

**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, JANUARY 18, 2005
9:00 A.M.**

In attendance: William Riley

William O'Brien

Leo Champagne

Michael St. Martin

Brian Flynn

Jeffrey Hutton

John Phillips

All Board members are present for today's meeting. Mr. Flynn called the meeting to order at 9:05 a.m.

Mr. Flynn 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 December meeting. Mr. Riley seconded the motion. All members voted in favor.

There are three (3) hearings scheduled for today for which there is an assigned stenographer.

Hearings:

1. Ace Rooter Services – Violation # 2066

Mr. Christopher Gomes of ace Rooter Services, his Attorney Paul DeMarco and Mr. Patrick Luther, RIDLT Investigator are present for today’s hearing and are sworn in by the board stenographer.

Mr. Luther read the violation: A complaint was received on August 24, 2004, that Ace Rooter is advertising on the internet at WWW.AceRooter.com and in the Verizon Superpages as a plumbing contractor without a valid RI master plumber license. These are violations of RIGL 5-20-8 “Practices for which a Master license is required”, RIGL 5-20-12 “corporation and firms engaged in business” and RIGL 5-20-24 “license displayed in place of business ‘advertising’”.

Based on the testimony provided today, Mr. Riley made a motion to uphold the violation of RIGL 5-20-8 and to suspend for a 12-month period the violations of RIGL 5-20-12 and 5-20-24. There was no

second to the motion. Mr. St. Martin then made a motion to uphold the violations of RIGL 5-20-8 and 5-20-24. Mr. Hutton seconded the motion. All members voted in favor.

2. Robert Scholle – Violation # 1862

The next hearing is with regard to Robert Scholle. Mr. Scholle is not present for today's hearing. Mr. Luther informed the Board that this was a continuation of last month's meeting where Mr. Joseph Norato, the complainant, testified with regard to this violation.

Mr. Luther read the violation: It is alleged that on March 23, 2004, a complaint was received from Mr. Vincent Walsh, Plumbing and Mechanical Inspector, Town of Richmond, RI that Mr. Robert Scholle did install a bathroom at the residence of Joseph Norato, 2 Chariho Drive, Richmond, RI on March 1, 2004 without any RI Plumbing licenses. These are violations of RIGL 5-20-8 "practices for which a master license is required", RIGL 5-20-9 "acts for which a journey person license is required", RIGL 5-20-12 "corporations and firms engaged in business". Further, no permit was issued from the Town of Richmond for this work. This is a violation of RIGL 5-20-26 "municipal inspectors and installation permits".

Mr. Phillips made a motion to postpone this hearing until the February meeting so Mr. Scholle could testify on his own behalf. Mr.

O'Brien seconded the motion. All members voted in favor.

3. David Silva – Violation # 2191

The final appeal hearing for today is with regard to David Silva. Mr. Silva is not present for today's hearing.

Mr. Luther read the violation: It is alleged that on or about September 18, 2004, Mr. David Silva entered into a contract to install plumbing at the residence of Meredith Sullivan, 34 Pierce Street, East Greenwich, RI without a RI Master Plumbing license. This is a violation of RIGL 5-20-10 "work for which a master license is required".

Mr. St. Martin made a motion to postpone this hearing until the February meeting when at that time, Ms. Sullivan and Mr. Silva could provide testimony with regard to the violation. Mr. Riley seconded the motion. All members voted in favor.

This concludes the hearings for today.

In other business, Mr. Luther informed the board that he has received a request from David Field asking the board to grant him schooling hours for time spent at a Technical High School in Massachusetts. Mr. Luther stated that the school (Lynn Vocational & Technical High School) is an accredited facility for post high school training. Mr. Luther further stated that this board has never granted schooling

credit for an individual during their high school experience. Mr. St. Martin then made a motion to deny Mr. Field any High School credit. Mr. Champagne seconded the motion. All members voted in favor.

With no further business, Mr. O'Brien made a motion to adjourn the meeting at 9:40 am. Mr. Champagne seconded the motion. All members voted in favor.

The next meeting of the Board of Examiners of Plumbers is scheduled for Tuesday, February 15, 2004 at 9:00 a.m. in Building 70, second floor conference room.