

MINUTES

FIRE PROTECTION SPRINKLER SYSTEMS WORK EXAMINING BOARD

AUGUST 28, 2008

The meeting was called to order by David J. Waskowicz, Chairperson, at 9:57 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: David J. Waskowicz – Unlimited Journeyperson
Kevin Wypychoski – 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
John Michalewicz – Public Member

Members Absent: Robert W. Hollis, III – Contractor

Board Vacancies: None

Board Counsel Present: None

DCP Staff Present: Nelson Leon, Board Secretary
Richard M. Hurlburt, Director
Janita Hamel, Trade Inspector Supervisor
Robert Nakano, Special Investigator Supervisor

Public Present: Jamal Ingram
Paul Lunney
Raymond Pitcher
Phil Rizzuto, Jr.

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 June 24, 2008 Fire Protection Sprinkler Systems Work Examining Board meeting, with amendments to page-4, under MISCELLANEOUS, 1st item to reflect that Mr. Waskowicz met on 5/13/08 with DCP Deputy Commissioner Jackie Mandyke and Executive Assistant Linda Roberts, concerning Fire Protection Sprinkler work application review process, Mr. Miller reporting that his department is still receiving poor quality engineering drawings, 3rd item to reflect that all Fire Protection applications are initially sent to PSI for uploading and subject to review by the Fire Protection Board for approval or denial.

APPLICATIONS

Robert K. Felner, Milford, CT – (F-3) Limited Contractor – Approved

The Board voted unanimously to approve Mr. Felner's application.

Donald A. Griswold, Tolland, CT – (F-2) Unlimited Journeyperson – Approved

The Board voted unanimously to approve Mr. Griswold's application.

Jamal A. Ingram, Windsor, CT – (F-2) Unlimited Journeyperson – Denied

The Board voted unanimously to deny Mr. Ingram's application due to lack of a required "Letter of Apprenticeship Completion" certificate, and that his application be forwarded to DCP Trade Enforcement division for investigation concerning his employer(s) not registering apprentices.

Julius J. Ivan, Jr., Wallingford, CT – (F-2) Unlimited Journeyperson – Approved

The Board voted unanimously to approve Mr. Ivan's application.

John P. Millette, Colchester, CT – (F-2) Unlimited Journeyperson – Approved

The Board voted unanimously to approve Mr. Millette's application.

Raymond H. Pitcher, Medford, MA – (F-2) Unlimited Journeyperson – Approved

The Board denied Mr. Pitcher's application at their 6/24/08 meeting due to lack of required notarized statements from current employer (Fire Equipment, Inc.) detailing specific dates duties during the course of his employment from 7/19/82 to present.

After further review of Mr. Pitcher's application today, the Board voted unanimously to approve his application, contingent upon receipt and review by the Board, "Letter of Apprenticeship Completion" certificate issued by the Commonwealth of Massachusetts.

Phil J. Rizzuto, Jr., Cheshire, CT – (F-2) Unlimited Journeyman – Withdrawn

The Board denied Mr. Rizzuto's application at their 6/24/08 meeting due to lack of required "Letter of Apprenticeship Completion" certificate.

Application withdrawn by applicant at today's meeting in order to re-submit it after verifying his apprenticeship hours with the CT Department of Labor.

William M. Roberts, Winchendon, MA – (F-2) Unlimited Journeyman – Denied

The Board voted unanimously to deny M. Roberts' application due to lack of a required "Letter of Apprenticeship Completion" certificate.

COMPLAINT AND INVESTIGATION UPDATE FROM TRADE PRACTICE DIVISION

Ms. Hamel informed the Board on activity during the period of 8/1/07 to 8/20/08, in which the department took in 17 Fire Protection files, of which 5 have been closed and 4 remain open under investigation. Of the 5 closed, 1 was a non-issue, the respondent was licensed, 1 anonymous complaint closed by complaint center because they were unable to locate or get any response from alleged respondent, 1 is being handled through an assurance of voluntary compliance, 1 based on a site inspection and closed by Ms. Hamel and Mr. Nakano who investigated it and found no violations, 1 closed by complaint center due to complainant sending letter requesting re-review of original complaint. Ms. Hamel said her unit does investigations and trade enforcement, and the complaint center is a unit where the complaints are received, logged-in and tracked, and that the department utilized the local jurisdictional authorities concerning any criminal component matters. Ms. Hamel also reported on 14 site inspections, of which 2 sites had violations and 1 is under investigation, complaints being made about the union bringing unlicensed travelers in, in which no evidence was found to substantiate the alleged complaints.

Mr. Miller reported that for the purpose of accepting a system that is compliant with the CT Fire Safety Code, he is only accepting documentation from a properly licensed sprinkler fitter for that system, which is the guidance his office gives to Local Fire Marshals. Mr. Miller reiterated that his office is still receiving poor quality Fire Protection engineering drawings.

Mr. Nakano reported on a case in Glastonbury, CT, where the house burned to the ground because the individual involved did not have a license at the time of the job, and was arrested by the local authorities and criminally charged.

Mr. Waskowicz asked if there are any cases pending for a hearing before the Board. Ms. Hamel said she does not know what the legal division has to come before the Board. Mr. Waskowicz said that former DCP Attorney Jim McCann was in the process of collecting fines that have been assessed and not yet collected.

Mr. Wypychoski asked what the department does concerning a malpractice complaint against a professional engineering. Mr. Nakano said it would have to go before the legal staff that would get an opinion from the appropriate Board.

MISCELLANEOUS

1. Mr. Waskowicz asked if all applications are coming before the Board for their review. Mr. Hurlburt informed the Board that all Fire Protection Sprinkler Work applications are coming before the Board for their review concerning approval or denial.
2. Mr. Waskowicz inquired on the status of apprentice ratio. Mr. Hurlburt reported that according to current regulations, a licensed electrician contractor may hire one apprentice, to hire a 2nd apprentice, you must hire a licensed journeyman, to hire a 3rd apprentice, you must hire three additional journeymen, and for each additional apprentice thereafter. A licensed plumber, heating & cooling, sprinkler fitter and sheet metal contractor may hire one apprentice, to hire a 2nd apprentice, you must hire three journeymen, and for each additional apprentice thereafter. Mr. Hurlburt informed the Board that regulation changes are being proposed to have all of the apprentice ratios consistent with the electrician apprentice ratio.
3. Mr. Wypychoski inquired on a matter that came before them in September 17, 2005, concerning a Formal Hearing in the matter of Crest Mechanical, in which the Board issued a civil penalty, placed the respondent on probation and required monitoring of the respondent for three years. The Board would like to know who monitors the respondent for compliance and is requesting a follow-up from DCP Legal division, as well as copies of the monitoring reports on this matter.
4. Mr. Wypychoski asked when a person makes a complaint against a respondent, does DCP make contact with complainant. Ms. Hamel said yes, as long as the complainant identifies him/herself on the complaint.

There being no further business, the meeting adjourned at 11:55 a.m.

Respectfully submitted,

Nelson Leon
Board Secretary

The next meeting is scheduled for Tuesday, October 28, 2008, at 9:30 a.m. in Room 117.