

HEATING, PIPING, COOLING AND SHEET METAL WORK
EXAMINING BOARD
MINUTES

FEBRUARY 20, 2020

The meeting was called to order by Acting Chairperson Robert Barrieau at 9:15 a.m. on February 20, 2020 at 450 Columbus Blvd., Hartford, CT, 06103, Hearing Room J.

Members Present:

Robert H. Barrieau, Acting Chairperson	Unlimited Contractor
David G. Foster	Unlimited/General Contractor
Cameron G. Champlin, Jr.	Unlimited Journeyperson
John T. Higgins, Jr.	Unlimited Journeyperson

Members Absent:

Thomas F. Casey, Jr.	Unlimited Contractor
Michael Rosario	Unlimited Journeyperson
Philip H. Benoit	Sheet Metal Journeyperson

Board Vacancies:

Four Public Members
Limited Sheet Metal Contractor

DCP Board Staff Present:

Karen Layman, Board Secretary
Arunan Arulampalam, Deputy Commissioner
Richard M. Hurlburt, Director, Occupational and Professional Licensing Division
Pamela Brown, Director, Investigations Division
Janita Hamel, Supervising Special Investigator
Julianne Avallone, Director, Legal Division
Paulette Annon, Staff Attorney

Others present:

Gary Gauthier, International Code Council
Jason Marino, Superior Comfort
Sal Colapietro, Superior Comfort
Adam Salina, Kozak & Salina
David Kozak, Kozak & Salina
Christopher Link, Link Mechanical
Jeffrey Anopolsky, Link Mechanical
Mark Strickland, Precision Mechanical
Mark Lee, Lee's Plumbing and Heating

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division, Richard M. Hurlburt, Director. For more information, refer to DCP Agency website: www.ct.gov/dcp.
Division E-Mail: dcp.occupationalprofessional@ct.gov

MINUTES OF PREVIOUS MEETING:

1. The Board reviewed the draft minutes from the following Heating, Piping, Cooling and Sheet Metal Work Examining Board meetings and voted unanimously to approve as written:

- November 21, 2019 (Regular Meeting)
- December 19, 2019 (Formal Hearing)
- January 23, 2020 (Formal Hearing)

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

None

APPEARANCE BY ADAM SALINA, KOZAK & SALINA, LLC:

Adam Salina and Christopher Link, Link Mechanical Services had a discussion with the Board regarding the difficulty contractors are facing when hiring new D-2 apprentices and remaining in compliance with the guidelines of the current apprenticeship ratios.

Discussion took place regarding the possibility of altering the current on the job training hours and related instruction required for the D-2 apprenticeship program, as was done in 2006 for the B-2 license, so that the apprenticeship requirements would be met sooner, therefore, lowering the amount of apprentices a contractor would have in their employ and making it easier to comply with apprenticeship ratio guidelines. (The Board referred to the Heating, Piping, Cooling, and Sheet Metal Work Examining Board minutes dated 2/23/2006, at which discussion took place regarding the possibility of reconfiguring the on the job training hours for the B-2. The B-2 program was reduced from 4,000 on the job training hours to 2,000.)

The Board suggested that Kozak & Salina, LLC, as well as other concerned licensed contractors present at this meeting, contact Todd Berch, Dept. of Labor, for further guidance, and follow up with Richard Hurlburt on the results.

APPLICANT TO APPEAR BEFORE THE BOARD FOR GUIDANCE:

Jason D. Marino and his employer, Sal Colapietro, Superior Comfort attended for guidance regarding Jason's pending S-2 application. The Board reviewed Mr. Marino's application and credentials. It was determined that Mr. Marino has not been registered as an apprentice during his employment with Superior Comfort and therefore, has no registered hours. The Board noted that Mr. Marino's related instruction meets the requirement for the S-2 license, and that he previously held the SM-2 license which has lapsed.

The Board offered the following guidance: Employer Sal Colapietro should register Mr. Marino as soon as possible. The Board also noted that Mr. Marino should contact the Dept. of Labor to have them calculate the on-the-job training hours of credit that can be

applied toward the 8,000 hour requirement based on related instruction completed, the previously held SM-2 license, and work experience. In addition, Mr. Marino may consider obtaining a lesser license, such as a D-2, and then come before the Board to revisit the request for the S-2 license.

The Board voted unanimously to refer Jason Marino's employer Sal Colapietro to the DCP Investigations Division for investigation into the failure to register Jason Marino as an apprentice.

DCP INVESTIGATION DIVISION COMPLAINT STATUS REPORT:

1. The Board reviewed a complaint report dated 11-1-19 to 12-31-19. Pamela Brown and Janita Hamel were in attendance for discussion regarding these complaints.

OLD BUSINESS:

1. Formal Hearing – Case No. 2016-279 Mark Lee

This matter was previously held on December 19, 2019, at which the Board agreed to allow the Respondent to submit pictures from his electronic device as evidence and instructed him to send the pictures electronically to DCP subsequent to the meeting. This matter remained open to give Board members the opportunity to review the pictures.

At today's meeting, Robert Barrieau provided the following update on this case: Prior to today's meeting, Asst. Attorney General Raul Rodriguez informed Robert Barrieau that DCP failed to enter into evidence a notice of compliance meeting form at the December 19 hearing therefore, subsequently, Paulette Annon sent Mr. Lee a notification via email. Mr. Lee was in attendance at today's meeting and has objected to the reopening of the case for the purpose of entering this document.

Paulette Annon proposed that the Board make a motion to reopen the record specifically to enter on the record the compliance meeting notice. Mr. Lee stated that he objects. After discussion, the Board voted to deny the proposed motion to reopen this case for the purpose of entering further evidence. David Foster abstained.

The Board voted to impose a civil penalty in the amount of \$1,000 for failure to pull a permit and unethical conduct. David Foster abstained

2. Other business concerning Final Decision and Orders:

Discussion took place regarding the drafting of Final Decision and Orders related to cases held before occupational licensing boards, and the agency that will be responsible for the drafting of these documents, which will be either the Dept. of Consumer Protection or the Office of the Attorney General. Arunan Arulampalam stated that there is ongoing discussion regarding this matter and that he will keep the Board updated.

Robert Barrieau noted that the previous case, Alfred Johnson, has been closed, penalties were assessed, and license has been revoked. A Final Decision and Order will need to be drafted for this case as well.

NEW BUSINESS:

1. Discussion regarding application review and credit for licensure from other jurisdictions

Arunan Arulampalam and Richard Hurlburt informed the Board of a change in the application processing procedure. An Application Review Working Group has been established. This group will consist of the chairperson or their designee from each Occupational Trade Licensing Board, Director Hurlburt and Todd Berch, Dept. of Labor Program Manager. The first Application Review Working Group meeting is scheduled for February 26, 2020 at 9:00 a.m.

The Board voted unanimously that all applications except for those with a Connecticut Department of Labor letter of apprenticeship completion should come before this group.

It was also noted that, as this group meets and discusses licenses from other jurisdictions and the corresponding equivalent experience and training, a defined database of such licenses will be kept for the purpose of streamlining the application review process going forward as it relates to other licensure jurisdictions.

CORRESPONDENCE:

None

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY:

Cameron Champlin expressed his concern regarding language pertaining to reciprocity included in proposed Governors Bill No. 13, specifically, the issuing of occupational licenses to anyone that holds a license in another state for two years.

Arunan Arulampalam confirmed that this is not a DCP agency bill, however, DCP has been in contact with the Governor's Office regarding the language and the Board is encouraged to contact the Governor's Office with their concerns.

There being no further business, the meeting adjourned at 10:46 a.m.

Respectfully submitted,

Karen Layman,
License and Application Analyst

2020 MEETING SCHEDULE:

- May 21
- August 13
- October 22

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