



STATE OF MICHIGAN

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

STANLEY "SKIP" PRUSS
DIRECTOR

STATE PLUMBING BOARD
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES

Conference Room No. 3
2501 Woodlake Circle
Okemos, Michigan 48864

AGENDA - Amended

June 9, 2009

10:00 a.m.

- 1. Call to Order and Determination of Quorum D. Branch
- 2. Approval of Minutes (Pages 3 – 10)
Approval of Minutes – April 21, 2009
Approval of Minutes – May 13, 2009
- 3. Applicants Appearing Before the Board (Pages 11 – 35)
 - A. Joslin, Joshua J. Master Plumber Applicant 10:15
 - B. Alalem, Talal Master Plumber Applicant 10:30
 - C. Makhoul, Elie Y. Journey Plumber Applicant 10:45
 - D. Delli, Sam Master Plumber Applicant 11:45
 - E. Miller, Matthew Master Plumber Applicant 1:15
 - F. Baran, David Master Plumber Applicant 1:30
- 4. Good Moral Character Appeals
 - A. Crippen, Daniel F. Apprentice Applicant 11:00
- 5. Construction Code Appeals Request (Pages 36 - 80)
 - A. SHW Group LLC – Oak Park Public Schools – Stadium Renovations, Concession Stand - CCC-PLBG-09-004 11:30

The meeting site and parking is accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services in order to participate in the meeting should call Michele Ramsey at (517) 241-9330 at least 10 work days before the event. DELEG is an equal opportunity employer/program.

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
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State Plumbing Board Agenda

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- B. GMB Architects-Engineers – Grand Ledge Public Schools - High School New Softball Pressbox - CCC-PLBG-09-005 12:00
 - C. Tower Pinkster – Shepherd Public Schools – High School Football Field, Concession Building - CCC-PLBG-09-006
 - D. Crisp Point Light Historical Society – Crisp Point Lighthouse - public restroom - CCC-PLBG-09-007 11:15
 - E. GMB Architects-Engineers – Houghton Lake Community Schools - Stadium - CCC-PLBG-09-008 12:15
 - F. Dailey Engineering Inc. – Tecumseh Public Schools – Concession & Restroom Building - CCC-PLBG-09-009 12:30
 - G. The Collaborative Inc. – Alma College – Hogan Center addition CCC-PLBG-09-010 12:45
 - H. Integrated Designs, Inc. – Houghton-Portage Township Schools – high & middle school addition & minor renovations – CCC-PLBG-09-011 1:00
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- 6. New Products R. Konyndyk
 - 7. Chief's Report R. Konyndyk
 - 8. Legislative Update R. Konyndyk
 - 9. Plumbing Inspector Registration (0) R. Konyndyk
 - 10. Old Business
 - 11. New Business (Pages 81 – 86)
 - 1. Act 733, 5 year apprentice concern – board to make a motion
 - 2. Penalties for Failure of Statute Required 2006 Code Update Training – board to make a motion
 - 3. Charlie Whipple resigned on May 1, 2009 as a State Plumbing Board member
 - 4. Request for interpretation from Tim Haggart
 - 5. Peter G. Malliaras, American Plumbing & Heating Company, Inc. BCC Complaint No. 07-0470-P
 - 12. Public Comment
 - 13. Next Meeting – July 22, 2009
 - 14. Adjournment

STATE PLUMBING BOARD
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
P.O. Box 30254
Lansing, MI 48909

In the Matter of:

Bureau of Construction Codes
Petitioner

BCC Complaint No. 07-0470-P

v

Peter G. Malliaras, d/b/a
American Plumbing & Heating Company, Inc.
Master Plumber License No. 8108992
Plumbing Contractor License No. 8002007
Respondent

_____ /

Issued and entered
this ____ day of June, 2009
by Duane E. Branch, Chair
State Plumbing Board

ORDER OF THE STATE PLUMBING BOARD
TO SUMMARILY SUSPEND MASTER PLUMBER AND PLUMBING CONTRACTOR
LICENSES

WHEREAS, on February 28, 2008, the Bureau of Construction Codes (hereafter the Bureau) issued its Statement of Intent to Commence Proceedings and Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the State Plumbing Act of 2002 (hereafter the Statement of Intent), a copy of which is attached hereto, in which the Bureau described its concerns with Respondent's activities and for the public's safety and general welfare; and

WHEREAS, on October 22, 2008, the State Plumbing Board accepted a Settlement Agreement negotiated between the Respondent and the Bureau, a copy of which is also attached

PETER G. MALLIARAS
ORDER TO SUSPEND LICENSES

hereto, in which Respondent agreed to waive his right to a formal hearing in this matter, further agreed to resolve the issues identified in the Statement of Intent in a specific manner and by a specific date, and finally agreed to the SUMMARY SUSPENSION of his master plumber and plumbing contractor licenses without further administrative action if he did not comply with the terms and conditions of the Settlement Agreement; and

WHEREAS, the Settlement Agreement in this matter required that Respondent, no later than November 13, 2008, provide the Bureau with written confirmation from the Shelby Charter Township Building Department that all code violations related to Respondent's repair, replacement or alteration of the main building drain pipe of a restaurant located at 50055 Van Dyke Avenue in Shelby Charter Township in Macomb County on or about March 21, 2005, have been resolved and that the required final permit inspection approval has been formally issued by the local code enforcing agency; and

WHEREAS, the Chief of the Bureau's Plumbing Division has confirmed to the State Plumbing Board that Respondent has not yet provided the Bureau with the written confirmation from Shelby Charter Township Building Department, as required by the Settlement Agreement; and

WHEREAS, the State Plumbing Board finds that Respondent has failed to comply with the terms and conditions of the Settlement Agreement and is subject to the previously agreed upon sanction of SUMMARY SUSPENSION of his master plumber and plumbing contractor licenses;

IT IS THEREFORE ORDERED by the State Plumbing Board that the master plumber

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and plumbing contractor licenses of Respondent are hereby SUMMARILY SUSPENDED until Respondent appears before the State Plumbing Board to submit the written confirmation from the local enforcing agency required under the terms and conditions of the Settlement Agreement and requests reinstatement of his plumbing licenses.

IT IS FURTHER ORDERED by the State Plumbing Board that the Bureau request a formal hearing pursuant to Section 43 of the State Plumbing Act, MCL 338, 3511 et seq., with the intention of pursuing further licensing action to permanently revoke Respondent's master plumber and plumbing contractor licenses, as permitted by Section 47 of the Act, if Respondent fails to furnish the written confirmation from the local enforcing agency required under the terms and conditions of the Settlement Agreement on or before September 1, 2009.

ANY FURTHER COMMUNICATIONS regarding this Settlement Agreement should be addressed to the Bureau of Construction Codes, Attn: Plumbing Division Chief, P.O. Box 30254, Lansing, Michigan 48909, telephone: 517-241-9330.

Duane E. Branch, Chair
State Plumbing Board

Date

A Copy of this Order was sent by First Class Mail to:

K. Dino Kostopoulos, Esq.
Padilla-Kostopoulos
Attorney for Peter G. Malliaras
1821 W. Maple Road
Birmingham, MI 48009
dkostop@pk-legal.com

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Harry Reese, Building Official
Shelby Township Building Official
52700 Van Dyke
Shelby Township, Michigan 48316-3572
building@shelbytwp.org

A Copy of this Final Order was sent by Interdepartmental Mail to:

Robert G. Konyndyk, Plumbing Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Beth Aben, Deputy Director
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909