

**Rockland County
Home Improvement Licensing Board
Thursday September 7, 2023**

A Meeting of the Rockland County Home Improvement Licensing Board was held on Thursday, September 7, 2023, in the Legislative Committee Room, 11 New Hempstead Road, New City, NY 10956.

Members Present:

James J. Elcik, Seth Glasser, Irene Insignares, John G. Ferguson, Andrew Yarmus, Stephen Coyle

Members Absent:

Michael DiBella, Joseph Caruso

Others Present:

Michele C. Durso, William Hartnagel, Esq., Kristin Heffernan, Erica Chang, Agnes Niemczyk, Aron Hirsch, Elvin Rivera, Abraham Hirsch, Jose Lema, Robert Mellman, Esq., Avrohom Auerbach, Gerardo Arellano, Yisroiel Rosenberg, Ellen Leone, Martin Walter, Byron Ascislar, Wilfredo Vega, Michael DiMartino, Eliezer Blrchab, Elmer Aguilar-Vasquez

Meeting called to order at 2:22 PM by Chair J. Elcik.

MOTION:

By Member S. Coyle, second by Member J. Ferguson to approve Minutes from the Regular Meeting held June 1, 2023. All in favor.

OLD BUSINESS:

Public Hearing H-11698 Power Home Remodeling, LLC.

Electronic recording made.

Public Hearing was held for consideration of suspension or revocation of license.

Charges: Violation of Chapter 286-9(B), 286-9(C), 286-10(A)(2) and 286-10(F)

Michael DiMartino is present for Power Home Remodeling, LLC. Mr. DiMartino addressed the Board that he had applied for Home Improvement License as a General Contractor in July, and stated he has not heard back from the Office. Chair J. Elcik advised Mr. DiMartino to call the Office the next day for status of application.

MOTION:

By Chair J. Elcik, second by Member I. Insignares to continue the Public Hearing for consideration of the suspension or revocation of license during next regular Meeting October 2023. All in favor.

H-10222 Master Roofing & Siding, Inc.

Electronic recording made.

Public Hearing was held for consideration of suspension or revocation of license. License holder Aron Hirsch is present for Master Roofing & Siding, Inc. Chair J. Elcik addressed the Board regarding extensive violation history of 18 violations in the last five years. Mr. Hirsch addressed the Board stating he has been in business 20 years and almost always follows all codes. Stated to the Board he will try to do better and apologized. Member S. Glasser asked what change will be instituted? Mr. Hirsch answered by verbal confirmation. Member J. Ferguson stated that if another violation is issued, he will have to appear in front of the Board again. Mr. Hirsch has been also made aware that when he hires subcontractors, they also must be licensed in Rockland County. However, as a roofing and siding contractor only and not a general contractor he cannot hire subcontractors.

MOTION:

By Chair J. Elcik, second by Member I. Insignares to continue Public Hearing for the consideration of the suspension or revocation of license during next regular Meeting October 2023. All in favor.

NEW BUSINESS

Rejected Application H-23088 Regency Development NY LLC

Applicant of Record Avrohom Auerbach is present. Mr. Auerbach requested that the Board review his rejected license application. Mr. Auerbach discussed his experience as a contractor including being licensed in Florida and New York City. Chair J. Elcik and Member S. Glasser confirmed that his reference letters and experience look legitimate. The Board, by consensus, agree that his new application should move forward without a problem.

H-10864 Zurla Excavating, Inc.

Discussion: Open Complaints Nos. 238-23 and 421-23, Open Violations Nos. 23-488LC and 23-490LC. No one is present for Zurla Excavating, Inc. Chair J. Elcik stated to the Board that counsel was retained for Zurla Excavating, Inc. as of yesterday. Inspector E. Chang addressed the Board regarding Complaints Nos. 238-23 and 421-23.

MOTION:

By Chair J. Elcik, second by Member A. Yarmus to table the discussion until the next regular Meeting in October 2023. All in favor.

Rejected Application H-23122 Chips Construction and Consultation LLC

Applicant of Record Abraham Hirsch is present. Mr. Hirsch requested that the Board review his rejected license application. Mr. Hirsch submitted reference letters from customers from another country. The Board questioned the ability to verify the reference letters which were issued from customers from Israel. Mr. Hirsch stated that he can provide phone numbers for the customers in question. In the West Bank, Israel is where Mr. Hirsch stated that he built five houses from the ground up and claimed he has ten years' experience as a contractor. He also has his business started in New Jersey.

MOTION

By Member S. Glasser, second by Member A. Yarmus to approve his License Application. All in favor.

H-21445 Gitler Construction, LLC

Applicant of Record Menachem Gitler requested that the Board review Violations Nos. 23-249LC and 23-250LC. No one is present for Gitler Construction, LLC. Chair J. Elcik stated that both violations have been paid. The Board, by consensus, agreed to close this matter.

Rejected Application H-23072 Poolux Builders Inc.

Applicant of Record Yisroiel Rosenberg is present and requested that the Board review his rejected application. Mr. Rosenberg addressed the Board that his application was rejected due to lack experience. He currently has 3 years and 11 months of experience and the Laws of Rockland County require 4 years of experience. Mr. Rosenberg provided a CMS certificate for the Board instead of a CBP certification. Member I. Insignares would like to see more training and completion of CBP certification. The Board, by consensus, tabled the matter until October 2023 regular Meeting.

Rejected Application H-23017 Bright View Management Inc d/b/a Brightview Developers

Applicant of Record Martin Walter is present and requested that the Board review his rejected license application. Mr. Walter addressed the Board regarding his experience of three years' experience as a handy man and building a new structure from the ground up. Member S. Glasser stated that new building and renovations such as addition are two different situations. Member J. Ferguson pointed out his reference letters do not show renovation work. Chair J. Elcik requested Mr. Walter to submit three additional reference letters. The Board, by consensus, tabled the matter until the October 2023 regular Meeting.

H-17093 Aguliar Landscaping Corp.

Applicant of Record Elmer Aguilar-Vasquez is present. Inspector E. Chang addressed the Board regarding Complaint No. 257-23. Complainant Elvin Rivera is also present and stated to the work done by Mr. Aguilar-Vasquez was falling apart and he is concerned for everyone's safety that comes to their house. When he filed the complaint Mr. Aguilar-Vazquez did not come back to fix the work. Consumer requested that the Stony Point Building Inspector inspect the work done by Mr. Aguilar-Vasquez. Upon inspection, the Building Inspector determined the work not was not up to code. Chair J. Elcik suggested Inspector E. Chang, Member S. Glasser, Member J. Ferguson, Mr. Elmer Aguilar-Vasquez, and Elvin Rivera get together to work out a resolution. Mr. Aguilar-Vasquez also stated that if Mr. Elvin Rivera wants someone else to fix the workmanship issues, he would pay for that. The Board, by consensus, tabled the matter until October 2023 regular Meeting.

H-20169 Torres T Landscaping Inc.

No one is present for Torres T Landscaping Inc. Contractor was invited to appear in front of the Board for the use of 2023 decal No. 23-6999 on unlicensed applicant's vehicle (Applicant H-22417 Martinez Arias Landscaping Inc.). The Board, by consensus, tabled the matter until October 2023 regular Meeting.

H-18220 ALJ Home Improvement Inc.

Applicant of Record Jose A. Lema is present along with Robert Mellman, Esq. Mr. Lema was requested to appear in front of the Board for being charged on 7/25/2023 with willfully violating OSHA regulations resulting in the death of an employee. Robert Mellman Esq. spoke on OSHA matters. One matter has been settled, while the second matter could not settle, and a trial date has been set. Mr. Lema addressed the Board that he has received 40 hours of OSHA training and employees have received a total of 30 hours of training. Safety is instituted everyday with employees; OSHA inspector comes to jobsites every day. ALJ Home Improvement Inc. employs only two part time employees. Business has slowed down since the article printed describing the charges. Member S. Glasser stated that two deaths in five years are extremely concerning, and that Mr. Lema should consider working for another contractor. Member A. Yarmus stated as a Board we do not have guidance how to proceed regarding federal charges and suggested to come back next month with documents showing how this is being monitored. Member S. Glasser requested all documents that are being submitted to OSHA need to be submitted to the Board by next Meeting. The Board, by consensus, tabled the matter until October2023 regular Meeting.

H-20162 Epic Pool & Spa LLC d/b/a Pool Maid

Discussion: Open Complaint No. 383-23, Open Judgements 2023-00001355 and 2023-00013732. Applicant of Record Ellen Leone is present. Inspector E. Chang read a summary of Complaint No. 383-23. Consumer tried calling Vendor Epic Pool & Spa d/b/a Pool Maid to speak

to Ellen or Michael Leone to fix issues with workmanship, although work has been done by DDW Pool Service Donnel Wright. Contract and payment were with Epic Pool & Spa LLC d/b/a Pool Maid, Ms. Leone stated that she does use Mr. Wright services as extra help as needed. Chair J. Elcik advised Ms. Leone if remediation possible it should be done before October Board Meeting. Ms. Leone asked permission from the Board to be able to complete that work since her Rockland County License is currently expired, the Board agreed. The judgements are currently being worked on. The Board, by consensus, tabled the matter until October 2023 regular Meeting.

H-9591 Vega and Brothers Landscaping and Construction, Inc.

Applicant of Record Wilfrido Vega is present, requested to appeal to the Board to renew license rather than submit new application, license expired 12/31/2022. Vega and Brothers Landscaping and Construction, Inc. has been licensed with Rockland County for over twenty years. Mr. Vega stated to the Board issues with mail has been the main reason for the delay in renewal of license.

MOTION:

By Member S. Glasser, second by Member S. Coyle to allow license to be renewed. All in favor.

H-11542 Broico

Applicant of Record Gerardo Arellano is present, requested the Board to review the need for workers compensation and disability insurance. Mr. Arellano wrote a reference letter for his worker but has a CE-200 on file. The reference letter in question was for someone helping him out during the pandemic, Mr. Arellano said she was not an employee because he did not pay her, but he did witness her work. Chair J. Elcik gave a stern warning if caught with employees the outcome will be drastically different. The Board, by consensus, agreed to allow CE-200 to be submitted.

With the agenda completed in its entirety, the Meeting adjourned at 4:54 PM.

The next regularly scheduled Meeting will be on Thursday, October 5, 2023, in the Legislative Committee Room at 11 New Hempstead Road, New City, NY 10956.

Respectfully submitted,

James J. Elcik
Chairperson