

SENIORS & CONSUMER PROTECTION COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Minutes

A meeting of the Seniors & Consumer Protection Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on July 18, 2016.

Members Present:

Legislator Steve Stern - Vice-Chair
Legislator Tom Cilmi
Legislator Al Krupski
Legislator Tom Muratore

Not Present:

Legislator Sarah Anker - Excused Absence

Also in Attendance:

George Nolan - Counsel/Suffolk County Legislature
Amy Ellis - Chief Deputy Clerk/Suffolk County Legislature
Bennie Pernice - Budget Review Office
Alyssa Turano - Aide to Legislator Hahn
Debbie Harris - Aide to Legislator Stern
Russell Calemno - Suffolk County Electrical Licensing Board
Michael Towers - Suffolk County Electrical Licensing Board
Jack Morrell - Suffolk County Electrical Licensing Board
Bob Marks - Suffolk County Electrical Licensing Board
Doug Callahan - Suffolk County Electrical Licensing Board
Bob Kohlmeyer - Suffolk County Electrical Licensing Board
All Other Interested Parties

Minutes Taken By:

Gabrielle Severs - Court Stenographer

Minutes Transcribed By:

Kim Castiglione - Legislative Secretary

*(*The meeting was called to order at 12:51 p.m. *)*

ACTING CHAIRMAN STERN:

Good afternoon everyone and welcome to the Committee on Seniors and Consumer Protection. I'm going to ask everybody to please rise and join us in the Pledge of Allegiance led by Legislator Muratore.

*(*Salutation*)*

I'm going to ask everybody to please remain standing and join us in a moment of silence as we keep all of our brave men and women fighting for our freedoms overseas in our thoughts and prayers as well as the victims and the families of the Baton Rouge Police Department.

*(*Moment of Silence*)*

Thank you. Good afternoon and welcome everybody. Let me first note for the record that Chairwoman Anker is not able to be with us today. She has an excused absence. Madam Clerk, I have some cards. I have three cards. Do I have any others?

MS. ELLIS:

No, you do not.

ACTING CHAIRMAN STERN:

Okay. The first card that I have today is Russell.

MR. CALEMMO:

Thank you. Good afternoon.

ACTING CHAIRMAN STERN:

Welcome.

MR. RUSSELL:

Sometimes the opportunity really comes at the right moment. I think for the Suffolk County Licensing Board this is a good opportunity. My name is Russell Calemno. I'm Chairman of the Suffolk County Electrical Licensing Board. I'm here to address the credibility of that licensing board to you folks here. My job is to lead a professional electrical board to protect you, your children and your loved ones. We are involved in an industry that is recognized as light, heat, and power and behind all that there is something that is invisible and most lethal. It's called electricity.

Part of my job is to follow the committee and the minutes, and as of June 14th, they were somewhat lacking in truth and integrity relevant to why I'm here today. I think to sum up that day I was told that there was a letter that was sent to your Chairman Anker. I would hope that you all had gotten a copy of it, and if not, certainly I do have a copy here I could submit as part of my comments here. However, I believe it explains all, and we should not labor this, other than the fact that we at the Licensing Board disagree with those individual's statements.

If I may, government can't be experts at everything. We know that, and it's my job to, and our board, to disseminate and cast information on knowledge of as to what we do. I would like to introduce all of my board members, but I'm only allowed three minutes so I'll try to be as fast as I can on this. But, however, they're experts at all phases of the electrical industry. There are approximately 200 years, literally, of experience and book knowledge right here in this room. And I must say that I'm very proud to be part of that board.

Everyone on this board has an expertise in certain areas, but most of all, we all have one thing in common; every one of them is licensed master electricians. But, however, in addition to that expertise beyond the typical collectiveness, I'd like to mention as to what those board member's expertise are. Specifically, we have experts on board electrical laws, electrical code interpretation, green energy professionals whether it be solar, geothermal, water. We also have experts in communication and alarm systems, labor and public relations experts.

I say experts because these people are appointed by the County as the best there is in the County. I would like to add that Legislator Bill Lindsay at one time was a member of our Electrical Licensing Board. He was also a licensed master electrician. He went on to serve the public as a champion of the people. We are responsible 11 times per year at these various meetings to gather information to make sure that all our decisions that affects licensed electricians and the consumer is absolutely right. It's our business to let you know that you never get a second chance in the electrical industry. Usually it's really next to none.

ACTING CHAIRMAN STERN:

Mr. Calemno, I just need to ask you to wrap up.

MR. CALEMNO:

I timed out already?

LEG. KRUPSKI:

I have a question for him, though.

ACTING CHAIRMAN STERN:

Okay. All right. Let's say that time has expired but Legislator Krupski has a question.

MR. CALEMNO:

I'm sorry?

ACTING CHAIRMAN STERN:

Your time has expired, but Legislator Krupski has a question for you.

MR. CALEMNO:

Certainly.

LEG. KRUPSKI:

First of all, you said you were going to introduce the other members of the board and what they did, so I would like to hear that. And also you said -- you referenced a letter that you received. Could you give it to the Clerk --

MR. CALEMNO:

Yes, I may.

LEG. KRUPSKI:

-- so that she can distribute that to us, please?

MR. CALEMNO:

Any other questions? I mean, I can answer pretty much anything. I know there are other speakers here from our board who would like to address you folks. No questions?

ACTING CHAIRMAN STERN:

No questions, thank you. Okay, the next card that I have is Michael Towers. Mr. Towers.

MR. TOWERS:

Good afternoon. My name is Mike Towers. I think you had asked that we introduce the board. Obviously our Chairman is Russ Calemno. Doug Callahan is another member, Bob Marks, Jack Morrell, and Bob Kohlmeyer. We basically all wanted to come down basically to speak to you and, you know, answer any questions you might have, and sort of if you don't know educate you on what we do as a board for the County and for the consumer.

We have an 11 member board and basically I was asked to just briefly state what it is that we do. So basically our main function is to review applications for, you know, electricians, for master electricians, okay, and also for restricted electricians. So these individuals will give in an application to the County and it's our job to review those applications to make sure that those applicants have fulfilled the requirements to become licensed. The requirement is mainly that they have to be in the industry or in the electrical field for seven out of the last ten years.

Basically a main function of our board is to go through those applications and substantiate that they have been in the industry for that amount of time. Sometimes we call in those applicants to basically give interviews. We interview them because sometimes it's not cut and dry, it's not clear. We basically review applications for master electricians and for restricted electricians as well in the area of oil burner repair, HV/AC repair, lawn sprinkler systems, communications, cabling. And also separate from that we also have jurisdiction over the Appliance Board or the appliance license as well.

You know, in the interest of time I just -- you know, I mainly want to say that our board takes this very seriously and I think that in almost every meeting that we have we talk about the fact that we're there to protect the consumer and to make sure that the people that are obtaining licenses are qualified to do so. Once they meet the qualifications, they take both a written and a practical exam, and then if they pass those exams we recommend to the Commissioner to produce -- to give them a Certificate of Competency and a license.

There are other things that we do as a board as well. We basically disseminate information between the industry to the department and, you know, from the department to the industry. We make recommendations to the Commissioner and the department for licensure in new parts of the industry and whatnot.

So obviously you're going to want me to cut it short, but I want to say that if you have any questions we're here to answer those questions and basically, you know, we would welcome any of you to come to one of our meetings and see what we do as well.

ACTING CHAIRMAN STERN:

Thank you, Mr. Towers. There are members who have questions for you. Let me start. The threshold requirement is that an applicant must have been in the field or in the industry for did you say seven out of ten --

MR. TOWERS:

Correct.

ACTING CHAIRMAN STERN:

-- of the past ten years. How do you define in the field?

MR. TOWERS:

Well, basically we want to be sure that that applicant has been working under, in the case of a master electrician, under a master electrician's company and license for that time. In the restricted categories it's basically the same thing. We want to make sure that they've actually been in the

field doing electrical work and appliance work in those areas, and the law states seven years out of the last ten.

ACTING CHAIRMAN STERN:

And that's the threshold requirement that allows then someone to sit for an exam that you administer?

MR. TOWERS:

Correct. Two exams; there's a written and a practical.

ACTING CHAIRMAN STERN:

And who develops those exams?

MR. TOWERS:

Over the years the board has worked with the department to develop those exams. Basically the last time we renewed or changed the exam we worked with Mike Normandy, who was the Electrical Investigator, and we developed the exam with him and members of the board.

ACTING CHAIRMAN STERN:

So it is the board members themselves that develop the examination. Are there any statewide or national standards of these kinds of examinations that you utilize as you develop and change from time to time?

MR. TOWERS:

So the basic standard that we work on is from what's call the National Electrical Code NFPA 70E, and basically those questions are pulled from the National Electrical Code and the PSE&G requirements. Then there are some business type questions as well. Previously it's been mainly the board working with the department to develop those tests.

ACTING CHAIRMAN STERN:

In your experience, is someone who has been in the field for seven of the past ten years able to show up on day one and sit for that examination and be successful, or in your experience are there lengthy study requirements necessary? Are there treatises or other materials that applicants rely on to study in order to be well-prepared for that examination and have any chance of success.

MR. TOWERS:

So a master electrician is considered a master in the field of electricity, so I don't have the exact statistics of that, but many of those persons that are applying for a license, many of them take courses, you know, so that they can understand, you know, more in depth of what the electrical industry is. A general mechanic, somebody that's working in the field usually knows what to do. A master electrician needs to understand why we do it. I know that a lot of applicants take classes and whatnot to gain that particular information. Remember, we're dealing with electricity, which is very dangerous if not properly used and installed.

ACTING CHAIRMAN STERN:

How often is the examination given?

MR. TOWERS:

Usually it's given once a month. We review applications and then, you know, the applicants that are approved, in my understanding, again, we don't handle the testing directly. That's done through the department, but usually I believe it's once a month.

ACTING CHAIRMAN STERN:

And about how many applicants sit for the exam when it's given once a month?

MR. TOWERS:

I would say on average right now about 15 per month.

ACTING CHAIRMAN STERN:

Is there an average passing rate?

MR. TOWERS:

I don't have that information at my fingertips. That would have to be -- someone from the department would have to give us that. I would say -- I don't know. Does anybody on the board have information on that? It's really the County is who would know that best, you know, someone in the department.

ACTING CHAIRMAN STERN:

And if someone is not successful, is there a limitation as to how many times they can sit for the exam?

MR. TOWERS:

When they make application it basically gives them three chances to retake -- or two chances to retake the exam, so they could take up to three within their application period. So if they fail they can come back. They would have to, I believe, wait three months and then they can come back and retake the exam that they did not pass.

ACTING CHAIRMAN STERN:

What is the -- there's a fee to sit for the exam?

MR. TOWERS:

Again, that's usually administered by the department. I don't have that information. We basically review the applications when the applicant -- you know, we review it for -- to assure that they have the seven in ten years.

ACTING CHAIRMAN STERN:

Counsel advises that it's \$200 to take it. Are you aware as to whether they need to pay once again if they're not successful the first time or the second time?

MR. TOWERS:

I believe that they don't have to pay the second and third time.

ACTING CHAIRMAN STERN:

I'm sorry?

MR. TOWERS:

My belief is, and we need to confirm this, but my belief is they would not have to pay for the second and third testing if they failed previous.

ACTING CHAIRMAN STERN:

Legislator Krupski and then Legislator Muratore.

LEG. KRUPSKI:

I'm sorry, I'm not sure if this was answered, but how often do you meet?

MR. TOWERS:

We meet once a month 11 times a year. We take off in July.

LEG. KRUPSKI:

And the renewals -- so I come in and I get a license, you know, you review me and I meet all the criteria, pass the test, I get a license. How often is the renewal?

MR. TOWERS:

So basically the license is renewed every two years, okay. So the applicant or the person renewing their license will basically show proof of insurance. The department, again, this is all done by, you know, the Department of Labor. They review their insurance requirements, make sure that they have insurance. They review to make sure there's no violations, pending violations, against their license. And they also, you know, are reviewed to make sure they have no outstanding child support. Those specific items are reviewed at those renewal times.

LEG. KRUPSKI:

By you or Consumer Affairs?

MR. TOWERS:

It's by Consumer Affairs.

LEG. KRUPSKI:

Thank you.

LEG. MURATORE:

Thank you, Legislator Stern. How long have you been on the committee?

MR. TOWERS:

Since 1999. I think it's 17 years.

LEG. MURATORE:

So there's no term limit. In other words, you just keep serving at the pleasure of the County Executive every three years. When do we reappoint you, every three years?

MR. TOWERS:

Every three years we are reappointed, you know, given that, you know, we're fulfilling our duties and we can still serve.

LEG. MURATORE:

Are you about average on the board or is the board -- anybody serving longer than you or less than you?

MR. TOWERS:

I believe that our Chairman, Mr. Calemno, has been on the board since '72.

MR. CALEMNO:

No, '85.

MR. TOWERS:

Eight-five, I'm sorry, 1985. He's our longest member, and Mr. Kohlmeyer has been on the board about the same amount of time as I have. And we have some new board members, Mr. Marks, Mr. Callahan and Mr. Morrell, who have just recently been appointed to the board.

LEG. MURATORE:

Now, you said as far as I want to get a license I have to serve in the industry seven of the last ten years, and then I have to take a practical test, a written test?

MR. TOWERS:

A written and a practical test, correct.

LEG. MURATORE:

Now, is that strictly pass/fail? I mean, to get my license if I fulfill the seven years and I pass the test, is there anything that's going to stop me from getting a license?

MR. TOWERS:

No. The County would require that you open up a business, some sort of a business, have insurance, you know, show proof of insurance, and then basically they can receive the license.

LEG. MURATORE:

Anything in my moral background or my moral character, I'm not paying child support, I have been in other businesses and frauded the public, anything like that?

MR. TOWERS:

Yes, that is actually done through the department itself. We, as a board, we don't review those items, but the County actually does that.

LEG. MURATORE:

And the written and practical, when did you say the last time the test was revamped?

MR. TOWERS:

It was revamped in the last code cycle, I would say probably about eight years ago. Again, I don't know the specific dates. We are actually starting to work on a new license test so -- because we have a code change for -- the 2014 code is being adopted by the State, New York State, so we're updating the test.

LEG. MURATORE:

I mean, would you agree with me that considering what's going in the field, new technology, solar, that the test should be geared toward that a little bit also? I mean, testing people that come in and saying well, okay, you know, I'm a master electrician and I can do this, this and this, but what about solar? I mean, I know it's a new industry, probably eight years is probably just about when it started, maybe a little bit longer.

MR. TOWERS:

Yes. I'm sorry.

LEG. MURATORE:

Any thoughts directing your -- now, how often can you revamp the test? You can do it any time you want or are there certain standards, you can only do it every five years, every three years.

MR. TOWERS:

Basically we look at revamping the test when the code cycle changes for the State of New York. The National Electrical Code is our, you know, mainly where the code comes out of, but it has to be adopted by the State of New York to become law here in our jurisdiction on Long Island. So we basically want to -- we look to revamp the test as the codes change, and basically -- of course there are new emerging industries. Our board is very much aware and there are several members that are involved in the solar industry and have certifications in the solar industry and actually do

installations of solar within their businesses. So we're aware of the changes in the electrical industry and, you know, those are the types of things that we look to have on the test as you had mentioned.

LEG. MURATORE:

Because it seems the person that came before us last time and made these accusations about the Electrical Board, it seems like he's maybe the kind of man that applied -- that wants to get on but is being not allowed to get on because, you know, he feels he's been unjustly kept off the board. So I'm not paying too much attention, you know, for your committee of what he said last time. I mean, I'm concerned that you came here now, which was very, very thoughtful of you to come and answer our questions, and you're answering quite well and I appreciate that. That's where I sit with this. Thank you.

MR. TOWERS:

We just wanted to make sure that if you had questions that we would be here to answer them. And, you know, we wanted to just indicate that we are -- when we are in our meetings we're looking to protect the consumer. We want to make sure the consumer has qualified people within, you know, that are holding electrician's licenses and Appliance Board licenses as well.

ACTING CHAIRMAN STERN:

Thank you. Okay. The next card is Jack Morrell.

MR. MORRELL:

Good afternoon. My name is Jack Morrell. I am representing my seat on the License Board. I'm probably the newest member of the License Board, just to clarify that.

Acting Chair, thank you for allowing me to speak. Pretty much the reason I'm here to speak today is the job that the License Board does. It specifically and solely is about the consumer. It's not about businesses, it's not about individuals, it's not about this part of the business, it's not about that part of the business. We have a code book here, I don't know if you want to look at it, but it's about 850 pages long. You had brought up about solar, solar is ten pages of that book. We do a lot of cogeneration, which is part of renewable energies. If you brought every member up here they do different parts of the trade.

When I came on the board part of the question I was asked is do you know why you're here. I thought I knew the correct answer. Russ Calemme brought it up from day one. He brings it up every meeting. We're here specifically for the consumer. We're not here for my business, we're not here for his business, we're not here for any other type of business but the consumer.

Part of what Mike Towers brought up as far as the applicants, our job is when they come in -- you had asked a specific question, Acting Chair, as far as how do we describe the description of their work in the seven in ten years. They have to fill out paperwork on their application, and a whole page of it is they have to give a description of what they did from day one to within that ten years. We review it. Everybody gets a folder. We review the folders. If there's any questions, we pretty much have a consensus. We ask how did this person compile his seven years out of ten years. What we do specifically is if we don't come up with a good consensus or something's not clear, was the guy actually doing this or was he working in an office, driving a truck, or he wasn't working in the field, we bring those people in for interviews. We actually sit them down in front of the board, whether there's 9, 10, 11 members there, and we actually ask them questions on code and what they did specifically during their seven out of ten years with their hand tools and pretty much with what they did as far as installations.

So pretty I just came up here -- I'm done anyway. I just want to let you know that we're here for the consumers and that's pretty much our primary function. Thank you for letting me speak.

ACTING CHAIRMAN STERN:

Any questions? Thank you, sir. Okay, I do not have any other cards. Is there anybody else with us today that would like the opportunity to speak before the committee? Seeing none, we will then go to the next item on the agenda, which is IR 1639.

Introductory Resolutions

IR 1639 - Accepting and appropriating additional funds for a 100% federally funded grant being passed through the New York State Department of Labor for the Displaced Homemaker Program (Co. Exec.).

Legislator Muratore makes a motion to approve and place on the Consent Calendar. Second by Legislator Cilmi. Anybody on the motion? I'll call the vote. All in favor? Any opposed? Any abstentions? IR 1639 is approved and placed on the Consent Calendar. ***(Vote: 4-0-0-1 Not Present: Legislator Anker)***

There being no other business before the committee today, we are adjourned.

(*The meeting was adjourned at 1:17 p.m. *)