

MINUTES

ELEVATOR INSTALLATION, REPAIR AND MAINTENANCE WORK EXAMINING BOARD

JANUARY 10, 2011

The meeting was called to order by John R. DeRosa, Jr. Acting Chairperson at 9:53 a.m. in Room-126 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: John R. DeRosa, Acting Chairperson
 Paul Farnsworth, Contractor
 Joseph Bayusik, Contractor
 Michael D. Griffin, Journey person

Members Absent: Thomas J. O'Reilly, Contractor
 Gary Bazzano, Public Member
 Roger L. LaFleur, Public Member

Board Vacancies: One Public Member

Board Counsel Present: None

DCP Staff Present: Nelson Leon

Public Present: Steven A. Bruno
 Steven Roth

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:** occprotrades@ct.gov

MINUTES FROM PREVIOUS MEETINGS

The Board voted unanimously to approve minutes of the September 13, 2010 Elevator Installation, Repair and Maintenance Work Examining Board meeting with amendments to page-4 under "Establish a "trainee" program" to reflect that after further review, discussion and input on the above matters, the Board concluded that prior to 2004, the Board was receiving all elevator applications for review and approval. Mr. DeRosa said that the Board was previously asked if PSI Examination Services, as a third party, can be authorized to approve elevator applications. The Board disagreed and demanded that all elevator applications come before the Board for review and approval prior to PSI authorizing any testing for any elevator license category. Mr. DeRosa reiterated that at the Board's May 10, 2004 meeting, the Board voted unanimously to have all elevator applications come before them for their review, including all (R-7), (R-8), (R-9) and (R-10) elevator applications. Mr. DeRosa further concluded that he will meet with Richard M. Hurlburt, DCP Occupational Licensing Division Director, to discuss this matter and seek further clarification on the (1) "Trainee" designation, (2) how the "Trainee" designation was established and (3) a list of "Trainee" and Helper" designations.

The Board also voted unanimously to approve minutes of the November 8, 2010 Elevator Installation, Repair and Maintenance Work Examining Board meeting with amendments to page-3 under "New Business" to reflect Mr. Bruno presented the Board with a brochure from Otis Elevator which advertises the offering of remote service and repairs to elevators in Connecticut. Mr. Bruno and the Board expressed their concern for public safety concerning this matter. The Board unanimously concluded that the Otis Elevator brochure services being offered are in direct violation and in conflict with Chapter 393 of the CT General Statutes, Section 20-330(7)(8). The Board further unanimously concluded that a Connecticut (R-1) Unlimited Contractor or an (R-2) Unlimited Journeyperson license is required to perform any and all elevator work. The Board will draft a letter to be forwarded to Otis Elevator to apprise them of the licensure requirements pursuant to Chapter 393 of the CT General Statutes, Section 20-330(7)(8).

Definitions: (7) "Elevator installation, repair and maintenance work" means the installation, erection, maintenance and repair of all types of elevators, dumb waiters, escalators, and moving walks and all mechanical equipment, fittings, associated piping and wiring from a source of supply brought to the equipment room by an unlimited electrical contractor for all types of machines used to hoist or convey persons or materials, but does not include temporary hoisting machines used for hoisting materials in connection with any construction job or project; (8) "Elevator maintenance" means the lubrication, inspection and replacement of controls, hoistway and car parts.

APPLICATIONS

Aron Danielson, E. Bridgewater, MA – (R-8) Limited Conveyor Journeyperson – Denied

The Board voted unanimously to deny Mr. Danielson's application due to lack of a required proof of working for an (R-7) Limited Conveyor Contractor, notarized statement from his occupational employer(s) attesting to his specific dates and duties of employment, in addition to receipt of a transcript regarding his occupational school instruction related experience and a copy of the course curriculum.

James J. Fuller, Stafford, CT – (R-8) Limited Conveyor Journeyperson – Denied

The Board voted unanimously to deny Mr. Fuller's application due to lack of a required proof of working for an (R-7) Limited Conveyor Contractor, notarized statement from his occupational employer(s) attesting to his specific dates and duties of employment, in addition to receipt of a transcript of regarding his occupational school instruction related experience and a copy of the course curriculum.

Patrick C. Higgins, Somers, CT – (R-7) Limited Conveyor Contractor – Denied

The Board voted unanimously to deny Mr. Higgins' application due to lack of required proof of working for an (R-7) Limited Conveyor Contractor and notarized statement(s) from his occupational employer(s) attesting to his specific dates and duties of employment.

Dan Kuczek, Windsor, CT – (R-7) Limited Conveyor Contractor – Denied

The Board voted unanimously to deny Mr. Kuczek's application due to lack of a required (R-8) Limited Conveyor Journeyperson license for a minimum of two years.

Sean T. Morrison, Suffield, CT – (R-8) Limited Conveyor Journeyperson – Denied

The Board voted unanimously to deny Mr. Morrison's application due to lack of a required proof of working for an (R-7) Limited Conveyor Contractor, notarized statement from his occupational employer(s) attesting to his specific dates and duties of employment, in addition to receipt of a transcript regarding his occupational school instruction related experience and a copy of the course curriculum.

George D. Parker, Monson, MA – (R-8) Limited Conveyor Journeyperson – Denied

The Board voted unanimously to deny Mr. Parker's application due to lack of a required proof of working for an (R-7) Limited Conveyor Contractor, notarized statement from his occupational employer(s) attesting to his specific dates and duties of employment, in addition to receipt of a transcript regarding his occupational school instruction related experience and a copy of the course curriculum.

John Paykowski, Longmeadow, MA – (R-8) Limited Conveyor Journeyperson – Denied

The Board voted unanimously to deny Mr. Paykowski's application due to lack of a required proof of working for an (R-7) Limited Conveyor Contractor, notarized statement from his occupational employer(s) attesting to his specific dates and duties of employment, in addition to receipt of a transcript regarding his occupational school instruction related experience and a copy of the course curriculum.

David M. Rice, Thorndike, MA – (R-8) Limited Conveyor Journeyperson – Denied

The Board voted unanimously to deny Mr. Rice's application due to lack of a required proof of working for an (R-7) Limited Conveyor Contractor, notarized statement from his occupational employer(s) attesting to his specific dates and duties of employment, in addition to receipt of a transcript regarding his occupational school instruction related experience and a copy of the course curriculum.

Justin G. Rink, East Granby, CT – (R-8) Limited Conveyor Journeyperson – Denied

The Board voted unanimously to deny Mr. Rink's application due to lack of a required proof of working for an (R-7) Limited Conveyor Contractor, notarized statement from his occupational employer(s) attesting to his specific dates and duties of employment, in addition to receipt of a transcript regarding his occupational school instruction related experience and a copy of the course curriculum.

Balbir Singh Tak, South Windsor, CT – (R-7) Limited Conveyor Contractor – Denied

The Board voted unanimously to deny Mr. Singh's application due to lack of a required (R-8) Limited Conveyor Journeyperson license for a minimum of two years.

NEW BUSINESS

1. Mr. DeRosa informed the Board that per their request, he made an FOI request with DCP on January 3, 2011, requesting a copy of George Nyborg, III (R-1) and (R-2) application and verification of whom at DCP authorized approval of both applications. Mr. DeRosa said that Mr. Nyborg's (R-2) application was previously denied by the Board on three separate occasions.
2. The Board is requesting reference material PSI Examination Services is utilizing for elevator testing concerning (R-7) through (R-10) elevator license categories.
3. The Board is requesting a roster of elevator trainees and elevator helpers.
4. Mr. DeRosa said that Richard Hurlburt, DCP Occupational Licensing Division Director, said that trainee is another word for helper and that trainee cards are issued to individuals working directly for elevator contractors in cases when there is not an approved apprenticeship training program.
5. The Board has created a sub-committee to establish a related instruction core content curriculum outline for (R-7) through (R-10) elevator license categories. The sub-committee will consist of Board member John DeRosa, Paul Farnsworth and Joseph Bayusik.
6. Mr. DeRosa informed the Board meeting with Gary Berner, DCP Legislative Liaison concerning Board proposed legislation and/or regulatory changes. Mr. DeRosa informed the Board that Mr. Berner said that if there is any opposition on a proposed regulation by the Board, said proposal will not be moved forward by DCP.

COMPLAINTS

1. The Board voted unanimously to require that no elevator complaints be dismissed by DCP until such time the Elevator Board Chairperson has given approval to dismiss such complaint, pursuant to CT General Statutes, Chapter 416, Section 21a-8(8) which states the following:

(The Commissioner of Consumer Protection may dismiss a complaint following an investigation if he determines that such complaint lacks probable cause. Notice of such dismissal shall be given only after approval by the chairperson of the appropriate board or commission.)

2. The Board voted unanimously to require that DCP re-open elevator complaint case number 2010-2054 regarding All Steps, Inc (Respondent) concerning an unlicensed allegation that DCP closed due to no response received. The Board feels that a lack of response is not a valid reason for closing the complaint and that closure of the complaint did not receive the approval of the Elevator Chairperson as required pursuant to CT General Statutes, Chapter 416, Section 21a-8(8).

CORRESPONDENCE

1. Correspondence regarding direct and regular employees.
2. Correspondence regarding elevator crane conveyor trainee program.

2011 MEETING SCHEDULE

Mondays --- January 10, March 14, May, 9, July 11, September 12, November 14.

There being no further business, the meeting adjourned at 12:15 p.m.

Respectfully submitted,

Nelson Leon
Board Secretary

The next meeting of this Board is scheduled for Monday, March 14, 2011 in Room-126.