

CONSUMER PROTECTION / WEIGHTS & MEASURES

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Kimberly Von Ronn, Esq.
Director and Public Advocate

Rockland County Board of Plumbing, Heating, Air-Conditioning, Refrigeration and Sheet Metal
Examiners
Minutes from Meeting
January 8, 2024

A Meeting of the Rockland County Board of Plumbing, Heating, Air-Conditioning, Refrigeration and Sheet Metal Examiners was held on Monday, January 8, 2024, 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

Jay Theise

Also Present:

Kimberly Von Ronn, Esq
William Hartnagel, Esq.
Al Rossi
Daisy Morocho
Sanddy Vargas
Doug Solomon
Joseph McLaren

CALL TO ORDER:

The Meeting was called to order at 5:30 pm by Chairman Hon. Toney Earl

ROLL CALL: By Daisy Morocho

APPROVAL OF MINUTES:

MOTION: By Member M. Zugibe, second by Member P. Conroy to approve Minutes for Meeting held on December 11, 2023.

ACTION: All in favor, Motion passed.

DISCUSSION ITEMS:

P-1226 Weathervane Service, Inc.

Board requested licensee Harry Enoch to attend the January Board Meeting. Henry Enoch's attorney Doug Solomon, Esq. came on Mr. Enoch's behalf. Director K. Von Ronn, Esq. questioned Mr. Solomon, Esq. how Mr. Enoch's can directly supervise in accordance with the Laws of Rockland County Chapter 319-3e. Mr. Solomon stated that nothing in Chapter 319-3e states about being present physically. Director K. Von Ronn stated that Chapter 319-3e also states the Master License holder must be in control over any bone fide employee. Mr. Solomon responded that everything is controlled via skype, email and phone call from North Carolina. The Board asked Mr. Solomon how many employees does Mr. Enoch supervise. Mr. Solomon responded, "I don't know". The Board questioned Mr. Solomon as to what Mr. Enoch's role is in Weathervane. For example, is Mr. Enoch an owner? Mr. Solomon also does not know. The Board asked Mr. Solomon how many times Mr. Enoch visits Rockland. Again, Mr. Solomon did not know. Member P. Conroy asked if Mr. Solomon if he has met Mr. Enoch. Mr. Solomon stated he has not met him. The Board used the example of license holder Mr. Ragusa, P-605, who lives in Florida, has personally come to a Board Meeting, gave details of how many employees he supervises, what his role is in the company and how many times he comes into Rockland County. With Mr. Ragusa's response at last month meeting, the Board was satisfied and renewed Mr. Ragusa's license. The Board is not satisfied with the current response from Mr. Solomon on behalf of Mr. Enoch. The Board requests a response from Mr. Solomon or from Mr. Enoch directly before the next Board Meeting on the following: How many times does Mr. Enoch come to Rockland County? How many employees Mr. Enoch supervise? How many employees are based in Rockland County? The Board will review the response at the February Board Meeting and determine the response is satisfactory. The response can be submitted to the Office of Consumer Protection to the attention of Daisy Morocho, Program Aide.

William Martinez is Requesting to appeal Violation #23-635LC

The submission of the appeal violation was a clerical error by Consumer Protection. The Board denied the appeal decision due to it being out the Board's jurisdiction. The appeal decision is an administrative decision only.

Joseph McLaren's Application

Mr. McLaren reached out to Plumbing Examiner A. Rossi regarding his Mechanical application. Mr. McLaren suffered a shoulder injury while on the job back in 2018. Since 2018, Mr. McLaren has been on disability and unable to demonstrate the required 7 out of 10 years' experience due this fact. Mr. McLaren requests that the Board review his application and give it consideration due to his prior experience and his present inability to survive on disability benefits. Mr. McLaren stated he pays his union dues and can provide any supplemental information the Board requires for his work experience. He plans to be a sole proprietor and apply for Master Plumber and Heating only, but Master Plumbing is the priority. County Attorney William Hartnagel, Esq.

stated the Board can make an exception for medical reasons and toll the years on disability and allow the applicant to provide 7 out of 10 years' experience and FICA earning prior to 2018. The Board agreed with Mr. Hartnagel and requests Mr. McLaren to provide the 7 out of 10 years' experience prior to 2018, proof of payment of union dues and the union hall information to review and determine the ability to apply for the Mechanical Application. The Board will review the submitted materials at the February Meeting and decide at that time.

P-23328 – Sanddy R. Vargas Application.

Board requested Mr. Vargas to attend the January Board Meeting to discuss his application, and particularly his work experience over the past 7 out of the last 10 years. The Board reviewed the application and found Mr. Vargas' application deficient by one year experience. Mr. Vargas stated he started his own company and did not give himself a salary to pay company expenses and his employees. The Board questioned why one of the companies on his application did not show in his FICA earning statement. Mr. Vargas did not have an answer and stated he was self-employed during that time. The Board stated even with a self-employment and starting a company, the proof must show in the Social Security Forms. The Board determined Mr. Vargas' application is still deficient by one year experience.

MOTION: To reject application P 23328 due to lack of 1 year from requirement of 7 out of 10 years' experience Moved by Member T. Pastore, seconded by Member C. Toscano

ACTION: All in favor, Motion passes

NEW BUSINESS:

Plumbing 5-Hour Continuing Education Course

- Renewals sent out on 10/16/2023 by the Office of Consumer Protection.
- In total, 272 out of 292 license holders took the course, as of 1/8/2024.
- There are 21 licensee holders that have not taken the course for license renewal.
 - 12 Active licensee holders have not submitted their renewals.
 - 6 Active licensee holders have submitted their renewals with no certification.
 - 4 Shelved licensee holders have not submitted their renewals.

NEW APPLICANTS:

a) Steven Calandra – P-23369 – (Master Air- Conditioning)

MOTION: To approve application P-23369 Moved by Member C. Toscano, second by Member M. Lauder, Jr.

ACTION: Approved, all-in favor.

b) Leandro Diaz – P-23411 - (Master Plumbing, Heating, Air – Conditioning, Refrigeration and Sheet Metal)

MOTION: Adjourned by the Board due to question regarding employment qualifications.

ACTION: Request Mr. Diaz to appear at February Board Meeting

CLOSE MEETING:

With the agenda completed in its entirety, the Meeting adjourned at 6:57 PM.

NEXT MEETING: **Tuesday, February 13, 2024, at 5:30 PM**

Respectfully submitted,

Daisy Morocho

Daisy Morocho
Program Aide