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**STATE BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND  
REFRIGERATION CONTRACTORS  
BUSINESS MEETING MINUTES**

**Date:** August 9, 2023

**Time:** 10:30 a.m.

**Place:** The Board of HVACR meeting was held via teleconference (US +1 208-907-5480  
PIN: 871 402 772#).

**Members Present:** **Brian Hamilton, Chair**, Master HVACR Contractor  
**Michael Giangrandi**, Master HVACR Contractor  
**David Politzer**, Consumer Member  
**Michael Weglarz**, Master Electrician  
**Lawrence Kitching**, Master HVACR Contractor

**Members Absent:** **Amadou Magazi**, Master HVACR Contractor

**Staff Present:** **John Bull**, Executive Director, Mechanic Licensing Boards  
**Sloane Fried Kinstler**, Assistant Attorney General  
**Sean Heeter**, Administrative Officer

**Staff Absent:** None

**Guests Present:** **Dwight Needham**, Honeywell, prospective Board member

**Call to Order**

Chairman Hamilton called the Business Meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration (“HVACR”) Contractors (“Board”) to order at 10:33 a.m.

**Approval of Minutes**

Members of the Board reviewed the minutes of the Business Meeting held on July 12, 2023.

Upon Mr. Politzer’s Motion and Mr. Weglarz’s second, the motion was unanimously carried, by the members then present, to approve the July 12, 2023 meeting minutes without amendment or correction.

Mr. Giangrandi was in attendance at 10:39 a.m.

## **Complaint Committee Report**

Mr. Heeter addressed the Board and stated he is providing the complaint stats from the July 2023 and August, 2023 Complaint Committee meetings after the July, 2023 complaint stats were deferred for the following meeting.

In July 2023 the Committee reviewed three complaints. Complaint 22-0032 was sent to pre-charge; complaint 22-0033 was dismissed; and complaint 23-0035 was referred for criminal prosecution and to the Board of Electricians.

In August 2023 the Committee discussed six complaints. Complaints 23-0000, 23-0005, 23-0020, and 23-0021 were all closed. Complaints 23-0012 and 23-0017 were sent to pre-charge.

Chairman Hamilton asked Mr. Bull to update the Board on the status of the Complaint Committee. Mr. Bull addressed the Board and notified them that the Mechanical Licensing Board's investigator, Andrew Klausing, is no longer employed with Labor and the Mechanical Licensing Boards are currently without an investigator. He stated he will be hiring two investigators and the applications close on August 22, 2023 and then will be reviewed to determine which candidates will be interviewed, and then we will be hiring two candidates. He stated the Complaint Committee has given him certain authorities to dismiss cases, send them to pre-charge, or to criminally charge respondents. The complaint process will continue, just without an investigator for the foreseeable future until an investigator is hired.

## **Application Review Committee**

There were no applications to be reviewed.

## **Review of Examination Statistics and License Totals**

Mr. Bull reported the following PSI exam statistical summaries for the month of July, 2023:

	<b>Candidates Tested</b>	<b>Passed</b>	<b>Failed</b>	<b>Pass %</b>
<b>Total</b>	52	26	26	50%

Cumulative

<b>Total</b>	295	121	147	41%
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Testing to date

<b>Total</b>	12018	5231	6787	44%

There are currently 20,601 active licensees.

## **Correspondence**

There was no correspondence to discuss at this time.

## **Executive Director's Report**

Mr. Bull stated the Department of Labor is expected to move to its permanent location at 100 South Charles Street in Baltimore City in the spring of 2024. He further also stated that the Department intends to implement a new electronic licensing system to become paperless. The Board currently operates with all paper forms, which will be moved to electronic forms and applications. He stated he is working on the Elevator Safety Review Board system first and then will be working on the HVACR Board's processes. He stated that he is hopeful this will occur in the next six months.

## **Old Business**

### **Joint Meeting**

Mr. Bull stated that he will propose dates for a joint meeting of Board chairs and vice chairs shortly.

## **New Business**

Mr. Bull explained that certain regulations will require updating or amendment. Counsel Kinstler provided an explanation of the regulatory process for the benefit of the Board, particularly the new members.

### **COMAR 09.15.01.03**

#### **COMAR 09.15.01.03**

Mr. Bull explained that the Office of the Secretary intends to raise license fees for occupational and professional boards and commissions to ensure the boards are appropriately funded. He continued that in the 2023 fiscal year, the Board finished approximately \$60,000-\$70,000 in the negative and outside of the current budget. The Board is one of four Boards participating in the joint Mechanical Licensing Board special fund, for which all fees go into the shared fund; the individual boards draw from the funds to meet expenses. Mr. Bull also explained that the Department will implement a new electronic licensing system to be more efficient. He stated that Board fees have not been raised in approximately thirteen years. He asked the Board to consider the current fees and what they can and should be raised to. He stated he will work on a report which will then be sent to the Board, but asked to ensure the information and documentation are kept confidential as the information is not made publicly available. The report will list expenses, costs, and cash flow for the last three fiscal years. Mr. Bull indicated that he hoped to provide the report by the end of the week to be discussed at the next Board meeting. Mr. Bull will seek concept approval from the Office of the Secretary for the Board to amend the regulation. He stated Ms. Kinstler will prepare the regulatory amendments for the Board's review and a vote on proposed action.

Mr. Weglarz asked if the Board's budget was included in the State's budget. Mr. Bull stated that the Board of HVACR Contractors, in addition to the Board of Plumbing, Board of Stationary Engineers, and the Board of Electricians, are special funded, not general funded, so the Board's expenses are paid by fees that are collected, not directly from the State's funds. He also stated that this offsets debts from other Boards.

Upon Mr. Politzer's Motion and Mr. Weglarz's second, the motion to approve proposed action on COMAR 09.15.01.03 to make Board fees non-refundable, pending the approval of the Secretary, was unanimously carried.

### COMAR 09.15.05.07

Mr. Bull reminded the Board that during the 2023 legislative session, a bill to change the required apprenticeship hours to be eligible for the journeyman license examination passed, changing the work experience requirement from 1,875 hours to 6,000 hours and from three (3) years of licensed work experience at the apprentice level to four (4) years of licensed work experience to be eligible for the journeyman exam. HB 132/SB23 (2023); Md. Ann. Code, Bus. Reg. § 9A-302(e)(1).

Mr. Bull stated the change is only for the license examination eligibility and that an approved apprenticeship program through the Maryland Apprenticeship and Training Council are not affected. Mr. Bull asked that the Board consider proposed action to update the regulation referencing this statutory requirement based on the regulation text prepared by Counsel Kinstler and provided to the Board prior to the meeting.

Upon Mr. Magazi's Motion and Mr. Politzer's second, the motion to approve proposed action to amend COMAR 09.15.05.07 pertaining to journeyman work experience hours required to qualify for the journeyman license examination, pending approval by the Secretary, was unanimously carried.

Mr. Bull stated Commissioner Dove approved the regulation and it will be presented to the Secretary's Office. Ms. Kinstler explained the regulatory process to the Board, including the Board's consideration of any public comments submitted during the requisite period prior to final action. She further explained that the Secretary's Office must approve final action before it can be submitted for publication.

### Officer Election

Mr. Bull reminded the Board of its discussion during the last meeting regarding the election a vice chair in the event the chairman is not able to attend a Board meeting. Chairman Hamilton asked if the vice chair position would be until the end of the year, or if it will restart once a new Chairman is appointed by the Governor. Counsel Kinstler stated that applicable law, Md. Ann. Code, Bus. Reg. § 9A-203(b) requires the Board Chair to be appointed by the Governor, but other officers may be elected as the Board determines is necessary without a term limit. Counsel explained that a vice chair's duty is to preside over a board meeting in the absence of the chairman. Chairman Hamilton proposed that the term for this officer election be through the end or whenever a new chairman is appointed.

Both Mr. Weglarz and Mr. Kitching were nominated. To avoid difficulty, Mr. Weglarz agreed to allow Mr. Kitching to serve as vice chair if he wished to do so.

Mr. Politzer moved to nominate Lawrence Kitching to serve as vice chair of the Board through December 2023; Mr. Giangrandi seconded the motion. The Board voted unanimously to elect Lawrence Kitching as vice chair of the Board through December 2023 or until a the Governor designates a new Board Chairman.

### Counsel's Report

There was no Counsel's report at this time.

### Chairman's Report

The Chairman did not offer a report at this time, however, Chairman Hamilton thanked the Board members and staff for their attendance.

**Closed Session**

The Board did not convene in closed session.

**Adjournment**

With no further business, upon Mr. Weglarz’s Motion and Mr. Kitching’s second, the Board voted to adjourn the August 9, 2023, meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors at 11:09 a.m. Mr. Giangrandi abstained from the vote and exited the meeting before a Motion was made.

**Signature on file**

**September 13, 2023**

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**John Bull**  
**Executive Director**

\_\_\_\_\_  
**Date**

**Signed on behalf of the Board as voted and approved on September 13, 2023**