

MINUTES

ELEVATOR INSTALLATION, REPAIR AND MAINTENANCE WORK EXAMINING BOARD

SEPTEMBER 13, 2009

The meeting was called to order by John R. DeRosa, Jr. Acting Chairperson at 9:38 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

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

Members Absent: Gaetano T. Zappala, Public Member

Board Vacancies: None

Board Counsel Present: None

DCP Staff Present: Nelson Leon

Public Present: Steven Roth
 Paul Tagatac, Esq.
 Bob Morgan
 Steven A. Bruno

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 to approve minutes of the July 13, 2009 Elevator Installation, Repair and Maintenance Work Examining Board Meeting with amendments to page-3 under "New Business" paragraph-3, changing the word "compliant" to "compliance". Board member Gary Bazzano abstained from voting due to being absent at the July 13, 2009 meeting.

APPLICATIONS

David W. Bayusik, Bridgeport, CT – (R-1) Unlimited Contractor – Approved

The Board voted to approve Mr. Bayusik's application. Board member Joseph Bayusik abstained from participating on this matter.

REQUESTING REINSTATEMENT OF LAPSED LICENSE

Robert S. Morgan, Salem, CT – (R-10) Limited Journeyman (Expired 8/31/06)

The Board voted unanimously to deny Mr. Morgan's reinstatement request and is requiring him to re-apply and re-test for his (R-10) Limited Journeyman license.

CORRESPONDENCE

- Correspondence dated August 6, 2009 from Richard M. Hurlburt, DCP Occupational and Professional Licensing Division Director, addressed to Richard Granatek, regarding the requirement of permits.
- Correspondence dated 12/15/04 from Christopher R. Laux, State Building Inspector, regarding the process when a licensed contractor delegates the signing of a building permit application to an employee, subcontractor or other agent of the licensed contractor.

PETITION FOR DECLARATORY RULING

In the Matter of: Asrar Ahmed

Mr. Ahmed's legal counsel, Paul S. Tagatac is petitioning the Board for a "Declaratory Ruling" on behalf of Mr. Ahmed with regard to his (R-5) Limited Contractor application.

The Board denied Mr. Ahmed's (R-5) Limited Contractor application at their 1/12/09 meeting due to lack of required notarized statements from occupational related employers as to dates and duties of employment and lack of required documentation concerning occupational related school instruction experience.

The Board again denied Mr. Ahmed's (R-5) Limited Contractor application at their 3/9/09 meeting due to lack of statutory compliance.

Attorney Tagatac seeks a declaratory ruling as to the applicability of Mr. Ahmed's on-the-job training hours and school related instruction, and a detailed statement as to the work experience and/or education Mr. Ahmed purportedly lacks.

Mr. Ahmed and his legal counsel, Paul S. Tagatac appeared before the Board at their 5/11/09 meeting and the Board tabled this matter to their next meeting on 7/13/09 in order to consult their legal counsel, Raul Rodriguez concerning the Declaratory Ruling request by Attorney Tagatac.

Attorney Tagatac appeared before the Board at their 7/13/09 meeting and requested a continuance on this matter due to his client being out of the country and unable to attend the Board's 7/13/09 meeting. The Board granted Mr. Tagatac a continuance on this matter to their next meeting scheduled for Tuesday, September 14, 2009.

Attorney Tagatac appeared before the Board at today's meeting. Mr. Ahmed was not present today. Attorney Tagatac provided the Board an amended petition dated 9/14/09, detailing Mr. Ahmed's specific work experience and training, including a revised affidavit from Mr. Ahmed's employer (Home Health Pavilion). After further review and discussion on this matter today, the Board voted unanimously concluded that Mr. Ahmed did not furnish satisfactory evidence that he worked as a licensed journeyman in the state for not less than two years and that Mr. Ahmed did not furnish satisfactory evidence he worked as a licensed journeyman in any state that the Board could consider being comparable or similar in the state of Connecticut.

There being no further business, the meeting adjourned at 11:00 a.m.

Respectfully submitted,

Nelson Leon
Board Secretary

The next regular meeting of this Board is scheduled for Monday, November 9, 2009.