

MINUTES

FIRE PROTECTION SPRINKLER SYSTEMS WORK EXAMINING BOARD

NOVEMBER 27, 2007

The meeting was called to order by David J. Waskowicz, Acting Chairperson, at 9:34 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: David J. Waskowicz – Unlimited Journeyperson
Robert W. Hollis, III – Contractor
Thomas E. Booth – Unlimited Journeyperson
Anthony D. Moscato – Fire Marshal
Ralph Carl Miller – Fire Marshal
Luis A. Coreano – Public Member
James M. Barry – Public Member

Members Absent: Kevin Wypychoski – Contractor

Board Vacancies: Public Member

Board Counsel Present: None

DCP Staff Present: Nelson Leon, Board Secretary
Richard M. Hurlburt, Director
Jim McCann, Administrative Hearings Attorney
Robert Nakano, Supervising Special Investigator
Janita Hamel, Supervising Trade Inspector

Public Present: William H. Zisk, Sr.
Paul Lunney
Mike Livingstone

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

MINUTES OF PREVIOUS MEETINGS

The Board voted unanimously to approve minutes of the September 25, 2007 Fire Protection Sprinkler Systems Work Examining Board meeting with amendments on page-1 to reflect Board member William H. Zisk, Sr. absent; on page-2 under "Applications", to reflect the Board allowing their 8/21/07 decision to stand and denied Mark C. McCullagh's (F-2) Unlimited Journeyman application and on page-3 under "Old Business", item-2 to reflect the Board's next meeting scheduled for Tuesday, November 27, 2007.

APPLICATIONS

Michael J. DiMauro, Jr., Wilmington, DE – (F-1) Unlimited Contractor Application – Denied

The Board voted unanimously to deny Mr. DiMauro's application due to lack of a required (F-2) Unlimited Journeyman license for a minimum of two years.

John Hensley, Northbrook, IL – (F-2) Unlimited Journeyman Application – Approved

The Board denied Mr. Hensley's application at their 9/25/07 meeting due to lack of a required "Letter of Apprenticeship Completion" certificate and notarized statements from occupational related employers as to dates and duties of employment.

After further review of Mr. Hensley's application at today's meeting, the Board voted unanimously to approve his application.

LATE ARRIVING APPLICATIONS

(The Board voted unanimously to review the following late arriving application.)

Michael Payton, E. Bridgewater, MA – (F-1) Unlimited Contractor Application – Denied

The Board voted unanimously to deny Mr. Payton's application due to lack of a required (F-2) Unlimited Journeyman license for a minimum of two years.

OLD BUSINESS

The Board is requesting a complaint status report presented to them from both trade practice division and legal division concerning status of complaints, collection of fines, civil penalties and conditions levied by the Board on respondents.

Attorney McCann appeared before the Board at today's meeting and reports that \$32,500.00 remains owed and due in civil penalties the Fire Board has assessed against respondents over the years. Attorney McCann provided the Board with a report identifying those outstanding fines levied by the Board against respondents, informed the Board that they have the powers to suspend and revoke the fire protection trade licenses of those individuals default on paying the assessed fines, and that trade practices handling complaints are also handing arrest warrants concerning licensable work being performed in Connecticut by individuals who are either unregistered or do not have the required license to perform such work.

Mr. Nakano and Ms. Hamel appeared before the Board today and Ms. Hamel reported nine complaints received from January 2007, of which 6 are open and being investigated and 3 are closed by the complaint center based on lack of evidence to substantiate the allegations made within the complaint. The closed complaint still being logged onto the computer for tracking and monitoring. Complaint investigations consist of communication via correspondence and field inspections by trade inspectors, in addition to the using certain criminal statutes for prosecution concerning criminal activity. For complaints of minor infractions (failure to display license number on vehicles, stationary, advertisement) not related to workmanship, with no admission of wrongdoing, the department issues assurances of voluntary compliances, giving the agency more time to investigate those files involving gross, negligent, incompetent issues and unlicensed and unregistered people.

NEW BUSINESS

Mr. Miller reports on the appointment of Rob Ross, former Fire Chief in Middletown, CT, as the new State Fire Marshal Executive Director, heading the division of building & fire safety.

Mr. Waskowicz reports on attending a recent apprenticeship council meeting in which he gathered information reflecting as of 9/1/03, 115 sprinkler fitters enrolled, with 305 new registrations since then, of which 9 are pending, 50 completed, with 195 being terminated. As of 11/14/07, there were 175 sprinkler fitters enrolled. In regards to fire suppression systems technicians, as of 9/1/03, there were 3 enrolled, 8 new registrations, 1 completed and 5 terminated. As of 11/14/07, there were only 5 enrolled.

Mr. Waskowicz expressed concern regarding the number of test takers who are failing with low grades and some multiple times, and reminded the Board of the scheduled test review workshop to take place with PSI Examination Services, which may help shed some light on the high test failure rate.

Mr. Livingstone informed the Board that 90% of those completions come from his organization, the reason being more discipline, better training, they don't turn over apprentices and concentrate on working with them to make sure they have a career. Mr. Livingstone said that on the other side of the isle, they use them as gofers, discourage promotions, which is the reason for turnovers, then they cry the blues because they can't get help, resulting in out-of-ratio situations.

Mr. Livingstone reports that the Apprenticeship Council at the Department of Labor reviews the exam failure report of applicants who have failed their exam at least three times to identify their weaknesses prior to being allowed to take the exam again. Mr. Livingstone reports that applicants have been given extra time to take an exam due to a learning disability, when in fact they do not have a learning disability, while others have taken the exam five or more times a year without review by the apprenticeship council, where statutes only allow for three exams within a year. Mr. Livingstone also reports that everything has been turned over to PSI Examination Services by DCP due to staff shortages.

Mr. Waskowicz reports that PSI Examination Services in the past was involved in a complaint concerning the examination being compromised by one of their employees, and now they are being given the keys to the city, without an application back-log.

Mr. Waskowicz read Section 20-332-8 (a)(e) of the CT General Statutes, which stipulates under subsection (a) Applicants for examination shall obtain a formal application from the department, fill it in completely complying with its requests, and submit it to the board, together with a check or United States postal money order for the appropriate fee made payable to the Treasurer, State of Connecticut. Stipulated under subsection (e) Any application received shall be promptly reviewed for acceptance or rejection by the board. After approval of an application, the department shall notify the applicant in writing of the time, date and place of the next scheduled examination.

The Board voted unanimously to require that all fire protection sprinkler work applications be brought for review before the Board as required, pursuant to Section 20-332-8 (e) of the CT General Statutes.

The Board discussed the status of William H. Zisk, Sr. as a Public Member and suggested he contact the Governor's office for his letter of re-appointment to the Board.

Mr. Coreano asked what type of information is needed prior to the 12/11/07 PSI examination review workshop and how the Board can address the examination failure rate. Mr. Waskowicz said that the examination should conform to the established percentages related to fire protection sprinkler system work and that the question is whether PSI is conforming to those percentages. Mr. Miller said that we look at the contents and questions too, and whether the question is appropriate and accurate for installation and in accordance with NFPA standards. Mr. Hollis said there should be general guidelines need questioning because in the development of the questions, PSI misinterprets layout of sprinkler systems as design.

Mr. Coreano asked if the Board needs to ensure that the questions on the latest test comply with the latest NFPA standards. Mr. Miller said that the state is currently working off the 2003 NFPA standards code.

There being no further business, the meeting adjourned at 11:21 a.m.

Respectfully submitted,

Nelson Leon
Board Secretary

The next meeting is scheduled for Tuesday, February 26, 2008, at 9:30 a.m. in Room 117.