MEETING MINUTES
MECHANICAL LICENSING BOARD
August 21, 2019

The scheduled meeting of the Mechanical Licensing Board was held at 98 Smokey Bear Blvd, Classroom 1, Concord, NH on the above date, beginning at 9:00 am. The members present and participating were Bill Trombly Jr., Paul D’Allesandro, Robert Roy, David Pelletier, Steve Chartier, Steve Guercia and Jeffrey Brown. Absent was Omer Beaudoin. Also attending were Board Secretary Jennifer Duquette, Mechanical Inspectors Ron Lemere, Randy Sherman, and Jerry Pandolfi, and Chief Inspector Marc Prindiville.

Call Meeting to Order.
Meeting was called to order at 9:05 am.

Approve Minutes from Previous Meeting
Motion by David Pelletier to approve July 17, 2019 minutes as written. Second by Robert Roy. All in favor.

Non-Public Meeting
On the motion of Jeffrey Brown and second of Paul D’Allesandro the board unanimously voted to conduct a non-public session for the purpose of discussing confidential board business, namely a matter which if discussed in public would likely affect adversely the reputation of a person, other than a member of the body or agency itself and records pertaining confidential information noting that such a non-public session is authorized by RSA 91-A:3,II(c) and RSA 91-A:5,IV. Each member recorded his or her vote on the motion which passed by the unanimous vote of all members present.

Upon the motion Paul D’Allesandro and second by David Pelletier the Board unanimously voted to withhold and seal the minutes of the non-public session from public disclosure pursuant to RSA 91-A:3,II on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member. Each member recorded his or her vote on the motion which passed by the unanimous vote of all members present.
Applications:

A. Motion by Jeff Brown to table the application for Jeffrey Pepin until the next meeting. Second by David Pelletier. All in favor.
B. Motion by David Pelletier to approve application for Americo Colon-Lopez without conditions. Second by Robert Roy. All in favor.
C. Motion by Paul D'Allesandro to deny application for Gregory Campbell without prejudice. Second by Jeffrey Brown. All in favor.
D. Motion by David Pelletier to table application for John Campbell. Second by Jeffrey Brown. All in favor.

Correspondence

A. None.

Legislation:

A. None.

Working Group Reports

A. Apprenticeship Working Group Update – Bill requested a meeting on 8/28 regarding the bypass test with Marc Prindiville, Steve Chartier, Bill Trombly, and David Pelletier. This meeting would also cover the CTE Program.

B. Anne Banks and Beth Doran from the Community College System spoke about wanting to let more people know about workforce development programs available through their agency. They seek to streamline the apprenticeship process by helping potential apprentices navigate the system, acting as a liaison between the student and the different agencies they’ll work with, and also are hoping to expand the CTE programs into tenth grade as well, instead of the current standard of eleventh grade. It was discussed that in that case of CTE starting earlier than it currently does that there may be an allowance for students to start the first year of their apprenticeship in their senior year of high school. It was suggested that we do outreach to make companies aware of the CTE program and scholarship programs that are specific to the trades and apprenticeship. A slide will be added to the seminar provider course regarding CTE/apprenticeship programs.

C. Water Treatment Working Group – Steven Guercia met with the chair of the Water Well Board and the president of the Driller’s Association and discussed whether we should expand certification to include the design and/or sale of residential water treatment systems, or if the Water Well Board wanted to design their own certification program specifically for the design and sale of these
systems, leaving this board the certification for the installation of said systems. The Water Well Board’s stance is that people don’t need any certification to state that they can remove poisons/toxins from the water, and that where DES handles water quality issues, they should handle the certification of the sale and design of these systems. Bill Trombly recommended that if DES tries to delve into water treatment certification, we should oppose it, but doesn’t feel as though the measure will pass, as it’s regulating private wells. Steve Guercia will be working with a few people to design a Water Treatment test and recommends going with that over an existing test. Marc raised concerns about individuals having to obtain a certification from us and one from the Water Well Board. Bill Trombly expressed hopes that the two boards can work it out together and that we need to get a draft of questions ready for the next board meeting. Marc Prindiville will meet with Steve Guercia to go over the plumbing end of it.

D. Bill Trombly brought up the idea of working groups possibly meeting prior to the board meetings, thus changing the start of the board meetings to 10 AM. Concerns were expressed by multiple members regarding their ability to attend if this happened. The Board will stay with the current format.

E. Education Working Group – Bill Trombly requested that two other board members to join-this group would be auditing the testing and educational facilities. Jeffrey Brown and Paul D’Allesandro signed up for the working group. Marc Prindiville and Bill Trombly will be drafting a letter to send to the facilities to ensure they’re in compliance.

**BCRB Committee Update**

A. Bill Trombly notified us that the Chairman of subcommittee scheduled meeting about plumbing code updates during our board meeting, which resulted in our members not being able to attend. They are currently looking at amendments, including a water temperature amendment. Chairman will be scheduling more meetings coming up, and it was recommended that our board members try to attend them.

**Inspectors Report**

Reviewed report. Ron Lemere gave a report on a consent agreement given to Matthew Bowley of Key HVAC, who installed a fuel gas system in Moultonborough which had multiple leaks, and was also involved in the installation of a non-compliant venting system in Portsmouth. Mr. Bowley volunteered to consent agreement of one year on probation with standard reporting. He also spoke of Richard Chagnon, regarding a
complaint filed by the City of Portsmouth for allowing an unlicensed person to install a venting system. Mr. Chagnon volunteered to consent agreement of one year’s probation with reporting and education.

Motion by Robert Roy to approve the inspector's report. Second by David Pelletier. All in favor.

**Old Business**

A. Gas Fitting Testing – Bill Trombly requested this be moved to the working group.

**New Business**

A. Existing License Transfer Policy – Policy was done under the old plumbing board and should be adopted with the current mechanical licensing board. Bill Trombly Jr presented the policy, and requested that edits be made to change the references to the plumbing board to be changed to the mechanical board.

Motion to re-ratify with the changes to the board references by David Pelletier. Second by Paul D’Allesandro. All in favor.

B. William Glennon presented a proposal to hold a gap class to delve into the differences between the 2009 and 2015 gas code-he expressed concern that many who are currently licensed may not attend a seminar for two years, and may thusly be unaware of the changes. Bill Trombly recommended some changes be made to the presentation William Glennon provided, and stated that it would count as the licensee’s 3-hour code update. Steve Chartier expressed concerns regarding whether a gap class was necessary, and whether it’s being catered to people who have fallen behind on their gas classes.

Motion to approve with the suggested changes by David Pelletier. Second by Robert Roy. All in favor.

C. Clarification of 304.04:G

Steve Chartier asked whether the rules require an out-of-state technician from a state without licensing to do the schooling and obtain a trainee license, or if their unlicensed hours of work should be applied as acceptable OJT hours. The scenario expressed was of a technician coming from a state without gas licensing, and wants to go to service from trainee before holding their trainee card for a year, based on hours from a state without licensing. Ron Lemere spoke of the research he had done regarding this scenario, and whether companies/technicians from states without licensing meet our criteria. Also discussed was the definition of a trainee and whether hours accumulated when not a trainee could be counted towards licensing. Bill Trombly expressed that the definition of employer is loose enough to allow any employer, not just a gas fitting company/technician, to vouch for hours worked on gas, and that denying applications such as the example cited could result in legal action against the
state. David Pelletier suggested that if an individual from a state without licensing applies wishing to bypass some or all of the trainee program, the application should go before the board for approval, and expressed concern that a decision made in such a case would set precedent. Ron Lemere expressed concern that we put more of a burden on an applicant from a state with licensing than we do on an applicant from a state with this proposal. Steven Guercia asked if there was anything short of a rule change that could be done to eliminate the ambiguity of these rules and Bill Trombly stated that there wasn’t.

Motion to create policy that if a gas license applicant from a state without licensing that meets the requirements of 304.04:G (minus requirement 4) and has the required hours, the application must go before the board for approval. Motion brought by Robert Roy. Second by Jeffrey Brown. All in favor.

D. Motions to approve hearing notices:

Public Comment
None.

With no further business to address the Board meeting adjourned at 1:08 pm. The next meeting of the Board will be September 18, 2019 at 9:00 a.m., 98 Smokey Bear Blvd, Classroom 4, Concord NH.

End of Minutes