

CONSUMER PROTECTION / WEIGHTS & MEASURES

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James J. Elcik
Director and Public Advocate

Rockland County Board of Plumbing, Heating, Air-Conditioning, Refrigeration
and
Sheet Metal Examiners
Minutes from Meeting
January 9, 2023

A Meeting of the Rockland County Board of Plumbing, Heating, Air-Conditioning, Refrigeration and Sheet Metal Examiners was held on Monday, January 9, 2023, in the Legislative Committee Room at 11 New Hempstead Road New City, NY 10956.

Members Present:

Thomas Pastore
Patrick Conroy
Malcolm Lauder Jr.
Jay Theise
Carmelo Toscano
Hon. Toney Earl

Also Present:

James Elcik
Daisy Morocho
William Hartnagel, Esq.
Buzz Losee
Alex Moncane
John Brehmer
Mario Marcello Russodivito
Marc Sakhat
Dan Thema
Glenn Vanas
Patricia Habas, Esq.
Rogers Habas, Esq.

CALL TO ORDER:

The meeting was called to order at 5:30 pm by Hon. Tony Earl

ROLL CALL: By Daisy Morocho

APPROVAL OF MINUTES:

MOTION: By Member Malcolm Lauder Jr., second by Member Carmelo Toscano to approve Minutes for Meeting held on December 12th, 2022.

ACTION: All in favor, Motion passed.

DISCUSSION ITEM:

- a) Law change discussion- Board Tabled matter to February 2023
- b) Marcello Russodivito from Marcello's Ristorante of Suffern and Steven Larry Tekel P-1582- Presence requested regarding Complaint #164-22.
 - Mr. Tekel was unable to show. Mr. Russodivito was present to the PHC Board regarding complaint #164-22.
 - **MOTION:** By Member Hon. Tony L Earl, second by Member Malcolm Lauder Jr., to reinstate the original agreement to have Mr. Tekel reimburse Mr. Russodivito his \$4,800 of repairs and damages.
 - **ACTION:** All in favor, motion passed.
- c) Harel Plumbing and Heating Corp DBA MNZ Plumbing-P-365- Payroll Records. - Board requests Mr. Harel attend to January's Board Meeting.
 - Mr. Harel and his attorney were unable to show. Presence Requested for February's PHC Board Meeting. Board tabled matter for February 2023 meeting.
- d) Putnam County Plumbing and Mechanical Trades Board presence requested regarding the finding relating to reciprocity between Rockland County Mechanical licenses and Putnam County Plumbing and Mechanical Trades Board.
 - Putnam County were present and the Board tabled matter for February 2023 meeting to review the laws of Putnam County.
- e) Vinny Luongo- P-1005- Email thread of disagreement of the Rules and Regulations of the late fee and incomplete fee.
 - The Board denied Mr. Luongo's request to have the late fee waived as per the laws of Rockland County. Mr. Luongo must pay the \$200 late fee.
- f) Email thread with Hudson Technologies Company, if required to maintain a license or not in Rockland County for EPA certified reclaimer of Refrigerant gases.
 - Under the Board's discretion, no license is required.

Department Update For Continuing Education:

- a) As of 1/9/2023, there are in total 74 of licensee holders still have not taken the course.
- b) Out of the 74 licensee holders- 36 of those are active and 38 of those are shelved.
- c) Continuing education – Scott Bishop- Board has announced FINAL continuing education class to be decided among Consumer Protection and Mr. Bishop to hold a class in February.

OLD BUSINESS:

Complaints

- a) 462-22- P-1063- Atlas Air Masters Air Conditioning & Heating – Consumer had new boiler installed in 2020. Since then, new boiler has been leaking. Vender has been out nine times since October of 2020. Every part has been replaced but nothing has fixed the leak. As of 1/3/2023, The Vendor is setting up an appointment with the manufacturer's representative to inspect the boiler installation at the Consumer's residence. Board tabled matter for February 2023 meeting.

Violations

- a) 21-48L – C & D Custom Construction – Court date set for 3/20/2023. Board tabled matter to February 2023 meeting.
- b) 21-120LC – Innovative Interior Solutions – Unlicensed - Unlicensed solicitation of plumbing and mechanical work - \$1000 fine. As of 4/29/22, 30-day notice sent to vendor, no payment received. Board tabled matter to February 2023 meeting.
- c) 21-179L – Mr. D Handyman – Unlicensed – Court date set for 2/28/2023. Board tabled matter to February 2023 meeting.
- d) 21-226L – C & D Custom Construction – Unlicensed – Court date set for 3/20/2023. Board tabled matter to February 2023 meeting.
- e) 21-261L – Comfort Experts – Unlicensed – As of 4/6/22, failed to appear in court, bench warrant issued. Board tabled matter to February 2023 meeting.
- f) 21-272L – Ortegas Construction – Unlicensed – Court date set for 3/2/2023. Board tabled matter February 2023 meeting.

- g) 22-59LC – Mamakating Heating and Cooling – P-1600 – Working without a license - \$750 fine. Board tabled matter to February 2023 meeting.
- h) 22-193L- Will Clark – Unlicensed - Court date set for 9/12/2022. Failed to appear, warrant issued. Board tabled matter to February 2023 meeting.
- i) 22-314- Miguel Santos Perez- Unlicensed- Court date set 11/7/22. Failed to appear, warrant issued. Board tabled matter to February 2023 meeting.

- j) 22-437- H-1241- Fan Man- Unlicensed solicitation of Heating and Cooling. 2nd offense.

MOTION: By Board Member, Hon Tony Earl, second by Member Carmelo Toscano, to have a letter sent out on behalf of the Board that Mr. Isola’s license is now shelved and to have all plumbing work and advertisement end. As per the laws of Rockland County, no work or advertisement is to be done with a shelved license.

ACTION: All in favor, motion passed.

- k) 22-471L- Z-10562- Kevin Daniel Ortiz- Hernandez – Unlicensed Plumbing- Court date 3/8/2023. Board tabled matter February 2023 meeting.

- l) 22-497LC- Z-10555- Vanas Construction, Inc- At 26 West Orangeburg RD, Orangeburg, NY 10962. Unlicensed plumbing (5 counts). Violation issued 11/2/22. Penalty set at \$15,000.

MOTION: By Member Toney Earl, second by Patrick Conroy to reduce the \$15,000.00 fine to \$3,000.

ACTION: All in favor for fine to be reduced.

- m) 22-506LC- H-8068- Alexander Holding, LLC DBA Bath Fitter- Performing plumbing work without a plumbing license on commercial property in Clarkstown. Violation issued on 11/10/2022. Penalty amount- \$750.00. Board tabled February 2023 meeting.

NEW BUSINESS:

Complaints

- a) 22-488 – Z-10604- HomeServe USA Repair Management Corp.- Company sent an unlicensed plumber to consumers home and caused possible mold and mildew from water damage the unlicensed plumber has caused. Consumer wants HomeServe to investigate the damage and repair it. Board tabled matter to February 2023 meeting.
- b) 22-491 – P-843- Climate Control Systems, Inc- Consumer claims home is not getting enough heat and air in their home after company came to resolve the

matter. Vendor has contacted Consumer Protection and will send a response and will contact consumer to resolve the complaint. Board tabled matter to February 2023 meeting.

- c) 22-498 – P-1122- Fire & Ice Heating & Cooling- Consumer signed contract to have new A/C unit installed and paid vendor \$4,250.00 down payment. A/C unit never arrived and never installed. Consumer only received half of the down payment refund and requests that the vendor refunds the remainder \$2,000. Consumer Protection sent a notice and has made a request to the vendor to have a response in writing. Inspector CJ will follow up with Vendor next week. Board tabled matter to February 2023 meeting.
- d) 22-499 – P-1122- Fire & Ice Heating & Cooling – Consumer signed contract to have A/C unit repaired. Vendor never finished repair. Consumer requests that the vendor refunds the \$12,000 deposit. Consumer Protection sent notice and requested the Vendor respond in writing. Inspector Bryant will follow up with Vendor next week. Board tabled matter to February 2023 meeting.

Violations

- a) 22-547 – Z-10600- Besson Heating & Cooling – Unlicensed advertisement on bessonhvac.com. Penalty set at \$3,000. Board tabled February 2023 meeting.
- b) 22-555 – P-1699- Avir HVAC Corp- No decal on vehicle at jobsite. Penalty set at \$250. Board tabled February 2023 meeting.
- c) 22-556 – P-1699- Avir HVAC Corp- No lettering on vehicle at jobsite. Penalty set at \$250. Board tabled February 2023 meeting.
- d) 22-557 – P-1699- Avir HVAC Corp- No work permit at jobsite. Penalty set at \$500. Board tabled February 2023 meeting.
- e) 22-558 – P-905- Mr. Plumber- Unlicensed advertisement for cooling at mrplumberny.net. Penalty set at \$1,000. Board tabled February 2023 meeting.
- f) 22-560 – P-1660- On Point Plumbing & Heating Company Corp- Liability insurance lapsed for 4 months. Penalty set at \$1,000. Board tabled February 2023 meeting.

NEW APPLICANTS:

- a) Marc Sarkhat – P-22232 – (Master Heating, Air Conditioning and Refrigeration)
MOTION: By Member Carmelo Toscano, seconded by Member Patrick Conroy
ACTION: Approved, all in favor.

- b) Anthony Schiavone- P-22393- (Master Plumbing, Heating and Cooling)
MOTION: By Member Carmelo Toscano, seconded by Member Patrick Conroy
ACTION: Rejected, all in favor
- c) Carlos R. Solorzano Ortiz -P-22398- (Master Plumbing and Heating)
MOTION: By Member Carmelo Toscano, seconded by Member Patrick Conroy
ACTION: Approved, all in favor
- d) Robert Frederico – P-23003- (Master Heating, Cooling, Sheet Metal and Refrigeration)
MOTION: By Member Carmelo Toscano, seconded by Member Patrick Conroy
ACTION: Approved, for COOLING, SHEET METAL and REFRIGERATION ONLY, all in favor
- e) Andrew Levesque – P-23004- (Master Heating and Cooling)
MOTION: By Member Carmelo Toscano, seconded by Member Patrick Conroy
ACTION: Approved, all in favor
- f) John Brehmer – P-23012- (Master Heating, Cooling, Sheet Metal and Refrigeration)
MOTION: By Member Carmelo Toscano, seconded by Member Patrick Conroy
ACTION: Approved, all in favor

CLOSE MEETING:

MOTION: Made by Member Thomas Pastore., seconded by Carmelo Toscano to adjourn Meeting at 7:42 pm.
ACTION: All in favor. Motion passed

NEXT MEETING: **February 14th at 5:30 PM**

Respectfully submitted,

Daisy Morocho

Daisy Morocho
Program Aide