

City of Port St. Lucie
Construction Board of Appeals
Meeting Minutes - Final

121 SW Port St. Lucie
Blvd.
Port St. Lucie, Florida
34984

Ted Illg, Chair, Term 1, Expires 1/1/2027
Wayne Larsen, Vice Chair, Term 1 Expires 1/1/2027
Linda Silvestri, Chair Pro-Tem, Term 1 Expires 1/1/2027
Adam Williams, Member, Term 1 Expires 1/1/2027
Nicholas Nobili, Member, Term 1 Expires 1/1/2027
Angel (Andy) Martinez, Member, Term 1 Expires 1/1/2027
Michael Mahood, Member, Term 1 Expires 1/1/2027
Jacqueline Kaegi, Alternate Member, Term 1 Expires 1/1/2027
Derek McSween, Alternate Member, Term 1 Expires 1/1/2027

Krystle Douglas, Contractor Licensing Coordinator

Thursday, March 14, 2024

9:00 AM

City Hall, Council Chambers

1. Meeting Called to Order

A Regular Meeting of the Construction Board of Appeals of the City of Port St. Lucie was called to order by Chair Illg on March 14, 2024 at 9:00 AM, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

Krystle Douglas, Contractor Licensing Coordinator, explained the purpose and procedures of this Board and the process for the applicants to be heard. She stated that approved applicants will receive an e-mail with a link to pay the license fee, upload insurance information, and print their license.

2. Roll Call

Members Present:

Ted Illg, Chair
Wayne Larsen, Vice Chair
Linda Silvestri
Adam Williams
Angel (Andy) Martinez
Nicholas Nobili
Michael Mahood

3. Determination of Quorum

Chair Illg determined there was a quorum.

4. Pledge of Allegiance

Chair Illg led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

5.a Approval of Meeting Minutes [2024-229](#)

February 8th, 2024

There being no corrections, Vice Chair Larsen moved to approve the minutes of February 8, 2024. Mr. Martinez seconded the motion, which passed unanimously by voice vote.

6. Additions or Deletions to Agenda

Ms. Douglas announced deletions to the Agenda. She indicated that Item 10.b would be deleted as it was a duplicate of Item 10.c.

7. Approval of Consent Agenda

7.a Citation Orders where Violator did not Request a Hearing and did not Pay the Citation [2024-231](#)

Shaun A Chambers

Chambers Building & Renovation Services LLC

Citation #31201 - Remaining balance owed \$ 1,000.00

Vice Chair Larsen asked if the Violator was a subcontractor for Groza, to which Licensing Investigator Jennifer Sayre indicated that Mr. Chambers was not licensed. She explained that the home owner hired Groza to complete the job. Vice Chair Larsen inquired if there had been a permit pulled, to which Investigator Sayre responded in the negative. He asked if Mr. Chambers did all the work without a permit, to which she responded in the affirmative.

Vice Chair Larsen moved to approve the Consent Agenda Item 7.a. Ms. Silvestri seconded the motion, which passed unanimously by voice vote.

7.b Citation Orders where Violator did not Request a Hearing and did not Pay the Citation [2024-232](#)

Shaun A Chambers

Chambers Building & Renovation Services LLC

Citation #31244 - Remaining balance owed \$ 1,000.00

Vice Chair Larsen moved to approve the Consent Agenda Item 7.b. Ms. Silvestri seconded the motion, which passed unanimously by voice vote.

The Deputy City Clerk administered the Oath of Testimony to staff. Chair Illg requested that the Swearing in of Building Investigators/City Staff be added to the Agenda.

8. New Business

There were no items scheduled under this section of the Agenda.

9. Quasi-Judicial Hearings

There were no items scheduled under this section of the Agenda.

10. Citation Hearings

10.a Citation Hearings - Investigator James Laponza

[2024-133](#)

Mark D White

Ameri-Tech Plumbing Inc

Citation #31013 -Remaining Balance Owed \$2,000.00

James LaPonza, Licensing Investigator, stated he was previously sworn in and read the case presentation into the record. He indicated that the scope of work was for plumbing.

The Deputy City Clerk administered the Oath of Testimony to the Respondent, Mark D. White. He explained he was present at the last meeting and due to technical difficulties Investigator LaPonza had to reschedule the hearing for today. Mr. White provided an explanation and requested that the Board reduce the fine amount if they found him in violation.

Mr. Martinez inquired if this was the Respondent's second offense, to which Investigator LaPonza responded in the affirmative.

Ms. Silvestri asked if the first offense was for not requesting a permit, to which Investigator LaPonza responded in the affirmative.

The Respondent indicated that the first offense was a long time ago and provided an explanation.

Chair Illg indicated that the Board was unable to reduce the fine. Their options were to dismiss the violation, order the fine or postpone the hearing.

Investigator LaPonza inquired who the Engineer was that provided the inspection for Mr. White, to which he responded it was a former employee of the City's Building Department, Charlie Cangianelli. He inquired if he was a licensed plumbing inspector, to which Mr. White indicated he believed he was and knew he was an engineer.

Mr. Martinez inquired if Mr. Cangianelli was a licensed engineer, to which Mr. White responded in the affirmative.

Chairman Illg reminded the Board of the options they had before them as it

relates to Mr. White.

Mr. Martinez moved to approve the violation and ordered a fine in the amount of \$2,000. Mr. Mahood seconded the motion, to which there were three votes in favor and four votes against this motion.

The Deputy City Clerk requested a roll call vote to keep the record clear.

At this time, Vice Chair Larsen held a discussion regarding the reason for his vote. Mr. Martinez also discussed his reasons.

The Deputy City Clerk called the roll call vote with Mr. Mahood and Mr. Martinez voting in favor and Chair Illg, Vice Chair Larsen, Mr. Nobili, Mr. Williams and Ms. Silvestri dissenting. The Deputy City Clerk announced that there were 5 votes not in favor causing the motion to fail.

Mr. Williams reminded the Board that once a vote has been complete discussion on the motion cannot transpire.

Mr. Nobili moved to approve the dismissal of the violation. Ms. Silvestri moved to second the motion, which passed unanimously by voice vote. Chair Illg requested a roll call, the Deputy City Clerk called the roll call vote, to which all Board Members responded in the affirmative to dismiss the violation.

- 10.b** Citation Hearings - Investigator Jennifer Sayre
Michael J Garofalo
Suncor Ft.Pierce LLC DBA Capitol Building Group
Citation #31231 -Remaining Balance Owed \$1,000.00

[2024-233](#)

This Item was deleted during Section 6. Additions or Deletions to Agenda.

- 10.c** Citation Hearings - Investigator Jennifer Sayre
Michael J Garofalo
Suncor Ft.Pierce LLC DBA Capitol Building Group
Citation #31231 -Remaining Balance Owed \$1,000.00

[2024-234](#)

The Deputy City Clerk administered the Oath of Testimony to Joseph Garofalo.

Chair Illg inquired about his relation to the Respondent, to which Mr. Garofalo noted it was his father's business. Mr. Garofalo requested a postponement of this case as his father was unable to attend today's hearing.

Vice Chair Larsen indicated he did not wish to take the request to postpone into consideration.

Chair Illg asked Mr. Garofalo if he was fully versed as to the cases before the Board, to which he responded in the negative.

Mr. Williams inquired if the Board only had two options; postponing the hearings or moving to table the hearings after hearing the case presentations, to which Deputy City Attorney Richard Shiller responded in the affirmative.

Chair Illg inquired if they could make a finding, to which Attorney Shiller responded in the affirmative.

Vice Chair Larsen noted there was a pattern of postponement for the cases. He stated that he felt strongly that the Respondent was in violation of all the citations before the Board.

Chair Illg asked if the case had been postponed previously, to which Investigator Sayre responded in the negative.

Mr. Nobili inquired if Michael Garofalo was the General Contractor holding the license for Suncor Ft. Pierce LLC DBA Capitol Building Group, to which Investigator Sayre responded in the affirmative.

Investigator Sayre noted that they were notified at 8:54 a.m. today that the Respondent would not be present at today's hearing and requested a postponement.

Attorney Shiller advised the Board that they would have to postpone the hearing.

Beth Barensen, Permitting Manager, stated that the hearing would need to be postponed as it had not previously been postponed and had the right to due process.

Mr. Williams asked if it would be possible to make a motion to continue Items 10.c through 10.l, to which Attorney Shiller responded in the affirmative and requested that he include all the citation numbers.

Mr. Williams moved to postpone Item 10.c- Citation Number 31231; Item 10.d- Citation Number 31230; Item 10.e- Citation Number 31226; Item 10.f- Citation Number 31236; Item 10.g- Citation Number 31227, Item 10.h- Citation Number 31229; Item 10.i- Citation Number 31232; Item 10.j- Citation Number 31233; Item 10.k- Citation Number 31234; and Item 10.l- Citation Number 31228 to the next Contractor's Board of Appeals meeting

on April 11, 2024. Mr. Martinez seconded the motion, which passed unanimously by voice vote.

Chair Illg requested that Joseph Garofalo inform Michael Garofalo that his cases were postponed to April 11, 2024 at 9:00 a.m.

Mr. Martinez stated he requested a follow-up on the last memo provided regarding Mr. Garofalo's cases. He stated he never received a response, to which Investigator Sayre indicated they were in receipt of some documentation on the 7th of March and added it was partial information.

Deputy City Attorney advised that the Board could not participate in discussion for these cases once the motion and vote had already occurred.

- 10.d** Citation Hearings - Investigator Jennifer Sayre [2024-236](#)
Michael J Garofalo
Suncor Ft. Pierce LLC DBA Capitol Building Group
Citation #31230 - Remaining balance owed \$2,000
- 10.e** Citation Hearings - Investigator Jennifer Sayre [2024-240](#)
Michael J Garofalo
Suncor Ft. Pierce LLC DBA Capitol Building Group
Citation #31226 - Remaining balance owed \$2,000.00
- 10.f** Citation Hearings - Investigator Jennifer Sayre [2024-242](#)
Michael J Garofalo
Suncor Ft. Pierce LLC DBA Capitol Building Group
Citation #31236 - Remaining amount owed \$1,000.00
- 10.g** Citation Hearings - Investigator Jennifer Sayre [2024-245](#)
Michael J Garofalo
Suncor Ft. pierce LLC DBA Capitol Building Group
Citation #31227 - Remaining balance owed \$2,000.00
- 10.h** Citation Hearings - Investigator Jennifer Sayre [2024-246](#)
Michael J Garofalo
Suncor Ft. Pierce LLC DBA Capitol Building Group
Citation #31229 - Remaining balance owed \$2,000.00
- 10.i** Citation Hearings - Investigator Jennifer Sayre [2024-247](#)
Michael J Garofalo
Suncor Ft. Pierce LLC DBA Capitol Building Group
Citation #31232 - Remaining balance owed \$2,000.00
- 10.j** Citation Hearings - Investigator Jennifer Sayre [2024-248](#)
Michael J Garofalo
Suncor Ft. Pierce LLC DBA Capitol Building Group

Citation 31233 - Remaining Balance owed \$2,000.00

- 10.k** Citation Hearings - Investigator Jennifer Sayre
Michael J Garofalo
Suncor Ft. Pierce LLC DBA Capitol Building Group
Citation #31234 - Remaining balance owed \$2,000.00

[2024-249](#)

- 10.l** Citation Hearings - Investigator Jennifer Sayre
Michael J Garofalo
Suncor Ft. Pierce LLC DBA Capitol Building Group
Citation #31228 -Remaining balance owed \$2,000.00

[2024-251](#)

11. Certification of Fine Hearings

There were no items scheduled under this section of the Agenda.

12. Disciplinary Hearings

There were no items scheduled under this section of the Agenda.

13. Public to be Heard

No one from the public signed up to speak during this portion of the Agenda.

Chair Illg indicated Vice Chair Larsen inquired about the question regarding the collection of liens. Vice Chair Larsen wanted follow-up information about the lien the Board orders and how they are applied. Attorney Shiller asked if the question was if the lien was applied to the person or their real property, Attorney Shiller stated that liens could be applied to property.

Vice Chair Larsen inquired if the City was placing the lien on the Respondent's personal property once the Board approved the lien. He asked if that was taking place or if the City was not collecting those.

Chair Illg inquired about the scope of the liens, to which Attorney Shiller stated the citations were placed against the Respondent and not their personal property. He indicated that if the Violator continued to be in violation they are reported to the State of Florida.

Chair Illg asked how the City placed a lien on the Respondent if they did not possess a physical business location, to which Attorney Shiller indicated that the lien could be placed on personal property.

The Board inquired collectively when they ordered a lien, who or what was the City placing the lien to. Vice Chair Larsen inquired if the lien was placed on their home, vehicle or business.

Attorney Shiller explained the lien could be placed on real and/or personal

property. Mr. Martinez inquired how the City collects the liens, to which Attorney Shiller explained that in extreme cases the City may file a foreclosure.

Attorney Shiller suggested that they have someone from the Finance department present to discuss the process once the Board signs their order and how they collect on those liens.

Attorney Shiller asked the Deputy City Clerk if the orders were being signed, to which she responded in the affirmative. The Deputy City Clerk stated it would be best to have someone present from the Finance Department to discuss the Lien process with the Board, to which Attorney Shiller agreed.

Chair Illg requested that a representative from Finance come to the next Construction Board of Appeals meeting and have them provide their explanation prior to the citation hearings for Mr. Garofalo.

The Deputy City Clerk suggested adding the Lien/Finance presentation as an item under New Business.

Chair Illg requested that the Board Members please raise their hand to be acknowledged during the meeting.

14. Adjourn

There being no further business, the meeting was adjourned at 9:54 AM.

Ted Illg, Chair

Daisy Ruiz, Deputy City Clerk