

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF ELECTRICIANS
1511 PONTIAC AVENUE
Building 70 – 2nd Floor Conference Room
Cranston, RI 02920**

TUESDAY, MAY 16, 2007

In attendance:

William Lepore Jr., Chairperson

Glenn Dusablon

Stanley Davies

Keith Burlingame

Ronald Racine

Allen Durand

Those not in attendance: Herbert Joslin, Kathy Serrecchia, Frank Benell, Jr.(who had probable cause)

Mr. Lepore called to meeting to order at 9:35 a.m. There was a Quorum.

Mr. Lepore asked if the Board had reviewed the minutes from the April 18, 2007 meeting and asked if there were any comments in regard to the minutes. Ronald Racine made a motion to approve the

minutes and Allen Durand seconded the motion. All members voted in favor.

There were two hearings scheduled for today. Mr. Nathan Fitts and Mr. Matthew Fitts and RIDLT Chief Electrical Investigator, Mr. Glenn Dusablon and were sworn in by Valentino Lombardi, Esquire, because the Board stenographer was not a notary.

1. Nathan Fitts – Violation #3120

Glenn Dusablon read the violation to the Board:

Violation: On March 20, 2007, RIDLT Chief Electrical Investigator, Glenn Dusablon witnessed Mr. Matthew Fitts and Mr. Peter Mahan, two employees of Nathan Fitts, DBA Precision Power, 341 Nooseneck Hill Road, Richmond, RI 02898 performing electrical work in Rhode island without a valid Rhode Island Electrical license. This is two (2) violations of RIGL 5-6-2 "Work for which a license is required".

This is Mr. Fitts second offense for hiring unlicensed employees.

Mr. Fitts stated he was unaware of the state laws that you could not labor out work to someone who worked for another company; namely Mr. Peter Mahan, who is an apprentice with another company. Mr. Fitts also stated that he was in the process of getting Matthew Fitts registered when he left the job for a little while to come in and speak

to Buddy Ekno of the RI Department of Labor and Training. Mr. Mahan, the other unlicensed employee paid the fine.

-2-

Mr. Ronald Racine made a motion that the Board go into Executive Session for further discussion on Mr. Nathan Fitts. Mr. Keith Burlingame seconded the motion.

Board resumed the Board meeting after discussion at the Executive Session.

Allen Racine made a motion that Mr. Nathan Fitts is guilty and that a finding of fact did occur. Keith Burlingame seconded the motion. All board members were in favor.

Allen Racine made a motion that the fine of \$1900 (\$950 for each of the two violations) be reduced to \$500 for each of the two violations, for a total of \$1000. Mr. Fitts was told by the Board that he could obtain the rules online on our website. Allen Durand seconded the motion. All Board members were in favor.

2. Matthew Fitts – Violation #3121:

Glenn Dusablon read the violation to the Board:

Violation: On March 20, 2007, RIDLT Chief Electrical Investigator, Glenn Dusablon witnessed Mr. Matthew Fitts, DBA Precision Power, 341 Nooseneck Hill Road, Richmond, RI 02898 performing electrical work in Rhode island without a valid Rhode Island Electrical license. This is one (1) violation of RIGL 5-6-2 "Work for which a license is required".

Mr. Matthew Fitts stated that this was his first (1st) offense; however he did plead guilty to being aware that he was in violation of performing this electrical work without a valid RI license.

Mr. Allen Durand made a motion to deny Mr. Fitts' request that the violation fee be dropped since this was his first offense and that a finding of fact in violation of RIGL 5-6-2 did occur. Mr. Keith Burlingame seconded the motion. All Board members were in favor.

Mr. Ronald Racine made a motion to uphold the fee of \$500 since Mr. Fitts was aware that he was performing this electrical without a proper RI license. Mr. Allen Durand seconded the motion. All Board members were in favor. Mr. Lepore made Mr. Fitts aware that he would be receiving a recommendation for the Director in writing.

New Business:

Mr. Ronald Racine mentioned to the Board that he is officially resigned from the Board of Examiners of Electricians, and this will be his last meeting.

There was no other business before the Board.

Review of applications was made after the Board meeting.

-3-

The next meeting of the Electrician's Board will be June 20, 2007 at 9:30 a.m. in Building 70, Department of Labor and Training, second floor conference room, Cranston, RI 02920.

Respectively submitted by Elaine J. Heiss, May 16, 2007