

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING**

**DIVISION OF PROFESSIONAL REGULATION**

**BOARD OF EXAMINERS OF ELECTRICIANS**

**1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room**

**Cranston, RI 02920**

**WEDNESDAY, May 21, 2014**

**9:30am**

**In attendance: Frank Benell, Jr**

**Keith Burlingame**

**Michael Daley**

**Stanley Davies**

**William Lepore, Jr**

**Robert Zuba**

**Also in attendance were Robert Fratus, Electrical Investigator; John Shaw, Administrator; and Angelyne E. Cooper, DLT Legal Counsel.**

**1.) Call to Order: William Lepore, Jr, Chair, called the meeting to order at 9:33am.**

**2.) Minutes of the April 16, 2014 Meeting: Frank Benell, Jr. made a**

**motion to accept the minutes of April 16, 2014 meeting as submitted; seconded by Michael Daley and passed unanimously by the Board.**

**3.) Minutes to Executive Session of April 16, 2014: Stanley Davies made a motion to approve the minutes of April 16, 2014 Executive Session as written; seconded by Michael Daley and passed unanimously by the Board. A motion to seal the minutes was made by Michael Daley; seconded by Robert Zuba and passed unanimously by the Board.**

**4.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Angelyne E. Cooper, DLT Legal Counsel, reminds board members that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recuse from hearing and voting on the matter.**

**5.) Violation Appeal Hearings:**

**Robert A. Hiltz – Viol 4794: Robert A. Hiltz (Respondent), Leigh Ann Janovsky (Hallkeen Management), E. Patrick Luther (DLT) and Robert Fratus (DLT) are sworn in for testimony. Robert Fratus reads the violation.**

**VIOLATION # 4794**

**NAME OF VIOLATOR: Robert A. Hiltz**

**LOCATION OF VIOLATION: B2-APT. 404 at 400 Woodland Dr. Coventry, Rhode Island 02816**

**VIOLATION: On 2/19/2014, CMI Nicholas D. Ranone, and I made a site visit to the above listed address to follow up on a complaint of unlicensed maintenance supervisor doing electrical work made by the tenant, Mrs. Deborah Dodge. After talking with the property manager, Leigh Ann Janovsky, and maintenance supervisor, Robert A. Hiltz, it was found to be fact by there own admittance that unlicensed maintenance supervisor, Mr. Hiltz, was directed to install the electric heater and thermostat.**

**This is one violation of RIGL engage in electrical work RIGL 5-6-2 Work for which license required.**

**Robert Hiltz provides testimony and is questioned by the Board.**

**Michael Daley made a motion on Violation 4794 that a violation of RIGL 5-6-2, Work for which a license required, did occur; seconded by Stanley Davies and passed unanimously by the Board.**

**Michael Daley made a motion that the fine of \$500.00 be upheld; seconded by Frank Benell, Jr. and passed unanimously by the Board.**

**The recommendation was later held in abeyance after the hearing for**

**Violation 4795 Hallkeen Management as board members requested to have Coventry Building Official and Coventry Electrical Inspector appear before the Board at the next meeting. The motion was made by Michael Daley; seconded by Frank Benell, Jr, Stanley Davies and Robert Zuba and passed unanimously by the Board.**

**The matter will be on next month's agenda.**

**Hallkeen Management – Viol 4795: Leigh Ann Janovsky (Hallkeen Management) was previously sworn in for testimony. Robert Fratus reads the violation.**

**VIOLATION: 4795**

**NAME OF VIOLATOR: Hallkeen Management**

**LOCATION OF VIOLATION: B2-APT. 404 at 400 Woodland Dr. Coventry, Rhode Island 02816**

**VIOLATION: On 2/19/2014, CMI Nicholas D. Ranone, and I made a site visit to B2-APT. 404 Woodland Dr. Coventry, RI following up on complaints made by tenant, Deborah Dodge. In the complaint filed by Mrs. Dodge she stated she had electric heating issues from Dec.1st 2013. After repeated calls to the management office they sent over their unlicensed maintenance supervisor to investigate the heating problem the first week of January 2014 and again on 1/24/2014 to repair the electric heating problem. On 2/19/2014, Mrs. Dodge phoned me and reported that the electric heat she thought was fixed had**

shorted out today and would I stop by to investigate the matter. After speaking with Mrs. Dodge at her apartment, the property manager, Leigh Ann Janovsky, and maintenance supervisor, Robert A. Hiltz were asked to stop by to answer some question relating to the electric heating issue. When both the manager and the maintenance supervisor were asked about who installed the new section of electric heat they admitted to directing and installing respectively. Mr. Hiltz is not licensed to do electrical work in Rhode Island.

This is two violations of RIGL for enter into and engage in electrical work, RIGL 5-6-2 Work for which license required. This is one violation for not getting the town issued electrical permit, RIGL 5-6-25 Compliance with rules and requirements of city or town.

Board member Stanley Davies made a motion to eliminate the violation of RIGL 5-6-25 Compliance with rules and requirements of city or town as the Building Official was present and therefore aware. The motion was seconded by Frank Benell, Jr. There is discussion. In favor were Frank Benell, Jr., Stanley Davies and Robert Zuba. Opposed were Keith Burlingame and Michael Daley. By a vote of 3 in favor and 2 opposed the motion carries.

The Board questions Robert Fratus.

Leigh Ann Janovsky (Hallkeen Management), having been previously sworn, provides testimony.

**Keith Burlingame made a motion to place the case on hold and subpoena (if not voluntarily) the Coventry Building Official and Coventry Electrical Inspector to get an explanation of what was testified. The motion was seconded by Stanley Davies and passed unanimously by the Board.**

**In consideration of the motion, a motion was made by Michael Daley to hold the recommendation for Violation 4794 in abeyance until this is resolved. The motion was seconded by Frank Benell, Jr., Stanley Davies and Robert Zuba. There being no opposition the motion passed.**

**This matter will be place on the agenda for next month.**

**David Potvin – Potvin Electirc – Viol 4812: David Potvin and Anthony Capuano are sworn in for testimony. E. Patrick Luther was previously sworn in for testimony. Robert Fratus reads the violation.**

**VIOLATION #: 4812; David Potvin, Potvin Electric**

**LOCATION OF VIOLATION: Shore's Market 435 Atwood Ave. Cranston RI, 02920.**

**VIOLATION: On 3/06/2014, Chief Plumbing Investigator, E. Patrick Luther, made a site visit to Shore's Market, Atwood Ave, Cranston, where he found unlicensed/unregistered electrical worker, Anthony**

**M. Capuano, performing electrical work on a sign at above mention location for Potvin Electric Inc.**

**This is one violation of RIGL 5-6-2 Work for which license required.**

**E. Patrick Luther provides testimony.**

**David Potvin provides testimony.**

**Michael Daley made a motion on Violation 4812 that a violation of RIGL 5-6-2 – Work for which license required, did occur; seconded by Frank Benell, Jr. and passed unanimously by the Board.**

**Michael Daley made a motion that the fine of \$500.00 be upheld. The motion was seconded by Keith Burlingame as there was knowledge that the individual was not certified or registered with the Department and was sent to work anyhow. The motion passed unanimously by the Board.**

**The recommendation will be forwarded to the Director's office.**

**End of violation appeal hearings.**

**6.) Revocation Hearing – Peter DelSignore Violation # 4813: Peter**

**DelSignore is sworn in for testimony. Robert Fratus reads the violation.**

**VIOLATION # 4812**

**NAME OF VIOLATOR: Peter DelSignore (A-001256. Code Provider License 96-02-A01256)**

**LOCATION OF VIOLATION: 2012 15 hr. Electrical CE Class (Physical location unknown)**

**VIOLATION: Rules & Regulation 18(d) Mandatory Continuing Education; RIGL 5-6-15 False statement in applications; RIGL 5-6-23 Certificates not transferable – Suspension or revocation of certificates – Subpoena of evidence**

**On 2-25-2014 I, Robert Fratus and Chief Hoisting Engineer Investigator, David Rodrigues, interviewed Elmo Vendettuoli Jr. about his 15 hour Electrical Code update class by electrical code provider, Peter Del Signore. Mr. Vendettuoli Jr. was asked if he had attended all the classes. After questioning, he admitted in a written statement that he did not. On 2-26-2014, I, Robert Fratus, and Chief Hoisting Engineer Investigator, David Rodrigues, interviewed Peter Del Signore about Mr. Vendettuoli Jr.'s class attendance and if he had signed for Mr. Vendettuoli Jr. Mr. Del Signore admitted in a written statement that Mr. Vendettuoli Jr. did not attend all of the CE classes as required but that he, Mr. Del Signore, signed Mr. Vendettuoli Jr.'s name. This is a violation of Rules & Regulation 18(d) Mandatory**

**Continuing Education; RIGL 5-6-15 False statement in applications; and RIGL 5-6-23 Certificates not transferable – Suspension or revocation of certificates – Subpoena of evidence, which is subject to revocation.**

**A revocation of license hearing will be held May 21, 2014 at 9:30 am at The Rhode Island Department of Labor and Training, 1511 Pontiac Ave. Cranston RI, Building 70 second floor conference room. In addition, the above cited violation is subject to a \$500 fine. Your attendance is required. If you fail to appear, the hearing will continue as scheduled and be held in your absence.**

**Chair Lepore requests clarification of the license that is up for revocation. Robert Fratus states it would be his Continuing Education Provider's license.**

**Board members question Robert Fratus.**

**Assistant Director asked if any members have a conflict of interest. Angelyne E. Cooper, Legal Counsel, reminds board members that recusal goes to participation in the discussion and any voting. Robert Zuba recused.**

**Peter DelSignore provides testimony.**

**Michael Daley made a motion on Violation 4813 that there was a**

**violation of Rules & Regulation 18(d) Mandatory Continuing Education; RIGL 5-6-15 False statement in applications; RIGL 5-6-23 Certificates not transferable – Suspension or revocation of certificates – Subpoena of evidence did occur. The motion was seconded by Stanley Davies and passed unanimously by the Board.**

**Stanley Davies made a motion that the fine of \$500.00 be suspended for one year provided Mr. DelSignore does not get in any trouble and suspend his providership for one year. The motion was seconded by Frank Benell, Jr. and passed unanimously by the Board. Robert Zuba recused.**

**The recommendation will be forwarded to the Director.**

**End of hearing.**

**7.) Status of recommended legislative changes: Michael Daley addressed the board informing the board of comments he received on definitions under oil burner contractor and a request for exemptions under Septic Systems. There is discussion.**

**Michael Daley informs the board of the recommended legislation they have submitted: H-7532 has had a hearing and is being held for study last he knew and he is not sure about the status of S-2406.**

**8.) Discussion of Rules and Regulation #7: Robert Fratus, Chief Electrical Investigator, addressed the Board regarding Rules & Regulation #7, specifically referring to out of state applicants. The Board has a discussion.**

**Joseph Degnan, Assistant Director, addressed the Board. Discussion continued.**

**The board is informed that their recommendation from the previous month has been held while the board addresses the matter for clarification. Discussion continued.**

**Michael Daley recommends preparation of language for the next meeting.**

**The matter will be continued to the next meeting.**

**9.) Discussion of Temporary Employment Agencies / Labor Suppliers: Robert Fratus addressed the Board regarding employees of employment agencies being referred to another contractor and the license holder for the employment agency not supervising the work of their employees and that employment agency not obtaining a permit. There is discussion.**

**Angelyne E. Cooper, Legal Counsel, addressed the Board that Robert Fratus will reach out to temporary agencies and request information and documentation for Legal to review. The Department is in the process of getting information.**

**Chair Lepore requests the matter be placed on next months agenda.**

**10.) Adjournment: A motion to adjourn was made by Michael Daley; seconded by Stanley Davies. There being no objection, the meeting adjourned at 10:44am.**