

MINUTES

FIRE PROTECTION SPRINKLER SYSTEMS WORK EXAMINING BOARD

OCTOBER 28, 2008

The meeting was called to order by David J. Waskowicz, Chairperson, at 9:35 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: David J. Waskowicz – Unlimited Journeyperson
Robert W. Hollis, III – Contractor
Kevin Wypychoski – Contractor
Thomas E. Booth – Unlimited Journeyperson
Anthony D. Moscato – Fire Marshal
Ralph Carl Miller – Fire Marshal
Luis A. Coreano – Public Member
James M. Barry – Public Member
John Michalewicz – Public Member

Members Absent: None

Board Vacancies: None

Board Counsel Present: None

DCP Staff Present: Nelson Leon, Board Secretary

Public Present: Paul Lunney
Dennis Lindley
Randy Esposito
Eric Beane
Paul Pernal
Cyprian Louis
William Mackay
Paul Tagatac, Esq.
Mike Livingstone
Bill Rhodes
Angelo Lisi
Yuriy Rudshteyn

Note: The administrative functions of this Board 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

MINUTES OF PREVIOUS MEETINGS

The Board voted unanimously to approve minutes of the August 26, 2008 Fire Protection Sprinkler Systems Work Examining Board meeting, with amendments under “New Business” to reflect the Board referring Jamal A. Ingram’s (F-2) application to DCP Trade Enforcement division for investigation concerning his employer(s) not registering apprentices; to reflect the Board waiting for status of five applications that received contingent approvals at 4/22/08 and 6/24/08 meeting (Thomas Blake, Jeffrey Edick, James Lamprey, Matt Toohil, and William O’Connor); under “Complaint and Investigation”, to reflect that it was reported that there was no substantiation for certified payroll and that neither the complainant or investigator witnessed any work being performed, and that Ralph Carl Miller reported that faulty work could result into a criminal investigation.

APPLICATIONS

Eric Beane, East Kingston, NH – (F-1) Unlimited Contractor – Withdrawn
Mr. Beane decided to withdraw his application for re-submittal at a future date.

Thomas P. Cone, Sprakers, NY – (F-2) Unlimited Journeyman – Approved
The Board voted unanimously to approve Mr. Cone’s application.

Louis Cyprian, East Hartford, CT – (F-2) Unlimited Journeyman – Approved
The Board voted unanimously to approve Mr. Cyprian’s application.

Dennis M. Lindley, Andover, CT – (F-1) Unlimited Contractor – Approved
The Board voted unanimously to approve Mr. Lindley’s application.

William D. Mackay, Peabody, MA – (F-4) Limited Journeyman – Denied
The Board voted (6-3) to deny Mr. Mackay’s application due to lack of required “Letter of Apprenticeship Completion” certificate.

Paul J. Pernal, Uncasville, CT – (F-2) Unlimited Journeyman – Approved
The Board voted unanimously to approve Mr. Pernal’s application.

Raymond H. Pitcher, Medford, MA – (F-2) Unlimited Journeyman – Denied
The Board voted unanimously to deny Mr. Pitcher’s application due to lack of a “Letter of Apprenticeship Completion” certificate issued by the Commonwealth of Massachusetts.

REQUESTING REINSTATEMENT OF EXPIRED LICENSE

Randy J. Esposito, Danbury, CT – (F-4) Limited Journeyperson (Expired 12/31/05).

The Board denied Mr. Esposito's request for reinstatement of his license at their 6/24/08 meeting, and is requiring that he re-apply and re-test for his license. Mr. Esposito is appealing that decision.

The Board voted unanimously to deny Mr. Esposito's request to reinstate his expired (F-4) Limited Journeyperson license, and is requiring that he re-apply and re-test for his license.

CORRESPONDENCE

1. Correspondence dated 9/30/08 from Richard Hurlburt, concerning NFSA trained apprentices / Connecticut duplicate score reports.
2. Correspondence dated 10/9/08 from James F. Lynch, General Counsel with National Fire Sprinkler Association, Inc., in response to Richard Hurlburt's 9/30/08 correspondence above.
3. Connecticut Occupational Trades Examination Statistics Summary.
4. Mr. Waskowicz read a letter he sent to Attorney General Richard Blumenthal concerning a response by Richard Maloney, Trade Practice Director, regarding the lack of certifying payroll as an investigative tool.

PETITION FOR DECLARATORY RULING

In the Matter of: Yuriy Rudshiteyn

Mr. Rudshiteyn and his legal counsel, Paul Tagatac appeared before the Board today with regard to Mr. Rudshiteyn's (F-1) Unlimited Contractor and (F-2) Unlimited Journeyman Fire Protection Sprinkler Work license applications which the Board has previously denied.

Attorney Tagatac is requesting a declaratory ruling as to Mr. Rudshiteyn's qualification for an (F-1) Unlimited Contractor license, and in the alternative, a declaratory ruling about Mr. Rudshiteyn's qualification to receive an (F-2) Unlimited Journeyman license, and in the event the Fire Protection Board determines that Mr. Rudshiteyn does not possess the required occupational and school related instruction experience, Attorney Tagatac requests a declaratory ruling about the specific area or areas where such Board deems Mr. Rudshiteyn's experience / instruction deficient.

After further discussion at today's meeting concerning this matter, the Board voted unanimously to table this matter for further review and discussion at their next meeting scheduled for December 23, 2008, pending Board inquiring with Jack Guerrera, CT Department of Labor Manager and Raul Rodriguez, CT Assistant Attorney General / Fire Protection Board Legal Counsel.

NEW BUSINESS

1. The Board voted unanimously to request a follow-up report from PSI of their last examination workshop meeting with the Fire Protection Board, to include responses and implementation to questions and suggestions from the Fire Protection Board attendees.
2. Mr. Waskowicz informed the Board that he has names of individuals that have had their Fire Protection applications approved by PSI without review by the Board, and that according to Richard Hurlburt, all Fire Protection applications are coming before the Board. The Board said they would like to see the return of the old application consisting of a second page which identifies all of the applicant employers concerning on-the-job experience.
3. Mr. Waskowicz informed the Board of his attendance at a recent sub-committee meeting at the CT Department of Labor, in which a committee member said it was an attempt by the special interest to fragment several licensing categories.
4. The Board voted unanimously to recommend to DCP Commissioner, to consider adding the word "Fire Protection" before the word "Engineer" under Chapter 391, Section 3. Mr. Miller said that the experience of the state fire marshal bureau of engineering staff has observed significant product problems with the design of some systems.

There being no further business, the meeting adjourned at 12:31 p.m.

Respectfully submitted,

Nelson Leon
Board Secretary

The next meeting is scheduled for Tuesday, December 23, 2008, at 9:30 a.m. in Room 117.