

**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  
February 14, 2023

A Meeting of the Rockland County Board of Plumbing, Heating, Air-Conditioning, Refrigeration and Sheet Metal Examiners was held on Tuesday, February 14<sup>th</sup>, 2023, in the Legislative Committee Room at 11 New Hempstead Road New City, NY 10956.

**Members Present:**

Thomas Pastore  
Patrick Conroy (Late 5:32pm)  
Malcolm Lauder Jr.  
Jay Theise  
Carmelo Toscano  
Hon. Toney Earl  
Matthew Zugibe

**Also Present:**

James Elcik  
Daisy Morocho  
William Hartnagel, Esq.  
Rob Federico  
Edwardo Mule  
Scott Bishop  
Al Schimanski  
John Brehmer  
Dan O’Gorman  
George D Ingalls Jr

**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 Carmelo Toscano., second by Member Matthew Zugibe to approve Minutes for Meeting held on January 9<sup>th</sup>, 2023.

**ACTION:** All in favor, Motion passed.

**DISCUSSION ITEM:**

- a) Law change discussion- Board Tabled matter to March 2023
- b) Continuing education – Scott Bishop
- c) Harel Plumbing and Heating Corp DBA MNZ Plumbing-P-365- Payroll Records. – Board requests Mr. Harel attend to February’s Board Meeting.
  - Mr. Harel failed to attend. No show.
- d) Reciprocity between Rockland County Mechanical licenses and Putnam County Plumbing and Mechanical Trades Board.

**MOTION:** By Thomas Pastore, second by Patrick Conroy

**ACTION:** Rockland County has suspended reciprocity with Putnam County.

- e) Board has requested Dan O’Gorman, Scott Bishop and Al Schimanski to attend Board meeting for possible appointment as Continuing Education Instructors for 2024 5 hour Plumbing Continuing Education Course.
  - o Board has requested for all possible instructors to submit a syllabus for the Plumbing Continuing Education Curriculum for approval.
- f) Board has requested George Ingalls to attend PHC Board meeting regarding complaint #22-498 and #22-499.
  - Mr. Ingalls attended meeting and Board has requested to return to March’s meeting on an update for both complaints.
  - Mr. Ingalls has yet to renew his Mechanical License.
- g) P-1688 – Metro Mechanical Group – Requesting the late fee to be waived due to waiting to submit the renewal with all the correct documents, including the 5 Hour Continuing Education Course, taken on 2/1/2023.
  - Board has denied request and for Metro Mechanical Group to pay the late fee of \$400 to renew their Mechanical License.

**Department Update For Continuing Education:**

- a) As of 2/10/2023- There are in total 58 Mechanical license holders that have not taken the 5 hour Continuing Education Course.
- b) 15 are active license holders that have not submitted their renewal application.
- c) 32 are shelved with no renewal application submitted.

d) 10 are active license holders that have submitted the renewal application with no continuing education certificate.

e) 1 is shelved that has submitted their renewal application with no continuing education certificate.

## **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 March 2023 meeting.
- b) 164-22 – P-1582- Air Mechanical One Corp- As of 1/9/2023, the Board has motioned Mr. Tekel to reimburse the consumer the full amount of \$4,800. Board has tabled matter for March 2023 meeting.
- c) 22-499 – P-1122- Fire & Ice Heating & Cooling – Consumer signed contract to have A/C unit repaired. Vendor never finished repairment. Consumer requests that the vendor refunds the \$12,000 deposit. Consumer Protection sent notice and has made a request to the vendor to have a response in writing. Vendor has been unresponsive with Inspector Bryant. Inspector Bryant is preparing summary for the DA's office.

### **Violations**

- a) 21-48L – C & D Custom Construction – Court date set for 3/20/2023. Board tabled matter to March 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 March 2023 meeting.
- c) 21-179L – Mr. D Handyman – Unlicensed – Court date set for 4/5/2023. Board tabled matter to March 2023 meeting.
- d) 21-226L – C & D Custom Construction – Unlicensed – Court date set for 3/20/2023. Board tabled matter to March 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 March 2023 meeting.
- f) 21-272L – Ortegas Construction – Unlicensed – Court date set for 3/16/2023. Board tabled matter March 2023 meeting.
- g) 22-59LC – Mamakating Heating and Cooling – P-1600 – Working without a license - \$750 fine. Board tabled matter to March 2023 meeting.
- h) 22-193L- Will Clark – Unlicensed - Court date set for 9/12/2022. Failed to appear, warrant issued. Board tabled matter to March 2023 meeting.
- i) 22-314- Miguel Santos Perez- Unlicensed- Court date set 11/7/22. Failed to appear, warrant issued. Board tabled matter to March 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 March 2023 meeting.
- l) 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 March 2023 meeting.

**NEW BUSINESS:**

**Violations**

- a) 22-547 – Z-10600- Besson Heating & Cooling – Unlicensed advertisement on bessonhvac.com. Penalty set at \$3,000. Board tabled March 2023 meeting.
- b) 22-555 – P-1699- Avir HVAC Corp- No decal on vehicle at jobsite. Penalty set at \$250. Board tabled March 2023 meeting.
- c) 22-556 – P-1699- Avir HVAC Corp- No lettering on vehicle at jobsite. Penalty set at \$250. Board tabled March 2023 meeting.

- d) 22-557 – P-1699- Avir HVAC Corp- No work permit at jobsite. Penalty set at \$500. Board tabled March 2023 meeting.
- e) 22-558 – P-905- Mr. Plumber- Unlicensed advertisement for cooling at mrplumberny.net. Penalty set at \$1,000. Board tabled March 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 March 2023 meeting.

**NEW APPLICANTS:**

- a) Robert Frederico – P-23003- (Master Heating, Cooling, Sheet Metal and Refrigeration)  
**MOTION:** By Member Carmelo Toscano, seconded by Member Patrick Conroy  
**ACTION:** Approved, for HEATING ONLY all in favor
- b) Edwardo Mule – P-23039- (Master Plumbing and Heating)  
**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:**      **March 13<sup>th</sup> at 5:30 PM**

Respectfully submitted,

*Daisy Morocho*

Daisy Morocho  
Program Aide