

MINUTES

FIRE PROTECTION SPRINKLER SYSTEMS WORK EXAMINING BOARD

MARCH 17, 2010

The meeting was called to order by David J. Waskowicz, Chairperson, at 9:45 a.m. in Room-126 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: David J. Waskowicz – Unlimited Journeyperson, Chairperson
Kevin Wypychoski – Contractor
Thomas E. Booth – Unlimited Journeyperson
Anthony D. Moscato – Fire Marshal
Ralph Carl Miller – Fire Marshal
Luis A. Coreano – Public Member
John Michalewicz – Public Member

Members Absent: Robert W. Hollis, III – Contractor

Board Vacancies: One Public Member.

Board Counsel Present: None

DCP Staff Present: Nelson Leon
Linda Roberts

Public Present: Tammie Whiting
Ken Sharron
Hank Voorvaart
Yuriy Rudshteyn
Angelo Lisi, Jr.
Paul Tagatac, Esq.

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 706-1255.

Agency Website: www.ct.gov/dcp **Division E-Mail:** occprotrades@ct.gov

MINUTES OF PREVIOUS MEETINGS

The Board voted unanimously to approve minutes of the February 3, 2010 Fire Protection Sprinkler Systems Work Examining Board meeting.

APPLICATIONS

Jared Ashley, Worcester, MA – (F-2) Unlimited Journeyman – Approved

The Board voted unanimously to approve Mr. Ashley's application.

Joao M. Benigno, Fall River, MA – (F-2) Unlimited Journeyman – Approved

The Board voted unanimously to approve Mr. Benigno's application.

Milton E. Bradley, E. Freetown, MA – (F-2) Unlimited Journeyman – Approved

The Board voted unanimously to approve Mr. Bradley's application.

Brian Garbino, Saugus, MA – (F-2) Unlimited Journeyman – Approved

The Board voted unanimously to approve Mr. Garbino's application.

Aaron B. Goff, Stafford Springs, CT – (F-1) Unlimited Contractor – Approved

The Board voted unanimously to approve Mr. Goff's application.

Derek J. Poirier, Blackstone, MA – (F-2) Unlimited Journeyman – Approved

The Board voted unanimously to approve Mr. Poirier's application.

Henry Voorvaart, Lebanon, CT – (F-3) Limited Contractor – Tabled

The Board voted unanimously to table Mr. Voorvaart's application due to lack of required credentials concerning his occupational and school related instruction experience.

Yuriy Rudshiteyn, Staten Island, NY – (F-1) Unlimited Contractor.

Attorney Tagatac maintains that Mr. Rudshiteyn qualifies for an (F-1) Unlimited Contractor license examination pursuant to Connecticut General Statutes, Chapter 393, Section 20-334a (1) (A) as stated below.

Section 20-334a (1) (A) An unlimited contractor's license may be issued to a person who has served as a journeyman in the trade for which such person seeks a license for not less than two years and, if such service as a journeyman was outside this state, has furnished evidence satisfactory to the appropriate state board that such service is comparable to similar service in this state, or has furnished satisfactory evidence of education and experience and has passed an examination which has demonstrated that such person is competent in all aspects of such trade to be an unlimited contractor.

After further review and discussion concerning this matter at the Board's 2/3/10 meeting, the Board concluded that in section 20-334a (c) as stated below, it reads somewhat different. Therefore, the Board voted at their 2/3/10 meeting to table their decision, contingent upon seeking an interpretation from their legal counsel (Raul Rodriguez, Assistant Attorney General).

(c) The following licenses for fire protection sprinkler systems work may be issued by the department: (1) A fire protection sprinkler contractor's license may be issued to a person who provides satisfactory evidence of education and experience in fire protection sprinkler systems work, as defined in subdivision (9) of section 20-330, and who has passed an examination which has demonstrated competence in all aspects of such trade. Applicants for such license shall complete a form provided by the commissioner; and (2) a journeyman sprinkler fitter's license may be issued to a person who has completed a bona fide apprenticeship program pursuant to section 20-334c, and who has not less than four years experience in fire protection sprinkler systems work, as defined in subdivision (9) of section 20-330, or who has been licensed under this section, and has passed an examination which has demonstrated competence in all aspects of such trade. Applicants for such license shall complete a form provided by the department.

After further review, discussion and input at today's meeting, Mr. Rudshiteyn changed his license category from (F-1) Unlimited Contractor to (F-2) Unlimited Journeyman and the Board voted unanimously to approve Mr. Rudshiteyn's (F-2) Unlimited Journeyman application. The Board said that if Mr. Rudshiteyn passes the (F-2) Unlimited Journeyman examination, he may apply for the (F-1) Unlimited Contractor with a hardship request for the Board to review and consider.

The Board said it would like to be accommodated when they request for their legal counsel to be present at their meetings. The Board also expressed concern about their legal counsel not present at today's meeting to address this particular matter, in addition to Attorney Rodriguez providing advice to Mr. Waskowicz regarding Mr. Rudshiteyn's (F-2) application, which contradicted the information he gave to Attorney Tagatac on the same matter.

CORRESPONDENCE

Connecticut occupational trades examination statistics summary.

OLD BUSINESS

Mr. Waskowicz reported on correspondence by DCP concerning maintenance, inspection and testing of fire protection systems, in which the correspondence states that maintenance is in fact licensable work, but that there is no indication that testing and inspection is included in such meaning or that testing and inspection may not be performed by other “appropriately qualified persons” or unlicensed practitioners under certain system designed conditions.

Mr. Moscato referenced a letter dated 3/20/90 from Michael Skurat, former Fire Protection Board member, which states that In accordance with National Fire Protection Association (NFPA 13A), Section 1-3 defines various terms including inspection, maintenance, qualified inspection services and testing. Inspection is defined as simply “a visual examination of a sprinkler system or a portion thereof to verify that it appears to be in operating condition and is free from physical damage”. “Qualified Inspections Service” is defined as “a service program provided by a fire protection contractor and/or owner’s representative, in which all of the Chapter 7 provisions are included. That within the definition of “qualified inspection service”, this type of inspection includes testing of various components of the system, and that it is imperative that such tests be performed only by licensed individuals qualified for such work.

The Board unanimously concluded that any impairment of the system which would include trip testing of a system, where such work requires impairing the system. Once you shut-off a water valve on a fire protection system, you are impairing the system, which requires a fire protection license.

MISCELLANEOUS

ETHICS NEWS

As we progress into the New Year, we would like to thank all Board and Commission members who give their time and expertise to the Department of Consumer Protection in providing assistance and ensuring compliance with the laws created and established to ensure a protected Connecticut citizenry. The service you perform in your official state capacity is appreciated by the Department, your fellow Board or Commission members, licensees and consumers throughout this great State.

At this time, we would also like to take this opportunity to remind existing members and inform our newly appointed members to become familiarized with the Code of Ethics for Public Officials and Department of Consumer Protection Ethics policies.

In general, the Code of Ethics for Public Officials prohibits a public official or state employee from using his or her state title for his or her financial benefit or for the financial benefit of a business with which he or she is associated. As such, please refrain from using your board or commission title (i.e. "Real Estate Commissioner") on personal or business letterhead stationery, greeting or business cards, e-mails, calendars, or web addresses. In this manner, we may avoid even the appearance of impropriety and thus not risk possible violations of the Code of Ethics.

If you have any further questions or comments, please do not hesitate to contact the Office of State Ethics directly at 860-263-2400 or ethics.code@ct.gov or the department Ethics Liaison, Elisa Nahas, at 860-713-6088 or elisa.nahas@ct.gov.

For further information, please review Sec. 1-79 *et seq.*, Conn. General Statutes; http://www.ct.gov/ethics/lib/ethics/publications/public_officials_guide_09_final.pdf; and [http://www.ct.gov/dcp/lib/dcp/policies/dcpethics2008_\(rev_2\).doc](http://www.ct.gov/dcp/lib/dcp/policies/dcpethics2008_(rev_2).doc) .

There being no further business, the meeting adjourned at 12:03 p.m.

Respectfully submitted,

Nelson Leon
Board Secretary

The next meeting is scheduled for Wednesday, May 19, 2010, at 9:30 a.m. in Room-126.