

MINUTES

PLUMBING AND PIPING WORK EXAMINING BOARD

SEPTEMBER 27, 2018

The meeting was called to order by Charles Appleby, Sr. on September 27, 2018 at 9:12 a.m. at 450 Columbus Boulevard, Hartford, CT, 06103 in Hearing Room J.

Members Present:

Charles Appleby, Sr., Chairperson	Unlimited Contractor
James Piccoli	Unlimited Contractor
Christopher M. Bowman	Unlimited/General Contractor
Frank J. DaCato	Unlimited Journeyperson
Peter Alfieri	Unlimited Journeyperson
George C. Sima	Well Drilling Contractor
Joyce Topsyhe	Public Member
Melissa Sheffy	Public Member
Carl W. Schaefer	Public Member

Members Absent:

Jay More	Unlimited Journeyperson
Anthony Calandrino	Unlimited Journeyperson

Board Vacancies:

Public Member

DCP Board Staff:

Karen Layman, License & Applications Analyst

Others Present:

Commissioner Michelle Seagull
Julianne Avallone, Director, Legal Division
Paulette Annon, Staff Attorney
Tiziana Shea, Department of Public Health
Larry Sima, Ct Water Well Association
Marcie Addy, Construction Education Center

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) 706-1202.

Agency Website: www.ct.gov/dcp Division E-Mail: dcp.occupationalprofessional@ct.gov

MINUTES OF PREVIOUS MEETINGS:

The Board reviewed the draft minutes of the August 9, 2018 Plumbing and Piping Work Examining Board meeting and voted to approve as written. There was one abstention.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

None

CORRESPONDENCE:

1. Letter dated September 19, 2018 from DRVN Enterprises to DCP regarding water supply and building information for new building at 34 Gospel Lane, Portland, CT

The Board reviewed the letter and a discussion took place with Larry Sima regarding this commercial property. Larry Sima reported to the Board that the required 18-hour pump test has been completed successfully. Chatham Health has declined to sign off on the Certificate of Occupancy and is seeking the Board's advice.

Larry Sima was advised to supply Chatham Health District with documentation of the 18-hour test that was completed, as well as a new well completion report, and submit a copy all documentation to the Department and the Board. The Board will further address this topic at the October 11, 2018 meeting.

DCP INVESTIGATION DIVISION COMPLAINT STATUS REPORT

1. Board to review quarterly report when provided

Pamela Brown and Janita Hamel will be attending the October 11, 2018 meeting to provide an update on complaints.

NEW BUSINESS:

1. Discussion on DCP enforcement process & board involvement

A) Commissioner Michelle Seagull informed the Board of the topics discussed at a recent meeting with the Commissioner and Occupational Licensing Board Chairpersons, which included the Department's goals as follows:

- Provide better transparency for Boards regarding enforcement cases, in particular, criminal cases which involve unlicensed individuals, as well as the license application process within the Occupational/Professional Division.
- More Board involvement prior to entering into AVC's, as well as at compliance hearings.

- Better communication between the Department and building officials

Also discussed at this meeting with the Commissioner and Occupational Licensing Board Chairpersons were the topics of the new anonymous online complaint process and continuing education.

Board members reiterated their concern regarding the fact that consumers are unable to view a licensee's complaint history online.

B) Julianne Avallone reported that a new DCP staff attorney position has been approved and is expected to be filled by October. This new attorney will assist Paulette Annon with occupational and professional enforcement cases.

Further discussion took place regarding the benefit of ongoing training for building officials, and the importance of utilizing the Board's expertise for enforcement cases.

2. Continuing education audit

Julianne Avallone submitted a draft of three documents: Continuing education warning letter for licensees, AVC agreement, and continuing education information letter for providers.

Julianne Avallone informed the Board of the challenges that arose due to data entry issues when DCP staff began to prepare for the audit. Therefore, a letter has been drafted to send to providers to make them aware of the upcoming audit, and to inform them of the importance of avoiding data entry errors going forward.

The Board reviewed the continuing education warning letter and AVC agreement to go out to licensees. After discussion regarding the fee amount, the Board recommended that the fee should be \$650, and that the requirement to make up the missed class be removed.

3. 2019 Schedule for Board, Commission, and Council Meetings

Note: Additional dates to be added when the Board is called in for formal hearings to be held.

Board so noted.

ITEM ADDED TO THE AGENDA:

4. Presentation of enforcement case by Paulette Annon:

Paulette Annon presented a summary of a case that involved a P-1 licensee, and permitting issues that arose when doing work on a home. The case was presented to

the Board anonymously. The Department is seeking the Board's input before issuing an AVC (Assurance of Voluntary Compliance) to the respondent.

The Department's proposal is to impose a \$500 penalty for commencing work before there was a permit in place for the remainder of the plumbing work, and cease and desist from any further violations of doing unpermitted work.

The Board voted unanimously to approve the penalties as outlined by the Department in the AVC.

ITEM ADDED TO THE AGENDA:

5. Review of continuing education evaluation forms

Board so noted

OLD BUSINESS:

**1. Proposed Well Drilling and Geothermal Systems Regulations –
Update provided by Julianne Avallone and Tiziana Shea, Dept. of Public Health,
Private Well Program**

Julianne Avallone reported on a recent meeting that was held on these regulations, which was prompted by the concern over the language pertaining to minimum separation distances between the location of a water supply well and any source of pollution, such as a septic system, and the hardship this requirement has presented to several Connecticut homeowners. Legislative Liaisons for DCP and DPH were in attendance, as well as several representatives from both agencies.

At today's meeting, Julianne Avallone and Tiziana Shea reported there are other areas of the Well Drilling and Geothermal Systems Regulations, other than the variance issues that recently escalated, that require updating, including the geothermal portion of the regulations. Due to this need to update, and the fact that there is so much overlap in the regulations between the agencies, DCP and DPH will work together to develop draft proposed regulations. It was noted that DPH will be working on more of the technical specification changes, as this agency has the ability to review and change them in-house. Each agency is currently doing a draft of their own regulations, and they will be reviewed comprehensively by both agencies when completed.

Julianne Avallone will forward the draft to the Board when it is complete. The Board requested that a special meeting be arranged in November to review this draft.

Larry Sima expressed his concerns regarding proposed changes to the regulations, and stated that the water well industry would like to be involved in the process going forward.

Julianne Avallone confirmed that Well Drilling Statutes, Chapter 482, Section 25-133, which allows the Board (subject to the approval of the Commissioner of DCP), to grant an exemption due to hardship, would not be changed.

COMMENTS OR CONCERNS FROM ANY PERSON PRESENT TODAY:

Marcie Addy, Construction Education Center, brought forth the possibility of offering more than one continuing education curriculum, providing the opportunity for licensees to attend classes on several different topics, rather than just one standard curriculum. The Board noted that this has been considered in the past, and that they are open to suggestions on changing the nature of the curriculum in the future to add some flexibility.

There being no further business, the meeting adjourned at 11:43 a.m.

Respectfully submitted,

Karen Layman,
License & Applications Analyst

2018 MEETING SCHEDULE:

- October 11, 2018

All meetings will take place at 450 Columbus Boulevard, Hartford, CT at 9:00 a.m.