

**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  
May 8, 2023

A Meeting of the Rockland County Board of Plumbing, Heating, Air-Conditioning, Refrigeration and Sheet Metal Examiners was held on Monday, May 8, 2023, in the Legislative Committee Room at 11 New Hempstead Road New City, NY 10956.

**Members Present:**

Hon. Toney Earl  
Carmelo Toscano  
Thomas Pastore  
Patrick Conroy  
Mathew Zugibe  
Jay Theise

**Members Absent**

Malcolm Lauder Jr.  
Virginia Norfleet

**Also Present:**

James Elcik  
Daisy Morocho  
William Hartnagel, Esq.  
Agnes Niemczyk  
Evan Barberis  
Gene McCarthy  
Vasile Negrea  
Jorge Castro  
Thomas Culianos

**CALL TO ORDER:**

The meeting was called to order at 5:31 pm by Hon. Toney Earl

**ROLL CALL:** By Agnes Niemczyk

**APPROVAL OF MINUTES:**

**MOTION:** By Member P. Conroy, second by Member C. Toscano to approve Minutes for Meeting held on March 13, 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.

- Board has requested Mr. Gandolfini submit a draft of proposal for the Board to review.

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

The Board has requested Applicant of Record Harry M. Enoch to attend April’s regular meeting. Mr. Enoch submitted a letter to the Office of Consumer Protection that due to personal matter he will not be able to attend the meeting. The Board, by consensus, agreed to table the matter until the next regular meeting June 12, 2023.

**P-23004 CM-McNamara, LLC d/b/a McNamara Heating, Air Conditioning, HVAC, Fireplace & Stove**

The Board requested Applicant of Record Andrew M. Levesque to attend May Board meeting. Mr. Levesque emailed the Office of Consumer Protection that he will not be able to attend due to previous commitments in North Carolina. The Board, by consensus, agreed to table the matter until the next regular meeting June 12, 2023.

**P-19068 Vasi’s Plumbing & Heating, Inc.**

Applicant of Record Vasilie Negrea was requested to appear before the Board regarding a hearing held on 3/23/2023 for violations 23-99LC-23-104LC. Director J. Elcik addressed the Board regarding the Hearing that took place at the Office of Consumer Protection with Hearing Officer M. Durso and Inspector C. Girasa. The Hearing ended due to Vendor’s conduct. The Board, by consensus, agreed that Mr. Negrea pay the violation or supply documents proving he did not work outside of his license classification.

**U-22180 Olympic Plumbing Plus, LTD.**

Applicant of Record Thomas Culianos missed the 03/01/2023 deadline to renew his license and wishes to reinstate his license without re-applying. Mr. Culianos addressed the Board as to the reason for the delay. The Board, by consensus, agreed Mr. Culianos must re-apply for the Utilization license, all fees paid previously for the Utilization application are non-refundable, and no waiver for fees will be applied.

**P-1205 d/b/a William Collins**

Applicant of Record William M. Collins requested to appear before the Board regarding shelved license requirement to take 5 Hour Continuing Education Course for 2024 renewal of license. No one is present for d/b/a William Collins. The Board, by consensus, requires Mr. Collins to take the 5 Hour Continuing Education Course to renew his license for 2024.

**Putnam County Plumbing and Mechanical Trades Board meeting invitation**

The Board, by consensus, agreed to decline the invitation, and no further reciprocity with Putnam County will be considered.

**OLD BUSINESS:**

**Complaints**

- a) **22-499 – P-1122- Fire & Ice Heating & Cooling** – Consumer signed contract to have Air-conditioning unit repaired. Vendor never finished repair. Consumer requests that the vendor refund the \$12,000 deposit. Office of Consumer Protection sent notice to the vendor and requested a written response. Vendor failed to respond to Inspector Bryant. Inspector Bryant is preparing a referral summary for the Office of the District Attorney.
  
- b) **23-72 – Action Plumbing & Heating Inc. – P-680-** Consumer believes to be over charged on a wasteline installment. Consumer provides Inspector Bryant a parts breakdown spreadsheet to compare retail prices and photos of slop sink installed without mounting bolts. Vendor’s offer 5% discount of the total cost of \$4,400 and willing to remove slop sink at no additional cost and refund an additional \$700.00 from the total. Inspector Bryant met with Consumer and Consumer does not accept Vendor’s resolution and does not want Vendor back at Consumer’s home. Consumer stated timesheets were not accurate to the hourly rate. As of 4/4/2023, Inspector Bryant emailed Consumer requesting a status update of the written response to the Vendor.

**Violations**

- a) 21-48L – C & D Custom Construction – Court date set for 5/31/2023. The Board tabled matter until June 2023 regular 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. The Board tabled matter until June 2023 regular meeting.
  
- c) 21-179L – Mr. D Handyman – Unlicensed – Court date set for 6/21/2023. The Board tabled matter until June 2023 regular meeting.

- d) 21-226L – C & D Custom Construction – Unlicensed – Court date set for 5/31/2023. The Board tabled matter until June 2023 regular meeting.
- e) 21-261L – Comfort Experts – Unlicensed – As of 4/6/22, failed to appear in court, bench warrant issued. The Board tabled matter until June 2023 regular meeting.
- f) 21-272L – Ortegas Construction – Unlicensed – Court date set for 6/22/2023. The Board tabled matter June 2023 regular meeting.
- g) 22-59LC – Mamakating Heating and Cooling – P-1600 – Working without a license - \$750 fine. 04/08/2023 Sent to County Attorney. The Board tabled matter until June 2023 regular meeting.
- h) 22-193L- Will Clark – Unlicensed - Court date set for 9/12/2022. Failed to appear in court, bench warrant issued. The Board tabled matter until June 2023 regular meeting.
- i) 22-437LC- H-1241- Fan Man- Unlicensed solicitation of Heating and Cooling. 2nd offense. 11/22/2022 Sent to County Attorney. The Board tabled matter until next regular meeting June 2023.
- j) 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. The Board tabled matter until June 2023 regular meeting.
- k) 22-547 – Z-10600- Besson Heating & Cooling – Unlicensed advertisement on bessonhvac.com. Penalty set at \$3,000. The Board tabled matter until June 2023 regular meeting.
- l) 22-555 – P-1699- Avir HVAC Corp- No decal on vehicle at jobsite. Penalty set at \$250. The Board tabled matter until June 2023 regular meeting.
- m) 22-556 – P-1699- Avir HVAC Corp- No lettering on vehicle at jobsite. Penalty set at \$250. The Board tabled matter until June 2023 regular meeting.
- n) 22-557 – P-1699- Avir HVAC Corp- No work permit at jobsite. Penalty set at \$500. The Board tabled matter until June 2023 regular meeting.
- o) 22-558 – P-905- Mr. Plumber- Unlicensed advertisement for cooling at mrplumberny.net. Penalty set at \$1,000. The Board tabled matter until June 2023 regular meeting.

**NEW BUSINESS:**

**Complaints:**

- a) **90-23- Fire & Ice Heating & Cooling – P-1122-** Inspector Bryant spoke to Consumer at front desk. The total contract amount is \$15,000. The Consumer paid the Vendor a deposit of \$6,500. The only work performed on the contract was "moving ice machine to under bar including piping" (\$750 value) and the 1/2" line set for the mini splits (no value provided). The Consumer brought in a new contractor to complete the project. The 1/2" line set was incorrect and a 5/8" line set had to be installed to accommodate the mini splits. The Consumer is requesting a full refund. Vendor has not responded to request for written response. Inspector Bryant will make another attempt to contact Vendor. Inspector Bryant attempted to reach the Vendor via phone call. The Vendor's business line is no longer in service, and the Vendor's cell cannot accept voicemail due to the mailbox being full. The complaint file has been forwarded to the Rockland County Office of the District Attorney by Inspector Heffernan for review. The matter will be reviewed for possible felony charges against the Vendor.
  
- b) **209-23 Pomona Plumbing – Unlicensed.** Inspector Bryant 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 Bryant 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.

**Violations**

- a) 23-23L – Z-10611-Prestige Air Limited Liability Corporation – Unlicensed HVAC – Court Date 5/18/2023.
- b) 23-39LC – P-788-A Novellino Plumbing & Heating – (Ch. 319-12A) Failure to respond to letter dated 12/14/2022 and 01/11/2023, penalty set at \$50.00.
- c) 23-72L – Z-10623-Giselle Valerio A&G Valerio Central Air & Heat – Unlicensed HVAC. Court date 05/16/2023.
- d) 23-73LC – Guglielmi Plumbing & Heating, Inc. – P-22262- Unlawful use of license, Hiring an Unlicensed Subcontractor. Penalty set at \$750.

- e) 23-85LC- American Field Services, Inc – H-12032- Unlicensed Plumbing. Penalty set at \$1,000.
- f) 23-101LC- Vasi’s Plumbing & Heating, Inc.- P-19068- Failure to have decal on vehicle at jobsite. Penalty set at \$250.
- g) 23-103LC- Vasi’s Plumbing & Heating, Inc.- P-19068- Failure to have decal on vehicle at jobsite. Penalty set at \$250.
- h) 23-104LC- Vasi’s Plumbing & Heating, Inc.- P-19068- Unlicensed heating, air-conditioning, and refrigeration. Penalty set at \$3,000.
- i) 23-112LC- McNamara Heating, Air Conditioning, HVAC, Fireplace- H-22257- Advertising to perform Plumbing services on Facebook.com, Penalty set at \$1,000.
- j) 23-143LC – Superior Piping & Heating Inc.- P-1668- No permit. Disregard of building codes for state or any municipality thereof. Penalty set at \$750.
- k) 23-144LC- Superior Piping & Heating Inc.- P-1668- Vehicle at jobsite are incorrectly lettered. Penalty set at \$250.

**NEW APPLICANTS:**

- a) P-23038 Jorge Castro Aqua Mechanics LLC. Application for Master Plumbing.  
**MOTION:** By Member J. Theise, seconded by Member C. Toscano.  
**ACTION:** Application approved, all in favor
  
- b) P-22294 Daifallah A. Aljaloudi, Daifallah A. Aljaloudi. Application for Master Plumbing, Heating, Air Conditioning, Sheet Metal, and Refrigeration.  
**MOTION:** By Member J. Theise, seconded by Member C. Toscano.  
**ACTION:** Application approved, all in favor.
  
- c) P-22261 Matthew S. Revere, Revere Plumbing & Heating, LLC. Application for Master Heating, Air Conditioning, Sheet Metal, and Refrigeration.  
**MOTION:** By Member J. Theise, second by Member C. Toscano.  
**ACTION:** Application approved, all in favor.
  
- d) U-23071 Eugene McCarthy, CMI Mechanical, Inc. Application for Master Plumbing.  
**MOTION:** By Member M. Zugibe, second by Member P. Conroy.  
**ACTION:** Application approved, all in favor.
  
- e) P-23098 Jason Young, Young’s Heating and Cooling LLC. Application for Master Heating, Air Conditioning, and Refrigeration.  
**MOTION:** By Member J. Theise, second by Member C. Toscano.  
**ACTION:** Application approved, all in favor.

- f) P-23100 Evangelos S. Barberis, Evangelos Barberis. Application for Master Heating, Air Conditioning, Sheet Metal, and Refrigeration.

**MOTION:** By Member J. Theise, second by Member C. Toscano.

**ACTION:** Application approved, all in favor.

- g) P-22398 Carlos R. Solorzano Ortiz, Yo Soy Emprendedor Inc. Application for Master Plumbing.

**MOTION:** By Member J. Theise, second by Member C. Toscano.

**ACTION:** Application approved, all in favor.

- h) P-1215 Thomas Culianos, New City Maintenance Inc. d/b/a Olympic Heating, A/C, Plumbing & Contracting. Application for Master Plumbing.

**MOTION:** By Member J. Theise, second by Member C. Toscano.

**ACTION:** Application approved, all in favor.

**CLOSE MEETING:**

With the agenda completed in its entirety the Meeting adjourned at 7:00PM.

**NEXT MEETING:**      **Monday June 12, 2023, at 5:30 PM**

Respectfully submitted,

*Agnes Niemczyk*

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Program Aide