



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF PLUMBING AND HVACR EXAMINERS

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PUBLIC MEETING MINUTES:	BOARD OF PLUMBING & HVACR EXAMINERS
MEETING DATE AND TIME:	Tuesday, September 9, 2014 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon
MINUTES APPROVED:	October 14, 2014

MEMBERS PRESENT

Dean Sherman, Professional Member, President
Charles Robbins, Professional Member, Vice President
Frank Beebe, Professional Member
Harold Caswell, Professional Member
James Anderson, Public Member
Carol Guilbert, Public Member, Secretary

MEMBERS ABSENT

John Brady, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Kevin Maloney, Deputy Attorney General
Latonya Brown, Administrative Specialist II

OTHERS PRESENT

Richard Masi, Magneto Mechanical
Chuck Davidson, DPH
James Permelia, NCC
Mike Savage, Michael Savage Plumbing
Harry Jarvis, North Star Heating & Air
David Herwig, Worcester Co. MD
Darrell Scott, DSU Shop Plumber
Jeffrey Calloway, Calloway Heating & Cooling, LLC
Tom Rust, Plumbing Unlimited
Trevor Rolph, Rolph HVAC, LLC
David McCloy, Licensed Plumber
Charles Messina, Messina Plumbing & Electric & HVACR
Herbert Harvey, Licensed HVACR
Joshua Michael, JDM Plumbing
Ed Capadanno, ABC Delaware
Dan Henderson, Henderson Mechanical

Robert Briccotto, Esquire Plumbing & Heating
Ray Williams, Master Plumber
Frank Bartuski, DE Heating & Air
Layton Drayton, Master Plumber
Gary Ingram, Master Plumber
Lisa Falconetti, Delaware Tech
Richard Seery Jr., Rick Seery Plumbing LLC.
James Hayman, Licensed HVACR
Bruce Collins, Master Plumber & Master HVACR
Terry McCracken, NCCDE
Michael Savage, Master HVACR Restricted
Barry Boyce, Master Plumber
James Seaman, Master HVACR Restricted
Kenneth Mecham, Delaware Tech
Bob Jones, Jones Property Mgmt.
William Rust, Bill Rust Plumbing
Harold Lewis, Kudo Service Inc.
Robert Frederick, Joseph Frederick & Sons
Charese Messina-Pritchett, Messina Plumbing
Tom Cochran, Federal Mech
Joseph Mroz, Service Energy
David LaFazia, Delaware Tech-Owens (RHA)
Eric Fairbee, Master Plumber
Lawson Losh, Master Plumber
Bruce Ruark, All in the Family Heating & Air
Jere Marvel, All in the Family Heating & Air
Kennie Archer, Master Plumber
David Coar, Master Plumber
Dean Seely, OMB/DFM
Ron Lord, IAPMO

CALL TO ORDER

Mr. Sherman called the meeting to order at 8:45 am.

REVIEW OF MINUTES

A motion was made by Mr. Beebe, seconded by Mr. Brady, to approve the July 8, 2014 amended minutes. The motion carried unanimously.

UNFINISHED BUSINESS

Proposal to Deny Hearing-Richard Masi

The Proposal to Deny Hearing for Mr. Masi went on record at 8:47 a.m. with introduction of the Board members. Mr. Masi was sworn in at 8:51 a.m. Mr. Masi gave Ms. Brown exhibits that were presented to the Board for review. The Board reviewed the information and questioned Mr. Masi about his experience. At 9:06 a.m. the Board went into deliberations. The hearing resumed at 9:11 a.m. with Mr. Sherman making the motion, seconded by Mr. Caswell, to approve Richard Masi to take the Master HVACR By-Pass Exam. The motion carried unanimously.

Public Hearing on Proposed Changes to Regulations

Deputy Attorney General Kevin Maloney went on record at 9:13 a.m. Mr. Maloney stated that the continuance of this hearing is to adopt proposed amendments to the Rules and Regulations which were published in the Registrar.

Deputy Attorney General Kevin Maloney advised of changes reflected in the amended Rules and Regulations. Mr. Maloney opened the discussion up for the public's comments at 9:16 a.m. The comments were as follow:

- Tom Rust of Plumbing Unlimited stated that he is not in support of continuing education.
- Robert Briccotto of Esquire Plumbing & Heating stated that he is not in support of continuing education.
- David McCloy, a DE Master Plumber, stated that he is not in support of continuing education and that it should not be a mandatory requirement.
- Herbert Harvey, a DE Master HVACR Contractor, stated that continuing education is not a hardship but a benefit. Mr. Harvey is in support of continuing education.
- Dan Henderson President of Henderson Mechanical opposes continuing education for Plumbing and HVACR. Mr. Henderson stated that the industry is already self-educating.
- Frank Bartuski owner of Delaware Heating & Air and current president of the PHCC council fully support the continuing education requirements.
- John Maichle, a licensed contractor in DE is in support of continuing education. Mr. Maichle stated that if the Board considers continuing education it benefits the contractors, consumers and the code officials.
- Brian Roberts of Hentkowski, Inc. stated that in order to be professional in any industry you have to be constantly learning about what you are doing. Mr. Roberts is in support of continuing education.
- Robert Frederick of Joseph Frederick & Sons expressed his concerns regarding reciprocity with Maryland and whether we will require continuing backflow education for all plumbers. Mr. Frederick stated that he is in favor of continuing education and it has been beneficial in electrical.
- David Jones of Atlantic Refrigeration & Air Conditioning agrees with Mr. Maichle and supports the continuing education requirement.
- Ray Williams a licensed DE plumber is against continuing education and stated that the only people that are supporting this are from the PHCC.

Public Comment ended at 9:50 a.m.

The Board will deliberate on the proposed regulations at the October 14, 2014th scheduled Board meeting.

The hearing went off record at 9:51 a.m.

NEW BUSINESS

Review of Examination Applications

A motion was made by Mr. Caswell, seconded by Mr. Beebe, to approve Robert Lubach to take the Master HVACR By-pass Exam. The motion carried unanimously.

A motion was made by Mr. Caswell, seconded by Mr. Beebe, to approve John Dunbar to take the Master Plumber Exam contingent upon confirmation of passing By-Pass Exam. The motion carried unanimously.

Ratification of Applications

A motion was made by Mr. Sherman, seconded by Mr. Beebe, to ratify the applications of Willard Shepherd (Master HVACR Restricted), Joseph Radtka (Master Plumber), Robert McGuire (Master Plumber), Robert Pearman (Master HVACR), Levi Hayman (Master HVACR), Randy Thompson (Master HVACR), David Brickman (Master Plumber), Sean Adkins (Master HVACR Restricted), Steven Dennis (Master HVACR), Louis West (Master Plumber), and Roger Moore (Master HVACR). The motion carried unanimously.

Examination Passing Results

The Board reviewed the examination results that showed out of 3 HVACR candidates, none had passing scores. Out of 3 Plumbing candidates, 3 had passing scores: Joseph Adams, James Fitzcharles, and Michael Wilson.

Complaint Status

34-14-12 Referred to AG
34-09-13 Referred to AG
34-13-13 Open
34-14-13 Open

Correspondence

Email from Larry Gill

Ms. Brown presented the Board with an email from Larry Gill questioning what code is used for appliance venting. Mr. Gill is also looking for the process used to propose changes to the Model Codes. The Board suggested that Mr. Gill call the IFGC and get their interpretation of the code.

OTHER BUSINESS BEFORE THE BOARD

Discussion & Update on Continuing Education

The Public Hearing covered discussion and updates on Continuing Education.

Discussion of Delaware Code 1831 (a) (b)

Mr. Maloney presented the Board with the proposed amendment to Delaware Code 1831. The proposed statutory change will also be for the Electrical Board as well.

Mechanical & Plumbing licensing requirements

Ms. Brown handed out the email that Mr. Robbins provided. The email refers to Maryland enforcing a 2012 law that holds employers accountable for ensuring their mechanics are properly licensed.

PUBLIC COMMENT

Mr. Joshua Michael with JDM Plumbing stated his concern about starting education. Mr. Michael stated that he has 5 full time employees; one is registered with the State of DE as a third year plumbing apprentice. He has attempted to have a second employee registered with the state as a first year plumbing apprentice. He was told that he must have 6 mechanics to have 2 plumbing apprentices. Mr. Michaels requested clarification from the Board regarding this matter because he was told by the Department of Education that the Board sets up the ratio of mechanics versus apprenticeship. The Board stated that they were unaware of this and will look into it and find out if they have the authority to change the ratio.

Mr. Davidson stated that the school requirements for employees of plumbers should be looked at amended as needed.

NEXT SCHEDULED MEETING

The next board meeting will be held on October 14, 2014 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

A motion was made by Mr. Sherman, seconded Mr. Beebe, to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 10:15 am.

Respectfully submitted,

A handwritten signature in black ink that reads "LaTonya Brown". The signature is written in a cursive, flowing style.

LaTonya Brown
Administrative Specialist II