

**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 02920**

TUESDAY, JANUARY 16, 2007

In attendance: William Riley

Kathryn Serrecchia

Leo Champagne

Jeffery Hutton

William Garcia

Anthony Cardarelli

Micahel Newman

Adelita Orefice

Those not in attendance: Michael St. Martin

Mr. William Riley opened the Executive Board meeting at 9:05. Mr. Pat Luther introduced The Director, Adelita Orefice to the Board members.

The Director, Ms. Adelita Orefice, of the Department of Labor and Training addressed the Board.

The Director has been here at DLT for three years and wants to visit all the Trade Occupational Boards and concentrate on creating a process for all the Boards to become more efficient and strong under professional laws, to make the Boards better and stronger will help us to develop stronger cases. The Director would like to have resumes posted and vacancies filled for vacancies within the Trade Occupational Boards. Adelita would like to have the Board review the resumes and see if the proper qualifications are in order. The Director is giving the Board members a chance to either stay on the Board or if they desire, resign from the Board. All new members of the Boards will be required to attend training and will receive training packets. Once a year, there will be a group training session for all of the Trade Occupational Boards. The Director, Adelita Orefice, will be sending out a letter to all Board members as to what she wants to do. The Director will be meeting with all of the Trade Occupational Boards until March 31st and she will be addressing the Boards as to updates concerning the Boards.

Mr. William Riley called to meeting to order at 9:20 a.m. No minutes were received from the Stenographer. Mr. Pat Luther made a motion to have the minutes reviewed at the next Board meeting. Mr. Riley seconded the motion. All members voted in favor.

There are three (3) hearings scheduled for today, for which there is a board stenographer.

Hearings

1. Mr. Leonard Gates – Violation #2982

Mr. Leonard Gates and RIDLT Investigator, E. Patrick Luther is present to provide testimony and have been previously sworn in by the board stenographer.

Mr. Luther read the violation: Location of violation was Ponaganset Middle School, 2 Rustic Hill Road, Glocester, RI 02814. On September 22, 2006, Leonard Gates (MP001751) did take a permit for Cardi Corporation in the Town of Glocester, RI for the installation of subsoil drainage piping at the above location. Mr. Gates does not work for Cardi Corporation and is not on their corporate papers filed with the

RI Secretary of State. This is a violation of RIGL 5-20-27 “Grounds for revocation of license (3)”.

Mr. Jeffrey Hutton made a motion that a finding of fact has occurred that a violation of RIGL5-20-27 did occur. No other board member made a second motion.

Mr. Mike Newman made a motion that a finding of fact has been made by the Board that, a violation of 5-20-27 did occur but to suspend the violation for a 12-month period barring any violation of RIGL 5-20-27 during that period, motion was seconded by Anthony Cardarelli. All members voted in favor. Motion was made by William Riley that Mr. Gates will be receiving a letter from the Director to suspend the violation. Jeffery Hutton abstained from voting. All members voted in favor.

2. Mr. Boysie Fortez – Violation #2983

Mr. Boysie Fortez, Mr. Joseph Little, of Little and Little Attorney’s at Law, and RIGL Investigator, Mr. E. Patrick Luther are present today to provide testimony and have been previously sworn by the board stenographer.

Mr. E. Patrick Luther read the violation: Location of violation: 15 Sawyer Street, Providence, RI; On November 28, 2006, RIDLT Investigator, E. Patrick Luther did receive a complaint from Mr. John Foster. Mr. Foster stated that, Boysie Fortez, upon installing

plumbing at the above location, caused damage to the structural framing. Upon requesting a copy of Mr. Fortez's insurance certificate for payment of repairs, Mr. Fotez denied having any insurance. This is a violation of 5-65-2(10) and 5-65-7 of the Rhode Island General Laws. A valid certificate of insurance in the amount set forth in RIGL5-65-7 is required to operate a plumbing business in Rhode Island.

Mr. E. Patrick Luther reported that a finding of fact had incurred, but in the mean time Mr. Boysie Fortez did receive a certificate of insurance before the Board had met. Mr. Leo Champagne made a motion to dismiss violation #2983. Mr. Michael Newman seconded the motion. All members voted in favor. The Director will be sending the decision to Mr. Fortez.

3. Mr. Thomas Federici – Violation No. 2859

Mr. Thomas Federici and RIDLT Investigator, E. Patrick Luther are present today to provide testimony and have previously been sworn in by the board stenographer.

Mr. E. Patrick Luther read the violation: Location of violation: 197 Althea Street, Providence, RI 02909. On September 22, 2005, Thomas Federici did take a permit in the City of Providence for Nickel Enterprises, Inc. for the installation of a sewer line at the above

address. Nickel Enterprises is not licensed in Providence to perform sewer work. Mr. Federici is not an officer or director of Nickel Enterprises. This is a violation of RIGL 5-20-12 "Corporations and firms engaged in business" and RIGL 5-20-27 "Grounds for revocation of license" (4).

Mr. E. Patrick Luther made a motion that a finding of fact did occur under RIGL 5-20-27 and RIGL 5-20-12 "Corporations and firms engaged in business", but that the violation be dismissed if we obtain a copy of the sub contract agreement. Michael Newman made a motion to make this recommendation to drop the violation, pending the proper sub contract agreement be received within 30 days to Mr. E. Patrick Luther. Anthony Cardarelli seconded the motion. All members voted in favor.

There was no further business.

The next meeting of the Plumbers Board will be February 20, 2007 at 9:00 a.m. in Building 70, Department of Labor and Training, second floor conference room, Cranston, RI 02920.

Respectively submitted by Elaine J. Heiss, January 17, 2007