

NYS Pyrotechnician Examining Board Minutes

Locations:

- WA Harriman Campus Building 12, First Floor, Rooms D&E Albany, New York 12226
- 4175 Transit Road, Williamsville, NY 14221
- Zoom videoconference

Date: Monday, May 15, 2024

Time: Commencing at 10:03 a.m.

Attendees:

Board Members (meeting location):

Jim Young (Albany)

Robert LaPierro (Albany)

William “Bill” Minich (Buffalo)

Steve Kirshoff (Remote)

Kevin Fritschier (Albany)

NYSDOL Staff:

Vincent Rapacciuolo, Program Manager 2, Industry Inspection NYSDOL (Albany)

Larry Heffner, Program Manager 1 Industry Inspection NYSDOL (Albany)

Deirdre Quain, Supervising Counsel (Williamsville)

Agenda Item 1 Welcome:

Moderator Vincent Rapacciuolo welcomed all to the meeting of the NYS Pyrotechnician Examining Board, and announced some ground rules for the meeting: those joining by zoom will be muted upon entry and remain muted throughout entire meeting, with any distracting video disabled; there will be public testimony under Item 7; members are joining from Albany, Williamsville, New York City (NYC) and remotely; the meeting is an open meeting and will be posted to the Department of Labor's website. Roll call performed to establish a quorum of 4 members present. Announcement of possible retirement of member Paul Dean, Jr. (Not in attendance). Vincent Rapacciuolo welcomed all and began conduct of meeting.

Kathy Hochul, Governor
Roberta Reardon, Commissioner

Agenda Item 2 Minutes:

Draft minutes for the March 2, 2022, meeting were presented to the Board. Robert LaPierro made a motion to accept. Kevin Fritschier seconded the motion. A voice vote was taken. Motion passed four to one.

Agenda Item 3 Updates to the Pyrotechnician Certificate:

Vincent Rapacciuolo gave a presentation on updates to the Pyrotechnician Certificate. NYSDOL has instituted an online application for Pyrotechnician Certification utilizing the Management System for Protecting Worker's Rights (MPWR). Vincent Rapacciuolo gave an overview of the system and future anticipated updates. Larry Heffner gave a presentation on the enforcement aspects of NYSDOL. No reported accidents or incidents involving pyrotechnics in the last couple years. Board discussion for questions, concerns, or comments.

Agenda Item 4 Procedures for Remote Attendance:

Vincent Rapacciuolo provided a brief introduction to the procedures for Remote Attendance and read the Draft Proposal for Resolution to allow for Remote Attendance under extraordinary circumstances. Board discussion for questions, concerns, or comments on written proposal. Kevin Fritschier made a motion to approve. Jim Young seconded the motion. A roll call vote was called. Motion passed four to one.

Agenda Item 5 Cold Spark Machines:

Vincent Rapacciuolo provided a brief introduction to Cold Spark Machines. Board discussion for questions, concerns, or comments.

Agenda Item 6 Examinations:

Vincent Rapacciuolo gave a brief introduction of the item, followed by Board discussion for questions, concerns, or comments. Suggested board members being thinking of questions per NFPI 1123 2010 and the NFPI 1126 2011 Version of Code Regulations to substitute the outdated questions.

Board to set up a meeting of the board to be conducted in Albany, with the possibility for remote attendance. Board is in general agreement. Vincent Rapacciuolo to send out tentative dates for early October, to prepare exam for January date.

Discussion of recommendation for board members was started and noted for later discussion.

Agenda Item 7 Public Comments:

Opened to Public at three locations. Matt Shaw, Owner of Skylights of New York, made comments on Cold Spark Technology in regard to how units work, the safety of the units and general overview. Offered to show in person demonstration of Cold Sparks Machines to Board members for further education. No other member of the Public in attendance.

Agenda Item 8 Future Meetings:

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Kathy Hochul, Governor
Roberta Reardon, Commissioner

Board members to discuss future meeting dates at meeting to be held in October. No proposed future Agenda Items for discussion at next meeting.

Agenda Item 9 Other Business:

Board discussed recommendation that manufacturing licenses be extended to a three-year term to match the Pyro certificates. DOL to research on requirements of renewal in the law, and to prepare the legal portion of that requirement as a presentation. Board also discussed ATF renewal applications and receiving notice of application or of approval to provide to potential clients for proposals. Vincent Rapacciuolo went over the benefits of MPWR and how these concerns would be addressed if using that online application system. MPWR process and instructions are provided via a link on the NYS Pyro website. No Other Business discussed. Kevin Fritschier made a motion to adjourn the meeting Robert LaPietro seconded the motion. A voice vote was taken. Motion passed unanimously.