbing license for non-payment of the civil penalty imposed at the Board's 7/20/06 meeting.

## **FORMAL ADMINISTRATIVE HEARINGS**

**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 the 12/20/07 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.

The Board voted unanimously at today's meeting to review the Final Decision and Orders once prepared on the counts that were heard and that all open counts not heard be withdrawn.

There being no further business, the meeting adjourned at 12:35 p.m.

Respectfully submitted,

Nelson Leon  
Board Secretary

**The next regular meeting is scheduled for Thursday, April 17, 2008, at 9:30 a.m. in Room 117.**