

RHODE ISLAND DIVISION OF MOTOR VEHICLES

100 MAIN STREET

PAWTUCKET, RI 02860

RHODE ISLAND DEALERS' LICENSE & REGULATIONS OFFICE

Tel. # 462-5733,5734 / Fax # 462-5718

INTER-OFFICE MEMO

October 10, 2008

TO: Gary Sasse, Director

DEPT: Department of Revenue

FROM: Dennis Gerstmeyer, Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Thursday, October 9, 2008. Also be advised the following people were present during the hearing: Joseph I. Monteiro, Chief, Enforcement/ Regulations and Steven Raffa, Esq., Division of Legal Services and the hearing Board members: Dennis Gerstmeyer and James Botvin, Thomas Ricci.

Absent: Cpl. David Doucet of the Rhode Island State Police.

Walter Craddock, Esq.,

MEETING OF OCTOBER 9, 2008 AT 9:00 AM

**DIVISION OF MOTOR VEHICLES – 100 MAIN ST. PAWTUCKET, RI
02860**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE
SEPTEMBER 25, 2008 BOARD HEARING.**

The minutes have been reviewed and accepted by the Board.

2. PILGRIM MOTORS, INC. (John W. Mattera, Pres.)

FIRST APPLICATION – CASE # KR-08-251

TO DEAL IN USED MOTOR VEHICLES ONLY

AT: 3760 QUAKER LANE, NORTH KINGSTOWN, RI 02852

Decision: The Board has approved the application subject to the dealership returning their current 18 new dealer plates, 181 A-R. The Board has approved seven (7) used dealer plates.

HEARING BOARD RESULTS

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3. VALENTI SUBARU, INC. (Robert A. Valenti, Pres.)

FIRST APPLICATION – CASE # KR-08-247

TO DEAL IN NEW SUBARU & USED MOTOR VEHICLES

AT: 6 LANGWORTHY RD. WESTERLY, RI 02891

Decision: The Board has approved the application to operate on a temporary basis for a period not to exceed two years subject to the dealership providing updates at 3 month intervals of the status of the new building project to the Dealer's License and Regulations Office. Also subject to submitting an employee form, an amended lease and amended zoning letter to include the corrected address and a copy of the minutes of corporation meeting showing the current offices to the Dealer's License and Regulations Office. Twelve (12) dealer plates have been approved.

4. CDJ, INC.d/b/a: RICK'S TIRE & AUTO CENTER & AUTO SALES

(Charles R. Desjardins, Pres.)

FIRST APPLICATION – CASE # KR-08-246

TO DEAL IN USED MOTOR VEHICLES

AT: 1435 VICTORY HIGHWAY, SLATERSVILLE, RI 02876

Decision: The Board has approved the application subject to an updated letter from the zoning board of North Smithfield and a stamped incorporation letter from the Secretary of State. The dealership will only be allowed to display a maximum of 5 vehicles according to the zoning laws of North Smithfield. Three (3) dealer's plates have been approved.

5. KATHLEEN P. SMITH / BRUCE TEDESCO, ADVOCATE V. WESTMINSTER MOTORS, LTD (Victor Ramos, Pres.)

COMPLAINT /SHOW CASUE HEARING – CASE # DS-08-098

1ST RESCHEDULED HEARING.

Decision: The Board has determined that all monies expended by the complainant which total \$7,046.32 minus a charge of \$830.00 for mileage on the vehicle for a total refund to the complainant of \$6,216.44 from the dealer within 30 days of receiving the written decision from the Dealer's License and Regulations Office.

The Board has determined that Westminster Motors, LTD is in violation of the following RI General Laws and is required to pay the

amounts below, which totals \$100.00 within 30 days of receipt of the formal decision from the Dealer's License and Regulations Office.

Fine: \$100.00: RIGL§ 31-38-1(b): Failure to inspect a vehicle prior to a sale.

HEARING BOARD RESULTS

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6. HECTOR RAMOS V. RHODE ISLAND AUTOMOTIVE SPECIALIST SALES & SERVICE (Robert Garrin, Partner)

COMPLAINT / SHOW CAUSE HEARING – CASE # DS-08-199

Postponed at the request of Seth A. Perlmutter, Esq., lawyer for Rhode Island Automotive Specialist Sales & Service.

**7. WILMINGTON WIRING CORPORATION (John Garrett, Pres.) V.
ASPEN AUTO SALES, INC. (Eric Noury, Pres.)
COMPLAINT / SHOW CAUSE HEARING – CASE # KR-08-174**

**Postponed at the request of Raymond Pezza, Esq., lawyer for Aspen
Auto Sales, Inc.**

**8. DONNA J. WHITE V. NORWOOD KIA (Thomas P. Ricci, Pres. / David
Igliozzi, Esq.)
BOND ACTION – CASE # DS-08-138**

Decision: Postponed due to the lack of a quorum for this case.

Dennis Gerstmeyer, Chairman

Cc: Sara R. Strachan, Administrator, DMV

John DiTomasso, Assistant Administrator, DMV

Joseph I. Monteiro, Chief Enforcement/Regulations, DMV

Steven Raffa, Esq., Division of Legal Services, DOA

File