

CONSUMER PROTECTION / WEIGHTS & MEASURES

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Rockland County Board of Plumbing, Heating, Air-Conditioning, Refrigeration and Sheet Metal
Examiners
Minutes from Meeting
November 13, 2023

A Meeting of the Rockland County Board of Plumbing, Heating, Air-Conditioning, Refrigeration and Sheet Metal Examiners was held on Monday, November 13, 2023, in the Legislative Committee Room at 11 New Hempstead Road New City, NY 10956.

Members Present:

Carmelo Toscano
Patrick Conroy
Matthew Zugibe
Thomas Pastore
Hon. Toney Earl
Thomas Pastore
Malcolm Lauder Jr.

Members Absent

Virginia Norfleet
Jay Theise

Also Present:

Kimberly Von Ronn, Esq
William Hartnagel, Esq.
Al Rossi
Daisy Morocho
Freddy J. Rodriguez
Andrew Levesque
Bryan Junlfs
Dan O’Gorman
Edwardo Mule
Eli Brecher

CALL TO ORDER:

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

ROLL CALL: By Daisy Morocho

APPROVAL OF MINUTES:

MOTION: By Member M. Lauder Jr, second by Member C. Toscano to approve Minutes for Meeting held on October 10, 2023.

ACTION: All in favor, Motion passed.

DISCUSSION ITEMS:

P-1226 Weathervane Service, Inc.

Board requested licensee Harry Enoch to attend the October Meeting. The Office of Consumer Protection received an email from Mr. Enoch's attorney Douglas Solomon, Esq., stating due to the short notice and the fact that his client has a personal matter to attend to they cannot be present at this month's Meeting. Director J. Elcik addressed the Board that since the is a local resident, a five-day notice is sufficient notice. Member C. Toscano questioned how the licensee supervises the work performed in Rockland County if he lives out of state. Douglas Solomon, Esq., attended on behalf of his client and stated that he will provide a statement from his client on how he is able to supervise the work performed in Rockland County while living in South Carolina. The Board did not receive the statement as promised at this month's Meeting. The Board, by consensus, requested that the license not be approved until the matter is resolved and to invite the licensee to attend the Meeting in December.

P-23004 Andrew Levesque

The Board requested Mr. Levesque to attend the November Meeting. At the time of his original application, Mr. Levesque lived in Massachusetts. The Board requested that he find an applicant living closer to Rockland County to be able to provide direct supervision. Mr. Levesque provided a change of license information form in September to the Office of Consumer Protection stating his new residence address is in NJ. Mr. Levesque stated at the Meeting that he no longer lives in NJ and is currently staying in a hotel since September until he can get a permanent address closer to Rockland County in order to directly supervise jobs. Member C. Toscano asked Mr. Levesque how many employees are currently under payroll. Mr. Levesque stated 11 employees. The Board questioned on how he is working in Rockland County without a license. Mr. Levesque stated that a licensed mechanical holder, Cool Town, was pulling permits on his behalf for jobs. The Board responded that according to Chapter 319-3 of the Local Laws of Rockland County it was illegal to do so. Mr. Levesque questioned why he still does not have a Plumbing License, Program Aide, Daisy Morocho, stated it will not be issued until the matter of the primary residence is resolved and the Board is satisfied. The matter is now satisfied, as long as, the Heating and Air-Conditioning examination given by Brewster have a passing grade, a license will be issued.

Program Aide, Daisy Morocho, will call Mr. Levesque to pick up his license and give renewal forms.

P-23275 Freddy Rodriguez

Applicant failed to sign up for the next available exam.

Applicant requests a waiver of the six-month time frame before re-applying after a failed exam. Mr. Rodriguez's application was originally approved at the October 10, 2023, Meeting. On October 11, 2023, the Office of Consumer Protection sent out the acceptance letter and link to register for the exam via first class mail and electronic mail. The Board questioned the Applicant's ability of registering for the exam. Mr. Rodriguez stated he expected to receive all the information in about two weeks. The deadline to register with Brewster's testing center was October 17, 2023. Mr. Rogriguez contacted the Office of Consumer Protection on October 30, 2023, which then contacted Brewster's testing center however, at that time, the Applicant was no longer able to register for the November exam. Mr. Rodriguez was advised to speak to the Board to request to take the exam in February without penalty of re-applying. Board Members P. Conroy, Chair Hon Toney Earl, Member M. Zugibe were in favor of applicant sitting for February exam without penalty. Member M. Lauder was against. Office of Consumer Protection will contact Mr. Rodriguez with the details once Brewster's testing center informs the Office.

P-954 David Sepinski

With each 2023 renewal the Board requests a copy of the Master's current driver's license. On November 6th, 2023, the Office of Consumer Protection received Mr. Sepinski's renewal with a signature that does not match the licensee of record and a Florida Driver's License. Mr. Sepinski did email the Office of Consumer Protection on September 21, 2023, that he sold property in NY and his new primary residence is in FL. He also stated that he is still looking for a residential property in NY. Chair Hon Toney L. Earl requested his presence at the December Meeting.

P-605 Louis J. Ragusa

Licensee Louis J. Ragusa's attorney< John R. Dineen, responded to a letter sent from the Office of Consumer Protection on 10/26/2023 asking how his client can supervise work in Rockland County while residing in Florida. Mr. Dineen stated that his client has been traveling from interstate while supervising jobsites and questioned the Board as to why the question of his client's ability to supervise work while residing in FL has become a question now. Chair Hon Toney L. Earl requested the licensee's presence in front of the Board at the December Meeting.

Board Attendance

Program Aide, Daisy Morocho, put a record of the Board Members' attendance for this calendar year, 2023. One Board member, Virginia Norfleet, has not attended a Board Meeting since March of this year, resulting in less than 60% attendance for 2023.. Director of Consumer Protection Kimberly Von Ronn, Esq. stated she will be contacting Dan Moscato regarding Ms. Norfleet's removal from the Board. Member M. Lauder Jr. stated he has a couple of potential new members in mind. K. Von Ronn, Esq informed Member M. Lauder to have the potential members submit their resumes directly to her email to have the application process started.

Complaint #420-20

Complaint was closed on January 11, 2023, due to non-resolution between the Consumer and Vendor. At the time, the Vendor, came to an agreement to submit a partial refund back to Consumer, as labor was done. Consumer refused to accept a partial refund and demands a full refund. The Consumer and Vendor were advised to attend the January 2022 Board meeting. The Board determined it was a civil matter and the complaint shall be closed. The Consumer's attorney attended June 2023 Board meeting requesting the complaint to be re-opened and for the Vendor to give the original agreement of the refund. The Board did not give a final say on whether for the complaint to re-opened at the time of the June Board meeting. The attorney contacted Consumer Protection to re-visit the status of the complaint. The Board is now reviewing the complaint to determine whether to reopen it. Program Aide, Daisy Morocho, has informed the Board that the Vendor has just renewed his license and re-opening the complaint will not hold up his license renewal. Board determined, by consensus, that this a civil matter and the complaint will remain closed.

U-39 Quality Air

A recent Facebook post about Quality Air Heating and Cooling caught the attention of Member T. Pastore. The vehicle lettering stated, "Quality Air Heating and Cooling" along with the Rockland License number "P-1414". Rockland License Number P-1414 belongs to company name "American Heating N Cooling Inc.". P-1414 – American Heating N Cooling holds a Utilization license which is U-39, company name "Quality Air" and U-20043 – Garfield Plumbing & Heating Inc. As per local laws of Rockland County Chapter 319 Rules and Regulation 7C, the vehicle belonging to Quality Air is improperly lettered and must have the Rockland County Utilization License number properly lettered on the vehicle. The Board requested the Office of Consumer Protection to request pictures of the vehicle when their renewal is received in the office. If the vehicle remains improperly lettered when the pictures are received, a letter will be sent by Consumer Protection to have the vehicles properly lettered with Utilization license and not the Mechanical license.

P-753 Benjamin Kotzner

On October 19, 2023, Mr. Kotzner informed Program Aide, Daisy Morocho, he was planning to re-activate his Plumbing, Heating and Air-Conditioning license and go into business with Michael Pollini, who uses the company name, Premier 1 Plumbing & Heating, LLC. Once Mr. Kotzner gave Mr. Pollini and his attorney all of his personal and business information, they stopped all contact. Worried about his identity and business being stolen, Mr. Kotzner kept his Mechanical license shelved. After informing Daisy Morocho, Ms. Morocho informed the Office of Consumer Protection and the field inspectors that if any work or business being done by using license No. P-753 is not associated with the licensee. Mr. Kotzner also submitted a signed letter to the Office of Consumer Protection and a copy was submitted to the Board. The Board came to an agreement that Mr. Kotzner should not be penalized for any future possible Violations with Michael Polloni and Premier 1 Plumbing & Heating, LLC for being associated with No. P-753.

NEW BUSINESS:

Plumbing 5-Hour Continuing Education Course

- As of 11/07/2023, Scott Bishop had 100 license holders take his class. Last class given on 10/11/2023.
- Dan O’Gorman started online classes as of 10/28/2023. 11 attendees as of 11/7/2023.
- As of 11/7/2023 Al Shimanski had 79 licensee holders take the course.
- Renewals sent out on 10/16/2023 by the Office of Consumer Protection.
- In total, 190 out of 292 license holders took the course, as of 11/7/2023.

NEW APPLICANTS:

- a) Edwardo Mule – P-23039 – (Master Plumbing and Heating)

MOTION: Moved by Member M. Lauder, second by Member P. Conroy

ACTION: Approved, all-in favor.

CLOSE MEETING:

With the agenda completed in its entirety the Meeting adjourned at 6:48PM.

NEXT MEETING: Monday December 11, 2023, at 5:30 PM

Respectfully submitted,

Daisy Morocho

Daisy Morocho
Program Aide