

State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration (HVACR)
Contractors

Meeting # 27 - Tuesday, June 2, 2015 - Public Meeting - MINUTES

The Minutes of the Board meeting held on June 2, 2015 have not been formally approved and are subject to change or modification by the Public Body at its next scheduled meeting.

The notice of the June 2, 2015 meeting has been mailed to the Star Ledger, Camden Courier Post, and Trenton Times newspapers, and has also been posted on the Bulletin Board at the Office of the Secretary of State, Trenton, New Jersey.

The Board meeting of June 2, 2015 was called to order at 9:00 am with the following Members in attendance:

Michael K. Maloney, Chairman, Mechanical Inspector 2

Dominic D. Demico, Jr. - Mechanical Inspector 1

Paul J. Mitchell - Master HVACR Contractor 3 - Board Secretary

Mary Pranzatelli - Public Member 2

Thomas C. Pitcherello
Executive Branch of State Government Representative

Kevin S. Clark - Master HVACR Contractor 1

William C. Barham – Master HVACR Contractor 2

Daniel G. Danko, Jr. - HVACR Journeyperson - Vice-Chairman

Board Complement: (9):

As of this meeting date, one (1) vacancy remains for a Public Member with the resignation of Mr. Griffith.

1. CALL TO ORDER
2. ROLL CALL
3. ON-LINE LICENSING APPLICATIONS - UPDATE ~ Stats as of May 27, 2015:

Applications processed: 5,602

Applications "Active" – includes applicants in all categories...
applicants complete and those yet in the process: 8,681

Note: those licensed as Master HVACR contractors are deleted from Active cue

Tracking those licensed as Master HVACR Contractor(s) :
Current license # issued: # 19HC00 4145 00

Applications on file for Master HVACR Contractors were reviewed by Board Members in Executive Closed Session. The "by exam" category process started with this meeting.

4. APPROVAL OF MINUTES of the MAY 5, 2015 MEETING

A motion was made by Daniel G. Danko, Jr. and seconded by Paul J. Mitchell to approve the Minutes of the May 5, 2015 meeting. A vote was taken and the motion unanimously passed.

5. EMAIL INQUIRY DATED APRIL 7, 2015
FROM EDWARD JOYCE, Questioning LICENSE REQUIREMENTS FOR
REPLACEMENT OF EXISTING THERMOSTATS

On June 2, 2015, Board Members discussed this matter and referred Edward Joyce to existing HVACR Statutes and Regulations:

N.J.S.A. 45:16A-2. Definitions relative to licensing of HVACR contractors AND

N.J.A.C. 13:32A - 1.2 Definitions concerning thermostats and thermostatic controls.

6. KEITH M. KONOPKA, LICENSED MASTER HVACR CONTRACTOR
19 HC 00033400
OPERATIONS MANAGER @ JOSEPH M. KONOPKA HVACR
LETTER OF FEBRUARY 25, 2015,
Re REFRIGERATION EQUIPMENT INDIRECT DRAIN-LINE
CLARIFICATION

On June 2, 2015 the Board discussed this matter and concluded that this work, indirect drain-line, must be performed by a Licensed Master Plumber pursuant to New Jersey Plumbing Statutes and Regulations, N.J.A.C. 13:32-1.4 SCOPE OF PRACTICE (6).

A vote was taken and the motion unanimously passed.

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7. FOR DISCUSSION
SUBMITTED BY DAN DANKO, DANMOR MECHANICAL, INC.
BOARD MEMBER AND LICENSED MASTER HVACR CONTRACTOR
19 HC 00010200

Comments in agreement submitted by Board members
WILLIAM C. BARHAM and THOMAS C. PITCHERELLO

Questioning the Electrical Board and Fire Alarm, Burglar Alarm and Locksmith (FBL) Committee regarding the

WIRE AND INSTALLATION IN DUCT SMOKE DETECTORS AND REMOTE STATIONS IN REPLACEMENT CASES ONLY

On June 2, 2015 DAG Joseph Donofrio and Regulatory Analyst Charles Manning clarified that this work– WIRE AND INSTALLATION IN DUCT SMOKE DETECTORS AND REMOTE STATIONS IN REPLACEMENT CASES only---

- Must be performed by those licensed as Fire Alarm installers by the Fire Alarm, Burglar Alarm and Locksmith (FBL) Committee as this work falls within the scope of the FBL licensee;
- No exemption exists for the Master HVACR contractor.

8. FOR DISCUSSION @ the request of BOARD MEMBERS DANKO AND PITCHERELLO

LOCAL TOWNSHIPS AND MUNICIPAL LICENSES

Board Members advised that the issue of townships charging municipal fees for HVACR work has been resolved. No further action is warranted.

9. DIVISION OF CONSUMER AFFAIRS
ISSUING OF WALL CERTIFICATES (11 X 14)
TO LICENSED MASTER HVACR CONTRACTORS

On June 2, 2015, Ms. Baccile notified the Board and the Public that the Division will soon begin the processing of the WALL CERTIFICATES to those LICENSED as MASTER HVACR CONTRACTORS. This task is performed in-house at the Division of Consumer Affairs for all boards.

10. EMAIL INQUIRY DATED MAY 14, 2015
SUBMITTED BY LICENSED MASTER PLUMBER # 5455
THOMAS FRANCKOWIAC / Seeking a waiver to grandfather for an HVACR license

On June 2, 2015, the Board advised that existing regulations and statutes do not permit an extension of the grandfathering for licensure; however, Members did suggest that Mr. Franckowiac pursue the HVACR license "by examination" and referred him to the Division on-line application.

11. CORRESPONDENCE FROM FALK ENGEL
ATTORNEY AT LAW, DATED FEBRUARY 27, 2015
FOR JOSEPH A. PICCOLELLA, REGISTERED HOME IMPROVEMENT
CONTRACTOR

Mr. Engel corresponds to state that his client was not notified of the requirement for an HVACR license. On June 2, 2015, the Board advised that existing regulations and statutes do not permit an extension of the grandfathering for licensure; however, Members did suggest that Mr. Piccolella pursue the HVACR license "by examination" and referred him to the on-line application.

12. ERIC LANSER, LICENSED MASTER HVACR CONTRACTOR # 19HC00 238500
EMAIL INQUIRY DATED MAY 1, 2015 RE MANAGEMENT AND PERMITS

On June 2, 2015 the Board discussed the email request of Eric Lanser and advised that either Licensed Master HVACR Contractor, he or Bruce Michelson may qualify the company as an HVACR Contractor and register as the bona fide representative. The Board referred Mr. Lanser to the existing New Jersey HVACR Statutes and Regulations.

13. CONTINUING EDUCATION MATTERS - Note EXEMPTION*
THOMAS SABETTA, CONSTRUCTION OFFICIAL
RESUME SUBMITTED FOR CONSIDERATION TO TEACH HVACR CE

On June 2, 2015, the Board acknowledged Mr. Sabetta's submission of correspondence to instruct Continuing Education. Members noted that this program has not commenced. All CE matters will be scheduled for a later date.



13:32A-4.1 LICENSE RENEWAL; CONTINUING EDUCATION REQUIREMENT

(a) Every master HVACR contractor shall successfully complete five credits of continuing education at an approved course every biennial period. Master HVACR contractors applying for their first biennial renewal are exempt from this continuing education requirement.

Note: The first "official" biennial renewal for HVACR is July 1, 2016 to June 30, 2018, therefore, all licensed Master HVACR contractors are exempt for this first renewal. Five (5) hours of CE will be required for the following cycle, in advance of the July 1, 2018 to June 30, 2020 biennial renewal.

PROPANE

On June 2, 2015 Charles Manning, Regulatory Affairs, discussed the introduction of the (1) hour of "Propane" into the HVACR CE Program. In March of 2016, the CE curriculum, including propane instruction, will be introduced and published in the New Jersey Register, as a Public Notice entitled "Notice of CE Topics."

At present, the propane proposal has been approved by Governor's Counsel and remains in the (60) sixty day comment period. Once adopted, the licensed Master HVACR contractor enrolled in the five (5) hour CE course, will also receive the (1) one hour of instruction on propane, and upon completing the (5) five hour CE requirement, that licensee will be permitted to perform propane services in the State of New Jersey.

14. BOARD COMMENT IS REQUESTED REGARDING
A 4101 - PROVIDES US ARMED FORCES AND RESERVES MEMBERS
WITH PROTECTION AGAINST INTERFERENCE WITH THEIR
EMPLOYMENT, TRADE OR BUSINESS

On June 2, 2015, the Board expressed their unanimous support of this bill.

FUTURE MEETING DATES

Dates are now posted to the State WEBSITE at the HVACR Board.

PUBLIC COMMENT PERIOD

Chairman Michael Maloney permitted each visitor in attendance with an opportunity to address the Board and state their concerns.

Any inquiries concerning the Scope of Practice regulations are welcomed in writing from the public in advance of a Board meeting.

A motion was made by Dominic D. Demico, Jr. and seconded by Kevin S. Clark to close the public comment period. A vote was taken and the motion unanimously passed.

Public Session Visitors:

Jim Konopka, # 334

Patrick Stewart, NJACCA

David Casner, Local 22

Paul Flor, Raritan Valley Community College

James Harper

Mike Chokov, Trane

Mike Bergen RSES

Lou Abruzzese RSES

Executive Closed Session Motion:

A motion was made by Daniel G. Danko, Jr. and seconded by Dominic D. Demico, Jr. to proceed into Executive Closed Session for a review of HVACR applications and to discuss matters within the attorney-client relationship exception to the Open Public Meetings Act. The subject of this discussion shall remain confidential until such time as the reasons for having these matters in Executive Closed Session are no longer applicable.

A vote was taken and the motion unanimously passed.

Submitted by,

Rosemarie S. Baccile, Acting Executive Director