

MAINE FUEL BOARD

Meeting Date: 12/12/2024
Meeting Location: 76 Northern Avenue, Gardiner / Remote participation through Zoom
Time Meeting Began 9:03 a.m.
Time Meeting Adjourned: 12:59 p.m.

I. CALL TO ORDER

Members Present

Mark Bossie, Chairman
Loren Gordon
Paul McClay
Greg Day
Mark Anderson
Maynard (Skip) Waltz

Members Absent:

Beau Libby
David Foster - late arrival, attended the meeting after completion of the hearing

Staff Present

Dale Hersey, Senior Inspector
Bruce Bristow, Inspector
Paul Moody, Inspector
Tyler Robinson, Board Staff
Kristen Bowker, Board Staff
Karen Ross, Board Staff
Holly Poirier, Board Manager

AAG Present

Tom Sturtevant, AAG

II. MINUTES REVIEW & APPROVAL

Minutes from the 10/10/2024 meeting were accepted as written.

Motion made by: Paul McClay
Seconded by: Skip Waltz
6 in Favor / 0 Opposed
Motion carries

111.

ADJUDICATORY HEARING

a. 2023-FUE-18891

Grounds for Imposing Discipline upon TY G. Mathewson's License

1.

Skip Waltz – Motion that by a Preponderance of evidence the individual violated board's rules and laws by performing oil burner work as a journeyman without supervision, and for performing oil burner work beyond the scope of license Journeyman.

Second by: Paul McClay

Votes In Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

2.

Skip Waltz – Motion that by a Preponderance of evidence individual performed 14 code violations (15 listed in Notice of Hearing, one was dismissed by board staff)

Second by: Paul McClay

Votes In Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

DISCIPLINE:

Skip Waltz – Motion for revocation of their journeyman oil burner technician license, Issue a warning, civil penalty per violation - #1. \$300.00, #2. \$300.00, #3. \$300.0 x 14 code violations for a total due of \$4,800, to be paid within one year.

Board delegates Board Chair to sign Decision and Order.

Second by: Loren Gordon

Votes In Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

IV. COMPLAINT PRESENTATIONS:

a) 2024-FUE-19939

David Foster - Motion made to offer consent agreement with a reprimand, set for an adjudicatory hearing, a civil penalty of \$300.00 per violation, 12 violations, for a total of 3,600 to be paid in 6 months.

Second by: Paul McClay

Votes In Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

b) 2024-FUE-20144 –

David Foster – Motion made to dismiss the complaint due to no violations of the board's rules or laws

Second by: Loren Gordon

Votes In Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

c) 2024-FUE-20205 -

Skip Waltz – Motion made to dismiss the complaint due to no violations of the board's rules or laws, however, direct staff to send the licensee a copy of the MOU between the Maine Fuel Board and Plumbers Examining Board

Second by: Paul McClay

Votes In Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

d) 2024-FUE-20414 -

Skip Waltz – Motion made to offer consent agreement with a warning, civil Penalty of \$ 100.00 per violation. 1 violation, for a total of \$100.00. Penalty to be paid in 30 days.

Second by: Loren Gordon

Votes In Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

e) 2024-FUE-20415 –

Paul McClay – Motion made to offer consent agreement with a warning, civil penalty of \$100.00 per violation. 4 violations, for a total of \$400.00 to be paid within 30 days.

Second by: Skip Waltz

Vote in Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

f) 2024-FUE-20416 –

Greg Day – Motion made to offer consent agreement with a warning, civil penalty of \$100.00 per violation . 10 violations, for a total of \$1,000.00 to be paid within 30 days.

Second by: David Foster

Vote in Favor:

David Foster

Loren Gordon

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

IV. APPLICATION REVIEW

a) AP1556 –

Greg Day – Motion to issue a preliminary denial of application

Second by: Loren Gordon

Votes in Favor:

David Foster

Paul McClay

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

V. DISCUSSION AND POSSIBLE APPROVAL, PEP TRAINING VS. CTEP TRAINING

Mark Andreson - Motion made to accept PEP training for Delivery Operation as a board approved program

Second by: Skip Waltz

Votes in Favor:

David Foster

Paul McClay

Loren Gordon

Mark Anderson

Greg Day

Mark Bossie

Skip Waltz

7 in favor / 0 Opposed

Motion carried

VI. REPORT MADE BY FUEL INSPECTOR

VII. REPORT MADE BY BOARD MANAGER

VIII. OPPORTUNITY FOR PUBLIC COMMENT

No Public Comment

IX. ADJOURNMENT

The Board voted to adjourn at 12:59 p.m.

Motion made by: David Foster

Seconded by: Skip Waltz

7 in Favor / 0 Opposed

Motion carries