

## MINUTES

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

MARCH 2, 2011

The meeting was called to order by Michael Rosario, Acting Chairperson at 9:35 a.m. in Room-126 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: Thomas F. Casey, Jr., Unlimited Contractor  
Cameron G. Champlin, Jr., Unlimited Journeyman  
Michael Rosario, Unlimited Journeyman  
John T. Higgins, Jr., Unlimited Journeyman  
Patrick Duane, Limited Sheet Metal Contractor  
Philip H. Benoit, Limited Sheet Metal Journeyman  
Christopher M. Dupuis, Public Member  
Philip Kent, Esquire, Public Member  
Barbara Riotte, Public Member

Members Absent: Robert H. Barrieau, Unlimited Contractor, Acting Chairperson  
David G. Foster, Unlimited Contractor / General Contractor  
Mario DiNatale, Public Member

Board Vacancies: None

Board Counsel Present: None

DCP Staff Present: Nelson Leon  
Richard M. Hurlburt

Public Present: Karl Floyd Eric Piekarski  
Keith Beckford  
Andre Manifold  
Robert Livigni  
Chris Hall  
Brian Baumgart  
Edward Mahony  
Jorge Sanchez  
S. R. Berger  
Paul Drouin  
John Brigheny

**Note:** The administrative functions of this Board 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](http://www.ct.gov/dcp)

## **MINUTES OF PREVIOUS MEETINGS**

The Board voted unanimously to approve minutes of the January 5, 2011 Heating, Piping, Cooling and Sheet Metal Work Examining Board meeting.

## **APPLICATIONS**

### **Brian E. Baumgart, Windsor, CT – (S-2) Unlimited Journeyperson – Denied**

Mr. Baumgart currently holds a (D-2) Limited Journeyperson license and has held such license since 2005. The Board denied Mr. Baumgart's (S-2) Unlimited Journeyperson application at their 10/6/10 meeting due to lack of completing an (S-2) apprenticeship program and is requiring him to be register and complete the (S-2) apprenticeship program prior to any licensure upgrades.

After further review of Mr. Baumgart's application, the Board voted unanimously to deny his application due to lack of a required "Apprenticeship Completion Certificate".

### **Keith L. Beckford, Stratford, CT – (S-10) Limited Journeyperson – Approved**

The Board voted to approve Mr. Beckford's application. If he passes the (S-10) Limited Journeyperson exam, he may apply and sit for the (S-9) Limited Contractor exam. Mr. Casey was opposed.

### **S. Robert Berger, Thiells, NY –(D-1) Limited Contractor – Withdrawn**

Mr. Berger withdrew his application.

### **John A. Brighenti, Canton, CT – (S-7) Limited Contractor – Approved (S-8)**

Mr. Brighenti changed his license category to (S-8) Limited Journeyperson and the Board voted unanimously to approve his (S-8) Limited Journeyperson application. If he passes the (S-8) Limited Journeyperson exam, he may apply and sit for the (S-7) Limited Contractor exam.

### **Richard W. Budzinovski, Naugatuck, CT – (D-2) Limited Journeyperson – Tabled**

The Board voted unanimously to table Mr. Budzinovski's application, contingent upon him appearing before the Board with his employer representative to explain his apprentice registration history.

### **Paul Drouin, Torrington, CT – (B-2) Limited Journeyperson – Approved**

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

### **Karl Floyd, Franklin Park, NJ – (S-4) Limited Journeyperson – Approved**

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

**Bruce Galaski, North Haven, CT – (S-9) Limited Contractor – No Action**

Mr. Galaski re-scheduled to appear before the Board at their May 4, 2011 meeting.

**Chris B. Hall, Norwalk, CT – (S-8) Limited Journeyman – Approved**

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

**Edward R. Mahony, Waterbury, CT – (S-7) Limited Contractor – Approved (B-1)**

The Board did not find Mr. Mahony approvable for an (S-7) Limited Contractor exam. Mr. Mahony changed his license category to (B-1) Limited Contractor and the Board voted unanimously to approve his (B-1) Limited Contractor application.

**Andre Manifold, Middletown, CT – (S-2) Unlimited Journeyman – Withdrawn**

Mr. Manifold withdrew his application.

**Eric Piekarski, East Haven, CT – (S-2) Unlimited Journeyman – Tabled**

The Board voted unanimously to table Mr. Piekarski's application, contingent upon registering as an (S-10) Limited Journeyman apprentice and appearing before the Board prior to the twelve month expiration date (12/7/11) of his application for consideration of an (S-10) Limited Journeyman.

**Michael J. Ponticello, Stamford, CT – (S-9) Limited Contractor – No Action**

Mr. Ponticello did not appear today and the Board took no action.

**Jorge Sanchez, Yorktown Heights, NY – (S-1) Unlimited Contractor – Withdrawn**

Mr. Sanchez withdrew his application.

**REQUESTING REINSTATEMENT OF LAPSED LICENSE**

**Michael Chagnon, E. Windsor, CT – (SM-2) Limited Sheet Metal Journeyman (Lapsed 8/31/08)**

Mr. Chagnon did not appear today and the Board took no action.

**Robert Ives, Graniteville, VT – (SM-2) Limited Sheet Metal Journeyman (Lapsed 8/31/02)**

Mr. Ives did not appear today and the Board took no action.

**Robert Livigni, Hopewell Jct., NY – (S-1) Unlimited Contractor (Lapsed 8/31/09)**

The Board voted unanimously to deny reinstatement of Mr. Livigni's license and is requiring him to re-apply and re-test for his license.

**Robert Livigni, Hopewell Jct., NY – (SM-1) Limited Sheet Metal Contractor (Lapsed 8/31/09)**

The Board voted unanimously to deny reinstatement of Mr. Livigni's license and is requiring him to re-apply and re-test for his license.

**Christopher Miller, Danbury, CT – (SM-2) Limited Sheet Metal Journeyman (Lapsed 8/31/09)**

Mr. Miller did not appear today and the Board took no action.

## **CHAPTER 46 - STATE APPOINTIVE OFFICERS**

**Sec. 4-1a. Appointed officers, unspecified terms.** Unless otherwise provided by law, any appointed official of the state, including any person appointed to a board, commission, council, authority, task force, committee or other body, shall serve at the pleasure of the person or body authorized to make the appointment but no longer than the term of office of such appointing authority or until such official's successor is appointed and qualified, whichever is longer.

## **CORRESPONDENCE**

1. Proposed Bill No. 5862 - An Act Concerning Municipal Acceptance of Contractor permits.
2. Proposed Bill No. 5880 – An Act Establishing A State Waltz.
3. Correspondence concerning the propane leak in North Canaan, CT.

## **2011 MEETING SCHEDULE**

Wednesdays --- January 5, March 2, May, 4, July 6, September 7, November 2.

## **HES COMBUSTION TESTING PROGRAM**

At the Board's January 5, 2011 meeting, Mr. Casey informed the Board of an e-mail from Mark P. Foley with CT Light and Power and Robert Bartone with The United Illuminating Company, authorizing approximately 200 plus unlicensed technicians throughout the state deployed with instructions to perform "Combustion Testing" which is illegal and not permitted without proper licensure pursuant to Chapter 393 of the CT General Statutes and Regulations of CT State Agencies Title 20.

After further discussion and input on this matter, the Board unanimously concluded that "Combustion Testing" is in fact licensure work pursuant to Chapter 393 of the CT General Statutes and Regulations of CT State Agencies Title 20, and is requesting that DCP notify CT Light and Power and The United Illuminating Company that the Heating Board, at their January 5, 2011 meeting unanimously concluded the "Combustion Testing" work being performed under the "HES Combustion Testing Program" is in fact work licensure work pursuant to Chapter 393 of the CT General Statutes and Regulations of CT State Agencies Title 20.

The Board is also requiring Mr. Foley and Mr. Bartone to appear before the Heating Board at their next meeting scheduled for Wednesday, March 2, 2011 at 9:30 a.m. in Room-126 located at the Department of Consumer Protection, 165 Capitol Avenue, Hartford, CT, to discuss their "HES Combustion Testing Program" and to be informed of the appropriate licensure requirements pursuant to Chapter 393 of the CT General Statutes and Regulations of CT State Agencies Title 20.

Mark P. Foley from CT Light and Power and Robert Bartone from The United illuminating Co. will be appearing before the Board today (March 2, 2011) to discuss their "HES Combustion Testing Program" and to seek information regarding the appropriate licensure requirements to perform such work pursuant to Chapter 393 of the CT General Statutes and Regulations of CT State Agencies Title 20.

Mr. Foley and Mr. Bartone did not appear at today's meeting and requested a continuance concerning this matter. The Board voted and concluded that the work covered under the "HES Combustion Testing Program" is in direct violation of the CT licensing laws and should not continue. The Board is requesting that DCP send both Mr. Foley and Mr. Bartone notification to cease and decist from performing such work until such time they can appear before the Board and proof to the Board that the work under their "HES Combustion Testing Program" is not licensable work. Mr. Casey and Attorney Kent abstained from voting on this matter.

There being no further business, the meeting adjourned at 11:35 a.m.

Respectfully submitted,

Nelson Leon  
Board Secretary

**The next meeting is scheduled for Wednesday, May 4, 2011 at 9:30 a.m. in Room-126.**