

Minutes:

A motion was made by Board Member Raymond Turtl to approve the April 11, 2003 meeting Minutes. The motion was seconded by Board Member Michael Muthersbaugh. The motion carried unanimously.

Appearing Before the Board Today:

Dan McCann of Echostar Dish Network, who requested to appear before the Board to discuss the introduction of a new license category for the Direct Broadcast Satellite industry, cancelled the request by electronic mail to Director Richard Hurlburt on Wednesday, May 7, 2003.

Board Member Michael Muthersbaugh objected to Echostar Dish Network's alleged practice of "skirting the law" by continuing to perform satellite installations without a license when it had been ruled by the Board at the April 11, 2003 meeting that performing such installations without a "V" license is against the law.

Chairman Laurence Vallieres replied that if there is any knowledge that this practice is continuing after the Board has made its ruling, a complaint must be filed with Richard Hurlburt, Director of the Occupational and Professional Licensing Division for Consumer Protection, so that an investigation can be conducted.

Comments or Concerns of Any Person Present Today:

Mr. Gary Diamond, Mr. Joel Zeisler and Mr. Joseph Pelham addressed the Electrical Board regarding the importance of satellite installers being licensed and their objection for a new license category to perform this work when a category for this license already exists.

Applicants for License Examination:

Director Richard Hurlburt reported that he did not have any applications to present today.

Applicants for License Appearing in Person:

Director Richard Hurlburt reported that he did not have any applications to present today.

CHRO Applicants for License:

Director Richard Hurlburt reported that he did not have any applications to present today.

Prior CHRO Applicants for License Pending Decision:

Director Richard Hurlburt reported that he did not have any applications to present today.

CHRO Renewal of License:

Director Richard Hurlburt reported that he did not have any applications to present today.

Prior CHRO Request for Renewal of License Pending Decision:

Director Richard Hurlburt reported that he did not have any applications to present today.

CHRO Request for Reinstatement of License:

Director Richard Hurlburt reported that he did not have any applications to present today.

Prior CHRO Request for Reinstatement of License Pending Decision:

Director Richard Hurlburt reported that he did not have any applications to present today.

Request for Reconsideration:

1. Marco Russo Docket No. 99-81

This matter was brought before the Board in error. The Board found that Mr. Russo had previously satisfied the requirements of this Board. Board Member Michael Muthersbaugh made a motion to dismiss this matter, because the charges against Mr. Russo were not valid. Board Member Louis Stanio seconded the motion. The motion carried unanimously.

2. Joseph Gibbons Docket No. 02-961

A motion was made by Board Member Raymond Turri that Mr. Joseph Gibbons make an initial payment of \$5,000.00 against his total debt of \$29,500.00, and then pay \$100.00 a week until his debt is paid in full. The motion was seconded by Board Member Kenneth Leach. The motion carried unanimously.

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. 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
Docket No. 03-131
6. John Drohan
Docket No. 03-132
7. Timothy Lamantini
Docket No. 03-133

Request to Dismiss and Request to Dismiss Without Prejudice:

Request to Dismiss: None

Request to Dismiss without Prejudice:

1. Gregory Benoit
Docket No. 03-48

A motion was made by Board Member Douglas Reid to accept the Request to Dismiss without Prejudice. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

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:

CM-96

90000

CM-105

98960

CM03-6

9904815 (77360)

CM03-24

2001-906 and 2002-9717

CM03-34

87300

Advisories (continued):

CM03-35
2002-7146
2002-3761
9900445

Recommendations (Recommendations require a vote by the Board Members)

CM03-4
2001-2054

A motion was made by Board Member Roger Johnson to accept Commissioner James Fleming's Recommendation, CM03-4 (2001-2054), to dismiss this matter. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

Review of PSI Examination Results:

The Board reviewed the PSI Examination results covering dates April 1, 2003 through April 30, 2003.

The results read as follows:

Electrical:

Categories	Pass	Fail
C-5 Limited Electrical	0	0
C-6 Limited Electrical Journeyperson	1	4
E-1 Unlimited Electrical	8	15
E-2 Unlimited Electrical Journeyperson	9	30
L-5 Limited Electrical	0	1
L-6 Limited Journeyman	3	13
T-2 Limited Electrical Journeyperson	2	13

TV/Radio:

Categories	Pass	Fail
R-2 Radio Certified Tech	0	1
V-7 Antenna Installation D	0	1
V-6 Antenna Installation T	0	1

Correspondence:

The Board reviewed the following correspondence.

1. March 24, 2003 article from Todd J. Wagnon of Thelen Reid & Priest Attorneys at Law entitled, "Court Upholds OSHA Fine against Contractor for Failing to Provide Confined Space Training to Workers".
2. An item not on the agenda but submitted by Director Richard Hurlbut for the Board's review was a flyer on the "State of Connecticut Licensing Process, PSI Examination Services, Construction Programs".

Postponed Formal Administrative Hearings: None

Formal Administrative Hearings:

1. Matter of Peter Vaccarelli (Docket No. 03-218)

FINDINGS OF FACTS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Peter Vaccarelli, resided and or engaged in business in Middlebury, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical contractor's license, number 103730, type E1. PARAGRAPH THREE: On or about April 12, 2002 the Respondent appeared at a formal hearing before this Board (Docket No. 02-152). PARAGRAPH FOUR: With reference to Paragraph Three on or about June 14, 2002, the Board issued its Findings of Fact, Conclusions of Law and Order. PARAGRAPH FIVE: With reference to Paragraph Three and Four the Respondent was ordered to pay a civil penalty in the amount of six thousand two hundred fifty dollars (\$6,250.00). PARAGRAPH SIX: The Respondent has failed to pay the civil penalty referred to in Paragraph Five. PARAGRAPH SEVEN: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about January 7, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license.

CONCLUSION: Mr. Vaccarelli appeared today and stipulated to the facts contained in this case. Because Mr. Vaccarelli is currently unemployed and does not have the resources to pay the fine of \$6,250.00, this matter was continued to the September 19, 2003 Electrical Board meeting.

MOTION: Board Member Raymond Turri made a motion to continue this matter to the September 19, 2003 meeting so that Mr. Vaccarelli could be present to provide an update on his financial status. At that time, the Board will make a determination in this matter.

The motion was seconded by Board Member Michael Muthersbaugh.

The motion carried unanimously.

Note 1: Board Members Raymond Turri and Chairman Laurence Vallieres remarked that they were acquainted with the Respondent in this case and asked if anyone present had any objections with their participation in this process. No objections were noted by the Board Members, the Respondent, or the Department.

Note 2: Board Member Douglas Reid recused himself from this matter.

2.

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

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Frank "Dan" Charles, resided and or engaged in business in Danielson, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical contractor's license, number 121806, type E1. PARAGRAPH THREE: 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. PARAGRAPH FOUR: 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. PARAGRAPH FIVE: On or about June 19, 2002 the Respondent was asked to provide information concerning the individuals referred to in Paragraph 4. PARAGRAPH SIX: The Respondent failed to provide the requested information. PARAGRAPH SEVEN: 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.

CONCLUSION: Mr. Frank "Dan" Charles appeared today and a hearing was held. Board Member Raymond Turri, who had to depart, asked if this hearing could be continued to the June 13, 2003 meeting so that he could be a part of the decision, and asked that a copy of today's taped proceedings be sent to him by the Board Secretary. Furthermore, the Board requested that this hearing remain open so that the RV plans for this project could be obtained for their review and that the Professional Engineer referenced in this matter could be subpoenaed to appear before them.

Attorney Michael Spagnoli summarized the case before the Board and listed the allegations and the recommended civil penalties asked by the Department should Mr. Charles be found guilty next month. The following lists Attorney Spagnoli's recommendations:

1. Violation of Basic Trade Practice with no civil penalty
2. Immediate Order of Discontinuance
3. Causing electrical work to be performed by four people who were not licensed or registered at \$1,000.00 each person.
4. A second violation for failing to comply with the Department's request to provide the names of those under Mr. Charles' employ at \$1,500.00.
5. Suspension, if not revocation, of Mr. Charles' license should the Board find that Mr. Charles performed incompetent or negligent work.

MOTION: Board Member Kenneth Leech made a motion to leave this hearing open to the June 13, 2003 Electrical Board meeting based on Board Member Raymond Turri's and the Board's requests noted above.

The motion was seconded by Board Member Michael Muthersbaugh.

The motion carried unanimously.

Note: Board Member Raymond Turri was not present for the vote.

Matter of William Harmony (Docket No. 03-220)

FINDING OF FACTS: PARAGRAPH ONE: At all times relevant herein, the Respondent, **William Harmony**, resided and or engaged in business in Hopewell Junction, New York. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical journeyman license, number 159868, type E2. PARAGRAPH THREE: On or about October 7, 2002 the Respondent attempted to renew the license referred to in Paragraph Two. PARAGRAPH FOUR: The check used by the Respondent to renew his license was returned and marked, "Check Returned for Insufficient Funds". PARAGRAPH FIVE: The Respondent was contacted on numerous occasions concerning his returned check in an effort to have the Respondent properly renew his license. PARAGRAPH SIX: The Respondent has failed to tender proper payment for his license renewal. PARAGRAPH SEVEN: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about December 18, 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 did not appear today, guilty of the facts noted above.

ORDER: A motion was made by Board Member Roger Johnson to issue an Immediate Order of Discontinuance for failing to make good on a bad check, a Reprimand, suspension of Mr. Harmony's license for thirty (30) days and until such time as he pays the \$90.00 for the license fee, \$10.00 for the late fee, and \$20.00 for the return check fee) that he owes the Department for his license, a civil penalty of \$1,000.00, and that the license not be reissued until Mr. Harmony pays the \$1,000.00.

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

Note: Board Member Raymond Turri was 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. However, Attorney Spagnoli made reference to Mr. Jonathan Stone, who is now deceased, and asked the Board if they would like the Department to put a lien against Mr. Stone's estate or to dismiss this matter regarding his civil penalty?

A motion was made by Board Member Kenneth Leach to dismiss this matter. The motion was seconded by Board Member Douglas Reid. The motion carried unanimously.

Old Business:

1. An item hot on the agenda but submitted by Director Richard Hurlburt for the Board's review was a memorandum dated May 2, 2003 from Assistant Attorney General Thomas J. Saadi regarding the "Order of the Court and Partial Payment in Gloria Appeal".

2. **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 Ceuch
Board Member Raymond Turri

Board Member Michael Muthersbaugh
Board Member Jack Halpert

Board Member Kenneth Leach
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 meeting 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.

New Business:

None

Final Decisions Pending Signature:

The following Final Decisions and Orders were submitted by France Lee, Paralegal, and were signed and returned by the Electrical Board Chairman Laurence Vallieres:

David Neeley Docket No. 03-50
Salvatore Osso Docket No. 03-51
Donald Paradise Docket No. 03-64
Paul Galo Docket No. 03-116
John Riback Docket No. 03-117
Michael Adams Docket No. 03-115
Robert Houston Docket No. 03-118
Paul Tamulevich Docket No. 03-120
Joseph Chapman Docket No. 03-119

There being no further business, a motion was made by Board Member Michael Muthersbaugh to adjourn the meeting.

The motion was seconded by Board Member Beverly Ceuch.

The motion carried unanimously.

The meeting adjourned at 1:25 p.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

**MINUTES
STATE ELECTRICAL WORK EXAMINING BOARD**

The meeting of June 13, 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
Roger L. Johnson, Jr., Journeyman
Kenneth B. Leech, Journeyman
Michael Muthersbaugh, Electronic Technician
Douglas A. Reid, Journeyman
Lewis J. Stanio, Contractor

Members Absent:
Raymond A. Turri, Contractor

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

Board Counsel Present:
Rauli Rodriguez, Assistant Attorney General

DCP Staff Present:
Richard M. Hurlburt, Director
Judith R. Booth, Electrical Board Secretary
Vicky Bullock, Administrative Hearings Attorney
Greg Cooper, Intern for the Legal Department
Jack Korduner, Occ/Pro Inspector

Others Present:
Robert Tworkowski, Electrical Contractor
Margaret Girard, SNET Counsel
Frank Charles, Dan Charles Electrical
Patrick Quinn, Aces High RV Park Manager
Ann Quinn, Aces High RV Park Manager
Michael Voas, Contractor

The next meeting of this Board is scheduled for July 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:

A motion was made by Board Member Kenneth Leech to approve the May 9, 2003 meeting Minutes. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Appearing Before the Board Today:

There were no persons scheduled to appear before the Board.

Comments or Concerns of Any Person Present Today:

There were no comments or concerns addressed to the Board.

Applicants for License Examination:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Applicants for License Appearing in Person:

There were no applicants who appeared before the Board.

CHRO Applicants for License:

Director Richard Hurlburt reported and recommended the approval of the following CHROs:

1. Rudy Pinette:

E-1 Application: A motion was made by Board Member Louis Stanio to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Roger Johnson. The motion carried unanimously.

2. Cristiano Rossi:

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

Prior CHRO Applicants for License Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Renewal of License:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Prior CHRO Request for Renewal of License Pending Decision:
Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Request for Reinstatement of License:
Director Richard Hurlburt did not have any applications to present to the Board under this category.

Prior CHRO Request for Reinstatement of License Pending Decision:
Director Richard Hurlburt did not have any applications to present to the Board under this category.

Request for Reconsideration:
1. William Harmony Docket No. 03-220
A motion was made by Board Member Douglas Reid to accept this Request for Reconsideration. The motion was seconded by Board Member Louis Stanio. The motion carried unanimously.

Request to Suspend: None

Stipulation and Settlement Agreement Containing Consent Orders:

Stipulation Containing Consent Order: None

Settlement Containing Consent Order: None

Notice of Continuance: None

Request to Dismiss and Request to Dismiss Without Prejudice:

Request to Dismiss: None

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.

Advisories:

CM03-12
1999-152 and 77380

CM03-41
2002-7146

CM03-45
101741

Recommendations (Recommendations require a vote by the Board Members)

No Recommendations were presented to the Board.

Review of PSI Examination Results:

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

The results read as follows:

Electrical:

Categories	Pass	Fail
C-5 Limited Electrical	0	0
C-6 Limited Electrical Journeyperson	1	2
E-1 Unlimited Electrical	18	11
E-2 Unlimited Electrical Journeyperson	27	38
L-5 Limited Electrical	0	1
L-6 Limited Journeyman	1	7
T-2 Limited Electrical Journeyperson	1	4

TV/Radio:

Categories	Pass	Fail
R-2 Radio Certified Tech	0	1
V-7 Antenna Installation D	0	1
V-6 Antenna Installation T	0	16

Note: The Board requested of Director Richard Hurlburt to produce a full and complete set of the monthly Electrical Examination Results for their review to which he agreed to provide.

Correspondence:

The Board reviewed the following correspondence.

1. March 24, 2003 article from Todd J. Wagnon of Thelen Reid & Priest Attorneys at Law entitled, "Court Upholds OSHA Fine against Contractor for Failing to Provide Confined Space Training to Workers".

2. An item not on the agenda but submitted by Director Richard Hurlburt for the Board's review was a flyer on the "State of Connecticut Licensing Process, PSI Examination Services, Construction Programs".

Legal Department's Tracking Report: None

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 Ceuch
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 meeting 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.

1. Assistant Attorney General, Raul Rodriguez, introduced to the Board from the April 29, 2003 Law Journal, the Department of Consumer Protection's Notice of Intent to Amend Regulations, which was scheduled for a Public Hearing on June 6, 2003 and concerned "Continuing Education for Electricians and Plumbers."
2. Chairman Laurence Vallieres introduced a June 12, 2003 newsletter entitled, "National Electrical Code Internet Connection" which featured an article entitled, "Mike Holt's NEC Adoption Status - Updated Report as of June 3, 2003. According to the report, it reflects the following information on Connecticut:
"CONNECTICUT - (CT) 1999 - 2 Responses
Connecticut will adopt the 2002 NEC in July 2004. Connecticut's adoption is via the state legislature, making it state law. The 1999 Code was adopted with the removal of the arc fault provision";
Chairman Laurence Vallieres raised the question to the Board, "what code should we (electrical applicants) be testing under, the 1999 code or the 2002 code?" Chairman Vallieres further commented that in his opinion if electricians are performing electrical work stipulated in under the 1999 code and inspections are performed referencing the 1999 code, then the examination should be administered based on the 1999 code.
Chairman Vallieres asked Director Hurlburt if it would pose a problem to revise the examination questions to reflect the 1999 electrical code. Director Hurlburt answered "no", but felt that there is not much disparity between 1999 and 2002 codes, but if 1999 electrical code material is not easily obtainable at this late date and so close to the adoption to the 2002 electrical code, then this may create a problem.
Chairman Vallieres concluded that perhaps the Board needs to more proactive in with the legislation in getting the code adopted on a more regular basis.
3. The Board requested that the Department investigate the Reciprocal Agreement between Massachusetts and Connecticut when it pertains to apprentices.
Director Richard Hurlburt explained that the State of Massachusetts does not require the registration of an apprentice; however, a Massachusetts company who intends to have an apprentice accompany them on a Connecticut job site must first contact and inform the Connecticut Department of Labor of their intent and the Department of Labor will in turn register the apprentice. Once the process is completed, the Connecticut Department of Labor will issue an apprentice card to the Massachusetts apprentice.
Postponed Formal Administrative Hearings: None

Formal Administrative Hearings:

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

FINDING OF FACTS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Frank "Dan" Charles, resided and or engaged in business in Danielson, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical contractor's license, number 121806, type E1. PARAGRAPH THREE: 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. PARAGRAPH FOUR: 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. PARAGRAPH FIVE: On or about June 19, 2002 the Respondent was asked to provide information concerning the individuals referred to in Paragraph 4. PARAGRAPH SIX: The Respondent failed to provide the requested information. PARAGRAPH SEVEN: 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.

NOTE: This matter was continued from the Electrical Board meeting of May 9, 2003. Mr. Frank "Dan" Charles appeared today, but the Professional Engineer who was subpoenaed to be present today sent word through his attorney to DCP Administrative Hearings Attorney, Vicky Bullock, that he had a scheduling conflict and was unable to appear but was able to send the RV Plans for the Board's review. The Board reviewed the RV Plans and asked Mr. Charles additional questions regarding this project.

CONCLUSION: The Board found the Respondent guilty of the following violations noted above.

ORDER: Board Member Roger Johnson made a motion to issue an immediate Order of Discontinuance, dismiss on the violation of Basic Trade Practice, and a Civil Penalty totaling \$3,000.00 for causing electrical work to be performed by persons who were not licensed or registered. (\$1,000.00 each person, which there were three, Mr. Charles' brother-in-law and his two children.)

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

Matter of Craig Berthiaume (Docket No. 03-335)
ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, **Craig Berthiaume**, resided and or engaged in business in North Branford, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical license, number 182120, type E1. PARAGRAPH THREE: On May 11, 2001 pursuant to statute, the Respondent appeared at a formal administrative hearing (Docket Number 01-290) before this board. PARAGRAPH FOUR: With reference to Paragraph Three this Board issued its final decision and order on September 14, 2001. PARAGRAPH FIVE: In pertinent part, the final decision and order referred to in Paragraph Four required the respondent to pay a civil penalty of ten thousand dollars (\$10,000.00). PARAGRAPH SIX: On or about December 21, 2001 the Respondent entered into an agreement to pay the civil penalty referred to in Paragraph Five in installment payments. PARAGRAPH SEVEN: The Respondent has failed to honor the agreement referred to in Paragraph Six. PARAGRAPH EIGHT: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about January 22, 2003 the Respondent was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH NINE: The circumstances cited in Paragraphs Two through Eight, inclusive constitute authority and grounds for the imposition of any one or more of the following sanctions: imposition of a civil penalty, imposition of any one or more of the following sanctions: imposition of a civil penalty, and/or the issuance of an order of immediate discontinuance of any violation found.

ORDER: No motion was made in this matter.

CONCLUSION: Although this matter was on the agenda and scheduled to be heard today, it was not presented because the Respondent is incarcerated. His mother phoned DCF Administrative Hearings Attorney, Vicky Bullock, to inform her of her son's status and that she would provide a check on his behalf in the amount of \$90.00. If payment is not made, another Formal Administrative Hearing will be scheduled.

Matter of Thomas Burke (Docket No. 03-49)
ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, **Thomas Burke**, resided and or engaged in business in Hamden, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical journey person license, number 163116, type E2. PARAGRAPH THREE: On or about September 30, 2002 the Respondent attempted to renew the license referred to in Paragraph Two. PARAGRAPH FOUR: The check used by the Respondent to renew his license was returned and marked, "REFER TO MAKER", "RETURNED BY FUNB-ATLANTIC"; PARAGRAPH FIVE: The Respondent was contacted on numerous occasions concerning his returned check in an effort to have the Respondent properly renew his license. PARAGRAPH SIX: The Respondent has failed to tender proper payment for his license renewal. PARAGRAPH SEVEN: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about December 11, 2002, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH EIGHT: 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.

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: Although this matter was on the agenda and scheduled to be heard today, DCF Administrative Attorney, Vicky Bullock, advised the Board that this matter will be rescheduled, date to be determined.

ORDER: No motion was made in this matter.

Matter of Steven Rudolf (Docket No. 03-337)

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Steven Rudolf, resided and or engaged in business in Norwalk, Connecticut. PARAGRAPH TWO: Respondent was and had been the holder of an unlimited electrical contractor's license, number 125174, type E1. Said license was suspended by the Board on April 24, 1998. PARAGRAPH THREE: At all times relevant herein the Respondent was employed by Bartoli Electric Co., Inc., Norwalk, Connecticut. PARAGRAPH FOUR: 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. PARAGRAPH FIVE: On or about February 14, 2001, the Respondent engaged in Electrical work in Darien and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. PARAGRAPH SIX: On or about February 14, 2001 the Respondent engaged in electrical work on a job site at the Ponte Building, 551 Post Road, Darien, Connecticut. PARAGRAPH SEVEN: On or about February 14, 2001, the Respondent made false, misleading and/or deceptive representations regarding his work. PARAGRAPH EIGHT: On or about March 12, 2001 the Board reinstated the Respondent's license that was referred to in Paragraph Two. PARAGRAPH NINE: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about March 2, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH TEN: The circumstances cited in Paragraphs Two through Nine, 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: Although this matter was on the agenda and scheduled to be heard today, DCF Administrative Attorney, Vicky Bullock, advised the Board that this matter be dismissed due to a Department of Consumer Protection error in Mr. Rudolf's departmental records.

ORDER: A motion was made by Board Member Michael Muthersbaugh to dismiss this complaint, Docket Number 03-337, against Mr. Rudolf.

The motion was seconded by Board Member Kenneth Leech.

The motion carried unanimously.

Matter of Edwin Hickey (Docket No. 03-334)
ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, **Edwin Hickey**, resided and or engaged in business in Norwalk, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical license, number 121926, type E1. PARAGRAPH THREE: On or about February 14, 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 The Ponte Building, 551 Post Road, Darien, Connecticut. PARAGRAPH FOUR: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about February 5, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH FIVE: 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.

CONCLUSION: Although this matter was on the agenda and scheduled to be heard today, DCF Administrative Attorney, Vicky Bullock, advised the Board that this matter be dismissed due to a Department of Consumer Protection error stated in the Administrative Hearing of Steven Rudolf, Docket Number 03-337. At the time that the complaint was made, Mr. Rudolf was under the employ of Mr. Hickey, therefore Mr. Hickey was alleged to have caused electrical work to be performed by a person who was not licensed or registered.

ORDER: A motion was made by Board Member Douglas Reid to dismiss this complaint, Docket Number 03-334, against Mr. Hickey.

The motion was seconded by Board Member Jack Halpert.

The motion carried unanimously.

Matter of Michael Voas (Docket No. 03-389)

FINDINGS OF FACTS: PARAGRAPH ONE: At all times relevant herein, the Respondent, **Michael Voas**, resided and or engaged in business in Oxford, Massachusetts. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical contractor's license, number 123579, type E1. PARAGRAPH THREE: On or about August 7, 2002, 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 7-11 Citigo Store, 329 Chamberlain Highway, Meriden, Connecticut. PARAGRAPH FOUR: On or about December 8, 1995 this Board accepted a stipulation containing consent order concerning this Respondent. PARAGRAPH FIVE: The consent order referred to in Paragraph Four required, in pertinent part, the Respondent to immediately and permanently discontinue the practice of using unlicensed and unregistered persons to perform electrical work in the State of Connecticut. PARAGRAPH SIX: The circumstances cited in Paragraph Three constitute a violation of the order referred to in Paragraphs Four and Five. PARAGRAPH SEVEN: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about March 11, 2003, was given an opportunity to show compliance with all lawful

requirements for the retention of his license. PARAGRAPH EIGHT: 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 found the Respondent, who appeared today, guilty of the following violations noted above.

ORDER: Board Member Kenneth Leech made a motion to issue an immediate Order of Discontinuance and a Civil Penalty totaling \$1,000.00 for causing electrical work to be performed by a person who was not licensed or registered.

The motion was seconded by Board Member Michael Muthersbaugh.

The motion carried unanimously.

Matter of LaMountain Brothers, Inc. (Docket No. 03-390)

FINDING OF FACTS: PARAGRAPH ONE: At all times relevant herein the Respondent, **LaMountain Brothers, Inc.** engaged in business or resided in Oxford, Massachusetts. PARAGRAPH TWO: On or about August 7, 2002 the Respondent, through its unlicensed and unregistered employee and/or agent, performed electrical work in Meriden and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. PARAGRAPH THREE: On or about August 7, 2002 the Respondent through its unlicensed and unregistered employee and/or agent performed electrical work on a job site located at a 7-11 Citigo Store, 329 Chamberlain Highway, Meriden, Connecticut. PARAGRAPH FOUR: 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.

CONCLUSION: The Board found LaMountain Brothers, Inc., guilty of the following violations noted above.

ORDER: Board Member Kenneth Leech made a motion to issue an immediate Order of Discontinuance and a Civil Penalty totaling \$2,500.00 for causing electrical work to be performed by a person who was not licensed or registered.

The motion was seconded by Board Member Michael Muthersbaugh.

The motion carried unanimously.

FINDINGS OF FACTS: PARAGRAPH ONE: At all times relevant herein the Respondent, Edward Haney, engaged in business or resided in Putnam, Connecticut. PARAGRAPH TWO: At all times relevant herein the Respondent was employed by Lamountain Brothers Inc., Oxford, Massachusetts. PARAGRAPH THREE: 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. PARAGRAPH FOUR: On or about August 7, 2002, the Respondent engaged in electrical work in Meriden and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. PARAGRAPH FIVE: On or about August 7, 2002, the Respondent engaged in electrical work in Meriden and surrounding areas in Paragraphs Two through Five, constitute a violation of Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes.

CONCLUSION: Although this Respondent was given service, he did not appear today. The Board found him guilty of the following violations.

ORDER: Board Member Douglas Reid made a motion to issue an immediate Order of Discontinuance and a Civil Penalty totalling \$250.00, stayed, for engaging in electrical work in the State of Connecticut without being licensed or registered.

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

Final Decisions Pending Signature:

The following Final Decisions and Orders were submitted by France Lee, Paralegal, and were signed and returned by the Electrical Board Chairman Laurence Vallieres:

Marco Russo Docket No. 99-81

There being no further business, a motion was made by Board Douglas Reid to adjourn the meeting.

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

The meeting adjourned at 11:03 a.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

MINUTES
STATE ELECTRICAL WORK EXAMINING BOARD

The meeting of July 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

Jack B. Halpert, Public Member
Roger L. Johnson, Jr., Journeyman
Kenneth B. Leech, Journeyman
Michael Muthersbaugh, Electronic Technician
Raymond A. Turi, Contractor

Members Absent:

Beverly A. Cauch, Journeyperson
Douglas A. Reid, Journeyman
Lewis J. Stanio, 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
Vicky Bullock, Administrative Hearings Attorney
Greg Cooper, Intern for the Legal Department
David Crevier, Occ/Pro Inspector

Others Present:

Donald J. Shubert, CT Construction Industries Association
Daniel McCann, Echostar Dish Network
Margaret Girard, SNET Counsel
Robert Tworkowski, Electrical Contractor
Antoinette Tworkowski, Visitor
Joseph J. Maddar, Local Union 488 IBEW
Michael Welton, Counsel for Timothy Cascone
Michael Christ, Attorney from the Office of Michael Welton

The next meeting of this Board is scheduled for September 19, 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 June 13, 2003 meeting Minutes pending legal review of items 6, 7, and 8 under the category of "Formal Administrative Hearings". The motion was seconded by Board Member Jack Halpert. The motion carried.

Note: Board Member Raymond Turri abstained from voting.

Appearing Before the Board Today:

There were no persons scheduled to appear before the Board.

Comments or Concerns of Any Person Present Today:

There were no comments or concerns addressed to the Board.

Applicants for License Examination:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Applicants for License Appearing in Person:

There were no applicants who appeared before the Board.

CHRO Applicants for License:

Director Richard Hurlburt reported and recommended the approval of the following CHROs:

1. Pedro Flores:

E-2 Application: A motion was made by Board Member Jack Halpert to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Roger Johnson. The motion carried unanimously.

2. Matthew Tynan:

T-1 Application: A motion was made by Board Member Roger Johnson to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Prior CHRO Applicants for License Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Renewal of License:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Prior CHRO Request for Renewal of License Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Request for Reinstatement of License:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Prior CHRO Request for Reinstatement of License Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Request for Reconsideration:

- 1. Robert B. Hamel Docket No. 03-220

A motion was made by Board Member Raymond Turri to deny this request for reconsideration for the reinstatement of Mr. Hamel's E-1 license, and that the Department advise Mr. Hamel that he may appear before the Board so that they will consider issuing an E-2 license. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Request to Suspend:

None

Stipulation and Settlement Agreement Containing Consent Orders:

Stipulation Containing Consent Order:

- 1. Michael Dinnie Docket No. 03-638

A motion was made by Board Member Michael Muthersbaugh to accept the Stipulation Containing Consent Order. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

- 2. Frank Lowe

Docket No. 03-674

A motion was made by Board Member Raymond Turri to accept the Stipulation Containing Consent Order. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

3. Fire Protection Alarms Docket No. 03-668

A motion was made by Board Member Raymond Turri to deny the stipulation Containing Consent Order and for the Department to schedule this for a formal Administrative Hearing. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Settlement Containing Consent Order:

1. Bernardo Migliorati Docket No. 03-534

A motion was made by Board Member Raymond Turri to deny the Settlement Containing Consent Order and for the Department to schedule this for a formal Administrative Hearing. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Notice of Continuance:

1. Utility Communications, Inc. Docket No. 03-219

Request to Dismiss and Request to Dismiss Without Prejudice:

Request to Dismiss: None

Request to Dismiss without Prejudice:

1. Jonathan Michael Stone Docket No. 02-1256

A motion was made by Board Member Jack Halpert to dismiss this matter without prejudice. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

Request to Revise: None

Request to Reopen: None

Commissioner's Advisories and Recommendations:

The Board reviewed the following Advisories and Recommendations.

Advisories:

CM03-12
1999-152 and 77380

CM03-41

2002-7146

CM03-45

101741

Recommendations (Recommendations require a vote by the Board Members)

No Recommendations were presented to the Board.

Review of PSI Examination Results:

The Board reviewed the PSI Examination results covering dates June 1, 2003 through June 30, 2003.

The results read as follows:

Electric:

Categories

C-5 Limited Electrical 1

C-6 Limited Electrical Journeyperson 1

E-1 Unlimited Electrical 10

E-2 Unlimited Electrical Journeyperson 28

L-5 Limited Electrical 1

L-6 Limited Journeyman 3

T-1 Limited Electrical 0

T-2 Limited Electrical Journeyperson 2

TV/Radio:

Categories

Pass

Fail

R-2 Radio Certified Tech 1

V-7 Antenna Installation D 0

V-6 Antenna Installation T 1

Board Member Michael Muthersbaugh expressed concerns of the V-6 failures reflected in the examination results.

Correspondence:

The Board reviewed the following correspondence.

1. May 27, 2003 letter from Christopher R. Laux, State Building Inspector, on "Proposed Code Update".

Chairman Laurence Vallieres commented that he recently had an opportunity to review the 2003 International Residential Code, which has a section relative to Electrical, and found a number of conflicts as it relates to the National Electrical Code. He concluded that there continues to be additional work that needs to be done on this issue.

A motion was made by Board Member Roger Johnson for Chairman Laurence Vallieres to discuss with Commissioner James Fleming the desire of the Board to temporarily review and make determinations on apprenticeship applications until the Department of Labor is sufficiently staffed to resume this process. The motion was seconded by Board Member Raymond Turti. The motion carried unanimously.

Chairman Laurence Vallieres posed the idea to Director Richard Hurlburt who replied that he had no problems with this, but authorization must come from the Department Consumer Protection Commissioner, James Fleming.

Chairman Laurence Vallieres replied that as a Board nothing can be done since this bill was already signed by the Governor.

Board Member Michael Muthersbaugh commented that last month the Board received an amendment put on a bill that passed through the house regarding satellite dishes and that the one problem he and the FCC sees is with item ten on the amendment where it speaks about transmitting a signal.

New Business:

Legal Department's Tracking Report: None

The Board expressed interest in attending this meeting and asked the Department to obtain the date, time and location of the event for their consideration.

June 13, 2003 letter from Lucille Weeks, Board Clerk, State of Maine Electricians' Examining Board, requesting if members of this Board would be interested in attending a proposed New England Regional Meeting to be hosted by the State of Maine in late summer or early fall of this year.

The Board reviewed the correspondence above. No comments or questions were noted.

Candidates Right to Challenge or Request Clarification of any PSI examination question submitted by Director Richard Hurlburt.

Chairman Laurence Vallieres provided an overview of the document's contents as it pertains to electrical apprentices.

Vocational - Technical School System Connecticut State Department of Education "Electrical Apprenticeship Information Packet".

3. Board Member Roger Johnson asked Director Richard Hurlburt why the Department allowed Timothy Cascone, Respondent in Docket No. 03-468, to reinstatement his license after nine years without retesting. Board Member Johnson requested an answer at the August 2003 meeting.

Director Richard Hurlburt replied that he did know the answer but would look into the matter and provide an answer to the Board at their next meeting.

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 Ceuch
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

Chairman Laurence Vallieres asked if any of the teams had met on this issue. Board Members Roger Johnson and Michael Muthersbaugh indicated that their teams did meet. Following are their comments:

Board Member Roger Johnson stated that one of the main changes his team would like to see are in the exemptions, Chapter 393, Sec. 20-340; specifically, subsections 2, 3, 4, 6, 7, 10. Other concerns covered Chapter 393, Sec. 20-341(a):

Statute

(2) employees of any public service company regulated by the Department of Public Utility Control or of any corporate affiliate of any such company when the work performed by such affiliate is on behalf of a public service company, but in either case only if the work performed is in connection with the rendition of public utility service, including the installation or maintenance of wire for community antenna television service, or is in connection with the installation or maintenance of wire or telephone sets for single-line telephone service located inside the premises of a consumer;

Concern of the team

What is the definition of a "corporate affiliate"?

Statute

(3) employees of any municipal corporation specially chartered by this state

Concern of the team

What is the meaning of the term "municipal corporation specially chartered by this state"?

Statute

(4) employees of any contractor while such contractor is performing electrical line or emergency work for any public service company;

Concern of the team

Removal of the word "or"

Statute

(6) employees of industrial firms whose main duties concern the maintenance of the electrical work, plumbing and piping work, solar work, heating, piping, cooling work, sheet metal work, elevator installation, repair and maintenance work, automotive glass work or flat glass work of such firm on its own premises or on premises leased by it for its own use;

Concern of the team

Employees of industrial firms doing maintenance???

Statute

(7) the fabrication of glass products or electrical, plumbing and piping, fire protection sprinkler systems, solar, heating, piping and cooling or elevator installation, repair and maintenance equipment used in the production of goods sold by industrial firms;

Concern of the team

The team would like the occupations listed that are not electrical to be removed from this Statute.

Statute

(10) employees of carnivals, circuses or similar transient amusement shows who install electrical work, provided such installation shall be subject to the approval of the State Fire Marshal prior to use as otherwise provided by law and shall comply with applicable municipal ordinances and regulations;

Concern of the team

The team is concerned with the expertise of a Fire Marshal to inspect and approve electrical installations as opposed to a state or municipal electrical inspector.

Sec. 20-341

(a) Any person who engages in or practices the work or occupation for which a license is required by this chapter without having first obtained an apprentice permit or a certificate and license for such work, or who willfully employs or supplies for employment a person who does not have a certificate and license for such work or who willfully and falsely pretends to qualify to engage in or practice such work or occupation, or who engages in or practices any of the work or occupations for which a license is required by this chapter after the expiration of his license, or who violates any other provision of this chapter, unless the penalty is otherwise specifically prescribed, shall be fined not more than two hundred dollars for each such violation

Concern of the team

The team is opposed to capping off civil penalties at \$200.00 and is asking for an interpretation.

The team would also like civil penalties doubled for E-1 contractors but remain the same for unlicensed apprentices and journeymen at \$1,000.00.

Chairman Laurence Vallieres stated that his team also met and had concerns regarding Chapter 393, Sec. 20-330(2), and whether or not this section should contain fiber optics in its definition.

(2) "Electrical work" means the installation, erection, maintenance, alteration or repair of any wire, cable, conduit, busway, raceway, support, insulator, conductor, appliance, apparatus, fixture or equipment that generates, transforms, transmits or uses electrical energy for light, heat, power or other purposes, but does not include low voltage wiring, not exceeding twenty-four volts, used within a lawn sprinkler system;

Concern of the team

Is fiber optics electrical work? The team concluded that it is appropriate that fiber optics be included in the definition of electrical work, because it transforms and transmits energy. Additionally, after a brief discussion with Board Member Michael Muthersbaugh on whether fiber optics could be added to the TV/Radio statutes, spokesman for the team, Chairman Laurence Vallieres, replied that he does not believe that he or the team would have a problem with this.

Reminder to all Board Members: Attorney Michael Spagnoli stated at the March meeting 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.

Postponed Formal Administrative Hearings: None

Formal Administrative Hearings:

Matter of Timothy Cascone (Docket No. 03-468)

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Timothy Cascone, resided and or engaged in business in Newington, Connecticut. PARAGRAPH TWO: The Respondent was and had been the holder of an unlimited electrical journeyman's license, number 159742, type E2. PARAGRAPH THREE: At times during the period September 1997 through July 2000, the Respondent performed work on various job sites in the State of Connecticut without being in the direct and regular employment of a properly licensed contractor. PARAGRAPH FOUR: At times during the period September 1997 through July 2000 the Respondent engaged in unethical conduct and performed work in violation of basic trade practice by soliciting electrical contractor's to obtain permits on your behalf without being in your direct and regular employment. PARAGRAPH FIVE: On or about August 6, 1999 the Respondent engaged in unethical conduct by making false, misleading and/or deceptive representations regarding his work. PARAGRAPH SIX: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about March 24, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH SEVEN: The circumstances cited in Paragraphs Two through Six, 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. PARAGRAPH EIGHT: On or about July 12, 200 the Respondent obtained an unlimited electrical contractor's license number 185738, type E1.

CONCLUSION: The Board requested that this matter be continued in August so that all parties involved can provide testimony as to their role in this event.

ORDER: A motion was made by Board Member Michael Muthersbaugh to continue this matter in August 2003. The date is to be determined at a later time.

The motion was seconded by Board Member Roger Johnson.

The motion carried unanimously.

Note: Administrative Hearings Attorney, Vicky Bullock, commented that she would notify the Secretary of States Office of the special meeting taking place in August.

Matter of Joseph Haire, Jr. (Docket No. 03-130)

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Joseph Haire, Jr., resided and or engaged in business in New Haven, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of a limited electrical license, number 105789, type L5. PARAGRAPH THREE: On or about June 16, 1999 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 The New Haven Savings Bank, 1021 Boston Post Road, Guilford, Connecticut. PARAGRAPH FOUR: On or about March 28, 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 17 Krips Road, East Granby, Connecticut. PARAGRAPH FIVE: On or about December 8, 1996 this Board accepted a Stipulation Containing Consent Order (Docket No. 95-938) concerning this Respondent. PARAGRAPH SIX: In pertinent part the Consent Order referred to in Paragraph Five ORDERED the Respondent to, "Immediately and permanently discontinue the practice of causing electrical work to be performed by persons who are not licensed or registered to perform electrical work in the State of Connecticut." PARAGRAPH SEVEN: The circumstances cited in Paragraphs Three through Six, inclusive, constitute a violation of the ORDER referred to in Paragraphs Five and Six. PARAGRAPH EIGHT: On or about June 16, 1999 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. PARAGRAPH NINE: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent on or about October 9, 2002 was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH TEN: The circumstances cited in Paragraphs Two through Nine, 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: Administrative Hearings Attorney, Vicky Bullock, informed the Board that this matter is continued to the September 19, 2003 meeting.

ORDER: No motion was made concerning this matter.

Matter of ADT (Docket No. 03-131)

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, ADT Security Systems, Inc., engaged in business in Wallingford, Connecticut. PARAGRAPH TWO: On or about June 16, 1999 and on or about March 28, 2001, the Respondent, through its unlicensed and unregistered employees and/or agents, performed electrical work in Guilford, East Granby and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. PARAGRAPH THREE: On or about June 16, 1999, the Respondent through its unlicensed and unregistered employee and/or agent performed work on a job site located at The New Haven Savings Bank, 1021 Boston Post Road, Guilford, Connecticut. PARAGRAPH FOUR: On or about March 28, 2001, the Respondent through its unlicensed and unregistered employee and/or agent performed work on a job site located at 17 Krips Road, East Granby, Connecticut. PARAGRAPH FIVE: On or about December 8, 1996 this Board accepted a stipulation containing consent order (Docket NO. 95-939) concerning this Respondent. PARAGRAPH SIX: In pertinent part the Consent Order referred to in Paragraph Five Ordered the Respondent to, "Immediately and permanently discontinue the practice of having its unlicensed and unregistered employees and/or agents perform electrical work in the State of Connecticut." PARAGRAPH SEVEN: The circumstances cited in Paragraphs Three through Six, inclusive, constitute a violation of the Order referred to in Paragraphs Five and Six. PARAGRAPH EIGHT: The circumstances cited in Paragraphs Two and Seven constitute a violation of Sections 20-334, 20-337, and 30-341 of the Connecticut General Statutes.

CONCLUSION: Administrative Hearings Attorney, Vicky Bullock, informed the Board that this matter is continued to the September 19, 2003 meeting.

ORDER: No motion was made concerning this matter.

Matter of John Drohan (Docket No. 03-132)

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein the Respondent, John E. Drohan, engaged in business or resided in Milford, Connecticut. PARAGRAPH TWO: At all times relevant herein the Respondent was employed by ADT Security Systems, Inc., Wallingford, Connecticut. PARAGRAPH THREE: 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. PARAGRAPH FOUR: On or about June 16, 1999, the Respondent engaged in electrical work in Guilford and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. PARAGRAPH FIVE: On or about June 16, 1999, the Respondent performed electrical work on a job site at The New Haven Savings Bank, 1021 Boston Post Road, Guilford, Connecticut. PARAGRAPH SIX: On

4.

3.

or about May 15, 2000 the Respondent obtained a limited electrical journeyman's license number 185133, type L-6. PARAGRAPH SEVEN: The circumstances cited in Paragraphs Two through Six, constitute a violation of Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes.

CONCLUSION: Administrative Hearings Attorney, Vicky Bullock, informed the Board that this matter is continued to the September 19, 2003 meeting.

ORDER: No motion was made concerning this matter.

Matter of Timothy Lamanini (Docket No. 03-133)

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein the Respondent, Timothy Lamanini, engaged in business or resided in Enfield, Connecticut. PARAGRAPH TWO: At all times relevant herein the Respondent was employed by ADT Security Systems, Inc., Wallingford, Connecticut. PARAGRAPH THREE: 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. PARAGRAPH FOUR: On or about March 28, 2001, the Respondent engaged in electrical work in East Granby and surrounding areas in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. PARAGRAPH FIVE: On or about March 28, 2001, the Respondent performed electrical work on a job site at 17 Krips Road, East Granby, Connecticut. PARAGRAPH SIX: 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: Administrative Hearings Attorney, Vicky Bullock, informed the Board that this matter is continued to the September 19, 2003 meeting.

ORDER: No motion was made concerning this matter.

Matter of Daniel Leblanc (Docket No. 03-127)

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Daniel Leblanc, resided and or engaged in business in Danbury, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical license, number 125262, type E1. PARAGRAPH THREE: On or about June 19, 2002 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 The New Ridgfield Senior Center, 195 Danbury Road, Ridgfield, Connecticut. PARAGRAPH FOUR: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about October 15, 2002, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH FIVE: 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.

CONCLUSION: The consensus of the Board was to continue this matter pending a discussion with the Legal Department.

The motion carried unanimously.

The motion was seconded by Board Member Michael Muthersbaugh.

ORDER: A motion was made by Board Member Raymond Turri to issue an Immediate Order of Discontinuance with no civil penalty.

matter.

CONCLUSION: Based on information provided in the Connecticut General Statutes, Chapter 393, Section 20-341(b), the Board did not impose a fine in this

Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes. circumstances cited in Paragraphs Two through Five, constitute a violation of Center, 195 Danbury Road, Ridgfield, Connecticut. PARAGRAPH SIX: The Respondent performed electrical work on a job site The New Ridgfield Senior Connecticut General Statutes. PARAGRAPH FIVE: On or about June 19, 2002 the Connecticut which required a license pursuant to Chapter 393 of the engaged in electrical work in Ridgfield and surrounding areas in the State of Connecticut. PARAGRAPH FOUR: On or about June 19, 2002, the Respondent registration issued by this Board to engage in electrical work in the State of relevant herein, the Respondent did not possess a certificate, license or by Roger Electric Inc., Danbury, Connecticut. PARAGRAPH THREE: At all times PARAGRAPH TWO: At all times relevant herein the Respondent was employed Matthew Michelson, engaged in business or resided in Sherman, Connecticut. ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein the Respondent,

Matter of Matthew Michelson (Docket No. 03-129)

8.

ORDER: No motion was made concerning this matter.

discussion with the Legal Department.

CONCLUSION: The consensus of the Board was to continue this matter pending a

Paragraphs Two through Five, constitute a violation of Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes. electrical work on a job site The New Ridgfield Senior Center, 195 Danbury Road, Ridgfield, Connecticut. PARAGRAPH SIX: The circumstances cited in PARAGRAPH FIVE: On or about June 19, 2002 the Respondent performed license pursuant to Chapter 393 of the Connecticut which required a Ridgfield and surrounding areas in the State of Connecticut engaged in electrical work in this Board to engage in electrical work in the State of Connecticut. PARAGRAPH FOUR: herein, the Respondent did not possess a certificate, license or registration issued by Roger Electric Inc., Danbury, Connecticut. PARAGRAPH THREE: At all times relevant PARAGRAPH TWO: At all times relevant herein the Respondent was employed by Craig McNamara, engaged in business or resided in Danbury, Connecticut. ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein the Respondent,

Matter of Craig McNamara (Docket No. 03-128)

7.

ORDER: No motion was made concerning this matter.

Matter of Eugene Marquis, II (Docket No. 03-469)
ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Eugene Marquis, II, resided and or engaged in business in Middletown, Connecticut. PARAGRAPH TWO: The Respondent is and has been the holder of an unlimited electrical contractor's license, number 125383, type E1. PARAGRAPH THREE: On or about March 12, 1999 the Respondent was cited by the Connecticut Department of Labor for failing to register apprentices on various job sites in the State of Connecticut at times during the period June 1996 through September 1998. PARAGRAPH FOUR: On or about October 25, 2002 the Respondent permitted apprentices to perform work while not properly supervised on a job site at Corporate Ridge, 175 Capital Boulevard, Rocky Hill, Connecticut. PARAGRAPH FIVE: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about April 2, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH SIX: 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.

CONCLUSION: The consensus of the Board was to continue this matter pending a discussion with the Legal Department.

ORDER: No motion was made concerning this matter.

10.

Matter of Bernardo Migliorati (Docket No. 03-534)
ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Bernardo Migliorati, resided and or engaged in business in Hartford, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical contractor's license, number 104783, type E1. PARAGRAPH THREE: At times during the period August 1999 through April 2000 the Respondent caused electrical work to be performed by a person who was improperly licensed in accordance with Chapter 393 of the Connecticut General Statutes on various job sites in the State of Connecticut. PARAGRAPH FOUR: In at least on instance, the improperly licensed person referred to in Paragraph Three performed work in violation of basic trade practice and/or in an incompetent or negligent manner. PARAGRAPH FIVE: At times during the period August 1999 through April 2000 the Respondent applied for and obtained permits to perform electrical work on various job sites located in the State of Connecticut. PARAGRAPH SIX: The Respondent did not won the company nor was he in the direct and regular employment of the company for which he obtained the permits referred to in Paragraph Five. PARAGRAPH SEVEN: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about April 24, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH EIGHT: 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 Respondent in this matter entered into a Settlement Agreement as noted on page four of these Minutes. The Board ruled as follows:

ORDER: A motion was made by Board Member Raymond Turri to deny the Settlement Containing Consent Order and for the Department to schedule this for a Formal Administrative Hearing.

The motion was seconded by Board Member Jack Halpert.

The motion carried unanimously.

Matter of Tibor Vig (Docket No. 03-579)

ALLEGATIONS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Tibor Vig, resided and or engaged in business in Redding, Connecticut. PARAGRAPH TWO: Respondent is and has been the holder of a limited/unlimited electrical journeyman's license, number 162095, type E2. PARAGRAPH THREE: On or about August 28, 2000 the Respondent performed work in violation of basic trade practice on a job site located at 2 Fencerow Drive, Fairfield, Connecticut prior to obtaining a permit. PARAGRAPH FOUR: On or about August 28, 2000 the Respondent performed work on a job site at 2 Fencerow Drive, Fairfield, Connecticut without being in the direct and regular employment of a properly licensed contractor. PARAGRAPH FIVE: On or about March 26, 2003 the Respondent made false, misleading statement and/or misrepresentations regarding the work that he performed on or about August 28, 2000 on a job site located at 2 Fencerow Drive, Fairfield, Connecticut. PARAGRAPH SIX: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about March 26, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH SEVEN: On or about September 17, 2001 the Respondent obtained an unlimited electrical contractor's license number 185595, Type E1. PARAGRAPH EIGHT: 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: Administrative Hearings Attorney, Vicky Bullock, informed the Board that the State of Connecticut is withdrawing this complaint against Mr. Vig and is dismissing on all violations noted in the complaint.

ORDER: No motion was made concerning this matter.

Final Decisions Pending Signature:

The following Final Decisions and Orders were submitted by France Lee, Paralegal, and were signed and returned by the Electrical Board Chairman Laurence Vallieres:

1. Edwin Hickey Docket No. 03-334
2. Steven Rudolf Docket No. 03-337
3. Frank "Dan" Charles Docket No. 02-1086

There being no further business, a motion was made by Board Member Jack Halpert to adjourn the meeting.

The motion was seconded by Board Member Raymond Turri.

The motion carried unanimously.

The meeting adjourned at 11:03 a.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

MINUTES
STATE ELECTRICAL WORK EXAMINING BOARD

The meeting of August 21, 2003 was called to order by Laurence A. Vallieres, Chairman, at 10:00 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
Roger L. Johnson, Jr., Journeyman
Kenneth B. Leech, Journeyman
Douglas A. Reid, Journeyman
Lewis J. Stanio, Contractor

Members Absent: Michael Muthersbaugh, Electronic Technician
Raymond A. Turri, Contractor

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

Board Counsel Present: None

DCP Staff Present: Richard M. Hurlburt, Director
Judith R. Booth, Electrical Board Secretary
Vicky Bullock, Administrative Hearings Attorney
David Crevier, Occ/Pro Inspector

Others Present: Donald J. Shubert, CT Construction Industries Association
Joe Orsini, Orsini Electric, LLC
Robert Tworowski, Electrical Contractor
Antoinette Tworowski, Visitor
Timothy Cascone, Cascone Electric
Michael Welton, Counsel for Timothy Cascone
Richard Michaud, Michael Electric, Inc.

The next regularly scheduled meeting of this Board is September 19, 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.

The meeting was called to order by Chairman Laurence Vallieres at 10:00 a.m.

Formal Administrative Hearing:

1. Matter of Timothy Cascone (Docket No. 032-468)

FINDINGS OF FACTS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Timothy Cascone, resided and or engaged in business in Newington, Connecticut. PARAGRAPH TWO: The Respondent was and had been the holder of an unlimited electrical journeyman's license, number 159742, type E2. PARAGRAPH THREE: At times during the period September 1997 through July 2000, the Respondent performed work on various job sites in the State of Connecticut without being in the direct and regular employment of a properly licensed contractor. PARAGRAPH FOUR: At times during the period September 1997 through July 2000 the Respondent engaged in unethical conduct and performed work in violation of basic trade practice by soliciting electrical contractor's to obtain permits on your behalf without being in your direct and regular employment. PARAGRAPH FIVE: On or about August 6, 1999 the Respondent engaged in unethical conduct by making false, misleading and/or deceptive representations regarding his work. PARAGRAPH SIX: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about March 24, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH SEVEN: The circumstances cited in Paragraphs Two through Six, 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. PARAGRAPH EIGHT: On or about July 12, 2000 the Respondent obtained an unlimited electrical contractor's license number 185738, type E1.

CONCLUSION: The Board found Mr. Cascone in violation of paragraphs 1, 3, 4 and 5.

ORDER: A motion was made by Board Member Roger Johnson to impose a civil penalty of \$250.00 for failure to display a license on a company vehicle; \$1,000.00 for performing work without being in the direct and regular employment of a properly licensed contractor; \$1,000.00, stayed, for violation of basic trade practice, and \$1,500.00 for unethical conduct by making false, misleading and/or deceptive representations regarding his work.

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

Discussions:

1. Case Handling Procedures:

Chairman Laurence Vallieres addressed the Board Members present by saying that as a result of his meetings with the Legal Department and with the Chief of Staff, he was made aware that there exists a large volume of backlogged electrical cases to be addressed by this Board. He further stated that in an effort to reduce the number of pending cases, the Board may need to reinstate the use of Stipulation Containing Consent Orders and Settlement Agreements. The Board members present shared the concerns of the Chairman and agreed to participate in this effort.

2. Proposed Legislative Changes of Chapters 393 and 394:

Board Member Roger Johnson stated that one of the main changes his team would like to see are in the exemptions, Chapter 393, Sec. 20-340; specifically, 341(a); Chapter 393, Sec. 20-340.

Statute

(2) employees of any public service company regulated by the Department of Public Utility Control or of any corporate affiliate of any such company when the work performed by such affiliate is on behalf of a public service company, but in either case only if the work performed is in connection with the rendition of public utility service, including the installation or maintenance of wire for community antenna television service, or is in connection with the installation or maintenance of wire or telephone sets for single-line telephone service located inside the premises of a consumer;

Concern of the team

What is the definition of a "corporate affiliate"?

Statute

(3) employees of any municipal corporation specially chartered by this state

Concern of the team

What is the meaning of the term "municipal corporation specially chartered by this state"?

Statute

(4) employees of any contractor while such contractor is performing electrical-line or emergency work for any public service company;

Concern of the team

Removal of the word "or"

Statute

(6) employees of industrial firms whose main duties concern the maintenance of the electrical work, plumbing and piping work, solar work, heating, piping, cooling work, sheet metal work, elevator installation, repair and maintenance work, automotive glass work or flat glass work of such firm on its own premises or on premises leased by it for its own use;

Concern of the team

Employees of industrial firms doing maintenance???

Statute

(7) the fabrication of glass products or electrical, plumbing and piping, fire protection sprinkler systems, solar, heating, piping and cooling or elevator installation, repair and maintenance equipment used in the production of goods sold by industrial firms;

Concern of the team

The team would like the occupations listed that are not electrical to be removed from this Statute.

Statute

(10) employees of carnivals, circuses or similar transient amusement shows who install electrical work, provided such installation shall be subject to the approval of the State Fire Marshal prior to use as otherwise provided by law and shall comply with applicable municipal ordinances and regulations;

Concern of the team

The team is concerned with the expertise of a Fire Marshal to inspect and approve electrical installations as opposed to a state or municipal electrical inspector.

(a) Any person who engages in or practices the work or occupation for which a license is required by this chapter without having first obtained an apprentice permit or a certificate and license for such work, or who willfully employs or supplies for employment a person who does not have a certificate and license for such work or who willfully and falsely pretends to qualify to engage in or practice such work or occupation, or who engages in or practices any of the work or occupations for which a license is required by this chapter after the expiration of his license, or who violates any other provision of this chapter, unless the penalty is otherwise specifically prescribed, shall be fined not more than two hundred dollars for each such violation

Concern of the team

The team is opposed to capping off civil penalties at \$200.00 and is asking for an interpretation.

The team would also like civil penalties doubled for E-1 contractors but remain the same for unlicensed apprentices and journeypersons at \$1,000.00.

Chairman Laurence Vallieres stated that his team also met and had concerns regarding Chapter 393, Sec. 20-330(2), and whether or not this section should contain fiber optics in its definition.

(2) "Electrical work" means the installation, erection, maintenance, alteration or repair of any wire, cable, conduit, busway, raceway, support, insulator, conductor, appliance, apparatus, fixture or equipment that generates, transforms, transmits or uses electrical energy for light, heat, power or other purposes, but does not include low voltage wiring, not exceeding twenty-four volts, used within a lawn sprinkler system;

Concern of the team

is fiber optics electrical work? The team concluded that it is appropriate that fiber optics be included in the definition of electrical work, because it transforms and transmits energy. Additionally, after a brief discussion with Board Member Michael Muthersbaugh on whether fiber optics could be added to the TV/Radio states, spokesman for the team, Chairman Laurence Vallieres, replied that he does not believe that he or the team would have a problem with this.

A motion was made by Board Member Roger Johnson to approve the proposed legislative changes to Chapters 393 and 394 as written and to submit them to Commission James Fleming for his review and input.

The motion was seconded by Board Member Louis Stanio.

The motion carried unanimously.

Adjournment:

There being no further business, a motion was made by Board Member Douglas Reid to adjourn the meeting. The motion was seconded by Board Member Louis Stanio. The motion carried unanimously.

The meeting adjourned at 12:48 p.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

MINUTES
STATE ELECTRICAL WORK EXAMINING BOARD

The meeting of September 19, 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
Roger L. Johnson, Jr., Journeyman
Kenneth B. Leech, Journeyman
Michael Muthersbaugh, Electronic Technician
Raymond A. Turti, Contractor
Lewis J. Stanio, Contractor

Members Absent: Douglas A. Reid, Journeyman

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

Board Counsel Present: None

DCP Staff Present: Richard M. Hurlburt, Director
Judith R. Booth, Electrical Board Secretary
Vicky Bullock, Administrative Hearings Attorney

Others Present:

Margaret Girard, SNET Counsel
Robert Tworkowski, Electrical Contractor
Dan McCann, Echostar Communications
Attorney Benjamin Proto, Counsel for Fire Protection & Kevin Cudgma
Ed Nichols, President of Fire Protection
Attorney Matthew Conway, Counsel for ADT
Attorney Stephen Bellis, Counsel for Richard Weiss
Richard Weiss
Peter Vaccarella

The next meeting of this Board is scheduled for October 10, 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.

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

3. Jeffrey S. Kegel:

E-2 Application: This CHRO application was tabled pending the completion of the Department's background investigation. No motion was made.

2. Frank Accavallo:

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

1. Frank Clegg:

Director Richard Hurlburt reported and presented the following CHROs:

CHRO Applicants for Licensure:

There were no applicants who appeared before the Board.

Applicants for Licensure Appearing in Person:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Applicants for Licensure Examination:

There were no comments or concerns addressed to the Board.

Comments or Concerns of Any Person Present Today:

There were no persons scheduled to appear before the Board.

Appearing Before the Board Today:

Note: Board Member Raymond Turri abstained from voting.

A motion was made by Board Member Jack Halpert to approve the August 21, 2003 special meeting Minutes. The motion was seconded by Board Member Roger Johnson. The motion carried unanimously.

A motion was made by Board Member Jack Halpert to approve the July 11, 2003 meeting Minutes. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

Minutes:

Notice to the reader. The agenda items for September 19, 2003 were addressed out of sequence. The Minutes do not reflect the order in which topics were discussed.

4. Robert H. Buechele, Jr.: **E-2 Application:** A motion was made by Board Member Roger Johnson to approve the CHRO. Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

5. Robert F. Buntele: **V-4 Application:** A motion was made by Board Member Roger Johnson to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

6. Christopher Farley: **E-2 Application:** A motion was made by Board Member Roger Johnson to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

Prior CHRO Applicants for License Pending Decision:
 Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Renewal of License:

1. Shawn A. Caldwell: **E-2 Application:** A motion was made by Board Member Kenneth Leach to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

2. Christopher P. Young: **E-2 Application:** This CHRO application was tabled pending a letter from the applicant's probation officer. No motion was made.

Prior CHRO Request for Renewal of License Pending Decision:
 Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Request for Reinstatement of License:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Prior CHRO Request for Reinstatement of License Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Request for Reconsideration: None

Request to Suspend: None

Stipulation and Settlement Agreement Containing Consent Orders:

Stipulation Containing Consent Order:

1. Fire Protection Alarms

Docket No. 03-668

Kevin Cudgma

Steven Villane

Harshad Patel

Case # 2001-9677

A motion was made by Board Member Raymond Turti to impose a civil penalty against Fire Protection Alarms in the amount of \$2,000.00, \$1,000.00 for each unlicensed and unregistered persons found performing electrical work. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Note:

Mr. Cudgma, who was not present today, was represented by Attorney Benjamin Proto.

Board Member Raymond Turti made a motion to dismiss any issues against Kevin Cudgma, since he had no involvement in this matter. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Note 2:

Board Member Louis Stanio was not present for the vote.

ADT

Joseph Haire, Jr.

Docket No. 03-130

Docket No. 03-132

Docket No. 03-133

Timothy Lamantini

John Drohan

A motion was made by Board Member Kenneth Leech to dismiss the following case numbers without prejudice: 03-130 (Haire), 03-132 (Drohan) and 03-133 (Lamantini), because these persons were not originally part of the 1999 complaint at which time ADT paid a civil penalty of \$20,600.00, and it is unfair to proceed against them now in 2003 after the case has been adjudicated in 1999. The motion was seconded by Board Member Raymond Turti. The motion carried unanimously.

Note 1:

ADT, Mr. Haire, Drohan and Mr. Lamantini were not present today but were represented by Attorney Matthew Conway.

Note 2:

Board Member Louis Stanio was not present for the vote.

2.

The Board Members present recommended that this matter proceed to a formal Administrative Hearing. No motion was made to this effect.

Note: Board Members Louis Stanio and Roger Johnson were not present for the vote.

Cole Associates
David Schoen
Jerry Michaud
Docket No. 03-694
File # 106580
File # 106580

3.

A motion was made by Board Member Raymond Turri to impose a civil penalty of \$3,000.00, \$1,000.00 for each unregistered person found performing electrical work. The motion was seconded by Board Member Michael Muthersbaugh. The motion carried unanimously.

Note 1: The three unregistered apprentices, Mr. Palva, Mr. Porter and Mr. Jawin were sent a warning letter.

Note 2: Board Members Louis Stanio and Roger Johnson were not present for the vote.

Stephen Sheak
Dennis Palva
John Porter
Kim Jawin
Docket No. 03-657
File # 93260
File # 93260
File # 93260

4.

A motion was made by Board Member Raymond Turri to impose a civil penalty of \$2,500.00. The motion was seconded by Board Member Michael Muthersbaugh. The motion carried unanimously.

Note: Board Members Louis Stanio and Roger Johnson were not present for the vote.

James Bisson
Ronald Caniglia
Christopher Regosa
Christopher Riendeau
Docket No. 03-691
Docket No. 03-692
File # 866000
File # 866000

6.

A motion was made by Board Member Raymond Turri to impose a civil penalty of \$3,000.00. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Note 1: The Board Members present recommended that the legal Department return Mr. Caniglia's payment of \$1,000.00 and instead issue a warning letter as was done in the cases of Mr. Regosa and Mr. Riendeau.

Note 2: Board Members Louis Stanio and Roger Johnson were not present for the vote.

The Board Members present recommended that this matter proceed to a Formal Administrative Hearing. No motion was made to this effect.

Note: Board Members Louis Stanio and Roger Johnson were not present for the

vote.

Carman Ligoci
Matthew Heater
Owen Pugh
Docket No. 03-697
File # 108181
File # 108181

7.

A motion was made by Board Member Raymond Turti to impose a civil penalty of \$500.00. The motion was seconded by Board Member Kenneth Leech. The motion carried unanimously.

Note: Board Members Louis Stanio and Roger Johnson were not present for the

vote.

Michael Valva
Frank Crandall
Docket No. 03-658
File # 86622

8.

Mr. Basher entered into a Stipulation Agreement and paid \$1,500.00 total on behalf of Mr. Martino (\$500.00) and himself (\$1,000.00).

A motion was made by Board Member Raymond Turti to impose a civil penalty of \$1,500.00 for Mr. Basher and \$500.00 for Mr. Martino). The motion was seconded by Board Member Michael Muhtersbaugh. The motion carried unanimously.

Note: Board Members Louis Stanio and Roger Johnson were not present for the

vote.

Jerome Flynn
David Sheppard
Phillip Woodford
Docket No. 03-693
File # 104760
File # 104760

10.

A motion was made by Board Member Raymond Turti to impose a civil penalty of \$1,000.00. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Allen Bergeron
Juris Labrencis
William Havens
Pete Pekarovic
Docket No. 03-648, CM-648
Docket No. 03-649
Docket No. 03-650
Docket No. 03-651

11.

The Board Members present recommended that this matter proceed to a Formal Administrative Hearing. No motion was made to this effect.

12. Carl Miele
Gregg Brenneman
Christine Vachon

The Board Members present recommended that this matter proceed to a Formal Administrative Hearing. No motion was made to this effect.
Note: Board Member Louis Stanio was not present during the outcome of this matter.

13. Mark Clavette
Matthew Killenbeck
CM-123

Board Member Roger Johnson made a motion to dismiss this matter. The motion was seconded by Board Member Michael Muthersbaugh. The motion carried unanimously.

Note: Board Member Louis Stanio was not present for the vote.

14. Dan Szymaszek
Erik Pire
CM-124
CM-124

Board Member Roger Johnson made a motion to impose a civil penalty of \$1,000.00 to Dan Szymaszek and an Immediate Order of Discontinuance to Mr. Pire. The motion was seconded by Board Member Michael Muthersbaugh. The motion carried unanimously.

Note: Board Member Louis Stanio was not present for the vote.

15. Scott Barrel
James Bolduc
CM-125
CM-125

Board Member Kenneth Leech made a motion to impose an Immediate Order of Discontinuance to Mr. Barrel and Mr. Bolduc. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Note: Board Member Louis Stanio was not present for the vote.

16. Peter Particelli
Matthew Gandolfo
CM-126
File # 93361
Michael Scaramozza
File # 93361

Board Member Michael Muthersbaugh made a motion to proceed to a Formal Administrative Hearing. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

18. BKM
CM-386, CM-387

Board Member Raymond Turri made a motion to impose a civil penalty of \$2,000.00 and issue an Immediate Order of Discontinuance. The motion was seconded by Board Member Beverly Ceuch. The motion carried unanimously.

19. William Ducci
Joseph Adams
Dennis Coughlin
Docket No. 03-96
File # 91245
File # 91245

The Board Members present recommended that this matter proceed to a Formal Administrative Hearing. No motion was made to this effect.
Note: Board Members Louis Stanio and Roger Johnson were not present for the vote.

20. Security Concepts
Erick Taylor
Clint Wynne (owner of co.)
Docket No. 03-685
Docket No. 03-95
Docket No. 03-94

Board Member Raymond Turri made a motion to impose a civil penalty of \$1,000.00. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Note: Board Members Louis Stanio and Roger Johnson were not present for the vote.

21. Thomas Lemley
Docket No. 03-665

The Board Members present recommended that this matter proceed to a Formal Administrative Hearing. No motion was made to this effect.

Note: Board Members Louis Stanio and Roger Johnson were not present for the vote.

22. John Gleason
Louis Dingee
Docket No. 03-712
File # 107440

Board Member Raymond Turri made a motion to impose a civil penalty of \$500.00. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Note: Board Members Louis Stanio, Roger Johnson and Kenneth Leech were not present for the vote.

23. Antonio Modugno
Richard Messenger
Docket No. 03-634
Docket No. 03-635

Board Member Raymond Turri made a motion to impose a civil penalty of \$850.00. The motion was seconded by Board Member Michael Muthersbaugh. The motion carried unanimously.

Note: Board Members Louis Stanio, Roger Johnson and Kenneth Leech were not present for the vote.

24. Robert Albino
 Frank Lowe
 Docket No. 03-673
 Docket No. 03-674

Board Member Raymond Turri made a motion to impose a civil penalty of \$1,200.00 to Mr. Albino and \$1,000.00 to Mr. Lowe. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Note: Board Members Louis Stanio, Roger Johnson and Kenneth Leech were not present for the vote.

25. Thomas Scanlon
 William Herth
 Docket No. 03-636
 Docket No. 03-639
 Docket No. 03-638

The Board Members present recommended that this matter proceed to a formal Administrative Hearing. No motion was made to this effect.

Note: Board Members Louis Stanio, Roger Johnson and Kenneth Leech were not present for the vote.

Settlement Containing Consent Order:

1. Daniel Leblanc
 Docket No. 03-127

2. Craig McNamara
 Docket No. 03-128

Mr. Leblanc entered into a Settlement Agreement and paid \$2,500.00 total on behalf of Mr. McNamara (\$1,000.00) and himself (\$1,500.00).

Board Member Raymond Turri made a motion to accept the Settlement Agreements. Board Member Michael Muthersbaugh seconded the motion. The motion carried unanimously.

Note: Board Members Louis Stanio, Roger Johnson and Kenneth Leech were not present for the vote.

3. Bernardo Migliorati
 Docket No. 03-534

Board Member Raymond Turri made a motion to table this matter to the October 10, 2003 meeting. Board Member Jack Halpert seconded the motion. The motion carried unanimously.

Note: Board Members Louis Stanio, Roger Johnson and Kenneth Leech were not present for the vote.

Notice of Continuance:

The following Continuance Notices were reviewed by the Board Members. No comments or actions were taken.

1. Arco Sign & Crane Service
Docket No. 02-876
2. Bryan Cohen
Docket No. 02-877
3. Utility Communications, Inc.
Docket No. 03-219

Request to Dismiss and Request to Dismiss Without Prejudice:

Request to Dismiss: None

Request to Dismiss without Prejudice: None

Request to Revise: None

Request to Reopen: None

Commissioner's Advisories and Recommendations: None

Review of PSI Examination Results:

The Board reviewed the PSI Examination results covering dates August 1, 2003 through August 31, 2003. No comments or actions were taken.

Correspondence:

The Board reviewed the following correspondence.

1. Current Department of Consumer Protection Phone List.

This document was submitted by Director Richard Hurlburt as an FYI to the Board. The Board had no questions or comments.

2. June 7, 1995 Letter from former Administrative Hearings Attorney, Michael Spagnoli, to former DCP Commissioner, Mark A. Shiffrin, regarding a "Decision Memo" Connecticut Light and Power Wheelabrator (Lisbon) Resource Recovery Facility.

This document was submitted by Director Richard Hurlburt as an FYI to the Board. The Board had no questions or comments.

3. Substitute Senate Bill No. 331 Public Act No. 03-59 "An Act Exempting Certain Minor Sheet Metal Work from Licensing Requirements", and how it pertains to electricians performing electrical work that contains sheet metal work. This document was submitted by Director Richard Hurlburt as an FYI to the Board. Chairman Laurence Vallieres provided a brief overview on how the exemption applies to electricians.
4. July 23, 2003 letter from Kenneth Charles, President of AES, to Commissioner James Fleming on the inadequate staffing at the Department of Labor. The Board commented that registration for apprentices may now be done on-line at the Department of Labor website.
5. July 2003 SBCA National Standards Testing Program - Residential Satellite Antenna Installation Certification Course Outline. This document was submitted by Director Richard Hurlburt as an FYI to the Board. The Board had no questions or comments.
6. July 30, 2003 Outline This document was submitted by Director Richard Hurlburt as an FYI to the Board. The Board had no questions or comments.
7. State of Connecticut, Manufacturing/Industrial Firms Licensing Guideline This document was submitted by Director Richard Hurlburt as an FYI to the Board. The Board had no questions or comments.
8. PSI: Connecticut - Changes for September 2003 Director Richard Hurlburt notified the Board Members that the PSI Review is scheduled for October 14 and 15 in West Hartford, and it is their opportunity to review and modify existing examination questions regarding this industry. SBC Dish Network: SBC Communications, Echostar Forge Strategic Partnership, will offer 'SBC Dish Network' Television Service.
9. Board Member Michael Muthersbaugh commented that this is not an appropriate test for the license, because it does not include the transmission of a signal.
10. August 21, 2003 memo from Anna Ficeto, DCP Managing Attorney, to Commissioner James Fleming on the issue of "Board Meetings". This document was submitted by Director Richard Hurlburt as an FYI to the Board. The Board had no questions or comments.

11. August 27, 2003 flyer entitled "The Reil Report".
This document was submitted by Director Richard Hurlburt as an FYI to the Board.
The Board had no questions or comments.
12. August 21, 2003 letter from Vicky Bullock, Administrative Hearings Attorney, to Anna Ficeto, DCP Managing Attorney, regarding alleged complaints that Kurt C. Claywell failed to disclose previous criminal convictions on his applications for his E-1 and E-2 licenses.
Director Richard Hurlburt replied that Mr. Claywell acted properly, because the felony question now asked on renewal forms, "Have you ever been convicted of a felony since your last renewal," was not asked until 2002, and Mr. Claywell's felony conviction took place in 2001. He went on to say that Mr. Claywell's renewal status will be checked after the expiration of his license coming up on September 30, 2003.

Legal Department's Tracking Report: None

New Business: None

Old Business:

1. Director Richard Hurlburt's report on Timothy Cascone. (At the July 11, 2003 meeting, a question was asked by Board Member Roger Johnson to Director Richard Hurlburt on how Mr. Cascone was able to renew his license after nine years without retesting?)
This matter was tabled to the October 10, 2003 Electrical Board meeting.

2. August 4, 2003 letter to Lucille Weeks and response from Nanelle Wescott of the State of Maine's Department of Professional and Financial Regulation regarding the New England Regional Meeting event.
The Board had no questions or comments.

3. August 22, 2003 letter to Commissioner James Fleming from Judith Booth, Electrical Work Examining Board Secretary, regarding "Proposed Legislative Changes to Chapters 393 and 394.
The Board had no questions or comments.

Postponed Formal Administrative Hearings: None

Matter of Peter Vaccarelli (Docket No. 03-218)

FINDINGS OF FACTS: PARAGRAPH ONE: At all times relevant herein, the Respondent, Peter Vaccarelli, resided and or engaged in business in Middlebury, Connecticut, PARAGRAPH TWO: Respondent is and has been the holder of an unlimited electrical contractor's license, number 103730, type E1, PARAGRAPH THREE: On or about April 12, 2002 the Respondent appeared at a formal hearing before this Board (Docket No. 02-152). PARAGRAPH FOUR: With reference to Paragraph Three on or about June 14, 2002, the Board issued its Findings of Fact, Conclusions of Law and Order. PARAGRAPH FIVE: With reference to Paragraph Three and Four the Respondent was ordered to pay a civil penalty in the amount of six thousand two hundred fifty dollars (\$6,250.00). PARAGRAPH SIX: The Respondent has failed to pay the civil penalty referred to in Paragraph Five. PARAGRAPH SEVEN: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about January 7, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license.

On May 9, 2003, Mr. Vaccarelli appeared before the Board and stipulated to the facts contained in his case. Because Mr. Vaccarelli was unemployed and did not have the resources to pay the fine of \$6,250.00, the matter was continued to the September 19, 2003 Electrical Board meeting.

On May 9, 2003, Board Member Raymond Turti made a motion to continue this matter to the September 19, 2003 meeting so that Mr. Vaccarelli could be present to provide an update on his financial status. On that day, the Board would make a determination in the matter.

The motion was seconded by Board Member Michael Muthersbaugh.

The motion carried unanimously.

Mr. Vaccarelli appeared at today's meeting to give an accounting of his financial status to the Electrical Board. Mr. Vaccarelli explained that his present financial circumstances had not changed from when he last addressed them; additionally, the outlook of his financial status may change for the better anywhere from twelve to sixteen months from today. He offered to pay by payment plan with an initial payment of \$250.00 and a monthly installment of \$100.00 each month until his debt of \$6,250.00 is paid in full.

CONCLUSION: The Board did not accept Mr. Vaccarelli's offer to pay in monthly installments.

MOTION:

a. Board Member Roger Johnson made a motion to reject the offer of a payment plan. The motion was seconded by Board Member Kenneth Leech. The motion carried unanimously.

b. Board Member Roger Johnson made a motion to revoke Mr. Vaccarelli's E-1 license and that he be issued an E-2 license until the debt of \$6,250.00 is paid in full, at which time Mr. Vaccarelli's E-1 may be reinstated. The motion was seconded by Board Member Louis Stanio. The motion carried unanimously.

2.

Matter of Terence Devine (Docket No. 03-577)

ALLEGATIONS: Pursuant to the provisions of Sections 4-166 et seq., 20-334, 20-341, 21a-7 and 21a-9 of the Connecticut General Statutes, the State Electrical Work Examining Board, having reason to believe that Terence Devine, hereinafter referred to as Respondent, has violated the provisions of Sections 20-334, 20-332-18a and 21a-9 of the Connecticut General Statutes and Sections 20-332-16 and 20-332-18a of the Regulations of Connecticut State Agencies, hereby issues its Complaint stating its charges as follows: PARAGRAPH ONE: At all times relevant herein, the Respondent, TERENCE DEVINE, resided and or engaged in business in Shelton, Connecticut. PARAGRAPH TWO: Respondent was and had been the holder of a limited electrical license, number 179667, type L6. Said license expired on September 30, 2001, was renewed on or about August 2, 2002 and then was revoked by this Board on October 11, 2002. PARAGRAPH THREE: At all times relevant herein the Respondent was self employed by Devine Protection, Shelton, Connecticut. PARAGRAPH FOUR: 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. PARAGRAPH FIVE: At times during the period April 1998 through December 2002, the Respondent engaged in electrical work on various job sites in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. PARAGRAPH SIX: At times during the period April 1998 through December 2002, the Respondent performed work on various job sites in the State of Connecticut without being in the direct and regular employment of a properly licensed contractor. PARAGRAPH SEVEN: At times during the period April 1998 through December 2002, the Respondent willfully and falsely pretended to qualify to engage in electrical work on various job sites in the State of Connecticut. PARAGRAPH EIGHT: The circumstances cited in Paragraphs Two through Seven, inclusive constitute unethical conduct on the part of the Respondent. PARAGRAPH NINE: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about March 18, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license.

Although service was made to Mr. Devine, Administrative Hearings Attorney Vicky Bullock commented that the certified mail return receipt card was not returned to her.

The Board requested that this matter be tabled to the October 10, 2003 Electrical Board meeting, and that a new complaint be drafted to revise paragraph four.

Matter of Richard Weiss (Docket No. 03-578)

FINDINGS OF FACTS: Pursuant to the provisions of Sections 4-166 et seq., 20-334, 20-341, 21-a-7 and 21-a-9 of the Connecticut General Statutes, the State Electrical Work Examining Board, having reason to believe that **Richard Weiss**, hereinafter referred to as Respondent, has violated the provisions of Sections 20-334, 20-341 and 21-a-9 of the Connecticut General Statutes and Sections 20-332-16 and 20-332-18a of the Regulations of Connecticut State Agencies, hereby issues its Complaint stating its charges as follows: **PARAGRAPH ONE:** At all times relevant herein, the Respondent, **RICHARD WEISS**, resided and or engaged in business in Branford, Connecticut. **PARAGRAPH TWO:** Respondent is and has been the holder of a limited electrical contractor's license, number 105899, type L5. **PARAGRAPH THREE:** At times during the period April 1998 through December 2002, the Respondent caused electrical work to be performed by a person who was not licensed (lapsed) or registered in accordance with Chapter 393 of the Connecticut General Statutes on various job sites located in the State of Connecticut. **PARAGRAPH FOUR:** At times during the period April 1998 through December 2002, the Respondent caused electrical work to be performed by a person who was improperly licensed (journeyman, not directly employed by the Respondent), or registered in accordance with Chapter 393 of the Connecticut General Statutes on various job sites located in the State of Connecticut. **PARAGRAPH FIVE:** At times during the period April 1998 through December 2002, the person referred to in paragraphs three and four performed work in violation of basic trade practice and/or in an incompetent or negligent manner on various job sites located in the State of Connecticut under permits obtained by the Respondent. **PARAGRAPH SIX:** At times during the period April 1998 through December 2002, the Respondent applied for and obtained permits to perform work on various job sites located in the State of Connecticut. **PARAGRAPH SEVEN:** The Respondent did not own the company nor was he in the direct and regular employment of the company for which he obtained the permits referred to in Paragraph Six. **PARAGRAPH EIGHT:** Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about April 11, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. **PARAGRAPH NINE:** The circumstances cited in Paragraphs Two through Eight, inclusive constitute authority and grounds for the 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.

Mr. Weiss appeared at today's meeting and was represented by Attorney Stephen Bellis. Mr. Bellis, on behalf of his client, offered payment of the \$6,000.00 civil penalty by way of a payment plan, with the initial payment of \$250.00 to be paid today; monthly payments of \$250.00 until the debt is paid in full; and the license to be summarily suspended if a payment is missed.

CONCLUSION: The Board did not accept Mr. Weiss' offer to pay in monthly installments and disagreed with the civil penalty amount.

MOTION:

Board Member Kenneth Leech made a motion to reject the offer of a payment plan and that the civil payment should be in the amount of \$10,000, \$1,000.00 for each violation, in which there were 10. The motion was seconded by Board Roger Johnson. The motion carried unanimously.

Final Decisions and Orders Presented and were Signed:

The following Final Decisions and Orders were submitted by France Lee, DCP Paralegal, to Chairman Laurence Vallieres:

1. Matthew Michelson Docket No. 03-129

2. Michael Voas Docket No. 03-389

3. Edward Haney Docket No. 03-391

4. LaMountain Brothers Docket No. 03-390

1. Timothy Cascone Docket No. 03-486

Final Decisions and Orders Presented and were not Signed:

There being no further business, a motion was made by Board Member Beverly Ceuch to adjourn the meeting.

The motion was seconded by Board Member Michael Muthersbaugh.

The motion carried unanimously.

The meeting adjourned at 1:32 p.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

**MINUTES
STATE ELECTRICAL WORK EXAMINING BOARD**

The meeting of October 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
Beverly A. Ceuch, Journeyman
Jack B. Halpert, Public Member
Douglas A. Reid, Journeyman
Raymond A. Turri, Contractor
Members Absent:
Roger L. Johnson, Jr., Journeyman
Kenneth B. Leech, Journeyman
Michael Muthersbaugh, Electronic Technician
Lewis J. Stanio, Contractor

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

Board Counsel Present:

None

DCP Staff Present:

Richard M. Hurlburt, Director
Judith R. Booth, Electrical Board Secretary
Vicky Bullock, Administrative Hearings Attorney

Others Present:

Robert Tworkowski, Electrical Contractor
Dan McCann, Echostar Communications

The next meeting of this Board is scheduled for November 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:

September 19, 2003 Electrical Board Minutes:

Board Member Jack Halpert made a motion to approve the September 19, 2003 Minutes. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

August 21, 2003 Electrical Board Minutes:

Board Member Douglas Reid made a motion to revise the August 21, 2003 Minutes to remove the following language, "because it was not contained in the original complaint: "A motion was made by Board Member Roger Johnson to impose a civil penalty of \$250.00 for failure to display a license on a company vehicle..." 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:

There were no persons scheduled to appear before the Board.

Comments or Concerns of Any Person Present Today:

There were no comments or concerns addressed to the Board.

Applicants for License Examination:

1. Thomas Shannon:

E-1 Application: A motion was made by Board Member Douglas Reid to deny this application due to no proof of hardship shown. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

Applicants for License Appearing in Person:

There were no applicants who appeared before the Board.

CHRO Applicants for License:

Director Richard Hurlburt reported and presented the following CHROs:

1. Richard Turner:

E-1 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.

2. Frank Accavallo: 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.

3. Winston DeBeatham: 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.

4. Darren Jackson: 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.

5. Louis Migliore, Jr.: E-1 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.

Prior CHRO Applicants for Licensure Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Renewal of Licensure: None

Prior CHRO Request for Renewal of Licensure Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Request for Reinstatement of Licensure:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Prior CHRO Request for Reinstatement of Licensure Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Request for Reconsideration: None

Request to Suspend: None

Stipulation and Settlement Agreement Containing Consent Orders:

Stipulation Containing Consent Order:

1. Thomas Lemley Docket No. 03-635

A motion was made by Board Member Raymond Turri to accept the Stipulation Containing Consent Order for \$1,000.00. Board Member Douglas Reid seconded the motion. The motion passed unanimously.

*Joseph Orsini Docket No. 03-642
**Thomas Kask Docket No. 03-643
**Michael Longo Docket No. 03-644

A motion was made by Board Member Raymond Turri to accept the Stipulation Containing Consent Order for \$2,500.00. Board Member Douglas Reid seconded the motion. The motion passed unanimously.

*Note: \$500.00 was previously paid by Mr. Orsini as a "good faith" payment.

**Note: Warning Letters were previously issued from the Legal Department to Mr. Kask and Mr. Longo.

3. Arcco Sign & Crane Service Docket No. 02-876
Bryan Cohen Docket No. 02-877

This matter was tabled to the November 14, 2003 meeting. No motion was made to this effect.

Stipulation Containing Consent Order Previously Heard:

1. Matter of Richard Weiss (Docket No. 03-578)

FINDINGS OF FACTS: Pursuant to the provisions of Sections 4-166 et seq., 20-334, 20-341, 21a-7 and 21a-9 of the Connecticut General States, the State Electrical Work Examining Board, having reason to believe that Richard Weiss, hereinafter referred to as Respondent, has violated the provisions of Sections 20-334, 20-341 and 21a-9 of the Connecticut General States and Sections 20-332-16 and 20-332-18a of the Regulations of Connecticut State Agencies, hereby issues its Complaint stating its charges as follows: **PARAGRAPH ONE:** At all times relevant herein, the Respondent, RICHARD WEISS, resided and or engaged in business in Branford, Connecticut. **PARAGRAPH TWO:** Respondent is and has been the holder of a limited electrical contractor's license, number 105899, type L5. **PARAGRAPH THREE:** At times during the period April 1998 through December 2002, the Respondent caused electrical work to be performed by a person who was not licensed (lapsed) or registered in accordance with Chapter 393 of the Connecticut General States on various job sites located in the State of Connecticut. **PARAGRAPH FOUR:** At times during the period April 1998 through December 2002, the Respondent caused electrical work to be performed by a person who was improperly licensed (journeyman, not directly employed by the Respondent), or registered in accordance with Chapter 393 of the Connecticut General States on various job sites located in the State of Connecticut. **PARAGRAPH FIVE:** At times during the period April 1998 through December 2002, the person referred to in paragraphs three and four performed work in violation of basic trade practice and/or in an incompetent or negligent manner on various job sites located in the State of

Connecticut under permits obtained by the Respondent. PARAGRAPH SIX: At times during the period April 1998 through December 2002, the Respondent applied for and obtained permits to perform work on various job sites located in the State of Connecticut. PARAGRAPH SEVEN: The Respondent did not own the company nor was he in the direct and regular employment of the company for which he obtained the permits referred to in Paragraph Six. PARAGRAPH EIGHT: Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about April 11, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license. PARAGRAPH NINE: The circumstances cited in Paragraphs Two through Eight, 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.

At the September 19, 2003 meeting, Mr. Weiss appeared and was represented by Attorney Stephen Bellis. Mr. Bellis, on behalf of his client, offered payment of the \$6,000.00 civil penalty by way of a payment plan, with the initial payment of \$250.00 to be paid today; monthly payments of \$250.00 until the debt is paid in full; and the license to be summarily suspended if a payment is missed.

CONCLUSION: The Board did not accept Mr. Weiss' offer to pay in monthly installments and disagreed with the civil penalty amount.

MOTION:

Board Member Kenneth Leech made a motion to reject the offer of a payment plan and that the civil payment should be in the amount of \$10,000, \$1,000.00 for each violation, in which there were 10. The motion was seconded by Board Roger Johnson. The motion carried unanimously.

At today's proceeding Mr. Weiss (Docket No. 03-578) was not present but had agreed to accept the Board's ruling of September 19, 2003, which was a civil penalty of \$10,000.00.

Board Member Douglas Reid made a motion to accept the Stipulation Containing Consent Order in the amount in \$10,000.00. The motion was seconded by Board Member Raymond Turri. The motion carried unanimously.

Settlement Containing Consent Order:

1. *Bernardo Migliorati
Docket No. 03-534

A motion was made by Board Member Raymond Turri to accept the Stipulation Containing Consent Order for \$2,500.00. Board Member Douglas Reid seconded the motion. The motion passed unanimously.

*Note: \$500.00 was previously paid by Mr. Migliorati as a "good faith" payment.

Notice of Continuance: None

Request to Dismiss and Request to Dismiss Without Prejudice:

Request to Dismiss: None

Request to Dismiss without Prejudice: None

Request to Revise: None

Request to Reopen: None

Commissioner's Advisories and Recommendations: None

Review of PSI Examination Results:

The Board reviewed the PSI Examination results covering dates September 1, 2003 through September 30, 2003. No comments or actions were taken.

Correspondence: None

Legal Department's Tracking Report: None

New Business:

- 1. Stephen Beecher
B & B Electrical Contractors
CM 03-121

Administrative Hearings Attorney Vicky Bullock updated the Board concerning this matter. After a brief discussion, it was decided that this matter proceed to a Formal Administrative Hearing.

- 2. Chairman Laurence Vallieres addressed the Board regarding the PSI Examination Review scheduled for October 14, 2003 and October 15, 2003 and to concentrate on the examination questions pertaining to the E-1 and E-2 categories.

- 3. Administrative Hearings Attorney Vicky Bullock introduced to the Board her replacement, Attorney Anthony Santoro. The Board thanked her for her tremendous effort and hard work for the short period of time she worked with them.

Old Business:

- 1. Director Richard Hurlburt's report on Timothy Cascone. (At the July 11, 2003 meeting, a question was asked by Board Member Roger Johnson to Director Richard Hurlburt on how Mr. Cascone was able to renew his license after nine years without retesting?)

This matter was tabled to the November 14, 2003 Electrical Board meeting due to Board Member Johnson not being present for today's proceedings.

Postponed Formal Administrative Hearings: None

Formal Administrative Hearings:

1. Matter of Terence Devine (Docket No. 03-577)

ALLEGATIONS: Pursuant to the provisions of Sections 4-166 et seq., 20-334, 20-341, 21a-7 and 21a-9 of the Connecticut General Statutes, the State Electrical Work Examining Board, having reason to believe that Terence Devine, hereinafter referred to as Respondent, has violated the provisions of Sections 20-334, 20-341 and 21a-9 of the Connecticut General Statutes and Sections 20-332-16 and 20-332-18a of the Regulations of Connecticut State Agencies, hereby issues its Complaint stating its charges as follows: **PARAGRAPH ONE:** At all times relevant herein, the Respondent, TERENCE DEVINE, resided and or engaged in business in Shelton, Connecticut. **PARAGRAPH TWO:** Respondent was and had been the holder of a limited electrical license, number 179667, type L6. Said license expired on September 30, 2001, was renewed on or about August 2, 2002 and then was revoked by this Board on October 11, 2002. **PARAGRAPH THREE:** At all times relevant herein the Respondent was self employed by Devine Protection, Shelton, Connecticut. **PARAGRAPH FOUR:** 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. **PARAGRAPH FIVE:** At times during the period April 1998 through December 2002, the Respondent engaged in electrical work on various job sites in the State of Connecticut which required a license pursuant to Chapter 393 of the Connecticut General Statutes. **PARAGRAPH SIX:** At times during the period April 1998 through December 2002, the Respondent performed work on various job sites in the State of Connecticut without being in the direct and regular employment of a properly licensed contractor. **PARAGRAPH SEVEN:** At times during the period April 1998 through December 2002, the Respondent willfully and falsely pretended to qualify to engage in electrical work on various job sites in the State of Connecticut. **PARAGRAPH EIGHT:** The circumstances cited in Paragraphs Two through Seven, inclusive constitute unethical conduct on the part of the Respondent. **PARAGRAPH NINE:** Pursuant to Section 4-182(c) of the Connecticut General Statutes, the Respondent, on or about March 18, 2003, was given an opportunity to show compliance with all lawful requirements for the retention of his license.

At the September 19, 2003 meeting, it was indicated that although service was made to Mr. Devine, Administrative Hearings Attorney Vicky Bullock commented that the certified mail return receipt card was not returned to her.

The Board requested that this matter be tabled to the October 10, 2003 Electrical Board meeting, and that a new complaint be drafted to revise paragraph four.

During today's proceedings, Mr. Devine was not present and Administrative Hearings Attorney Vicky Bullock indicated that the subpoena could not be served and presently Mr. Devine could not be found and his whereabouts are unknown. Attorney Bullock further commented that the Department will continue to make an effort to locate Mr. Devine.

This case was not heard and was tabled indefinitely. No motion was made to this effect.

Final Decisions and Orders Presented and were Signed:

The following Final Decisions and Orders were submitted by France Lee, DCP Paralegal, to
Chairman Laurence Vallieres:

- 1. Timothy Cascone
Docket No. 03-486

Final Decisions and Orders Presented and were not Signed: None

There being no further business, a motion was made by Board Member Jack Halpert to
adjourn the meeting.

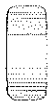
The motion was seconded by Board Member Douglas Reid.

The motion carried unanimously.

The meeting adjourned at 9:40 a.m.

Respectfully submitted,

Judith R. Booth, Board Secretary



**MINUTES
STATE ELECTRICAL WORK EXAMINING BOARD**

The meeting of November 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
Roger L. Johnson, Jr., Journeyman
Kenneth B. Leech, Journeyman
Lewis J. Stanio, Contractor

Members Absent:

Michael Muthersbaugh, Electronic Technician
Douglas A. Reid, Journeyman
Raymond A. Turri, Contractor

Member Vacancy:

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

Board Counsel Present:

None

DCP Staff Present:

Richard M. Hurlburt, Director
Judith R. Booth, Electrical Board Secretary
Vicky Bullock, Administrative Hearings Attorney
Anthony Santoro, Administrative Hearings Attorney

Others Present:

Robert Tworkowski, Electrical Contractor
Lloyd Thompson, City Electrical Enterprises, LLC
Marcel Thompson, City Electrical Enterprises, LLC

The next meeting of this Board is scheduled for December 12, 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:

October 10, 2003 Electrical Board Minutes:

Board Member Jack Halpert made a motion to approve the October 10, 2003 Minutes. The motion was seconded by Board Member Lewis Stanio. The motion carried unanimously.

Appearing Before the Board Today:

There were no persons scheduled to appear before the Board.

Comments or Concerns of Any Person Present Today:

There were no comments or concerns addressed to the Board.

Applicants for Licensure Examination:

1. Stephen T. McQuillan: E-1 Application: A motion was made by Board Member Kenneth Leech to deny this application due to no proof of hardship shown and that this applicant must hold his E-2 license for a minimum of two years prior to seeking E-1 status. The motion was seconded by Board Member Roger Johnson. The motion carried unanimously.

Applicants for Licensure Appearing in Person:

There were no applicants who appeared before the Board.

CHRO Applicants for Licensure:

Director Richard Hurlburt reported and presented the following CHROs:

1. Jeffrey S. Branch: E-2 Application: A motion was made by Board Member Kenneth Leech to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

2. Brian M. O'Donnell: E-1 Application: A motion was made by Board Member Roger Johnson to accept Director Richard Hurlburt's recommendation to approve the CHRO. The motion was seconded by Board Member Lewis Stanio. The motion carried unanimously.

Prior CHRO Applicants for Licensure Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Renewal of Licensure: None

A motion was made by Board Member Kenneth Leech to deny the Stipulation Containing Consent Order and proceed to a formal hearing. The motion was seconded by Board Member Lewis Stanio. The motion passed unanimously.

2. Utility Communications, Inc. Docket No. 03-219

Note: The Board commented that in this situation when both the owner and his company are being cited, the citation should only be issued against the company.

This matter was tabled to the December 12, 2003 meeting. No motion was made to this effect.

1. Arco Sign & Crane Service Docket No. 02-876
Bryan Cohen (President/Owner) Docket No. 02-877

Stipulation Containing Consent Order:

Stipulation and Settlement Agreement Containing Consent Orders:

Request to Suspend: None

Note: Chairman Laurence Vallieres abstained from voting in this matter. Note: Mr. Thompson appeared in person today to discuss this matter and to pay the civil penalty of \$500.00.

A motion was made by Board Member Beverly Ceuch to adhere to the original December 13, 2002 ruling of an Immediate Order of Discontinuance, a Reprimand and a Civil Penalty of \$500.00. The motioned was seconded by Board Member Jack Halpert. The motion carried.

1. Lloyd Thompson
City Electrical Enterprises, LLC
Docket No. 02-758

Request for Reconsideration:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Prior CHRO Request for Reinstatement of Licensure Pending Decision:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

CHRO Request for Reinstatement of Licensure:

Director Richard Hurlburt did not have any applications to present to the Board under this category.

Prior CHRO Request for Renewal of Licensure Pending Decision:

Stipulation Containing Consent Order Previously Heard: None

Settlement Containing Consent Order: None

Notice of Continuance: None

Request to Dismiss and Request to Dismiss Without Prejudice:

Request to Dismiss: None

Request to Dismiss without Prejudice: None

Request to Revise: None

Request to Reopen: None

Commissioner's Advisories and Recommendations: None

Review of PSI Examination Results:

The Board reviewed the PSI Examination results covering dates October 1, 2003 through October 31, 2003. No comments or actions were taken.

Correspondence:

1. September 29, 2003 article from CableWorld concerning "Sears Preps Sales Staff for Rollout of Voom Service";

This matter was tabled to the December 12, 2003 meeting so that Board Member Michael Muthersbaugh could be present to comment on this issue.

Legal Department's Tracking Report: None

New Business:

1. Chairman Laurence Vallieres addressed the Board regarding the PSI Examination Review which was held on October 14 and October 15, 2003. Besides himself, Board Members Douglas Reid, Lewis Stanio and Raymond Turri attended this event. During the review it was noticed that a great deal of the E-2 examination questions were appearing on the E-1 examination and at the conclusion of the meeting a request was made to PSI to remove them from the E-1 examination. Additionally, Chairman Vallieres said he would like to see the following examination topics added and tailored to fit both the E-1 or E-2 examinations:

- Stop/Start/Jog Motor Starter Wiring
- Motor Starter Auxiliary Contact Wiring
- Electric and Mechanically Held Contractors
- Photocell/Time Clock Control Wiring
- Sizing of Pull Boxes
- Derating Conductors for Conduit Fill
- Sizing Junction Boxes, Different Size Conductors
- Temporary Wiring
- Calculating Prevailing Wage – Benefits Credit, etc.
- Ratio Requirements – Hiring/Jobsite

- Outlet Requirements-Wall Spacing, Counters, Exterior, Mechanical Equipment
- Emergency Lighting/Exit Lights
- Wiring of Emergency Circuits
- Fire Stopping
- Circuit Testing – Meggar

Chairman Vallieres commented that overall the review process was much better than in the past and as far as the final test questions to be developed it will be discussed at the December 12, 2003 meeting.

2. Board Member Lewis Stanio provided a copy of a document "White Paper in Opposition to: Amendments Proposed by the Electrical Work Examining Board to CT General Statutes Section 20-340(4) and CT General Statutes Section 20-330(2)". The document is in direct opposition to the Board's "Proposed Legislative Changes to Chapters 393 and 394" submitted to former Consumer Protection Commissioner, James Fleming, for approval in August 2003.

Chairman Laurence Vallieres asked the Board Secretary to mail out advanced copies to all Board Members and request that they compare and note the difference in language between the two documents and to be prepared to discuss it at the December 12, 2003 meeting.

3. Administrative Hearings Attorney Vicky Bullock introduced to the Board her replacement, Attorney Anthony Santoro. Chairman Laurence Vallieres explained to Attorney Santoro how the Board makes better, informed decisions when they hear a case in its entirety and the role each person played in a matter.

4. The Board requested that the Department locate the exact date when Kurt Claywell, owner of Claywell Electric Company Incorporated and Claywell Incorporated, pleaded guilty to 21 of 31 charges in Federal Court recently.

DCP Administrative Hearings Attorney Vicky Bullock responded that she will attempt to obtain this information.

Old Business:

1. Director Richard Hurlburt's report on Timothy Cascone.

At the July 11, 2003 meeting, a question was asked by Board Member Roger Johnson to Director Richard Hurlburt on how Mr. Cascone was able to renew his license after nine years without retesting?

Director Richard Hurlburt explained Mr. Cascone's license renewal history with the Board and no discrepancies were found.

Postponed Formal Administrative Hearings: None

Formal Administrative Hearings: None

Final Decisions and Orders Presented and were Signed:

The following Final Decisions and Orders were submitted by France Lee, DCP Paralegal, to
Chairman Laurence Vallieres:

- 1. Peter Vaccarelli
Docket No. 03-218

Final Decisions and Orders Presented and were not Signed: None

There being no further business, a motion was made by Board Member Jack Halpert to
adjourn the meeting.

The motion was seconded by Board Member Kenneth Leech.

The motion carried unanimously.

The meeting adjourned at 10:05 a.m.

Respectfully submitted,

Judith R. Booth, Board Secretary

**MINUTES
STATE ELECTRICAL WORK EXAMINING BOARD**

The meeting of December 12, 2003 was called to order by Laurence A. Vallieres, Chairman, at 8:52 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
Raymond A. Turri, Contractor

Members Absent:
Roger L. Johnson, Jr., Journeyman
Douglas A. Reid, Journeyman
Lewis J. Stanio, Contractor

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

Board Counsel Present: None

DCP Staff Present: Judith R. Booth, Electrical Board Secretary

Others Present:
Robert Tworkowski, Electrical Contractor
Antoinette Tworkowski, Visitor
Margaret Girard, SBC SNET
Wendy Macintosh, SBC SNET
Carlos Vazquez, United Illuminating
Tom Dorsey, Northeast Utility
Joyce Wojtas, CT Construction Industries Association

The next meeting of this Board is scheduled for January 9, 2004, 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. Hurburt at (860) 713-6135.

Minutes:

November 14, 2003 Electrical Board Minutes:

Board Member Jack Halpert made a motion to approve the November 14, 2003 Minutes. The motion was seconded by Board Member Beverly Ceuch. The motion carried unanimously.

Appearing Before the Board Today:

There were no persons scheduled to appear before the Board.

Comments or Concerns of Any Person Present Today:

There were no comments or concerns addressed to the Board.

Applicants for Licensure Examination:

None

Applicants for Licensure Appearing in Person:

None

CHRO Applicants for Licensure:

None

Prior CHRO Applicants for Licensure Pending Decision:

None

CHRO Renewal of Licensure:

None

Prior CHRO Request for Renewal of Licensure Pending Decision:

None

CHRO Request for Reinstatement of Licensure:

None

Prior CHRO Request for Reinstatement of Licensure Pending Decision:

None

Request for Reconsideration:

None

Request to Suspend:

None

Stipulation and Settlement Agreement Containing Consent Orders:

Stipulation Containing Consent Order:

None

Stipulation Containing Consent Order Previously Heard:

None

Settlement Containing Consent Order:

None

Notice of Continuance:

None

Request to Dismiss and Request to Dismiss Without Prejudice:

Request to Dismiss:

None

Request to Dismiss without Prejudice:

None

Request to Revise:

None

Request to Reopen:

None

Commissioner's Advisories and Recommendations:

None

Review of PSI Examination Results:

The Board reviewed the PSI Examination results covering dates November 1, 2003 through November 30, 2003. No comments or actions were taken.

Correspondence:

1. September 29, 2003 article from CableWorld concerning "Sears Preps Sales Staff for Rollout of Voom Service";

Board Member Michael Muthersbaugh stated that the installers and contractors performing these jobs are not licensed or certified. Chairman Laurence Vallieres requested that the Occupational and Professional Division Director, Richard Huriburt, write a letter to Sears informing them of Connecticut's licensing laws.

2. October 29, 2003 letter from John W. Yusza, Jr., President, of Monitor Controls, Inc., regarding License Exam Test Questions.

This correspondence was reviewed. No actions or comments were noted.

3. The Vocational Technical School System "Course Sequence and Prerequisites" for the C-6, E-2, L-6 and T-2 licenses, which was effective January 1, 2002.

This correspondence was reviewed. No actions or comments were noted.

4. The 2004 Board/Commission Calendar.

This document was reviewed. No actions or comments were noted.

5. The Board reviewed a December 4, 2003 letter from ADT Security Services, which was submitted by Director Richard Huriburt to the Board on the Harford Police Department's consideration to stop responding to burglary alarm notification calls from alarm service companies, including ADT.

This document was reviewed. No actions or comments were noted.

Legal Department's Tracking Report:

None

New Business:

None

Old Business:

1. At the November 14, 2003 meeting, Board Member Lewis Stanio provided a copy of a document "White Paper in Opposition to: Amendments Proposed by the Electrical Work Examining Board to CT General Statutes Section 20-340(4) and CT General Statutes Section 20-330(2)". The document is in direct opposition to the Board's "Proposed Legislative Changes to Chapters 393 and 394" submitted to former Consumer Protection Commissioner, James Fleming, for approval in August 2003.

After a brief review of the document, Chairman Laurence Vallieres requested the Board Secretary to mail out advanced copies to all Board Members and request that they compare and note the difference in language between the two documents and to be prepared to discuss it at today's meeting.

A few individuals addressed the Board in support of the document entitled "White Paper in Opposition to: Amendments Proposed by the Electrical Work Examining Board to CT General Statutes Section 20-340(4) and CT General Statutes Section 20-330(2)", while the Board Members upheld their position in favor of their proposed legislative changes to Chapter 393 and 394. Chairman Laurence Vallieres concluded the discussion by stating that he would arrange an appointment with Commissioner Edwin Rodriguez to discuss the proposal and would draft a letter to be forwarded to all who participated in today's discussion and to those present who had an interest in the outcome of his meeting with the Commissioner.

At the November 14, 2003 meeting, the Board requested that the Department locate the exact date when Kurt Claywell, owner of Claywell Electric Company incorporated and Claywell Incorporated, pleaded guilty to 21 of 31 charges in Federal Court.

DCP Administrative Hearings Attorney Vicky Bullock submitted paperwork which indicated Mr. Claywell's sentencing date rather than his actual conviction date. The Board requested that the Department make it clear to Attorney Bullock that they were seeking Mr. Claywell's conviction date and if found to present it at their next meeting.

Further, Board Member Michael Muthersbaugh made a motion that if Mr. Claywell's conviction date was prior to his Renewal date of September 30th, the Board ruled that Mr. Claywell's license be rescinded by the Department. The motion was seconded by Board Member Jack Halpert. The motion carried unanimously.

Note: Board Member Kenneth Leech recused himself in this matter.

Discussion on "Additional PSI Examination Questions." Do you have any examination questions you wish to see added?

Listed below is Chairman Laurence Vallieres' list of examination questions to add to the existing E-1 and E-2 examination categories:

- Stop/Start/Jog Motor Starter Wiring
- Motor Starter Auxiliary Contact Wiring
- Electric and Mechanically Held Contractors
- Photocell/Time Clock Control Wiring
- Sizing of Pull Boxes
- Derating Conductors for Conduit Fill
- Sizing Junction Boxes, Different Size Conductors
- Temporary Wiring
- Calculating Prevailing Wage – Benefits Credit, etc.
- Ratio Requirements – Hiring/Jobsite
- Outlet Requirements-Wall Spacing, Counters, Exterior, Mechanical Equipment
- Emergency Lighting/Exit Lights
- Wiring of Emergency Circuits
- Fire Stopping
- Circuit Testing – Meggar

When asked by Chairman Vallieres if any Board Member had additional questions or topics to add to the list, the Board Members did not respond; however, Chairman Vallieres commented that he would like to add Blueprint Reading to the E-2 category.

Postponed Formal Administrative Hearings:

None

Formal Administrative Hearings:

None

Final Decisions and Orders Presented and were Signed:

The following Final Decisions and Orders were submitted by France Lee, DCP Paralegal, to Chairman Laurence Vallieres:

1. Joseph Gibbons Docket No. 02-961

Final Decisions and Orders Presented and were not Signed:

None

There being no further business, a motion was made by Board Member Jack Halpert to adjourn the meeting.

The motion was seconded by Board Member Kenneth Leech.

The motion carried unanimously.

The meeting adjourned at 10:02 a.m.

Respectfully submitted,

Judith R. Booth, Board Secretary