

ELECTRICAL WORK EXAMINING BOARD

-MINUTES-

MAY 8, 2015

The Regular Meeting of May 8, 2015 was called to order by Chairman Larry Vallieres at 8:28 AM in Room 126 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: Ronald Bish, Contractor
Faith Gavin-Kuhn, Public Member
Frank Halloran, Journeyman
David Munsill, Journeyman
Bruce A. Silva, Unlimited Journeyman
Anthony Soter, Journeyman
Laurence A. Vallieres, Contractor, Chairman
John W. Yusza, Electronic Technician

Members Absent: Sandy Marino, Public Member

Member Vacancies: One (1) Non-Union Contractor
Two (2) Public Members

DCP Board Staff: Robert M. Kuzmich, Department of Consumer Protection
Richard M. Hurlburt, Department of Consumer Protection

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) 713-7230.

Agency Website: www.ct.gov/dcp

Division E-Mail: dcp.occupationalprofessional@ct.gov

Others Present:

Keri Lamontagne, Connecticut Department of Labor
Robert Woytowich
Giuseppe Consoli, CSB Comm.
Frank Farina, S.W.I.S.
Scott Cohen, Electrical Training
Ramon Lopez, Electrical Training
Leonides Lopez, Northern Lights Electrical
Andrew Reid, Florence Electric
Michael Viens, Encore Fire Protection
James E. Townsend, Vivint
Paul Costello, JATC 90
Frank Kisel, Ericsson
Ed Hogan, ROI
Danny Post
Chris Neil
Alex Stepanchuck, Vivint

1. 8:30 AM call to order. (Reminder to everyone to place their cell phones on silent”).

Acting Chairman Mr. Vallieres called the meeting to order at 8:28 AM.

2. Review Minutes of Previous Meetings:

A. Review minutes of meetings of the April 10, 2015.

After a thorough review by all, the Board voted to approve the minutes as submitted. (Bish/Soter) It is noted that Mr. Vallieres abstained from the vote since he was not present at this meeting.

3. Comments or Concerns of any Person Present Today:

None.

4. Report from Trade Practice Division: for review by the Board.

There was no report given to the Department by the Trade Practices Division.

5. Appearing before the Board at the Board's Request;

A. Mr. Frank Farina from State Wide Inspection Services, Inc. concerning the E-Mail from Mr. Robert Boender, Electrical Inspector/Building Official, City of Stamford, dated February 25, 2015, regarding Continuing Education for Electricians. The Board previously discussed this item at length at their March 13, 2015 Board Meeting. They noted that continuing education offering cannot be offered with other offerings in accordance with the Board's regulations. This e-mail references an entity that appears to be doing this against the Board's regulations. This provider is not listed as an approved provider and the e-mail suggests that his offering is approved by the Connecticut Electrical Board.

Mr. Farina addressed the Board along Mr. Scott Cohen and Mr. Ramon Lopez and advised them that their company's website (Statewide Inspection Service) has been revised in accordance with the Board's requirements for the offering of continuing education for Connecticut licensed electricians. The question of the course location came into discussion and it was noted by the Board that each location for continuing education must be approved by the Board as a part of the provider's application to offer continuing education. Mr. Vallieres also stated that Connecticut continuing education must be provided separately and not combined with any other out-of-state offerings.

Mr. Vallieres noted that the two main concerns of the Board in this matter are the advertisement itself and the combined offering of continuing education for both Connecticut and New York at the same event. These circumstances can imply to the participating student that there is reciprocity between States which there is not. Mr. Farina and Mr. Cohen assured the Board that they will fully comply with all regulations and provide the Board with updated documentation substantiating this at their next meeting scheduled for June 19, 2015.

(B) Mr. Giuseppe P. Consoli, E-1 license holder, appearing relative to the application of Mr. Nicholas C. Limauro for the E-2 Unlimited Electrical Journeyman's License Examination.

The Board referenced Mr. Limauro's application and noted that the documentation states that Mr. Consoli was supervising Mr. Limauro as an E-1 since March 26, 2012. The Department investigated this and gave the Board a license verification which indicates that Mr. Giuseppe Consoli (ELC.0200741 - E-1) was issued his E-1 license on December 21, 2013. This date contradicts the applicant's documentation which states that Mr. Consoli was supervising Mr. Limauro as an E-1 since March 26, 2012.

Mr. Consoli stated to the Board that his company, Construction Services of Branford, LLC, does mainly tower (RF) work. Admittedly, he stated that his company did not follow the correct procedures regarding the electrical apprentice program requirements.

Mr. Vallieres and Mr. Bish provided Mr. Consoli a detailed explanation of how the apprenticeship program operates and noted that as a supervising E-1 license holder, he should have known this by , among other means, the continuing education courses he takes to maintain his license. Mr. Vallieres questioned who the E-1's of Record are that obtained the building permits when Mr. Limauro was performing electrical work during the period when Mr. Consoli had his E-2 Journeyman's license (prior to his obtaining his E-1 license). Mr. Consoli did not know the answer to this question. As such, the Board motioned to have the Board Secretary request, in writing, from Construction Services of Branford LLC, for their records during the time frame between March 26, 2012 to December 21, 2013 indicating who their electrical subcontractors were who obtained permits and performed work during this timeframe as indicated in the sworn statement made by Mr. Consoli at today's meeting. (Vallieres/Halloran)

6. Request to Appear before the Board;

(A) Presentation by the Attorney General' Office (of the State) regarding the Supreme Court of the United States Ruling; North Carolina State Board of Dental Examiners v. Federal Trade Commission; for the Board's information.

Assistant Attorney General Eileen Meskill attended this meeting to provide legal advice regarding the following case: *Supreme Court of the United States, North Carolina State Board of Dental Examiners v. Federal Trade Commission*. Attorney Meskill provided the Board with a brief overview of this case noting that it involves a recent decision by the U.S. Supreme Court addressing the authority, role and scope of a State Regulatory Board. This case involved the North Carolina Dental Licensing Board, and was brought by the U.S. Federal Trade Commission. The facts of the case involve actions by the North Carolina Board to prohibit non-dentists from conducting teeth whitening services. The Supreme Court ruled against North Carolina, indicating that there was not sufficient involvement by the State to protect the actions of the Board from anti-trust claims.

Attorney Meskill elaborated on what "active state supervision" entails. She further clarified that there has to be actual positive consideration of the record, and a written decision by someone in the State who is not on the Board or Commission. The Board can develop the record and propose a written decision, however, the decision needs to be reviewed by the Commissioner, and the proposal must meet a clearly articulated State policy, whether a statute or regulation.

Ms. Meskill noted that this case in point is a "scope of practice case". This case is brought to the attention of the Connecticut Boards and Commissions because the potential exists for the same situation to occur with them although the facts of such cases may differ in detail from those in the North Carolina matter. Ms. Meskill

encouraged the Board to read summaries of this case which can be found on line or elsewhere.

The Office of the Attorney General is in the process of determining what this case means to the State Boards and Commissions. Ms. Meskill again noted that this matter does not pertain to systematic disciplinary issues, rather to scope of practice/work issues. The Attorney General's Office will be meeting with the Governor's Counsel regarding this decision and discuss the overall impact. At that point, it can be decided if anything needs to be addressed or changed within State agencies and Board/Commission procedures.

The Board is encouraged to call the Office of the Attorney General with any concerns regarding this matter. The Board thanked Ms. Meskill for bringing this matter to their attention.

7. Review of Applications(s) for Licensure Examination: applicant(s) appearing in person.

Mr. Vallieres advised all in attendance at today's meeting of the Board general rules and guidelines as they apply to applicants appearing before them for consideration to sit for their respective license examinations. He made reference to the document sent to all applicants by the Department which details specific information the Board is expecting from the applicants in support of their equivalent experience and training in addition to other more general information.

In addition, Mr. Vallieres also made reference to the Board's Outline for Journeypersons which gives the specific hours for related classroom instruction including course curriculums and the required on-the-job training hours for each license type.

(1) **Aussant, Kyle G.** – E-2 applicant seeking approval on the basis of equivalent experience and training. The applicant contacted Department by telephone and requested to be rescheduled to the next Board Meeting scheduled for June 19, 2015.

(2) **Hogan, Edward J.** – E-2 applicant seeking approval on the basis of equivalent experience and training. The Board voted unanimously to table this application. (Soter/Munsill) The application was tabled pending complete documentation of the applicant's related classroom instruction including OSHA 30 Certification.

(3) **Kisel, Frank J.** – E-1 applicant seeking approval on the basis of equivalent experience and training. The applicant changed his application type from an E-1 to an E-2 at the suggestion of the Board. The Board voted unanimously to table the application pending clarification of applicant's related classroom instruction including a course curriculum comparison. (Soter/Bish)

(4) **Lopez, III, Leonides** - E-1 applicant seeking approval on the basis of equivalent experience and training. The applicant changed his application type from an E-1 to an E-2 at the suggestion of the Board. The Board voted unanimously to table the application pending clarification of applicant's related classroom instruction including a course curriculum comparison. (Soter/Bish)

(5) **Neil, Chris O.** - C-5 applicant seeking approval on the basis of equivalent experience and training. The applicant changed his application type from a C-5 to a C-6 at the suggestion of the Board. The Board voted unanimously to approve the application for the C-6 license type. (Halloran/Bish)

(6) **Reid, Andrew A.** - E-2 applicant seeking approval on the basis of equivalent experience and training. The Board voted unanimously to table this application pending receipt of a complete work history and detailed course curriculum of applicant's related classroom instruction including OSHA 30 Certification. (Soter/Yusza)

(7) **Rilett, Kent D.** - E-2 applicant seeking approval on the basis of equivalent experience and training. The applicant contacted Department by telephone and requested to be rescheduled to a future Board Meeting to be determined. As such, the Board took no action on this application.

(8) **Stepanchuk, Alex** - E-2 applicant seeking approval on the basis of equivalent experience and training. The Board voted unanimously to table this application pending receipt of a complete detailed work history and transcripts of the applicant's related classroom instruction. (Halloran/Soter)

(9) **Townsend, James E.** - L-5 applicant seeking approval on the basis of equivalent experience and training. The Board voted unanimously to deny this application on the basis of a lack of completion of the required related classroom instruction hours. (Soter/Yusza)

(10) **Viens, Michael R.** - E-2 applicant seeking approval on the basis of equivalent experience and training. The Board voted unanimously to table this application based upon it being incomplete at this time. (Halloran/Bish)

(11) **Post, Danny.** - E-2 applicant seeking approval on the basis of equivalent experience and training. This application was added to the Board's Agenda for today's meeting at the request of the applicant who was present at this meeting. The Board voted unanimously to table this application. (Halloran/Soter) The applicant explained to the Board that he has completed his apprenticeship program with the Department of Labor and was misguided in his application approach to the Board. The Board instructed the applicant to reapply with the required gold seal letter by the normal

process through the Department at which point the application will be listed on a future Board Meeting Agenda under "Applications with Apprenticeship Completion Letters" for the Board to act on at that time.

7A. First Review of Application(s) for Licensure Examination – Applicants Not Appearing before Board.

With Apprenticeship Completion Letters:

The Board voted, unanimously, to approve the applicants listed below (including additions), except as otherwise noted, to sit for their respective examinations on the basis of a Certified Apprenticeship Completion Letter from the Connecticut Department of Labor or other Board-Approved Agency. (Soter/Bish)

- (1) **Boggio, Jr., Michael J.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (2) **Bostic, Jr., Bernard E.** – T-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (2A) **Cavallo, John D.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter. Note: this application was not on the Board’s Agenda and was added to the same by vote of the Board at today’s meeting. (Halloran)
- (3) **Gillespie, Jr., Robert L.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (4) **Hanna, Brian M.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (5) **Haughton, Basil B.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (6) **Lombardi, Nicholas T.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (7) **Makowski, Jonathan A.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (8) **Martin, Nicholas P.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.

- (9) **Mercuri, Gino A.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (10) **Morel, Jose A.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (11) **Munson, Richard T.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (12) **Negron, Jazpar S.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (13) **Novacco, Andrew J.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (14) **Ogren, Larss A.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (15) **Ouellette, Alex D.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (16) **Rideg, Mark C.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (17) **Ross, Eric P.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (18) **Stewart, Ian P.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (19) **Styra, Michael A.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (20) **Terlizzi, Michael G.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.
- (21) **Thompson, Kevin R.** – E-2 applicant seeking approval on the basis of Certified Apprenticeship Completion w/Letter.

On The Basis of Equivalent Experience and Training:

The Board voted, unanimously, to require the applicants listed below, except as otherwise noted, (including add-ons) to appear before them at their June 19, 2015 Regular Meeting for review of their applications to test for their respective license types. Mr. Kuzmich will mail back their original applications in addition to Board Meeting Date information and information regarding education and on-the-job training for Journeyperson license types. (Bish/Soter)

- (1) **Botteron, Jared W.** – E-2 applicant seeking approval on the basis of equivalent experience and training.
- (2) **Grasso, Rocco** – E-2 applicant seeking approval on the basis of equivalent experience and training.
- (3) **Green, Thomas** – E-1 applicant seeking approval on the basis of equivalent experience and training.
- (4) **Martin, Cory R.** – E-1 applicant seeking approval on the basis of equivalent experience and training. The Board voted unanimously to deny this application. (Soter/Bish) The Board reviewed the applicant's written request for waiver of remaining time (of the required two year waiting period with an active E-2 license) and determined that the applicant does not have a bonafide hardship.
- (5) **Neumann, Jr., Stephen J.** – E-2 applicant seeking approval on the basis of equivalent experience and training.
- (6) **Paloian, Richard S.** – E-2 applicant seeking approval on the basis of equivalent experience and training.
- (7) **Parent, Marc E.** – E-2 applicant seeking approval on the basis of equivalent experience and training. The Board voted unanimously to approve the applicant for his respective examination type. (Munsill/Bish)
- (8) **Perez, John P.** – E-2 applicant seeking approval on the basis of equivalent experience and training.
- (9) **Quincy, Daniel R.** – E-2 applicant seeking approval on the basis of equivalent experience and training.

8. Review of Correspondence:

(A) Evaluation Forms For Continuing Education Course; for the Board's review and information. The Board reviewed this information and thanked the Department for the same.

(B) Department Statistical Information regarding "Active" Electrical License types; for the Board's information. The Board reviewed this information and thanked the Department for the same.

(C) Probation documentation In the Matter of Kostas Proskinitopoulos Docket No. 2014-622; for the Board's review and information. The Board reviewed this information and thanked the Department for the same. Mr. Vallieres noted that Mr. Proskinitopoulos has now completed the requirements of his probation as of the documentation submitted for today's meeting. The Board voted unanimously to declare this matter concluded. (Vallieres/Soter)

(E) Probation documentation In the Matter of Kostas Proskinitopoulos Docket No. 2014-622; for the Board's review and information. The Board postponed action on this item until their May 8, 2015 Meeting when their Chairman will be present.

9. Old Business:

1. Mr. Bish inquired of the status on an issue previously discussed by the Board at their last meeting involving an electrical contractor displaying the Consumer Protection Emblem on his trucks and stationary is still doing the same. Mr. Hurlburt advised the Board that he is working on this matter.

10. New Business:

1. Mr. Vallieres addressed the Board regarding the continuing education curriculum for Electrical Licensing for 2016 noting that it appears that Connecticut will be adapting the 2014 N.E.C. He would like the Board to begin discussion on this curriculum. He suggested that perhaps the curriculum could focus on specific sections of the new Code each year contrasting changes to the previous edition.

2. At the request of Mr. Vallieres, the Board changed their June 2015 Meeting date from June 12, 2015 to June 19, 2015 to accommodate a previous meeting commitment. The meeting will be held at the same time and location.

11. Comments or Concerns of any Person Present Today:

None.

12. Adjournment

The meeting adjourned at 11:03 AM. (Soter/Halloran) The next Regular Meeting of the Electrical Work Examining Board is scheduled for Friday, June 19, 2015 at 8:30 AM; State Office Building; Room 126; 165 Capitol Avenue, Hartford, Connecticut.

Respectfully Submitted,

Robert M. Kuzmich, R.A.
License and Applications Specialist