

**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  
September 11, 2023

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

**Members Present:**

Carmelo Toscano  
Patrick Conroy  
Mathew Zugibe  
Jay Theise  
Malcolm Lauder Jr.

**Members Absent**

Virginia Norfleet  
Hon. Toney Earl  
Thomas Pastore

**Also Present:**

James Elcik  
William Hartnagel, Esq.  
Al Rossi  
Daisy Morocho  
Scott Bishop  
Moishe Surkis  
Kevin Casey  
Steve Calandra  
Thomas Culianos  
Matt Brown  
Jorge Castro  
Russell Iser  
Doug Solomon

**CALL TO ORDER:**

The meeting was called to order at 5:32 pm by Member Carmelo Toscano

**ROLL CALL:** By Daisy Morocho

**APPROVAL OF MINUTES:**

**MOTION:** By Member M. Zugibe, second by Member J. Theise to approve Minutes for Meeting held on June 12, 2023.

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

**DISCUSSION ITEM:**

Law change discussion – Thomas Gandolfini, Business manager of Local 373, would like to enforce changes/ revisions to Laws of Rockland County Chapter 319.

- Mr. Gandolfini submitted a draft of proposal for the Board to review. Board has tabled matter for October 10<sup>th</sup> meeting.

**P-1226 Weathervane Service, Inc.**

Discussion the Board has requested license holder Harry Enoch to attend Board meeting. The Office of Consumer Protection received an email from Mr. Enoch attorney Douglas Solomon, Esq., stating because of the short notice Mr. Enoch and his representation cannot attend the meeting, Mr. Enoch must tend to personal matter. Director J. Elcik addressed the Board if License Holder Mr. Enoch was a local resident a five-day notice should be ample amount of time for notice. Member C. Toscano questioned how Mr. Enoch supervises the work being done in Rockland County if living out of state? Douglas Solomon, Esq., attended on behalf of Henry Enoch stating that he will provide a statement from Mr. Enoch on how he is able to supervise the work being done in Rockland County while living in South Carolina for October Meeting and review Rockland County local laws Chapter 319.

**Application P-22374 Elmer Aguirre Plumbing & Heating, LLC d/b/a A.G.&L. Plumbing & Heating Services**

Discussion Application Master Plumbing and Heating rejected by the Board December 12, 2022. Legislative Appeal scheduled for June 21, 2023, at 3:00PM. The second part of the appeal will be held September 12, 2023, at 3:00pm. Director J. Elcik addressed the Board to invite Members who would like to speak on the application for Master Plumber being rejected. Malcolm Lauder Jr. will try to attend the second part of the appeal.

**Reactivating P-1088 A&J Heating and Plumbing**

Licensee holder Kevin Casey was requesting to reactivate his Rockland County Mechanical license with the classification of Plumbing and Heating. It was flagged at the Consumer Protection office due to Mr. Casey's personal address being in Delaware. Mr. Casey was invited

to the September Board meeting to explain how he can supervise work in Rockland County while living in Delaware. Mr. Casey attended the September Board meeting and explained himself and his wife bought a house in Delaware and still has their home in Rockland County. The mailing address was to be in Delaware to send for his wife to take care of, since she will be there most of the time. The Board by consensus agreed to have Mr. Casey's license to be activated.

**Application P-1215 Thomas Culianos**

Thomas Culianos is requesting the Board to make acceptance of re-taking the Plumbing Exam that was scheduled August 11<sup>th</sup>, 2023, without re-applying. Mr. Culianos was unable to attend the exam due to an altercation. Mr. Culianos submitted a copy of a police report proving of the altercation affected his attendance of the exam. The Board by consensus denied Mr. Culianos requested as a no show is considered a fail. As by Rockland County local laws Chapter 319-8b and under the Rules and Regulations, the individual must re-apply entirely with fee and wait six months from the failure date to re-take the exam.

**Application P-23038 Jorge Castro**

Jorge Castro is requesting the Board to make an acceptance of re-taking the Plumbing Exam that was scheduled August 11<sup>th</sup>, 2023, without re-applying. Mr. Castro attended the exam and explained to the Board that he accidentally submitted the exam via computer before finishing. Mr. Castro failed the exam by one point. The Board by consensus denied Mr. Castro's request, as a no show is considered a fail. As by Rockland County local laws Chapter 319-8b and under the Rules and Regulations, the individual must re-apply entirely with fee and wait six months from the failure date to re-take the exam.

**Application P-23098 Jason A. Young**

Jason A. Young is requesting the Board to make an acceptance of re-taking the Heating and Air Conditioning Exam that was scheduled August 11<sup>th</sup>, 2023, without re-applying. Mr. Young's vehicle broke down on the way to the exam and was unable to make it. The Board by consensus denied Mr. Young's request, as a no show is considered a fail. As by Rockland County local laws Chapter 319-8b and under the Rules and Regulations, the individual must re-apply entirely with fee and wait six months from the failure date to re-take the exam.

**Application P-22369 Steven Calandra**

Steven Calandra is requesting the Board to make an acceptance of re-taking the Air Conditioning Exam that was scheduled August 11<sup>th</sup>, 2023, without re-applying. Mr. Calandra could not attend the exam due to a family emergency. The Board by consensus denied Mr. Calandra's request, as a no show is considered a fail. As by Rockland County local laws Chapter 319-8b and under the Rules and Regulations, the individual must re-apply entirely with fee and wait six months from the failure date to re-take the exam.

## **OLD BUSINESS:**

### **Complaints**

- a) **209-23 Pomona Plumbing – Unlicensed.** Inspector CB received the complaint file and initiated the investigation. The Consumer stated that a person named Mikey showed up to provide a free estimate on a new furnace installation. They were only supposed to be charged \$85.00 for the company to show up. The Consumer stated that they were then charged \$365.00 after the Vendor looked at the furnace. The Consumer paid the \$365.00 in cash and did not receive a receipt. When the Consumer called the company after the visit to discuss the charge, they were put on hold and the person that answered never came back. Inspector CB came across this company when doing research for a similar complaint against a fraudulent Vendor. This company appears to be related to fraudulent Vendor's researched for Complaint #100-21 and Complaint #384-22.
- b) **220-23 Affordable A-Jay Plumbing, Heating & Air Conditioning P-1469** The Vendor was hired by the Consumer to install the rough plumbing and fixtures for their renovation. The Consumer claims the Vendor did not complete the work as stated on the contract. The Consumer claims the Vendor did not change/add pipes or install the fixtures for two (2) bathrooms and a kitchen. The Consumer is looking for a full refund of monies paid to the Vendor. Inspector CB requested board member review of the contract. Board by consensus agreed with Vendor that Vendor is owed \$12,000 from Consumer, plus the additional labor. Vendor showed proof in the contract that fixtures were included. Regarding full amount, that is to be determined by the Vendor and Consumer.

### **Violations**

- 1) 21-48L – C & D Custom Construction – Unlicensed - **Court date set for 9/22/2023.**
- 2) 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.**
- 3) 21-179L – Mr. D Handyman – Unlicensed – **Court date set for 9/22/2023.**
- 4) 21-226L – C & D Custom Construction – Unlicensed – **Court date set for 9/22/2023.**
- 5) 21-261L – Comfort Experts – Unlicensed – **As of 6/06/2023, failed to appear in court, bench warrant issued.**
- 6) 21-272L – Ortegas Construction – Unlicensed – **Court date set for 10/05/2023.**

- 7) 22-59LC – Mamakating Heating and Cooling – P-1600 – **Working without a license - \$750 fine – Sent to County Attorney.**
- 8) 22-193L – Will Clark, All Day Plumbing – Unlicensed- **Court date set for 9/12/22. Did not appear at court. Bench warrant issued**
- 9) 22-437- H-1241- Fan Man- **Unlicensed solicitation of Heating and Cooling. 2<sup>nd</sup> offense. \$1,500 Violation issued. – Sent to County Attorney.**
- 10) 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**
- 11) 22-547 – Z-10600- Besson Heating & Cooling – **Unlicensed advertisement on bessonhvac.com. Penalty set at \$3,000.**
- 12) 22-555 – P-1699- Avir HVAC Corp- **No decal on vehicle at jobsite. Penalty set at \$250.**
- 13) 22-556 – P-1699- Avir HVAC Corp- **No lettering on vehicle at jobsite. Penalty set at \$250.**
- 14) 22-557 – P-1699- Avir HVAC Corp- **No work permit at jobsite. Penalty set at \$500.**
- 15) 22-558 – P-905- Mr. Plumber- **Unlicensed advertisement for cooling at mrplumberny.net. Penalty set at \$1,000.**
- 16) 23-23L – Z-10611-Prestige Air Limited Liability Corporation – **Unlicensed HVAC – Court Date 5/18/2023. Civil penalty paid (\$425.00), case closed.**
- 17) 23-39LC – P-788- A Novellino Plumbing & Heating – **(Chpt. 319-12A) Failure to respond to letters dated 12/14/22 and 1/11/23. Penalty set at \$50.**
- 18) 23-72L – Z-10623- Giselle Valerio & A&G Valerio Central Air & Heat – **Unlicensed HVAC. Court date 6/13/2023.**
- 19) 23-73LC – Guglielmi Plumbing & Heating, Inc. – P-22262- **Unlawful use of license, Hiring an Unlicensed Subcontractor. Penalty set at \$750.**
- 20) 23-85LC- American Field Services, Inc – H-12032- **Unlicensed Plumbing. Penalty set at \$1,000.**
- 21) 23-101LC- Vasi’s Plumbing & Heating, Inc.- P-19068- **Failure to have decal on vehicle at jobsite. Penalty set at \$250.**

- 22) 23-103LC- Vasi's Plumbing & Heating, Inc.- P-19068- **Failure to have decal on vehicle at jobsite. Penalty set at \$250.**
- 23) 23-104LC- Vasi's Plumbing & Heating, Inc.- P-19068- **Unlicensed heating, air-conditioning and refrigeration. Penalty set at \$3,000.**
- 24) 23-112LC- McNamara Heating, Air Conditioning, HVAC, Fireplace- H-22257- **Advertising to perform Plumbing services on Facebook. Penalty set at \$1,000.**
- 25) 23-143LC – Superior Piping & Heating Inc.- P-1668- **No permit. Disregard of building codes for state or any municipality thereof. Penalty set at \$750.**
- 26) 23-144LC- Superior Piping & Heating Inc.- P-1668- **Vehicle at jobsite are incorrectly lettered. Penalty set at \$250.**
- 27) 23-157LC- Mediastreme LLC DBA Mediastreme Constuction – H-22159- **Unlicensed Plumbing. Penalty set at \$750. Sent to County Attorney for collection.**
- 28) 23-203L- Remodel USA Inc – H-19339 – **Unlicensed Plumbing- Court date 6/22/2023.**
- 29) 23-204LC – Gutierrez Brothers HVAC LLC- Z-10653- **Unlicensed Solicitation for HVAC services. Penalty set at \$3,000. Sent to County Attorney for collection.**
- 30) 23-206L- Luis Alberto Cambi Guaman – Z-10655 – **Unlicensed Plumbing – Court Date 7/18/2023.**
- 31) 23-254L- A1 Plumbing & Heating Corp – P-344- **Unlicensed Plumbing and Heating– Court Date 6/27/2023.**
- 32) 23-286L – Air Tech Heating & Cooling – Z-10691 **Unlicensed Air Conditioning – Court date 6/08/2023.**
- 33) 23-85LC – American Field Services Inc H-12032 **Unlicensed Plumbing work performed. Penalty set at \$1,000.00.**

## **NEW BUSINESS:**

### **Complaints:**

- a) **325-23 Monic Plumbing Inc. – P-1225.** Consumer had an addition to the home and Monic Plumbing was hired to do plumbing work. Consumer claims they made a deposit of \$15,000. Vendor claims Consumer paid only \$10,000. Consumer has video

of Vendor counting \$15,000 and job was not finished. Inspector Rossi is in contact with Consumer's attorney regarding the dispute. It was determined to be contractor versus contractor dispute. Complaint closed.

b) **384-23 Ramapo Plumbing and Heating – Unlicensed.** Inspector CB started further research into the Vendor based on documentation provided by the Consumer. The Vendor for this complaint is the same Vendor from Complaint #75-22. It was discovered that the Vendor is using a fictitious name and address for their business. The business is not registered, and they are not located or working out of the address listed on their website. The original check issued to the Vendor was made out to "ML Upright Services" in the amount of \$500.00. The Consumer stopped payment on the check and was then forwarded an invoice from the Vendor via email. This time, the Vendor requested payment via PayPal. Inspector CB believes all of these complaints are related and could be traced back to Martin or a main office operating various fraudulent businesses. This outfit uses similar website design for each of the businesses. All the businesses are using fictitious names and addresses. Complaint #31-21, #100-21, and #209-23.

### **Violations**

- 1) 23-351L – Amex Refrigeration Inc & Jose Cano-Lopez– Z-10717- **Unlicensed Refrigeration – Court Date 10/04/2023**
- 2) 23-353L – PLS Mechanical, Inc. – Z-10716 – **Unlicensed Air-Conditioning – Court date 8/28/2023. No Show. Bench warrant issued.**
- 3) 23-364LC – One70 Group DBA CFSC Maintenance, LLC – H-19268 – **Working without a Rockland County Air-Conditioning license. 2<sup>nd</sup> Offense. Penalty set at \$1,500.**
- 4) 23-370LC – Joe Cool's Heating and Air Conditioning & All-American Cooling LLC – P-1578- **Failure to respond to letter dated 6/01/2023. Penalty set at \$750.00.**
- 5) 23-394L – JES Heating & Cooling Inc. & Sanddy, Rafael Vargas – Z-10736 – **Unlicensed Air Conditioning – Court Date 9/18/2023.**
- 6) 23-409L – Fire & Ice Heating & Cooling – P-1122 – **Unlicensed Plumbing and Heating – Court date 9/19/2023.**
- 7) 23-448L – F.D.C. Contracting Company, Inc. – Z- 10759 – **Unlicensed Plumbing – Court date 10/03/2023**

- 8) 23-493L – Keep It Cool, Inc. – P-20275 – **Unlicensed Air-Conditioning – Court date 9/19/2023.**
- 9) 23-515LC – Marchese Mechanical LLC – P-963 – **Failure to have vehicle registered with Consumer Protection and have a decal on rear side of the vehicle on a jobsite. Penalty set at \$250.**
- 10) 23-516LC – Marchese Mechanical LLC – P-963 – **Failure to have a permit at jobsite. Penalty set at \$750.**

**NEW APPLICANTS:**

- a) William Sherman – Super Plumber 1800 Hot Water Heater Inc – P-22184- (Master Plumbing, Heating and Air- Conditioning)  
**MOTION:** By Member M. Lauder, second by Member P. Conroy  
**ACTION:** Classification Master Air-Conditioning Rejected, all in favor.  
Classification Master Plumbing and Heating Approved, all in favor.
- b) John W. Novak – All Jersey Mechanical & Construction, Inc. – P-22260 – (Master Plumbing)  
**MOTION:** By Member M. Lauder, second by Member P. Conroy  
**ACTION:** Approved, all-in favor.
- c) Matthew M. Brown – Bertussi Contracting, Inc – P-23145 – (Master Plumbing, Heating, Air-Conditioning, Sheet Metal and Refrigeration)  
**MOTION:** By Member M. Lauder, second by Member P. Conroy  
**ACTION:** Approved, all-in favor.
- d) Joseph Innocent – Simple Fix HVAC Professionals LLC – P-23187 – (Master Air-Conditioning and Sheet Metal)  
**MOTION:** By Member M. Lauder, second by Member P. Conroy  
**ACTION:** Approved, all-in favor.
- e) Joseph D’Albora – Only in New York Mechanical, LLC – P-23183 – (Master Plumbing, Heating and Air-Conditioning)  
**MOTION:** By Member M. Lauder, second by Member P. Conroy



**ACTION:** Approved, all-in favor.

- f) Moishe Surkis – P-23299 – (Master Plumbing)

**MOTION:** By Member M. Lauder, second by Member P. Conroy

**ACTION:** Rejected, all in favor.

**CLOSE MEETING:**

With the agenda completed in its entirety the Meeting adjourned at 6:52PM.

**NEXT MEETING:      Tuesday October 10, 2023, at 5:30 PM**

Respectfully submitted,

*Daisy Morocho*

Daisy Morocho  
Program Aide