

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF PLUMBERS**

1511 Pontiac Avenue

Building 70 – 2nd Floor Conference Room

Cranston, RI

401.462.8538

TUESDAY, APRIL 19, 2005

9:00 A.M.

In attendance: Michael V. St. Martin

William Garcia

William O'Brien

William J. Riley

Leo Champagne

Jeffrey J. Hutton

Mr. Michael Newman is not present for today's meeting. Mr. St. Martin called the meeting to order at 9:00 a.m.

Mr. St. Martin asked if all board members received and reviewed the minutes of last month's meeting. Mr. O'Brien made a motion to approve the minutes of the March 2005 meeting. Mr. Hutton

seconded the motion. All members voted in favor.

There are four (4) hearings scheduled for today for which there is a board stenographer.

1. Datop Sprinkler - # 2114

The first appeal today is with regard to Datop Sprinkler. Mr. Carl Senn and Mr. Patrick Luther, RIDLT Investigator, are present and sworn in by the stenographer.

Mr. Luther read the violation: It is alleged that on September 16, 2004, Datop Sprinkler did have Chad Machado installing sprinklers on Angell Road, Lincoln, RI without a RI Irrigation apprentice certificate. This is a violation of RIGL 5-20-10 “work for which an apprentice certificate is required”. Further, Datop had a GMC 3500 cube van, RI License # 101528 on site without the proper license number (MI000058) displayed on it. This is a violation of RIGL 5-2-24 “License displayed in place of business”.

Based on the testimony of Mr. Senn, Mr. Hutton made a motion to uphold the fine for violation of RIGL 5-20-10. Mr. Champagne seconded the motion. Mr. Riley opposed the motion. The remaining members voted in favor. The ayes prevail.

2. Ernest Auriemma - # 1736

The second appeal hearing today is with regard to Ernest Auriemma. Mr. Auriemma is present and sworn in by the Board stenographer.

Mr. Luther read the violation: It is alleged that on or about 02/04/04, Mr. Ernest Auriemma did enter into a contract with Barbara Higgins to install a water heater at 11 Palace Avenue, Warwick, RI. Mr. Auriemma is not a licensed plumber in the State of RI. Mr. Bell also had an employee (John W. Dowd) working at the same location. These are violations of RIGL 5-20-8 "work for which a master license is required" and RIGL 5-20-12 "corporations and firms engaged in business".

Based on the testimony provided today, Mr. Hutton made a motion to suspend the violations of RIGL 5-20-8 "Practices for which a master license is required" and RIGL 5-20-12 "Corporations and firms engaged in business" for a 12-month period. Mr. Riley seconded the motion. All members voted in favor.

3. Mark Robinson - # 2166

The next appeal is with Mr. Mark Robinson who is present and sworn in by the court stenographer.

Mr. Luther read the violation: It is alleged that on Mr. Mark Robinson did have Mathew Robinson and another of his sons installing plumbing at 120 Gibon Avenue, Narragansett, RI without the proper RI

plumbing apprentice certificate and without supervision. These are violations of RIGL 5-20-9 “work for which an apprentice certificate is required” (1 Violation) and RIGL 5-20 “Rules and Regulations section 2.6 – Supervision” (2 Violations).

Based on the testimony provided today, Mr. Riley made a motion to suspend the violation of RIGL 5-20-9 “work for which an apprentice certificate is required” (1 Violation) and RIGL 5-20 “Rules and Regulations section 2.6 – Supervision” (2 Violations). Mr. Champagne seconded the motion. All members voted in favor.

4. Daniel Guastini - # 2089

The next appeal is with regard to Mr. Daniel Guastini. Mr. Guastini is not present for today’s hearing.

Mr. Luther read the violation: It is alleged that on February 10, 2004 Mr. Daniel Guastini entered into a contract to install a new tub, toilet and vanity at the Brady residence, 35 Curtis Road, Saunderstown, RI 02874. Mr. Guastini is not a licensed plumber in the State of RI. These are violations of RIGL 5-20-8 “practices for which a Master license is required” and RIGL 5-20-9 “acts for which a journey person license is required”. Guastini Bros. Construction does have a licensed plumber in their corporate structure. This is a violation of RIGL 5-20-12 “corporations and firms engaged in business”. Further, no permit was issued from the Town of North Kingstown. This is a violation of

RIGL 5-20-26 “municipal inspectors and installation permits”.

Based on the testimony provided today, Mr. Riley made a motion to uphold the fines for violation of RIGL 5-20-9 "acts for which a journey person license is required", RIGL 5-20-8 "acts for which a master license is required", RIGL 5-20-12 "corporations and firms engaged in business" and RIGL 5-20-26 "municipal inspectors and installation permits" and the fact that Mr. Guastini did not appear today after proper notification. Mr. Champagne seconded the motion. All members voted in favor.

This concludes today’s hearings.

With no further business, Mr. Champagne made a motion to adjourn the meeting at 9:30 am. Mr. Riley seconded the motion. All members voted in favor.

The next meeting of the Board of Examiners of Plumbers is scheduled for Tuesday, May 17, 2005 at 9:00 a.m. in Building 70, second floor conference room.