

MINUTES  
STATE ELECTRICAL WORK EXAMINING BOARD

The meeting of January 10, 2003 was called to order by Laurence A. Vallieres, Chairman, at 8:30 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present:

Laurence A. Vallieres, Contractor, Chairman  
Jack B. Halpert, Public Member  
Roger L. Johnson, Jr., Journeyman  
Kenneth B. Leech, Journeyman  
Michael Muthersbaugh, Electronic Technician  
Douglas A. Reid, Journeyman  
Lewis J. Stanio, Contractor  
Raymond A. Turtl, Contractor  
Beverly A. Ceuch, Journeyman

Members Absent:

None

Member Vacancy:

This Board currently has the following vacancies: Three (3) Public Members

Board Counsel Present:

Raul Rodriguez, Assistant Attorney General

DCP Staff Present:

Richard M. Hurlburt, Director  
Judith R. Booth, Electrical Board Secretary  
Michael D. Spagnoli, Administrative Attorney  
David Crevier, Occ./Pro. Licensing Inspector  
Jack Korduner, Occ./Pro. Licensing Inspector

Others Present:

Robert Tworowski, Electrical Contractor, Guest  
Robert Corro, IBEW Local 90  
Peter Carroll, IBEW Local 48  
Michael M. Forte, Applicant  
Jay Schulz, E-2 Journeyman  
Oswaldo Collazo, Applicant  
Rene Thibodeau, Owner of Thibodeau Electric, Inc.  
Charles J. Morris, Owner of Morris Electric

The next regular meeting of this Board is scheduled for February 14, 2003, at 8:30 a.m. in Room 117.

\*Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Director Richard M. Hurlburt at (860) 713-6135.

**Minutes:**

The Minutes of December 13, 2002 and January 6, 2003 were reviewed and were unanimously approved. Board Chairman, Laurence Vallieres, requested that each Board member be prepared to discuss in depth at the next meeting the information published in the January 6, 2003 Board Minutes.

**Comments or Concerns of Any Person Present Today:**

None

**CHRO Applicants for License Renewal Appearing in Person:**

**Note:** The Board requested that the Department of Consumer Protection have all CHRO applicants appear in person.

1. Osvaldo Collazzo: V-6 Application: The Board voted unanimously to approve this application.

**Applicants for License Examination:**

1. Thomas Shannon: E-1 Application: The Board voted unanimously to deny this application due to no means of hardship proven.

**Applicants for License Renewal Appearing in Person: None**

**CHRO Request for Renewal of License:**

1. Michael Forte:

L-6 Application: The Board voted unanimously to hold this matter until a letter is forwarded from this applicant's probation officer.

**Note 1:** Mr. Forte was given the DCP contact information to send in the information the Board requested.

**Note 2:** The Board ruled that this applicant did not need to appear at the February 14, 2003 meeting.

2. Jay Schulz:

E-2 Application: The Board voted unanimously to approve this application.

**Note:** Administrative Attorney Michael Spagnoli confirmed during the meeting with William Zenga of Trade Practices that Mr. Schulz' previous conviction charges were pled down to misdemeanor charges.

3. Richard W. Smith: T-2 Application: The Board voted unanimously to approve this application.

**Note:** The Board was informed at today's meeting that this applicant contacted the Department stating that he checked off the felony conviction box on the face of the application in error, and that he was never convicted of a felony. Board Secretary informed the Board that upon receiving this news she and Director Richard Hurbutt reviewed the applicant's paperwork and found that the Social Security Number on the paperwork of his background check did not match his Renewal form. The applicant was then asked to send in a letter to the Department stating that he made an error when filling out his Renewal form.

The Board requested that perhaps in addition to asking the applicant to send in the letter, the Department should present a separate letter to the Board verifying the applicant's information.

PST-Tele Application: The Board took no action on this application, because the applicant requested to appear at the February 14, 2003 meeting.

**Note 1:** The Board asked where was the background check on this applicant and why was his license issued prior to this application being submitted to the Board? Director Richard Hurbutt was not present to answer the Board's questions.

**Note 2:** The Board requested that William Zenga of Trade Practices attend their monthly meetings to verify investigative and/or background checks performed on CHRO applicants.

CHRO Request for Reinstatement of License: None

Request for Reconsideration: None

Request to Suspend: None

**Stipulation and Settlement Agreement Containing Consent Orders:**

*Stipulation Containing Consent Order:*

1.

**Matter of David Bish (Docket No. 02-1084)**

At all times relevant herein, the Respondent, David Bish, resided and or engaged in business in Middletown, Connecticut. Respondent is and has been the holder of an unlimited electrical contractor's license, number 104187, type E1. On or about March 8, 2001 the Respondent caused electrical work to be performed by a person who was not licensed or registered in accordance with Chapter 393 of the Connecticut General Statutes on a job site located at 3-2 Coleman Road, Middletown, Connecticut. On or about March 8, 2001 the Respondent failed to display his contractor's license number on his business stationery, including business cards. Respondent admits all jurisdictional facts alleged in the Complaint and agrees that the Consent Order contained herein shall have the same force and effect as an Order entered after a full hearing and shall become final when issued.

**CONSENT ORDER:** It is hereby ordered that, pursuant to Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes the Respondent David Bish, shall be Reprimanded. It is hereby ordered that pursuant to Section 21a-7(2) of the Connecticut General Statutes, the Respondent David Bish, shall immediately and Permanently Discontinue the practice (1) having your unlicensed and/or unregistered employees and/or agents perform electrical work without being properly licensed or registered; and (2) the practice of failing to display your contractor's license number on your printed advertisements, bid proposals, contracts, invoices, business stationery including business cards and all commercial vehicles, including combination registration used in your business.

**CONCLUSION:** The Board unanimously accepted this Stipulation Containing Consent Order.

2.

**Matter of Entfeld Enterprises (Docket No. 02-1241)**

At all times relevant herein, the Respondent, Entfeld Enterprises, engaged in business in Entfeld, Connecticut. On or about December 28, 1999, the Respondent through its unlicensed and unregistered employee and/or agent performed electrical work in Entfeld and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about December 28, 1999, the Respondent through its unlicensed and unregistered employee and/or agent, performed work on a job site located at the Radisson Hotel, 1 Bright Meadow Boulevard, Entfeld, Connecticut. Respondent admits all jurisdictional facts alleged in the Complaint and agrees that the Consent Order contained herein shall have the same force and effect as an ORDER entered after a full hearing and shall become final when issued.

**CONSENT ORDER:** It is hereby ordered that, pursuant to Section 21a-7(2) of the Connecticut General Statutes, the Respondent, Enfield Enterprises, Inc., shall immediately and Permanently Discontinue the practice of having your unlicensed and/or unregistered employees and/or agents perform electrical work without being properly licensed or registered in the State of Connecticut.

**CONCLUSION:** The Board unanimously voted to table this matter to the February 14, 2003 meeting.

*Settlement Containing Consent Order: None*

**Notice of Continuance:**

1. Docket No: 02-1126  
Respondent: Edward Caster, Jr.  
Original Date: November 21, 2002  
New Date: January 16, 2003

The above-mentioned Continuance Notice was submitted to this Board in error. The Continuance Notice belonged to the Plumbing and Piping Work Examining Board.

**Request to Dismiss and Request to Dismiss Without Prejudice:**

1. Steven Bouley

Docket No. 01-577

The Board voted unanimously to approve this Request to Dismiss without Prejudice the above-mentioned docket number.

**Request to Revise:** None

**Request to Reopen:** None

**Commissioner's Advisories and Recommendations:**

The Board reviewed the following Advisories and Recommendations:

**Advisories:**

CM-145  
DCP File No. 101420

105100

**Review of Examination Results:**

The Board reviewed the following *Expelor* Examination results:

**Electrical Examination Date: November 18, 2002 to January 3, 2003**

Exam Tested Passed

C-5	3	2
C-6	15	8
E-1	38	23
E-2	109	67
L-5	6	4
L-6	12	8
T-1	1	1
T-2	21	13

**TV/Radio Examination Date: November 9, 2002 to December 9, 2002**

None

**Correspondence:**

The Board reviewed the following correspondence.

1. At the November 8, 2002 meeting, the Board asked the Department of Consumer Protection to draft a letter to Chris Laux of Public Safety Code. On November 22, 2002, Mr. Laux submitted a short reply which did not address the specific questions of the Board. Subsequently, the Board at their December 13, 2002 meeting requested that Mr. Laux be invited to their February 14, 2003 meeting. A letter reflecting the Board's request was enclosed.

The Board Secretary informed the Board that Mr. Laux contacted the Department stating that he could not attend the February 14, 2003 meeting and would like to attend the March 14, 2003 meeting. The Board directed the Board Secretary to issue a letter accepting Mr. Laux's request.

2. November 6, 2002 letter from Karen M. Staples who is requesting to appear before the Board to discuss the new Connecticut Convention Center at Adriaen's Landing.

The Board directed the Board Secretary to issue a letter to Ms Staples inviting her to appear at any one of their Board meetings but, due to the interest of time, they could only afford her five minutes to put on a presentation. The Board further directed to arrange to have Ms Staples scheduled at the beginning of the agenda when she appears.

3. Special Notice to All State and Political Subdivisions, Their Agents and Contractors concerning Public Act 02-69, "An Act Concerning Annual Adjustments in Prevailing Wages".

The Board requested a letter from this Board be issued to the Department of Labor requesting a copy of the above mentioned Public Act be distributed to all contractors, specifically E-1 license holders. The Board further requested that a copy of the letter being sent from the Connecticut Department of Labor to the contractors be forwarded to this Board.

**Formal Administrative Hearings:**

1. **Matter of Rene Thibodeau (Docket No. 02-1243)**

**FINDINGS OF FACTS:** At all times relevant herein, the Respondent, Rene Thibodeau, resided and or engaged in business in East Windsor, Connecticut. Respondent is and has been the holder of an unlimited electrical license, number 103114, type E1. On or about June 4, 2002 the Respondent permitted apprentices to perform work while not properly supervised on a job site at Lot #4, Grand View Drive, Enfield, Connecticut. Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about August 15, 2002, was given an opportunity to show compliance with all lawful requirements for the retention of his license.

**NOTE:** Prior to the commencement of the hearing, Chairman Laurence Vallieres indicated that he is acquainted with the Respondent but felt that he had no problems with deciding this case. He asked if anyone had any objections. No objections were noted.

**CONCLUSION:** Due to insufficient evidence, the Board found that the Respondent did not violate the provisions of Chapter 393 of the Connecticut General Statute.

**ORDER:** The Board voted unanimously to dismiss this case.

2. **Matter of Paul Harrington (Docket No. 02-1189)**

**FINDINGS OF FACTS:** At all times relevant herein, the Respondent, Paul Harrington, resided and or engaged in business in Milford, Massachusetts. Respondent is and has been the holder of a limited electrical license, number 180813, type C5. On or about May 24, 2001 the Respondent caused electrical work to be performed by a person who was not licensed or registered in accordance with Chapter 393 of the Connecticut General Statutes on a job site located at Pfizer, Global Development Facility, Peguot Avenue, New London, Connecticut. The Respondent failed to display his contractor's license number on his commercial vehicles, printed advertisements, bid proposals, contracts, invoices and/or business stationery, including business cards. Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about September 7

23, 2002, was given an opportunity to show compliance with all lawful requirements for the retention of his license. The circumstances cited in Paragraphs Two through Five, inclusive constitute authority and grounds for the imposition of any one or more of the following sanctions: imposition of a civil penalty, imposition of an order of restitution, revocation or suspension of the license, reprimand, probation, and/or the issuance of an order of immediate discontinuance of any violation found.

**NOTE:** Although service was made, the Respondent and his Counsel were not present for today's hearing.

**CONCLUSION:** The Board found the Respondent guilty of allowing electrical work to be performed by a person who was not licensed or registered, and for failure to display his license number.

**MOTION:** The Board members present voted to issue an Immediate Order of Discontinuance and a Civil Penalty of \$1,000.00. There was one dissent (Board Member Turrì).

**ORDER:** The Board members voted unanimously to issue an Immediate Order of Discontinuance, a Reprimand and a Civil Penalty of \$2,500.00; \$1,000.00 for failure to display his license and \$1,500.00 for allowing electrical work to be performed by a person who was not licensed.

**FINDINGS OF FACTS:** At all times relevant herein the Respondent, Consolidated Electrical Services, Inc., engaged in business or resided in Norwood, Massachusetts. On or about May 24, 2001 the Respondent performed electrical work in New London and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about May 24, 2001 the Respondent performed work on a job site located at Pfizer Global Development Facility, Pequot Avenue, New London, Connecticut. The circumstances cited in Paragraphs Two through Three, constitute a violation of Sections 20-334, 20-337 and 20-341 of the Connecticut General Statutes.

**NOTE:** Although service was made, the Respondent and his Counsel were not present for today's hearing.

**CONCLUSION:** The Board found the Respondent guilty of employing unlicensed and unregistered employees.

**MOTION:** The Board members present voted to issue an Immediate Order of Discontinuance and a Civil Penalty of \$1,000.00. There was one dissent (Board Member Turrì).



**ORDER:** The Board members voted unanimously to issue an immediate Order of Discontinuance and a Civil Penalty of \$1,000.00.

**Matter of Eric Krueger (Docket No. 02-1191)**

**FINDINGS OF FACTS:** At all times relevant herein the Respondent, Eric Krueger, engaged in business or resided in New London, Connecticut. At all times relevant herein the Respondent was employed by Consolidated Electrical Services, Inc., Norwood, Massachusetts. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about May 24, 2001, the Respondent engaged in electrical work in New London and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about May 24, 2001, the Respondent performed electrical work on a job site at Pfizer, Global Development Facility, Pequot Avenue, New London, Connecticut. The circumstances cited in Paragraphs Two through Five, constitute a violation of Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes.

**NOTE:** Although service was made, the Respondent and his Counsel were not present for today's hearing.

**CONCLUSION:** The Board found the Respondent guilty of working unlicensed and unregistered.

**MOTION:** The Board members present voted to issue an immediate Order of Discontinuance and a Civil Penalty of \$1,000.00. There was one dissent (Board Member Turr).

**ORDER:** The Board members voted unanimously to issue an immediate Order of Discontinuance and a Civil Penalty of \$1,000.00.

**Matter of Richard Spencer (Docket No. 02-1085)**

**ALLEGATIONS:** At all times relevant herein the Respondent, Richard Spencer, engaged in business or resided in Middletown, Connecticut. At all times relevant herein the Respondent was employed by David Bish Electrical Contractor, Middletown, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about March 8, 2001, the Respondent engaged in electrical work in Middletown and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about March 8, 2001 the Respondent performed electrical work on a job site at 3-2 Coleman Road, Middletown, Connecticut. Respondent admits all jurisdictional facts alleged in the Complaint and agrees that the Consent Order contained herein shall have the same force and effect as an Order entered after a full hearing and shall become final when issued.

4.

5.

**CONCLUSION:** The Board did not hear this case. Prior to today's meeting, the Respondent entered into a stipulation containing Consent Order which will be presented to the Board at the February 14, 2003 meeting.

**ORDER:** None

**Matter of Frank "Dan" Charles (Docket No. 02-1086)**

**ALLEGATIONS:** At all times relevant herein, the Respondent, Frank "Dan" Charles, resided and or engaged in business in Danielson, Connecticut. Respondent is and has been the holder of an unlimited electrical contractor's license, number 121806, type E1. At times during the period August 1997 through August 1998 the Respondent performed work in violation of basic trade practice and/or in an incompetent or negligent manner on a job site located at Aces High RV Park, 301 Chesterfield Road, East Lyme, Connecticut. At times during the period August 1997 through August 1998 the Respondent caused electrical work to be performed by persons who were not licensed or registered in accordance with Chapter 393 of the Connecticut General Statutes on a job site located at Aces High RV Park, 301 Chesterfield Road, East Lyme, Connecticut. On or about June 19, 2002 the Respondent was asked to provide information concerning the individuals referred to in Paragraph 4. The Respondent failed to provide the requested information. Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about August 4, 2002, was given an opportunity to show compliance with all lawful requirements for the retention of his license. The circumstances cited in Paragraphs Two through Seven, inclusive constitute authority and grounds for the imposition of any one or more of the following sanctions: imposition of a civil penalty, imposition of an order of restitution, revocation or suspension of the license, reprimand, probation, and/or the issuance of an order of immediate discontinuance of any violation found.

**CONCLUSION:** The Board did not hear this case. The Respondent could not be present due to medical reasons. A continuation was granted in this case.

**ORDER:** None

**Matter of Charles Morris (Docket No. 02-1242)**  
**FINDINGS OF FACTS:** At all times relevant herein, the Respondent, Charles Morris, resided and or engaged in business in East Windsor, Connecticut. Respondent is and has been the holder of an unlimited electrical contractor's license, number 125520, type E1. For about a two week period during the period April 1999 through May 1999 the Respondent permitted an apprentice to perform work while not properly supervised by the Respondent on a job site at Outlook Technologies, 125 Ellington Road, South Windsor, Connecticut. Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about July 2, 2002, was given an opportunity to show compliance with all lawful requirements for the retention of his license. The circumstances cited in Paragraphs Two through Four, inclusive, constitute authority and grounds for the imposition of any one or more of the following sanctions: imposition of a civil penalty, imposition of an order of restitution, revocation or suspension of the license, and/or the issuance of an order of immediate discontinuance of any violation found.

**CONCLUSION:** The Board found the Respondent guilty of permitting an apprentice to perform work while not properly supervised.

**ORDER:** The Board voted unanimously to issue an Immediate Order of Discontinuance, a Reprimand and a Civil Penalty of \$1,000.00.

**NOTE:** The Board requested in their February package a copy of Commissioner Fleming's Recommendation notice 2000-5908 LB concerning ECI.

**Matter of Jonathan Michael Stone (Docket No. 02-1256)**

**FINDINGS OF FACTS:** At all times relevant herein, the Respondent, Jonathan Michael Stone, resided and or engaged in business in Hartford, Connecticut. Respondent is and has been the holder of an unlimited electrical license, number 162284, type E2. At times during the period May 1, 1998 through June 30, 1998, the Respondent performed work on a job site at 234-236 Martin Street, Hartford, Connecticut without being in the direct and regular employment of a properly licensed contractor. Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about September 19, 2002, was given an opportunity to show compliance with all lawful requirements for the retention of his license. The circumstances cited in Paragraphs Two through Four, inclusive constitute authority and grounds for the imposition of any one or more of the following sanctions: imposition of a civil penalty, imposition of an order of restitution, revocation or suspension of the license, reprimand, probation, and/or the issuance of an order of immediate discontinuance of any violation found.

**NOTE:** The Respondent was not present for today's hearing.

**CONCLUSION:** The Board found the Respondent guilty of performing work without being in the direct and regular employment of a properly licensed contractor.

**ORDER:** The Board voted unanimously to issue an immediate Order of Discontinuance, a Reprimand and a Civil Penalty of \$1,000.00.

**Matter of John Haley (Docket No. 02-710)**

**ALLEGATIONS:** At all times relevant herein, the Respondent, John Haley, engaged in business or resided in Enfield, Connecticut. At all times relevant herein the Respondent was employed by Lizee Building and Design Inc., Enfield, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about December 28, 1999, the Respondent engaged in electrical work in Enfield and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about December 28, 1999 the Respondent engaged in electrical work on a job site at the Radisson Hotel, 1 Bright meadow Boulevard, Enfield, Connecticut. The circumstances cited in Paragraphs Two through Five, constitute a violation of Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes.

**NOTE:** No service was made.

**CONCLUSION:** The Board requested that this matter be carried over to the February 14, 2003 meeting.

**ORDER:** None

**Formal Administrative Hearings Postponed:** None

**Accounts Receivable Tracking Report:**

Attorney Spagnoli did not have a written Accounts Receivable report for the Board's review, but gave a verbal report of four individuals he is tracking. The Board made minimal inquiries into these matters.

**New Business:** None

**Old/Other Business:**

1. Proposed Changes to the Current Connecticut Electrical Contractor Licensing Requirements for Southern New England Telephone (SNET) and all other Public Utilities.

Chairman Laurence Vallieres spoke briefly on this issue, primarily urging the Board to thoroughly review the January 6, 2003 Public Hearing Minutes and the testimonies submitted to the Department on this issue. Chairman Vallieres further requested that the February 14<sup>th</sup> agenda remain light so that the Board will have ample time to discuss this topic at length.

2. AFA Report: Follow up on the Electrical Work Examining Board's ruling at the October 11, 2002 meeting directing the Department of Consumer Protection to report their findings as to the outcome of their investigation into AFA's business practices of hiring and subcontracting unlicensed persons to perform work in the State of Connecticut.

Director Richard Hurlburt commented that AFA continues to be investigated. In addition, while investigating this matter, the Department uncovered that AFA had hired an out of state telecommunications company to perform wiring at a CVS location in Connecticut. The Department has since subpoenaed the payroll records of this company.

The Board requested that this matter be carried over to the February 14, 2003 meeting.

**Final Decisions Pending Signature: None**

There being no further business, the meeting adjourned at 1:55 p.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

**MINUTES  
STATE ELECTRICAL WORK EXAMINING BOARD**

The meeting of February 14, 2003 was called to order by Laurence A. Vallieres, Chairman, at 8:30 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

**Members Present:**  
 Laurence A. Vallieres, Contractor, Chairman  
 Jack B. Halper, Public Member  
 Roger L. Johnson, Jr., Journeyman  
 Kenneth B. Leech, Journeyman  
 Michael Muthersbaugh, Electronic Technician  
 Douglas A. Reid, Journeyman  
 Lewis J. Stanio, Contractor  
 Raymond A. Turt, Contractor  
 Beverly A. Ceuch, Journeyman

**Members Absent:**  
 None

**Member Vacancy:**  
 This Board currently has the following vacancies: Three (3) Public Members

**Board Counsel Present:** Raul Rodriguez, Assistant Attorney General

**DCP Staff Present:**

Raeanne Curtis, DCP Chief of Staff  
 Richard M. Hurlburt, Director  
 Judith R. Booth, Electrical Board Secretary  
 Michael D. Spagnoli, Administrative Attorney  
 David Crevier, Occ./Pro. Licensing Inspector

**Others Present:**

Robert Tworkowski, Electrical Contractor, Guest  
 Antoinette Tworkowski, Self employed  
 David Levine  
 Joshua Martinez, Applicant  
 Margaret Girard, SNET Senior Counsel  
 Scott Stevens, Electrician  
 George Hurlait, Electrician  
 Darren Leonard, Electrician  
 Michael Root, Electrician  
 John Halley, Carpenter

**The next regular meeting of this Board is scheduled for March 14, 2003, at 8:30 a.m. in Room 117.**

**\*Note:** The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Director Richard M. Hurlburt at (860) 713-6135.

**Minutes:**

The Minutes of January 6, 2003 and January 10, 2003 were reviewed and were unanimously approved.

**Comments or Concerns of Any Person Present Today:** None

**CHRO Applicants for Licensure Appearing in Person:**

Darren Leonard: E-1 Application: The Board voted unanimously to approve this application.

George N. Hurfalt: E-1 Application: The Board voted unanimously to approve this application.

Joshua P. Martinez: E-2 Application: No ruling was made by the Board. Application was returned to the Department for a decision.

Michael A. Root: E-2 Application: No ruling was made by the Board. Application was returned to the Department for a decision.

**Applicants for Licensure Examination:** None

**Applicants for Licensure Appearing in Person:** None

**CHRO Request for Renewal of Licensure:**

Scott A. Stevens: E-2 Application: No ruling was made by the Board. Application was returned to the Department for a decision.

David Levine: PST-Tele Application: No ruling was made by the Board. Application was returned to the Department for a decision.

**CHRO Request for Reinstatement of Licensure:** None

**Request for Reconsideration:** None

**Request to Suspend:** None

**Stipulation and Settlement Agreement Containing Consent Orders:**

*Stipulation Containing Consent Order:*

1. **Matter of David Bish (Docket No. 02-1084)**  
At all times relevant herein, the Respondent, David Bish, resided and or engaged in business in Middletown, Connecticut. Respondent is and has been the holder of an unlimited electrical contractor's license, number 104187, type E1. On or about March 8, 2001 the Respondent caused electrical work to be performed by a person who was not licensed or registered in accordance with Chapter 393 of the Connecticut General Statutes on a job site located at 3-2 Coleman Road, Middletown, Connecticut. On or about March 8, 2001 the Respondent failed to display his contractor's license number on his business stationery, including business cards. Respondent admits all jurisdictional facts alleged in the Complaint and agrees that the Consent Order contained herein shall have the same force and effect as an Order entered after a full hearing and shall become final when issued.

**CONSENT ORDER:** It is hereby ordered that, pursuant to Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes the Respondent David Bish, shall be Reprimanded. It is hereby ordered that pursuant to Section 21a-7(2) of the Connecticut General Statutes, the Respondent David Bish, shall immediately and Permanently Discontinue the practice (1) having your unlicensed and/or unregistered employees and/or agents perform electrical work without being properly licensed or registered; and (2) the practice of failing to display your contractor's license number on your printed advertisements, bid proposals, contracts, invoices, business stationery including business cards and all commercial vehicles, including combination registration used in your business.

**CONCLUSION:** The Board unanimously accepted this Stipulation Containing Consent Order.

**Matter of Enfield Enterprises (Docket No. 02-1241)**

At all times relevant herein, the Respondent, Enfield Enterprises, engaged in business in Enfield, Connecticut. On or about December 28, 1999, the Respondent through its unlicensed and unregistered employee and/or agent performed electrical work in Enfield and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about December 28, 1999, the Respondent through its unlicensed and unregistered employee and/or agent, performed work on a job site located at the Radisson Hotel, 1 Bright Meadow Boulevard, Enfield, Connecticut. Respondent admits all jurisdictional facts alleged in the Complaint and agrees that the Consent Order contained herein shall have the same force and effect as an ORDER entered after a full hearing and shall become final when issued.

2.



**CONSENT ORDER:** It is hereby ordered that, pursuant to Section 21a-7(2) of the Connecticut General Statutes, the Respondent, Enfield Enterprises, Inc., shall immediately and Permanently Discontinue the practice of having your unlicensed and/or unregistered employees and/or agents perform electrical work without being properly licensed or registered in the State of Connecticut.

**CONCLUSION:** The Board unanimously accepted this stipulation Containing Consent Order.

3. **Matter of Richard Spencer (Docket No. 02-1085)**

At all times relevant herein, the Respondent, Richard Spencer, engaged or resided in business in Middletown, Connecticut. At all times relevant herein the Respondent was employed by David Bish, Electrical Contractor, Middletown, CT. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about March 8, 2001 the Respondent engaged in electrical work in Middletown and surrounding areas in the State of Connecticut General Statutes. On or about March 8, 2001, the Respondent performed electrical work on a job site at 3-2 Coleman Road, Middletown, Connecticut. Respondent admits all jurisdictional facts alleged in the Complaint and agrees that the Consent Order contained herein shall have the same force and effect as an Order entered after a full hearing and shall become final when issued.

**CONSENT ORDER:** It is hereby ordered that, pursuant to Section 21a-7(2) of the Connecticut General Statutes the Respondent Richard Spencer shall immediately and permanently discontinue the practice of performing electrical work without first being properly licensed or registered. It is hereby further ordered that pursuant to Section 20-341(b) of the Connecticut General Statutes, Respondent shall be assessed a civil penalty of one thousand dollars (\$1,000.00). Any violation of this consent order will be enforced in accordance with Section 21a-7(2) of the Connecticut General Statutes.

**CONCLUSION:** The Board unanimously accepted this stipulation Containing Consent Order.

Settlement Containing Consent Order: None

Notice of Continuance: None

Request to Dismiss and Request to Dismiss Without Prejudice: None

Request to Revise: None

Request to Reopen: None

**Correspondence:**

*The Board reviewed the following correspondence.*

1. January 10, 2003 letter to the state building inspector Christopher Laux informing him of the board's decision to accept his request to appear at the March 14, 2003 meeting to discuss the adoption of the 2002 National Electrical Code.

**No comments were made by the Board.**

2. January 14, 2003 letter to Karen M. Staples informing her of the Board's decision to her November 6, 2002 letter requesting to appear before the committee to discuss the new Connecticut Convention Center at Adriaen's Landing.

**No comments were made by the Board.**

3. January 14, 2003 letter to the Connecticut Department of Labor informing them of the Electrical Board decision of January 10, 2003 requesting the distribution of their Special Notice to All State and Political Subdivisions, Their Agents and Contractors concerning Public Act 02-69, "An Act Concerning Annual Adjustments in Prevailing Wages".

**No comments were made by the Board.**

4. January 17, 2003 letter from Jack Guerra of the Connecticut Department of Labor informing apprenticeship council members and colleagues of the program modifications and services taking effect as of January 21, 2003.

**No comments were made by the Board.**

5. January 14, 2003 letter to William Zenga of Trade Practices Division and an emailed response from William Zenga regarding the Board's January 10, 2003 request that Mr. Zenga appear at the monthly meetings for clarification of CHRO investigative reports.

Raeanne Curtis, Chief of Staff for the Department of Consumer Protection, commented that what actually is done by Mr. Zenga is putting in information that is received from Director Richard Hurlburt to get the background check; and once the background check, it is not him (Mr. Zenga) who makes any decisions, everything is then sent to Director Hurlburt who then prepares any materials for the Board.

6. Director Richard Hurlburt's flyer apprising the Board that as of March 1, 2003, PSI Examination Services will be administering contractor, dealer, journey-level and installer examinations for the electrical profession. A two day workshop will be offered in May to evaluate this testing service.

**Formal Administrative Hearings:**

1. **Matter of John Haley (Docket No. 02-710)**  
**ALLEGATIONS:** At all times relevant herein, the Respondent, John Haley, engaged in business or resided in Enfield, Connecticut. At all times relevant herein the Respondent was employed by Lizee Building and Design Inc., Enfield, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about December 28, 1999, the Respondent engaged in electrical work in Enfield and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about December 28, 1999 the Respondent engaged in electrical work on a job site at The Radisson Hotel, 1 Bright meadow Boulevard, Enfield, Connecticut. The circumstances cited in Paragraphs Two through Five, constitute a violation of Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes.  
**CONCLUSION:** The Board did not find the Respondent guilty of the allegations noted above.  
**ORDER:** The Board voted unanimously to dismiss this case due to lack of evidence.

**Formal Administrative Hearings Postponed:**

1. Matter of Arnco Sign & Crane Service, Inc. (Docket No. 02-876)
2. Matter of Bryan Cohen, (Docket No. 02-877)

**Accounts Receivable Tracking Report:**

Attorney Spagnoli submitted a written Accounts Receivable report for the Board's review, and gave a verbal report of individuals he is tracking. The Board made minimal inquiries into these matters.

**Old Business:**

1. Proposed Changes to the Current Connecticut Electrical Contractor Licensing Requirements for Southern New England Telephone (SNET) and all other Public Utilities.

- January 9, 2003 document submitted by Antoinette Tworkowski.

The Board began by reviewing documentation submitted by Antoinette Tworkowski and commented that it will be considered along with other testimony submitted on this issue.

The Board further commented that this issue requires further investigation and would like another ad-hoc subcommittee scheduled, requiring no quorum, at the end of their regularly scheduled monthly meetings. Starting with the March 14, 2003 meeting, a discussion on this matter will be held in an effort to produce a list of issues and concerns to be sent to Commissioner Fleming by June 2003 for a legislative deadline of August 2003.

2. AFA Report: Follow up on the Electrical Work Examining Board's ruling at the October 11, 2002 meeting directing the Department of Consumer Protection to report their findings as to the outcome of their investigation into AFA's business practices of hiring and subcontracting unlicensed persons to perform work in the State of Connecticut. The Board ruled that this matter be carried over to today's meeting.

Director Richard Hurlbut commented that there was no new information to report and to remove this item from Old Business.

**New Business:**

1. The Board addressed Raeanne Curtis, DCP Chief of Staff, regarding their collective concerns in reviewing, approving or denying CHRO applications in that they felt unqualified as Board members in determining these applications.

The Board voted unanimously to discontinue reviewing and deciding CHRO applications and to return this responsibility to the Department.

2. Chairman Laurence Vallieres asked that the September 12, 2003 meeting be rescheduled to September 19, 2003.

3. Board member Kenneth Leech took issue with Peperidge Farms using out of state unlicensed electricians and contractors, under the exemption of Section 20-340-(6), and (7), to perform work at their facility.

Board member Kenneth Leech asked how, as a Board, can this be allowed? Director Richard Huriburt stated that he received a "distribution paper" on this matter prior to the project's commencement, which he presented to the Board for their review.

After a lengthy discussion by the Board members, Chairman Vallieres said that there is not much that the Board can do today and that if any one, individually, would like to be involved in working on this issue on behalf of the electrical board with other occupational boards, such as the Heating, Piping and Cooling board, who is concerned with the associated process piping used for the production of goods for human consumption, may feel free to do so. The Board also inquired where the definition can be found for the term "industrial firm" as stated in the exemption.

Final Decisions Pending Signature: None

There being no further business, the meeting adjourned at 1:50 a.m.

MINUTES  
STATE ELECTRICAL WORK EXAMINING BOARD

The meeting of March 14, 2003 was called to order by Laurence A. Vallieres, Chairman, at 8:30 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present:  
Laurence A. Vallieres, Contractor, Chairman  
Beverly A. Ceuch, Journeyman  
Jack B. Halpert, Public Member  
Kenneth B. Leech, Journeyman  
Michael Muthersbaugh, Electronic Technician  
Douglas A. Reid, Journeyman

Members Absent:  
Roger L. Johnson, Jr., Journeyman  
Lewis J. Stanio, Contractor  
Raymond A. Turtl, Contractor

Member Vacancy: This Board currently has the following vacancies: Three (3) Public Members

Board Counsel Present: Raul Rodriguez, Assistant Attorney General

DCP Staff Present:  
Richard M. Hurlburt, Director  
Judith R. Booth, Electrical Board Secretary  
Michael D. Spagnoli, Administrative Attorney  
France Lee, DCP Paralegal

Others Present:  
Robert Tworkowski, Electrical Contractor, Guest  
Antoinette Tworkowski, Self employed  
Christopher Laux, State Building Inspector  
Thomas Saadl, Assistant Attorney General  
John Gladysz, Chief Engineer Orbttech Satellite  
Robert Corro, IBEW 90

The next regular meeting of this Board is scheduled for April 11, 2003, at 8:30 a.m. in Room 117.

\*Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Director Richard M. Hurlburt at (860) 713-6135.

**Minutes:**

The Minutes of February 14, 2003 were unanimously approved.

**Appearing Before the Board Today:**

**8:35 a.m.**

Mr. Christopher Luax of the Department of Public Safety to discuss the Adoption of the 2002 Electrical Code.

Mr. Laux began by saying that the process is well underway of adopting what is called the 2004 State Building Code which includes certain elements of the 2003 National Codes as well as the 2002 NFPA 70 National Electrical Code. It is important to adopt codes as a body rather than individually, because there is a strong interaction between the codes.

Mr. Laux continued to address the Board referencing a copy of a March 13, 2003 draft of the first two pages of the supplement to the International Building Code which, essentially, is the beginning portion of the Regulations to show, in fact, that the 2002 National Electrical Code is going to be a portion of the 2004 State Building Code.

A copy of the document, which was distributed to the Board read as follows:

3/13/03 Draft

Sec. 29-252-1d. State Building Code - Connecticut Supplement

The 2003 International Building Code, 2003 International Residential Code, 2003 International Existing Buildings Code, 2003 International Plumbing Code, 2003 International Energy Conservation Code and 2003 International Mechanical Code of the International Code Council, Inc., and the **2002 NFPA 70 National Electrical Code** of the National Fire Protection Association Inc., except as amended, altered or deleted by this Connecticut Supplement, are **hereby adopted by reference as the 2004 State Building Code.**

Copies of the State Building Code - Connecticut Supplement are available from the Commission on Official Legal Publications, 111 Phoenix Avenue, Enfield, Connecticut 06082-4453. Copies of the International Codes may be obtained from the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, IL 60478-5795. Copies of the National Electrical Code may be obtained from the National Fire Protection Association Inc., Batterymarch Park, Quincy, MA 02269.

**2004 CONNECTICUT SUPPLEMENT**

**Add:** A section or subsection in the Connecticut Supplement preceded by (Add) indicates the addition of this section or subsection to the adopted reference standard.

**Amd:** A section or subsection in the Connecticut Supplement preceded by (Amd) indicates the substitution of this section or subsection in the adopted referenced standard.

**Del:** A section or subsection in the Connecticut Supplement preceded by (Del) indicates the deletion of this section or subsection from the adopted referenced standard.

**AMENDMENTS TO THE 2003 INTERNATIONAL BUILDING CODE**

**CHAPTER 1 - ADMINISTRATION**

(Amd) **101.1 Title.** Section 29-252-1d, together with the 2003 International Building Code, 2003 International Residential Code, 2003 International Existing Buildings Code, 2003 International Plumbing Code, 2003 International Energy Conservation Code, 2003 International Mechanical Code and the 2002 NFPA 70 National Electrical Code shall be known as the 2004 State Building Code, hereinafter referred to as "the code" or "this code".

(Add) **101.1.1 States.** In accordance with the provisions of sections 29-252a and 29-253 of the Connecticut General Statutes, respectively, this code shall be the building code for all towns, cities and boroughs and all state agencies.

(Amd) **1011.2.1 Appendices.** The Provisions of Appendix C, H, I and K are incorporated in the requirements of this code.

(Amd) **101.4.1 Electrical.** The provisions of the 2002 National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. References to the ICC Electrical Code within the body of the model document shall be considered to be references to the 2002 National Electrical Code.



(Amd) **101.4.2 Gas.** The installation and operation of gas equipment and piping shall comply with sections 29-329, 29-330 and 29-331 of the Connecticut General Statutes, and the regulations adopted by the Commissioner of Public Safety under authority of section 29-329 of the Connecticut General Statutes, and section 29-331 of the Connecticut General Statutes. References to the International Fuel Gas Code within the body of the model document shall be considered to be references to such statutes and regulations.

(Amd) **101.4.4 Plumbing.** The provisions of the 2003 International Plumbing Code shall apply to the installation, alterations, repairs and replacement of plumbing systems (including equipment, appliances, fixtures, fittings and appurtenances) where medical gas system, private sewage disposal systems shall be designed and installed in accordance with the Public Health Code adopted under authority of section 19a-36 of the Connecticut General Statutes. References to the International Private Sewage Disposal Code within the body of the model document shall be considered to be references to the Public Health Code.

(Amd) **101.4.5 Property maintenance.** Property maintenance shall be in accordance with the requirements of this code. All references to the International Property Maintenance Code found within this code shall be null and void, since the International Property Maintenance Code is not adopted by the State of Connecticut.

(Amd) **101.4.6 Fire prevention.** The provisions of the 2004 Fire Safety Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the alteration or removal of fire suppression and alarm systems or fire hazards in the International Fire Code within the body of the model document shall be considered to be references to the 2004 Fire Safety Code.

(Amd) **102.6 Existing structures.** The legal use and occupancy of any building or structure existing on the date of adoption of this code shall be permitted to continue without change, except as specifically covered in this code or the 2004 Fire Safety Code.

**103.2 Appointment.** The chief executive officer of any town, city or borough shall appoint an officer to administer this code, and this officer shall be known as the "building official" in accordance with section 29-260 of the Connecticut General Statutes.

1/6/03 Draft

**AMENDMENTS TO THE 2002 NATIONAL ELECTRICAL CODE**

**(NFPA-70-2002)**

**Article 80 - Administration and enforcement.** Delete this article in its entirety and replace with the following: The administration of this code shall be in accordance with the provisions of Chapter 1 of the 2003 International Building Code portion of the 2004 State Building Code as herein amended.

**90.2 scope.** (Amd) **(A)** **Covered.** This Code covers the installation of electric conductors, electric equipment, signaling and fiber communications conductors and equipment, and fiber optic cables and raceways for the following:

(1) Public and private premises, including:

- a. buildings and structures;
- b. installations in detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures shall be in accordance with the requirements of this code or with the electrical requirements of the 2003 International Residential Code portion of the 2004 State Building Code;
- c. mobile homes;
- d. recreational vehicles; and
- e. floating buildings

(2) Yards, lots, parking lots, carnivals, and industrial substations  
FPN: for additional information concerning such installations in an industrial or multi-building complex, see the ANSI C2-1997, National Electrical Safety Code.

(3) Installations of conductors and equipment that connect to the supply of electricity

(4) Installations used by the electric utility, such as office buildings, warehouses, garages, machine shops and recreational buildings that are not an integral part of a generating plant, substation, or control center.

**(B) Not Covered.** This Code does not cover the following:

- (1) Installations in ships, watercraft other than floating buildings, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles

FPN: Although the scope of this Code indicates that the Code does not cover installations in ships, portions of this Code are incorporated by reference into title 46, Code of Federal Regulations, Parts 110-113.

- (2) Installations under ground in mines and self-propelled mobile surface mining machinery and its attendant electrical trailing cable

- (3) Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communications purposes

- (4) Installations of communications equipment under the exclusive control of communications utilities located outdoors or in building spaces used exclusively for such installations

- (5) Installations under the exclusive control of an electric utility where such installations

- a. Consist of service drops or service laterals, and associated metering, or
- b. Are located in legally established easements, rights-of-way, or by other agreements either designated by or recognized by public service commissions, utility commissions, or other regulatory agencies having jurisdiction for such installations, or

- c. Are on property owned or leased by the electric utility for the purpose of communications, metering, generation, control, transformation, transmission, or distribution of electric energy.

- (6) Installations in one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures that are in accordance with the provisions of the 2003 International Residential Code portion of the 2004 State Building Code.

- (c) **Special Permission.** The State Building Inspector shall be permitted to grant exception for the installation of conductors and equipment that are not under the exclusive control of the electric utilities and are used to connect the electric utility supply system to the service-entrance conductors of the premises served, provided such installations are outside a building or terminate immediately inside a building wall.

(Amd) **90.4 Enforcement.** For the purposes of this code, the authority having jurisdiction for the making of interpretations of the rules, and for the granting of special permission contemplated in a number of rules is the State Building Inspector. Interpretations shall be requested verbally or in writing from the Office of the State Building Inspector. Special permission shall be requested in writing using the request for Modification of the State Building code form available from local building departments for from the Office of the State Building Inspector, 1111 Country Club road, Post Office Box 2794, Middletown, CT 06457-9294.

This code may require new products, methods of construction or materials that may not yet be available at the time the code is adopted. In such event, the local building official shall be permitted to approve the use of products, constructions or materials that comply with the requirements of the 1999 National Electrical Code (NFPA-70-1999).

(Amd) **90.6 Formal Interpretations.** Formal interpretations of the provisions of this code may be requested from the Office of the State Building Inspector, 1111 Country Club Road, Post Office Box 2794, Middletown, CT 06457-9294.

#### Chapter 1 - General

#### Article 100 - Definitions

(Amd) **Authority having jurisdiction.** The organization, office, or individual responsible for approving equipment, material, an installation, or a procedure.  
FPN: The local building official has the responsibility for approving construction documents, issuing permits, approving materials and procedures, and for making inspections from time to time as the construction process requires. The State Building Inspector has the responsibility for administering the State Building code, interpreting the State Building Code, and for granting exception from specific rules of the State Building Code. See the definition of "Special Permission", and Article 90-4.

(Amd) **Special Permission.** For the purposes of this code, the authority having jurisdiction for the granting of special permission contemplated in a number of rules is the State Building Inspector. Special permission shall be requested in writing using the Request for Modification of the State Building code form available from local building departments or from the Office of the State Building Inspector, 1111 Country Club Road, Post Office Box 2794, Middletown, CT 06457-9294.

Chairman Laurence Vallieres asked Mr. Laux if he would explain a statement issued from Mr. Laux's department regarding who can or cannot sign an application for permit; it has been mentioned in the industry that an electrical permit does not have to be signed by an E-1 contractor.

Mr. Laux responded that the BOCA requirement in the Connecticut State Statute states, essentially, that all work has to be permitted. The Statute and the Code both say that it is primarily the responsibility of the owner of the building to obtain a permit. The owner of the building then has the opportunity to designate anyone he/she sees fit as an agent to do the work. If the tradesperson who is going to do the work is designated by the owner as the agent, then Sec. 20-338b is applied, which says that either the contractor has to sign the permit and form, in person, and present the application or he (the contractor) gets the opportunity to also designate an agent. If the contractor decides to specify an agent, then there is a requirement that is adhered to.

Unfortunately, because of the exemption in the Consumer Protection statutes that deal with licensing for the owner of a single-family residence, the lines have been blurred over the years. It has come down to that the building officials in the state began to refer to it as a "homeowners permits", meaning that the homeowner was going to take the permit and do the work.

What I've tried to do is clear up the distinction between the two different sets of requirements and who can do what. The owner of any building anywhere in the State of Connecticut, of any size, any use group, can always apply for a permit... "a permit is a license to have the work done, or to do the work. It doesn't give you the ability to do the work." That is a Consumer Protection related issue that this Board regulates.

In Mr. Laux's final remarks he stated that the intent of the Department of Public Safety is to make sure that the building code and all of the other related laws, like the zoning law, are taking care of, and the intent of this Board and the Department of Consumer Protection are to make sure that the guy who is to do the work is properly licensed. He further reported that education for all will help eliminate confusion as to what people's roles and expectations are, and what tools and methods can be used to do this. He made a deal with the Board that if they listed some suggestions as to what information is most important to disseminate, especially to E-1s and E-2s. The other alternative is that a licensee, upon renewal of his/her license, take mandatory continuing education courses on public safety requirements and on the electrical code. Mr. Laux commented that if the Board can come up with the requirements for the course, he again would be happy to teach it.

The Board appreciated and thanked Mr. Laux for taking the time to address the Board today.

9:00 a.m. Assistant Attorney General Tom Saadi on the State of CT v. Americo Glorio

- Assistant Attorney General Tom Saadi immediately requested that the Board enter into Executive Session to discuss this matter;

- Board member Douglas Reid made a motion to enter into Executive Session. The motion was seconded by Board member Jack Halpert. The Board unanimously voted to enter into Executive Session at 9:20 a.m.

- Executive Session ended at 9:40 a.m.
- Board member Kenneth Leach made the following motion:

- "Motion to approve the Settlement of Glorio v State of CT as presented, and to authorize Assistant Attorney General Tom Saadi of the Assistant Attorney Generals Office to file a stipulated Agreement for a modified order in this case"

- Board member Jack Halpert seconded the motion.

- The Board voted unanimously to accept the Stipulation Agreement.

9:30 a.m.

Dish Network Service requesting a waiver of "V" series licenses. Due to a scheduling conflict with their attorney, Dish Network Service was unable to appear and requested to be rescheduled to the April 11, 2003 meeting.

Dish Network Service's correspondence and Director Richard Hurlbut's correspondence, which is an interpretation to their letter, are tabled until the April 11, 2003 meeting.

Comments or Concerns of Any Person Present Today:

- a. Robert Tworowski asked if the Board can provide feedback to him relating to fiber optics as it pertains to the telecommunications aspect. Is licensing required, or is there an exemption for this type of work.

Attorney Michael Spagnoli answered by saying according to a former court decision, fiber optic work does not require a license because fiber optics is not electrical work.

Board member Michael Muthersbaugh replied that fiber optic work may not require an electrical license but it should require a "V" license because all aspects of communication (television, telephone, audio, video, etc.) are transmitted through fiber optics.

Director Richard Hurlburt stated that there is nothing that says that the definition of "fiber optic" cannot be added to the definition of "electrical work" in Chapter 393.

b) John Gladysz, a V-7 licensee and Chief Engineer and Consultant of Orbtch Satellite, addressed the issue regarding fiber optics stating that fiber optics is now being used in place of coaxial cable; since fiber optics is not licensed, work is subcontracted to out of state companies and if this practice continues the CT companies will be put out of business.

Chairman Laurence Vallieres commented that if Mr. Gladysz has specific incidences and information where a contractor is violating state statutes, should submit a formal complaint to the Department of Consumer Protection to follow up.

c) Joseph Pelham, a V-7 licensee, made additional comments concerning this issue; specifically, Dish Network who allegedly uses unlicensed contractors to perform work in the State of Connecticut. Attorney Michael Spagnoli urged Mr. Pelham to pursue the formal complaint process with the Department of Consumer Protection, because investigations can not be performed unless a formal complaint is submitted beforehand.

Note 1: Chairman Laurence Vallieres summed up for everyone present how to proceed with a formal complaint with the Department of Consumer Protection and the process the complaint follows once submitted.

Note 2: Director Richard Hurlburt distributed the Department's complaint forms to all interested parties.

d) Board member Douglas Reid had a question of Director Richard Hurlburt concerning Section 20-340 exemption, item 2, and if adding an addition to a substation qualifies?

Director Richard Hurlburt replied that if the substation is not near the power plant, it is exempt, because it is part of line construction.

**Applicants for Licensure Examination:**

Jacob Weisefish:

E-1 Application: Board member Kenneth Leech made a motion to deny this application due to lack of experience. Board member Douglas Reid seconded the motion. The Board unanimously voted to deny this application due lack of experience.

**Applicants for Licensure Appearing in Person: None**

**New CHRO Procedure:** Chairman Laurence Vallieres addressed the Board regarding the new CHRO process. During a meeting held with Commissioner James Fleming on March 13, 2003, which involved each Chairman or designee from every Board and Commission, the topic of CHRO was discussed. The outcome of the discussion, as it pertains to this Board, determined that Director Richard Hurlburt will review all CHRO applications first; he will sign off on his recommendation to the Board, whether to approve or disapprove the CHRO based on the applicant's information; Director Hurlburt will then share the CHRO information and the basis of his recommendation to the Board and will be available at each meeting to comment and answer any questions the Board has until a determination is made.

It is important to note other issues highlighted at the meeting:

**Note 1:** If a CHRO is denied, the applicant has 30 days to appeal the decision, in which case a hearing will be held by the Board.

**Note 2:** The CHRO applicant does not need to appear when his/her CHRO information is being shared with the Board.

**Note 3:** Further direction given by the Commissioner's Office is that each board member is to identify themselves by name when a motion is made and seconded as well as how each person voted by saying yes or no if it is a split vote. It was suggested at today's meeting to do this by roll call.

**CHRO Applicants for Licensure: None**

**Prior CHRO Applicants for Licensure Pending Decision:**

Michael A. Root:

E-2 Application: A motion was made by Board member Douglas Reid and seconded by Board member Kenneth Leech to accept Director Richard Hurlburt's recommendation to approve the CHRO. The Board unanimously voted to approve the CHRO.



**Prior CHRO Request for Renewal of Licensure Pending Decision:**

David Levine: PST-Tele Application: A motion was made by Board member Kenneth Leech and seconded by Board member Jack Halpert to accept Director Richard Hurlburt's recommendation to approve the CHRO. After discussion, the Board rejected Director Richard Hurlburt's recommendation and requested the Department to provide additional information. No vote or action was taken by the Board on this CHRO.

Michael Forte: L-6 Application: A motion was made by Board member Kenneth Leech and seconded by Board member Muthersbaugh to accept Director Richard Hurlburt's recommendation. The Board unanimously voted to approve the CHRO.

**CHRO Request for Reinstatement of Licensure: None**

Request for Reconsideration: None

Request to Suspend: None

**Stipulation and Settlement Agreement Containing Consent Orders:**

Stipulation Containing Consent Order: None

Settlement Containing Consent Order:

**1. Matter of Carlos Morais (Docket No. 99-642)**

At all times relevant herein, the Respondent, Carlos Morais, resided in Bridgeport, Connecticut. At all times relevant herein the Respondent was employed by Santella Electric Co., Inc., New Canaan, Connecticut. At times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. At times during the period July 1996 through June 1997, the Respondent engaged in electrical work in the Town of New Canaan and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. Respondent admits all jurisdictional facts alleged in the Complaint and agrees that the Consent Order contained herein shall have the same force and effect as an Order entered after a full hearing and shall become final when issued.

**CONSENT ORDER:** It is hereby ordered that, pursuant to Section 21a-7(2) of the Connecticut General Statutes, the Respondent Carlos Morales, shall immediately and Permanently Discontinue the practice of performing electrical work without being properly licensed or registered in the State of Connecticut. It is further ordered that pursuant to Section 20-341(b) of the Connecticut General Statutes, Respondent shall be assessed a civil penalty of five hundred dollars (\$500.00).

Any violation of the Consent Order will be enforced in accordance with Section 21a-7(2) of the Connecticut General Statutes.

**CONCLUSION:** A motion was made by Board member Kenneth Leech and seconded by Board member Jack Halper to accept the stipulation containing Consent Order as presented. The Board unanimously voted to approve this motion.

**Notice of Continuance:** None

**Request to Dismiss and Request to Dismiss Without Prejudice:**

*Request to Dismiss: None*

*Request to Dismiss Without Prejudice:*

**1. Matter of Roger Luetjen (Docket No. 02-367)**

At all times relevant herein the Respondent, Roger Luetjen, engaged in business or resided in Tolland, Connecticut. At all times relevant herein the Respondent was employed by Claywell Electric Co., Inc., Simsbury, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about April 11, 2001, the Respondent engaged in electrical work in Middletown and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about April 11, 2001, the Respondent performed electrical work on a job site at the Connecticut Junior Training Center, Long Lane School, Middletown, Connecticut. The circumstances cited in paragraphs Two through Five, constitute a violation of Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes.

**CONCLUSION:** A motion was made by Board member Kenneth Leech and seconded by Board member Jack Halper to accept the Request to Dismiss without Prejudice as presented. The Board unanimously voted to approve this motion.

A motion was made by Board member Kenneth Leech to amend his original motion.

A second motion was made by Board member Kenneth Leach and seconded by Board member Jack Halpert to accept the Request to Dismiss without Prejudice, and that the Department of Consumer Protection can bring this matter back without prejudice. The Board unanimously voted to approve this motion.

Request to Revise: None

Request to Reopen: None

**Commissioner's Advisories and Recommendations:**

The Board reviewed the following Advisories and Recommendations:

**Advisories:**

CM03-3

105620

77380

88600 EH

88600 SR

1999-152

CM-205

105260

77381

2001-127

2001-127 LB

2002-9717 HH

101700 MV

2001-05777

**Review of Examination Results:**

The Board reviewed the following *Expeior* Examination results:

**Electrical Examination Date: January 3, 2003 to March 3, 2003**

Exam Tested Passed

Exam	Tested	Passed
C-5	4	0
C-6	13	6
E-1	64	26
E-2	104	51
L-2	1	1
L-5	6	2
L-6	22	11
T-1	2	2
T-2	24	14

**TV/Radio Examination Date: January 3, 2003 to March 3, 2003**

BL	128	94
RR-1	2	1
V-7	3	1

**Correspondence:**

The Board reviewed the following correspondence.

1. February 14, 2003 letter from Attorney Michael Spagnoli to the Electrical Work Examining Board regarding George Hufault's E-1 Application.

No comments were made by the Board.

2. February 21, 2003 Connecticut Construction Industries Association (CCIA) Highlights of the Week bulletin.

No comments were made by the Board.

3. February 21, 2003: CCIA Highlights of the Week, which is a weekly information bulletin for members of the Connecticut Construction Industries Association.

No comments were made by the Board.

The Board requested this item be removed from the agenda.

The Board further commented that this issue requires further investigation and would like another ad-hoc subcommittee scheduled, requiring no quorum, at the end of their regularly scheduled monthly meetings. Starting with the March 14, 2003 meeting, a discussion on this matter will be held in an effort to produce a list of issues and concerns to be sent to Commissioner Fleming by June 2003 for a legislative deadline of August 2003.

The Board began by reviewing documentation submitted by Antoinette Tworkowski and commented that it will be considered along with other testimony submitted on this issue.

- January 9, 2003 document submitted by Antoinette Tworkowski.

Proposed Changes to the Current Connecticut Electrical Contractor Licensing Requirements for Southern New England Telephone (SNET) and all other Public Utilities.

**Old Business:**

1. Attorney Spagnoli gave an oral report to the Board. The Board made minimal inquiries into these matters.
  2. February 25, 2003 letter from Derrick L. Jackson requesting an extension from the Board to pay the remaining balance on his fine.
- A motion was made by Board member Kenneth Leech and seconded by Board member Jack Halpert to grant a 60 day extension to pay the remaining balance in full. The Board unanimously voted to approve the motion.

**Accounts Receivable and Tracking Report:**

1. Gregory Benoit Docket No. 03-48
2. David Neely Docket No. 03-50
3. Sal Oso Docket No. 03-51
4. Peter Vaccarelli Docket No. 03-218
5. William Harmony Docket No. 03-220

*postponed;*

*The following Formal Administrative Hearings were scheduled for today but were*

**Formal Administrative Hearings:**

New Business: None

Final Decisions Pending Signature: None

Review of Chapters 393 and 394 of the Connecticut State Statutes and Regulations:

It was determined by the Board to establish subcommittee teams, based on where Board members live. The purpose is to review, in whole or in part, Chapters 393 and 394 of the Connecticut State Statutes and the Regulations, with consideration of the existing exemption clause and the incorporation of fiber optics. Proposed or suggested changes would be shared with the rest of the Board at the monthly meetings.

Attorney Michael Spagnoli commented that the final proposal would need to be submitted to Commissioner Fleming in August in time for his department to submit it to the Office of Policy and Management. Therefore, the final proposal must be reviewed and approved unanimously by the Board at July's Electrical Board meeting.

The subcommittee teams are as follows:

Board member Douglas Reid

Board member Roger Johnson

Board member Beverly Cuech

Board member Raymond Turri

Board member Michael Muthersbaugh

Board member Jack Halpert

Board member Kenneth Leech

Board member Lewis Stanio

Board member, Chairman Laurence Vallieres

Board member Beverly Cuch made a motion to adjourn the meeting. It was seconded by Board member Jack Halpert. The Board unanimously voted to approve the motion.

There being no further business, the meeting adjourned at 11:50 a.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

**MINUTES  
STATE ELECTRICAL WORK EXAMINING BOARD**

The meeting of April 11, 2003 was called to order by Laurence A. Vallieres, Chairman, at 8:30 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

**Members Present:**

Laurence A. Vallieres, Contractor, Chairman  
Beverly A. Ceuch, Journeyperson  
Jack B. Halpert, Public Member  
Michael Muthersbaugh, Electronic Technician  
Douglas A. Reid, Journeyman  
Lewis J. Stanio, Contractor  
Raymond A. Turri, Contractor

**Members Absent:**

Roger L. Johnson, Jr., Journeyman  
Kenneth B. Leech, Journeyman

**Member Vacancy:**

This Board currently has the following vacancies:  
Three (3) Public Members

**Board Counsel Present:**

Michael Arcari, Assistant Attorney General

**DCP Staff Present:**

Richard M. Hurlburt, Director  
Judith R. Booth, Electrical Board Secretary  
Michael D. Spagnoli, Administrative Attorney  
David Crevier, Occ/Pro Inspector  
Jack Korduner, Occ/Pro Inspector

**Others Present:**

Joseph C. Lee, Counsel for Echostar Dish Network  
Paul Guggina, Counsel for Echostar Dish Network  
David Lettkeman, Program Manager Dish Network  
Daniel McCann, General Manager Dish Network  
Bryan Muthersbaugh  
Joe Pelham  
Margaret Girard, SNET Counsel  
Jacob Weiselfish  
Donald Paradis  
Paul Galo  
Sal Osso  
David Neely  
Paul Tamulevich  
Joe Chapman  
Joe Riback

The next meeting of this Board is scheduled for May 9, 2003, at 8:30 a.m. in Room 117.

\*Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Director Richard M. Hurlburt at (860) 713-6135.

**Minutes:**

A motion was made by Board Member Michael Muthersbaugh to approve the March 14, 2003 meeting. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

**Note: Board Member Raymond Turri abstained from voting.**

**Appearing Before the Board Today:**

**8:35 a.m. Echostar - Dish Network Service Corporation** is requesting a waiver of V series licenses.

Chairman Laurence Vallieres began the discussion by stating that the Electrical Board is not authorized to issue a waiver of V licenses.

Joseph Lee, counsel for Echostar Dish Network replied that Chairman Vallieres' comments were correct and that they are seeking an exemption from the licensing provisions of Chapter 394 of the Connecticut General Statutes, specifically 20-357(4).

Mr. David Lettkeman, the Program Manager for Dish Network, and Attorney Joseph Lee went through Mr. Lettkeman's written testimony. A copy was provided to each Board Member. Also submitted was a signed Affidavit from Mr. Lettkeman.

**Q.1 Please state your name, position, business address and professional background.**

**A.** David Lettkeman, Program Manager, Dish Network Service Corporation Training, Lenexa, Kansas. I was an electrician in the U.S. Navy for four years. I was employed in the security alarm industry for 19 years. I was a licensed security and fire alarm installer in the state of Oklahoma; a licensed residential fire planner in the state of Texas; a licensed communications contractor in the state of Illinois; a licensed communications contractor in the city of St. Louis, Missouri; a licensed communications contractor in St. Louis County, Missouri; and a licensed communications electrical supervisor in Kansas City, Missouri.

**Q.2 Please indicate the purpose of your testimony.**

**A.** Echostar Communications Corporation is requesting a ruling from this Board that it is exempt from the licensing provisions of Chapter 394 of the Connecticut General Statutes (Sections 20-342 through 20-357(a)) because it is a "bona fide manufacturer of receiving equipment" under Section 20-357(4) of the Connecticut General Statutes. This testimony is presented in support of this application.



Q.3 Please describe the Echostar corporate structure.

A. Echostar Communications Corporation is the parent corporation of several wholly owned subsidiaries, directly and indirectly, including Echospere Corporation and Dish Network Service Corporation. A corporate organization chart is attached hereto as Exhibit A. All references in this testimony to Echostar will be deemed to refer to the Echostar corporate group as a whole.

Q.4 Please describe how Echostar designs and produces its satellite dish receiving equipment.

A. Echostar designs and engineers its own satellite dish receiving equipment and sets the specifications for such equipment. Echostar monitors the actual fabrication or assembly of the equipment and assumes responsibility for quality control of the finished product. Each product is marked with the Dish Network logo and an Echostar Technologies Corporation stamp. Echostar provides the warranty on the product to the end user, and any defective equipment is returned by the end user directly to Echostar. Thus, the satellite dish receiving equipment is an Echostar product.

Q.5 Who installs the Echostar satellite dish receiving equipment?

A. The people who install the equipment are Echostar employees. They are called Field Service Specialists and they are trained by Echostar to perform such installation services. The work performed by the Field Service Specialists includes installation of the satellite dish. All field component testing is done by Echostar at regional service centers.

It is important to note that the installation of the satellite dish receiving equipment does not involve active or energized systems. The satellite receiving equipment is plugged into a wall outlet and the voltages which it transmits are less than twenty volts. The Field Service Specialists do not work with any electronic circuitry or with the components of any such electronic circuitry. In these respects, the satellite dish receiving equipment is very much unlike radio or television receiving equipment.

Q.6 Please summarize your testimony.

A. Echostar is the engineer, designer and producer of the satellite dish equipment which it sells to its customers. The equipment is installed by Echostar employees who are trained by Echostar. The work in which the Field Service Specialists are engaged does not involve working with active or energized systems nor does it involve working with electronic circuitry or the components thereof. Repairs to defective products are not performed on site, but rather are performed by Echostar employees in service Centers which it maintains in various locations throughout the country.

For all of these reasons, Echostar believes that it is entitled to the exemption from licensing under Section 20-357(4) of the Connecticut General Statutes.

Immediately following Echostar Dish Network's testimony and demonstration of their equipment to the Board, Chairman Laurence Vallieres asked if anyone present wished to make a comment or ask a question. A number of people present addressed the Board concerning this issue.

Assistant Attorney General Michael Arcari requested that the Board enter into Executive Session to discuss this matter.

No motion was made to enter into Executive Session.

The Board immediately entered into Executive Session at 9:12 a.m.

Executive Session concluded at 9:25 a.m.

Board Member Michael Muthersbaugh made a motion to deny Echostar Dish Network's request for an exemption, because they do not qualify for an exemption under Section 20-357(4) located in Chapter 394 of the Connecticut General Statutes, and that a license is required to perform this work. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

Note: Board Members Jack Halpert and Beverly Ceuch were not present to vote.

9:30 a.m. Jacob Weiselfish appeared today to appeal the Electrical Board's March 14, 2003 ruling to deny his E-1 application due to lack of experience.

After a second review of Mr. Weiselfish's application and questions asked of him by the Board to determine his qualifications and how much field experience he holds, the Electrical Board decided to adhere to its original March 14, 2003 ruling to deny this application based on lack of experience.

A motion was made by Board Member Raymond Turri to deny this application due to lack of practical experience. The motion was seconded by Board Member Michael Muthersbaugh. The motion carried unanimously.

Note: Board Members Jack Halpert and Beverly Ceuch were not present to vote.

Comments or Concerns of Any Person Present Today: None

Applicants for Licensure Examination:

1. Marc A. Wong

E-2 License: A motion was made by Board Member Raymond Turri to deny this application due to lack of experience. The motion was seconded by Board Member Douglas Reid. The motion carried unanimously.

Note: Board Member Jack Halpert was not present to vote.

2. William Flores Aquino

E-2 License: A motion was made by Board Member Douglas Reid to deny this application due to lack of experience. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

Note: Board Member Jack Halpert was not present to vote.

Applicants for License Appearing in Person: None

CHRO Applicants for License:

1. Thomas Maher:

T-2 Application: A motion was made by Board Member Raymond Turri to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Louis Stanio. The motion carried unanimously.

Note: Board Member Jack Halpert was not present to vote.

2. Joshua Martinez:

E-2 Application: A motion was made by Board Member Raymond Turri to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Douglas Reid. The motion carried unanimously.

Note: Board Member Jack Halpert was not present to vote.

3. William Smalls:

E-2 Application: A motion was made by Board Member Raymond Turri to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Douglas Reid. The motion carried unanimously.

Note: Board Member Jack Halpert was not present to vote.

Prior CHRO Applicants for License Pending Decision: None

CHRO Renewal of License: None

**Prior CHRO Request for Renewal of Licensure Pending Decision:**

1. David Levine: PST-Tele Renewal Application: A motion was made by Board Member Louis Stanio to accept Director Richard Huriburt's recommendation to approve the CHRO. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.  
Note: Board Member Jack Halpert was not present to vote.

2. Scott Stevens: E-2 Renewal Application: A motion was made by Board Member Douglas Reid to accept Director Richard Huriburt's recommendation to approve the CHRO. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.  
Note: Board Member Jack Halpert was not present to vote.

**CHRO Request for Reinstatement of Licensure: None**

**Prior CHRO Request for Reinstatement of Licensure Pending Decision: None**

**Request for Reconsideration:**

1. Marco Russo Docket No. 99-81

The Board requested that this matter be tabled and resubmitted, along with the Final Decision and Order, to the May 9, 2003 meeting.

**Request to Suspend: None**

**Stipulation and Settlement Agreement Containing Consent Orders:**

Stipulation Containing Consent Order: None

Settlement Containing Consent Order: None

**Notice of Continuance:**

The Electrical Board reviewed the following Continuance Notices. No action was taken.

1. Gregory Benoit Docket No. 03-48

2. Utility Communications, Inc. Docket No. 03-2190

**Request to Dismiss and Request to Dismiss Without Prejudice: None**

**Request to Revise: None**

**Request to Reopen: None**

**Commissioner's Advisories and Recommendations:**

The Board reviewed the following Advisories and Recommendations. No action was taken.

**Advisories:**

- 101741
- 74701
- 87300
- 2001-906 and 2002-9717
- 2001-4154 (90761)
- 2002-7146 RK
- 2002-7146 RM
- 2002-7146 RW
- 2002-7146 TD

CM03-4  
2001-2054

CM03-7  
9907166/2000-4995/70714

CM03-13  
88600 EH

CM03-14  
88600 SR

CM03-16  
101700

**Note:** It was discovered that CM03-4 (2001-2054) was later identified as a *Recommendation*, which requires a vote by the Board. This item will be put on the May 9, 2003 Agenda for approval.

**Review of PSI Examination Results:**

The Board reviewed the PSI Examination results covering dates March 1, 2003 through March 31, 2003.

The results read as follows:

Category	Pass	Fail
C-5 Limited Electrical	0	2
C-6 Limited Electrical Journeyperson	0	1
E-1 Unlimited Electrical	4	18
E-2 Unlimited Electrical Journeyperson	4	14
L-5 Limited Electrical	0	1
L-6 Limited Journeyman	0	3
T-2 Limited Electrical Journeyperson	0	2

**Correspondence:**

The Board reviewed the following correspondence.

1. March 25, 2003 email from Robert D. Tworowski regarding "AT & T Supplier Update - Connecticut Electrical Contractor Licensing Requirements";

Mr. Tworowski notified the Commission Board Secretary by phone call on the morning of the meeting requesting this item be withdrawn. The Board was notified of Mr. Tworowski's request at the meeting.

2. January 29, 2003 letter from Leo Belval, Chairman - Codes Amendment Subcommittee, on the "State Building Code Change Proposals";

Submitted for the Board Member's information. No comments were made by the Board.

3. Raised Bill No. 6658 (LCO No. 4292) on "An Act Concerning Exemptions for Certain Contractor Licensing Requirements";

Submitted for the Board Member's information. No comments were made by the Board.

4. Submitted by Director Richard Hurlburt, "General Statutes of the State of Connecticut Revised to January 1, 2001, as Amended by Public Act 02-130";

The Board inquired as to why this item was placed on the Agenda. Director Richard Hurlburt replied that this document was issued by the Secretary of State's Office and it was submitted for their information only.

Note: Board Members Jack Halpert and Beverly Ceuch were not present to vote.

The motion carried unanimously.

The motion was seconded by Board Member Douglas Reid.

ORDER: Board Member Raymond Turri made a motion to issue a Reprimand, an immediate Order of Discontinuance and a Civil Penalty totaling \$2,750.00; \$1,000.00 for causing electrical work to be performed by a person who was not licensed (lapsed license) or registered; \$1,500.00 for permitting an apprentice to perform work while not supervised by a properly licensed electrical contractor or journeyman; and \$250.00 for failure to display his contractor's license on his stationery.

CONCLUSION: The Board found the Respondent, who appeared today, guilty of the allegations noted above.

FINDING OF FACTS: At all times relevant herein, the Respondent, Salvatore Osso, resided and or engaged in business in Old Lyme, Connecticut. Respondent is and has been the holder of an unlimited electrical license, number 123507, type E1. On or about May 15, 2002, the Respondent caused electrical work to be performed by a person who was not licensed (lapsed license) or registered in accordance with Chapter 393 of the Connecticut General Statutes on a job site located at Lot #26, 52 Stonewall Road, Salem, Connecticut. On or about May 15, 2002 the Respondent permitted an apprentice to perform work while not supervised by a properly licensed electrical contractor or journeyman on a job site at Lot #26, 52 Stonewall Road, Salem, Connecticut. On or about November 1, 2002 the Respondent failed to display his contractor's license number on his commercial vehicles, printed advertisements, bid proposals, contracts, invoices, and/or business stationery, including business cards.

Matter of Salvatore Osso (Docket No. 03-51)

Formal Administrative Hearings:

- 1. Daniel LeBlanc Docket No. 03-127
- 2. Craig McNamara Docket No. 03-128
- 3. Matthew Michelson Docket No. 03-129
- 4. Joseph Haire, Jr. Docket No. 03-130
- 5. ADT Security Systems, Inc. Docket No. 03-131
- 6. John E. Drohan Docket No. 03-132
- 7. Timothy Lamantini Docket No. 03-133

Postponed Formal Administrative Hearings:

After reviewing Mr. Frattaroli's letter of appeal, the Electrical Board ruled that they agreed with the examination service. The Electrical Board requested that the Board Secretary issue a letter to Mr. Frattaroli reflecting their decision.

March 20, 2003 letter from Rocco C. Frattaroli concerning his appeal of his Connecticut E-1 examination results.

2.

**Matter of David Neely (Docket No. 03-50)**

**FINDING OF FACTS:** At all times relevant herein, the Respondent, David Neely, resided and or engaged in business in Old Saybrook, Connecticut. Respondent was and had been the holder of an unlimited electrical journey person's license, number 162009, type E2, and was reinstated on or about May 20, 2002. Said license expired on October 1, 1993. At all times relevant herein the Respondent was employed by Majestic Electric, Old Lyme, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. At times during the period October 1, 1993 through May 22, 2002 the Respondent engaged in electrical work in Old Lyme and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about May 15, 2002 the Respondent performed electrical work on a job site at Lot #26, 52 Stonewall Road, Salem, Connecticut.

**CONCLUSION:** The Board found the Respondent, who appeared today, guilty of the allegations noted above.

**ORDER:** Board Member Raymond Turri made a motion to issue a Reprimand, an Immediate Order of Discontinuance and a Civil Penalty totaling \$1,000.00 for performing electrical work with a lapsed license.

The motion was seconded by Board Member Douglas Reid.

The motion carried unanimously.

Note: Board Members Jack Halpert and Beverly Ceuch were not present to vote.

**Matter of Michael Adams (Docket No. 03-115)**

**FINDING OF FACTS:** At all times relevant herein the Respondent, Michael Adams, engaged in business or resided in New Britain, Connecticut. At all times relevant herein the Respondent was employed by Ferguson Electric, Plainville, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about July 6, 2000, the Respondent engaged in electrical work in Bristol and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about July 6, 2000 the Respondent performed electrical work on a job site at ESPN, Building A, 220 Ronzo Road, Connecticut.

**CONCLUSION:** The Board found the Respondent, who appeared today, guilty of the allegations noted above.

**ORDER:** Board Member Raymond Turri made a motion to issue an Immediate Order of Discontinuance for performing electrical work without a license and no Civil Penalty (\$0.00).

The motion was seconded by Board Member Douglas Reid.

The motion carried unanimously.

Note: Board Members Jack Halpert and Beverly Ceuch were not present to vote.



4.

Matter of Paul Galo (Docket No. 03-116)

**FINDING OF FACTS:** At all times relevant herein the Respondent, Paul Galo, engaged in business or resided in Rocky Hill, Connecticut. At all times relevant herein the Respondent was employed by Ferguson Electric, Plainville, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about July 6, 2000, the Respondent engaged in electrical work in Bristol and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about July 6, 2000 the Respondent performed electrical work on a job site at ESPN, Building A, 220 Ronzo Road, Connecticut.

**CONCLUSION:** The Board found the Respondent, who appeared today, guilty of the allegations noted above.

**ORDER:** Board Member Raymond Turri made a motion to issue an immediate Order of Discontinuance for performing electrical work without a license and no Civil Penalty (\$0.00).

The motion was seconded by Board Member Douglas Reid.

The motion carried unanimously.

Note: Board Members Jack Halpert and Beverly Ceuch were not present to vote.

5.

Matter of John Riback (Docket No. 03-117)

**FINDING OF FACTS:** At all times relevant herein the Respondent, John Riback, engaged in business or resided in Plainville, Connecticut. At all times relevant herein the Respondent was employed by Ferguson Electric, Plainville, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about July 6, 2000, the Respondent engaged in electrical work in Bristol and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about July 6, 2000 the Respondent performed electrical work on a job site at ESPN, Building A, 220 Ronzo Road, Connecticut.

**CONCLUSION:** The Board found the Respondent, who appeared today, guilty of the allegations noted above.

**ORDER:** Board Member Raymond Turri made a motion to issue an immediate Order of Discontinuance for performing electrical work without a license and no Civil Penalty (\$0.00).

The motion was seconded by Board Member Douglas Reid.

The motion carried unanimously.

Note: Board Members Jack Halpert and Beverly Ceuch were not present to vote.

**Matter of Donald Paradis (Docket No. 03-64)**  
**FINDING OF FACTS:** At all times relevant herein, the Respondent, Donald Paradis, resided and or engaged in business in East Hartford, Connecticut. Respondent is and has been the holder of an unlimited electrical contractor's license, number 124017, type E1. On or about November 2, 1999 the Respondent permitted an apprentice to perform electrical work while not properly supervised on a job site at The Tastebud's Banquet House, 1450 Main Street, East Hartford, Connecticut.

**CONCLUSION:** The Board found the Respondent, who appeared today, guilty of the allegations noted above.

**ORDER:** Board Member Raymond Turri made a motion to issue a Reprimand, an Immediate Order of Discontinuance and a Civil Penalty totaling \$1,000.00 for permitting an apprentice to perform work while not supervised by a properly licensed electrical contractor or journeyman.

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

**Note:** Board Members Jack Halpert and Beverly Ceuch were not present to vote.

**Matter of Robert Houston (Docket No. 03-118)**

**FINDING OF FACTS:** At all times relevant herein the Respondent, Robert Houston, Jr., engaged in business or resided in Hamden, Connecticut. Respondent is and has been the holder of an unlimited electrical license, number 104873, type E1. On or about July 19, 2002, the Respondent caused electrical to be performed by persons who were not licensed or registered in accordance with Chapter 393 of the Connecticut General Statutes on a job site located at The Extra Storage Place, 132 Silas Deane Highway, Wethersfield, Connecticut. On or about July 19, 2002 the Respondent permitted an apprentice to perform work while not properly supervised on a job site at The Extra Storage Place, 132 Silas Deane Highway, Wethersfield, Connecticut. On or about July 19, 2002 the Respondent failed to display his contractor's license number on his commercial vehicles, printed advertisements, bid proposals, contracts invoices, and/or business stationery, including business cards. Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent on or about November 12, 2002 was given an opportunity to show compliance with all lawful requirements for the retention of his license.

**CONCLUSION:** The Board found the Respondent, who appeared today, guilty of the allegations noted above.

**NOTE:** Board Member Louis Stanio commented that he was acquainted with the Respondent but feels he could judge the case fairly and asked if anyone had an objection with him participating in this process.

No objections were noted by the Electrical Board Members, the Department or the Respondent.

**ORDER:** Board Member Raymond Turri made a motion to issue a Reprimand, an Immediate Order of Discontinuance and a Civil Penalty totaling \$4,250.00: \$1,500.00 each (\$3,000.00) for causing electrical work to be performed by persons not licensed or registered; \$1,000.00 for permitting an apprentice to perform work while not supervised by a properly licensed electrical contractor or journeyman; and \$250.00 for failure to display his contractor's license on his stationery.

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

**Note:** Board Members Jack Halpert and Beverly Ceuch were not present to vote.

**Matter of Paul Tamulevich (Docket No. 03-120)**

**FINDINGS OF FACTS:** At all times relevant herein the Respondent, Paul Tamulevich, engaged in business or resided in Northfield, Connecticut. At all times relevant herein the Respondent was employed by B & D Electric, Inc., 96 Columbus Street, Hamden, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about July 19, 2002, the Respondent engaged in electrical work in Wethersfield and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about July 19, 2002, the Respondent performed electrical work on a job site at The Extra Storage Place, 132 Silas Deane Highway, Wethersfield, Connecticut.

**CONCLUSION:** The Board found the Respondent, who appeared today, guilty of the allegations noted above.

**ORDER:** Board Member Raymond Turri made a motion to issue an Immediate Order of Discontinuance and a Civil Penalty of \$1,000.00 for performing electrical work without a license.

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

**Note:** Board Members Jack Halpert and Beverly Ceuch were not present to vote.

**Matter of Joseph Chapman (Docket No. 03-119)**

**FINDING OF FACTS:** At all times relevant herein the Respondent, Joseph Chapman, engaged in business or resided in New Haven, Connecticut. At all times relevant herein the Respondent was employed by B & D Electric, Inc., 96 Columbus Street, Hamden, Connecticut. At all times relevant herein, the Respondent did not possess a certificate, license or registration issued by this Board to engage in electrical work in the State of Connecticut. On or about July 19, 2002, the Respondent engaged in electrical work in Wethersfield and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. On or about July 19, 2002, the Respondent performed electrical work on a job site at The Extra Storage Place, 132 Silas Deane Highway, Wethersfield, Connecticut.

**CONCLUSION:** The Board found the Respondent, who appeared today, guilty of the allegations noted above.

ORDER: Board Member Raymond Turri made a motion to issue an immediate Order of Discontinuance and a Civil Penalty of \$1,000.00 for performing electrical work without a license.

The motion was seconded by Board Member Louis Stanio.

Board Members Michael Muthersbaugh, Raymond Turri, Louis Stanio and Douglas Reid voted to approve the motion. Board Chairman Laurence Vallieres opposed the motion.

The motion carried 4-1.

Note: Board Members Jack Halpert and Beverly Cuch were not present to vote.

#### Attorney Michael Spagnoli's Tracking Report:

1. Attorney Spagnoli gave an oral report to the Board. The Board made minimal inquiries into these matters.

#### Attorney Michael Spagnoli's Accounts Receivable Report:

Note: Attorney Michael Spagnoli requested that this item be removed from future agendas.

#### Old Business:

1. Review of Chapters 393 and 394 of the Connecticut State Statutes and Regulations:

It was determined by the Board at the March 14, 2003 meeting to establish subcommittee teams, based on where Board members live. The purpose is to review, in whole or in part, Chapters 393 and 394 of the Connecticut State Statutes and the Regulations, with consideration of the existing exemption clause and the incorporation of fiber optics. Proposed or suggested changes would be shared with the rest of the Board at the monthly meetings.

The subcommittee teams are as follows:

Board Member Douglas Reid  
Board Member Roger Johnson

Board Member Beverly Cuch  
Board Member Raymond Turri

Board Member Michael Muthersbaugh  
Board Member Jack Halpert

Board Member Kenneth Leech  
Board Member Lewis Stanio

Board Member, Chairman Laurence Vallieres

No presentations were made today on this issue.

**Reminder to all Board Members:** Attorney Michael Spagnoli stated at the March August in time for his department to submit it to the Office of Policy and Management. meeting that the final proposal would need to be submitted to Commissioner Fleming in Therefore, the final proposal must be reviewed and approved unanimously by the Board at July's Electrical Board meeting.

**New Business:**

1. Director Richard Hurlburt submitted a document concerning the PSI examination and PSI's language restricting applicants from bringing reference materials with them to the testing center. It reads as follows:

*Reference material may be highlighted, underlined, and/or indexed. They must be otherwise unmarked (not written in) and may not contain additional papers (loose or attached). THESE REFERENCES WILL NOT BE AVAILABLE IN THE EXAMINATION CENTER.*

The Board commented that they had a problem with the way this was written but do agree with the language that loose or attached papers are not allowed. Director Richard Hurlburt stated that he would reword the paragraph to reflect today's discussion.

2. Chairman Laurence Vallieres was opposed to applicants not being allowed to bring reference materials; specifically, the *American Electrician's Handbook* as a reference while taking the examination.

A motion was made by Board Member Louis Stanio to allow all applicants to bring and to use the *American Electrician's Handbook* as a reference while taking the examination. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

**Note:** Board Members Jack Halpert and Beverly Ceuch were not present to vote.

3. Chairman Laurence Vallieres advised the Board Members that a June 6, 2003 Public Hearing to discuss *Continuing Education Requirements* will be held here at the State Office Building in Room 126. No time has been set.

4. Board Member Michael Muthersbaugh asked now that the Electrical Board has made its ruling concerning Echostar Dish Network, who will be responsible for monitoring their activities and whether they will continue to work in the State of Connecticut without a license?

Administrative Attorney Michael Spagnoli stated that a Board Member should not visit with the intent to investigate any Echostar Dish Network job site because they are a member of the Board.

Board Chairman Laurence Vallieres did not totally agree with Attorney Michael Spagnoli because he believes the Connecticut General Statutes states that "any interested party can ask to see a license," but does agree that a Board Member should not perform investigations.

It was encouraged that all complaints be submitted to Director Richard Hurlburt of the Department of Consumer Protection so an investigation can be conducted.

Final Decisions Pending Signature: None

The Board Members who made and seconded the motion to adjourn the meeting were inaudible on tape, but all Members voted unanimously to adjourn the meeting.

There being no further business, the meeting adjourned at 1:05 p.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

**MINUTES  
STATE ELECTRICAL WORK EXAMINING BOARD**

The meeting of May 9, 2003 was called to order by Laurence A. Vallieres, Chairman, at 8:30 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

**Members Present:**

Laurence A. Vallieres, Contractor, Chairman  
 Beverly A. Cauch, Journeyman  
 Roger L. Johnson, Jr., Journeyman  
 Kenneth B. Leach, Journeyman  
 Michael Muthersbaugh, Electronic Technician  
 Douglas A. Reid, Journeyman  
 Lewis J. Stanio, Contractor  
 Raymond A. Turri, Contractor

**Members Absent:**

Jack B. Halpert, Public Member

**Member Vacancy:**

This Board currently has the following vacancies:  
 Three (3) Public Members

**Board Counsel Present:**

Raul Rodriguez, Assistant Attorney General

**DCP Staff Present:**

Richard M. Hurlburt, Director  
 Judith R. Booth, Electrical Board Secretary  
 Michael D. Spagnoli, Administrative Attorney  
 David Crevier, Occ/Pro Inspector  
 Dorna Hebert, DCP Fiscal Administrator Supervisor

**Others Present:**

Joel Zeisler, Satellite Dealer  
 Gary Diamond, Satellite Dealer  
 Debbie Cerilli, Satellite Dealer  
 Robert Tworkowski, Electrical Contractor  
 Joe Pelham, Satellite Dealer  
 Margaret Girard, SNET Counsel  
 Joseph J. Madar, IBEW member Local 488  
 Daniel Larson, Electrical Contractor  
 Frank Charles, Dan Charles Electrical  
 Peter Vaccarelli, United Electrical Contractors, Inc.  
 Kathy Warner, Aces High RV Park Manager  
 Patrick Quinn, Aces High RV Park Manager  
 Ann DiBastista-Quinn, Aces High RV Park Manager  
 Joseph Smith, Town of E. Lyme Building Official  
 J. Brian Bonner, V.P., Bonner Electric, Inc.  
 Joseph Bonner, President of Bonner Electric, Inc.

**The next meeting of this Board is scheduled for June 13, 2003, at 8:30 a.m. in Room 117.**

**\*Note:** The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Director Richard M. Hurlburt at (860) 713-6135.