

MINUTES

ELEVATOR INSTALLATION, REPAIR AND MAINTENANCE WORK EXAMINING BOARD

SEPTEMBER 8, 2008

The meeting was called to order by John R. DeRosa, Jr. Acting Chairperson at 9:33 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: John R. DeRosa, Acting Chairperson
Thomas J. O'Reilly, Contractor
Paul Farnsworth, Contractor
Joseph Bayusik, Contractor
Michael D. Griffin, Journey person
Gary Bazzano, Public Member

Members Absent: Sally Katz, Chairperson, Public Member

Board Vacancies: One Public Member, appointed by the Governor

Board Counsel Present: None

DCP Staff Present: Nelson Leon, Board Secretary
Richard M. Hurlburt, Director
Gary Berner, Legislative Manager

Public Present: Steven Roth
Steven C. Sosensky, Esq.
Dan McCarthy
Don Accarpio

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

APPOINTMENT OF ACTING CHAIRPERSON FOR TODAY'S MEETING

The Board voted unanimously to appoint John R. DeRosa, Jr. as Acting Chairperson for today's meeting.

MINUTES FROM PREVIOUS MEETINGS

The Board voted to approve minutes of the August 11, 2008 Elevator Installation, Repair and Maintenance Work Examining Board Meeting. Board member Gary Bazzano abstained from voting on this matter due to his absence at the August 11, 2008 meeting.

RAISED BILL 568 / LEGISLATIVE UPDATE

The Board is requesting a report on the passage of Raised Bill No. 568 and any legislative changes to the elevator regulations since 2001.

Mr. Berner appeared before the Board today and thanked the Board for all of their efforts and time served. Mr. Berner informed the Board that a public hearing occurred concerning Raised Bill 568 on March 6, 2008, and the bill died, with no change in status.

Mr. Berner informed the Board that there have been no changes to the elevator regulations since 2001, and that elevator codes fall within the jurisdiction of the Department of Public Safety, and that there have been no changes to the elevator codes since 2001.

Mr. DeRosa expressed concern regarding current elevator regulations for (R-5) Accessibility Contractor and (R-6) Accessibility Journeyman license holders, which does not allow for the performance of work involving the penetration of a floor, and that the education requirement for these particular license examinations is not enough to allow for work involving the penetration of a floor. However, new elevator code allows certain equipment to penetrate a floor, which contradict with existing regulations concerning the scope of work of the (R-5) and (R-6) elevator license category and impact on the public safety.

Mr. Berner informed the Board that any proposed legislative changes they are seeking DCP support on, has to be submitted to him for review, and the deadline for submitting proposed statute changes to him is October 1st.

APPLICATIONS

Daniel K. McCarthy, Claremont, DE – (R-1) Unlimited Contractor – Denied

The Board denied Mr. McCarthy's application at their 8/11/08 meeting due to lack of a required (R-2) Unlimited Journeyman license for a minimum of two years.

Mr. McCarthy appeared before the Board today with his legal counsel, Steven C. Sosensky. Attorney Sosensky provided the Board letters of recommendation and qualifications from Mr. McCarthy's prior employers attesting to his education and work experience in the field for which he is seeking a license in. Attorney Sosensky also provide the Board a letter from the National Association of Elevator Contractors, reflecting that Mr. McCarthy has completed and passed the National Association of Elevator Contractor Certified Elevator Technician (CET) Special Circumstances examination on February 8, 2008, which demonstrates that Mr. McCarthy is competent in all aspects of such trade. Attorney Sosensky directed the Board to CT General Statute, Chapter 393, Section 20-334a, Sub-Section (1)(A)(B)(C) for review of the specific requirements set forth in the Statute, in order to identify where it is that Mr. McCarthy falls within the statute or where he doesn't, and if any, what additional information is needed of the Board for their review and consideration of Mr. McCarthy's (R-1) Unlimited Contractor and (R-2) Unlimited Journeyman application.

After further discussion and review of Mr. McCarthy's application at today's meeting, the Board voted unanimously to deny Mr. McCarthy's application due to lack of documentation that he has served at least two years as an (R-2) Unlimited Journeyman, lack of documentation regarding the completion of an elevator apprenticeship program or proof of equivalent experience, lack of notarized statement from a licensed (R-1) Unlimited Contractor attesting to his dates and duties of employment and lack of documentation concerning the completion of an elevator education program.

Daniel K. McCarthy, Claremont, DE – (R-2) Unlimited Journeyman – Denied

The Board denied Mr. McCarthy's application at their 8/11/08 meeting due to lack of a required "Letter of Apprenticeship Completion" certificate.

After further discussion and review of Mr. McCarthy's application at today's meeting, the Board voted unanimously to deny Mr. McCarthy's application due to lack of documentation regarding the completion of an elevator apprenticeship program or proof of equivalent experience, lack of notarized statement from a licensed (R-1) Unlimited Contractor attesting to his dates and duties of employment and lack of documentation concerning the completion of an elevator education program.

Steven M. Roth, Torrington, CT – (R-2) Unlimited Journeyperson – Approved

The Board denied Mr. Roth's application at their 8/11/08 meeting due lack of required documentation regarding equivalent occupational and school related instructional experience.

Mr. Roth appeared before the Board today to expand on his training and experience. Mr. Farnsworth informed the Board that Mr. Roth is a graduate of Queens Vocational High School and received a certificate reflecting he has completed academic and vocational studies as an electrician, and was granted a master electrician license by the city of New York, Department of Buildings, based on his credentials with Queens Vocational High School. Mr. Farnsworth informed the Board that Mr. Roth was a full time member of the (IUEC) International Union of Elevator Constructors Local 91 as of June 2005 and classified as a (70%) seventy percent apprentice, which was based on recognizing his years of experience and skills during his career. Mr. DeRosa said he would like to see a transcript reflecting that Mr. Roth completed a bona-fide elevator apprenticeship program or its equivalent. Mr. Farnsworth said that we have a special circumstances application and wanted to call attention to the fact that as of 2005, Mr. Roth was classified as a (70%) seventy percent apprentice and since then has acquired three additional years of experience.

After further discussion and review of Mr. Roth's application at today's meeting, the Board voted to approve Mr. Roth's application based on a letter he mentioned from IUEC Local Union 91, confirming that Mr. Roth was brought into the union in 2005 as a (70%) seventy percent apprentice. Board member Thomas J. O'Reilly, Michael Griffin and Gary Bazzano voted in favor, Board member John R. DeRosa, Jr. was opposed and Board member Paul Farnsworth and Joseph Bayusik abstained from voting.

ELEVATOR TASK FORCE REPORT

Elevator Board Task Force to report on their review of the elevator occupational license categories and provide their input and recommendations, to include the elevator craftsman license category, which has been dormant.

There was no report provided by the Elevator Task Fore on this matter today.

MISCELLANEOUS

Mr, DeRosa is requesting if the Elevator Board members can be issued a badge, giving them some type of authority on elevator work job sites.

There being no further business, the meeting adjourned at 12:25 p.m.

Respectfully submitted,

Nelson Leon
Board Secretary

The next regular meeting of this Board is scheduled for Monday, November 10, 2008.