

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**

MEETING DATE

June 12, 2023

Meetings Start at 5:30 pm

AGENDA

CALL TO ORDER:

ROLL CALL:

APPROVAL OF MINUTES: Meeting Minutes May 8, 2023

PUBLIC PARTICIPATION:

DISCUSSION ITEM:

- Law change discussion – Thomas Gandolfini, Business manager of Local 373, would like to enforce changes/ revisions to local law of Rockland County Chapter 319.
- Weathervane Service, Inc – P-1226- Board has requested licensee holder, Henry Enoch to attend June 12, 2023 Meeting
- CM-McNamara, LLC DBA McNamara, Air Conditioning, HVAC, Fireplace & Stove – P-23004- Board has requested licensee holder, Andrew Levesque, to attend June 12, 2023, Board meeting
- Attorney Lena Paxos requested to be added to agenda regarding Closed Complaint No. 420-20. . Ms. Paxos is appearing on behalf her client Scheney Vital (Consumer).

- Affordable A-Jay Plumbing, Heating & Air Conditioning, Inc P-1469 Discussion Open Complaint No. 220-23.
- American Field Services Inc H-12032 Discussion Open Violation No.23-85LC.
- Elmer Aguirre Plumbing & Heating, LLC d/b/a A.G.&L. Plumbing & Heating Services P-22374 Elmer D. Aguirre y Aguirre. Discussion Application Master Plumbing and Heating rejected by the Board December 12, 2022. Legislative Appeal scheduled for June 21, 2023 at 3:00PM.
- CMI Mechanical, Inc. P21084 Eugene McCarthy all application documents due by 10/1/2022, did not meet deadline requested to appeal to the Board to take the Plumbing test.

OLD BUSINESS:

Complaints

- 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 was told via phone on 3/9/2023 and emailed to submit breakdown of pricing, including materials and labor. Inspector Bryant has given the vendor a deadline of 3/13/2023. As of 05/08/2023 Consumer failed to respond to letter by Friday May 5, 2023, deadline. Matter has been closed as “No Reply-Consumer”.
- 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. Inspector CB received an email from the Consumer in response to voicemail left on 5/24/2023. The Consumer stated that they have been out on leave for the past couple weeks and that their parents' health has gone downhill. As a result, they have not been able to draft the additional response and requested a few days to draft the response.
- 90-23- Fire & Ice Heating & Cooling – P-1122-** Inspector CB spoke to Consumer at front desk. The total contract between the Vendor and Consumer was for \$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 CB will make another attempt to contact Vendor. Inspector CB 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. As of 05/05/2023 complaint has been forwarded to Rockland County District Attorney's office by inspector K. H.

- d) **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.

Violations

- 1) 21-48L – C & D Custom Construction – Unlicensed - **Court date set for 7/24/2023.**
- 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 6/21/2023.**
- 4) 21-226L – C & D Custom Construction – Unlicensed – **Court date set for 7/24/2023.**
- 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 6/22/2023.**
- 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. 2nd 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.**

NEW BUSINESS:

Complaints:

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. It was recommended by the board member to add this matter to the agenda and request the Vendor attend the June 12, 2023 meeting.

Violations:

- a) 23-286L – Air Tech Heating & Cooling – Z-10691 **Unlicensed Air Conditioning –
Court date 6/08/2023.**
- b) 23-85LC – American Field Services Inc H-12032 **Unlicensed Plumbing work
performed. Penalty set at \$1,000.00.**

NEW APPLICANTS:

- a) Elisha Lewenstein - Lewenstein Inc. d/b/a ELC Plumbing P-23184 (Master Plumbing)
- b) Nicholas Gasparovich - Reiner Group, Inc. P-23185 (Master Heating, Air-Conditioning, Refrigeration, and Sheet Metal)
- c) Rodney Bravo – RB Refrigeration LLC P-23189 (Master Heating, Air-Conditioning, Refrigeration, and Sheet Metal)
- d) Thomas Culianos – Olympic Plumbing Plus, LTD.U-23174 (Utilizing P-1327 for Master Plumber)
- e) Vito Piergiovanni – Prestige Air Mechanical Corp. P-23099 (Master Plumbing, Heating, Air-Conditioning, Refrigeration, and Sheet Metal)

CLOSE MEETING:

NEXT MEETING: Monday September 11, 2023