

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

Tuesday, May 17, 2011

In attendance: Lionel Bernadino

Anthony Cardarelli

Richard Mandarini

Michael Newman

Michael St. Martin, Chair

William J. Riley

E. Patrick Luther, Chief Investigator

Benjamin Copple, Legal Counsel

The meeting was called to order at 9:04 am by Michael St. Martin.

A motion to accept the minutes of the September 21, 2010 meeting was made by Michael Newman; seconded by Anthony Cardarelli and passed unanimously by the Board. A motion to accept the minutes of the April 19, 2011 meeting was made by Michael Newman; seconded by William Riley and passed unanimously by the Board

Hearings:

Robert Petrarca (Viol # 4055): Robert Petrarca, respondent; Allan Johnson, City of Pawtucket Plumbing Official; and E. Patrick Luther, Chief Plumbing investigator, are sworn in for testimony. E. Patrick Luther read the violation. Date of the violation is March 28, 2011, Violation # 4055. The name of the violator is Robert Petrarca, 234 Long St, Warwick, RI 02886. The location of the violation is 40 Progress

Street, Pawtucket, RI. Violation of RIGL 5-20-26 Municipal inspectors and installation permits. On 3-7-11, a complaint was received by E. Patrick Luther from John W. Hanley, Building Official in the City of Pawtucket, RI. Mr. Hanley stated that Robert Petrarca did not take a plumbing permit in that city for the installation of a water service at the above location. Attempts to reach Mr. Petrarca by the City of Pawtucket and this office have gone unanswered. This is a violation of the above referenced RI General Law. Mr. Luther addressed the Board. Alan Johnson, Plumbing Official for the City of Pawtucket, testifies. Robert Petrarca addressed the Board. The Board questions Mr. Petrarca. The Board has a discussion. Mr. Johnson addressed the Board. The Board questions Mr. Johnson. Michael Newman made a motion that Violation # 4055 did occur; seconded by William Riley and passed unanimously by the Board. Michael Newman made a motion to suspend the fine of \$500.00 for one year provided Mr. Petrarca has no further violations during that time; seconded by Leo Bernardino and passed unanimously by the Board.

Thomas Sousa (Viol # 4025): Lori Tillier, complainant, and E. Patrick

Luther, Chief Plumbing Investigator, are sworn in for testimony. Mr. Luther informed the Board that the hearing for Violation # 4025 was on the agenda in April at which time Thomas Sousa requested a continuation as he could not be in attendance and that continuance was granted. Thomas Sousa was not present at today's hearing. Sean Nolan is sworn in for testimony. Ben Copple questioned Mr. Nolan regarding notice to the respondent. Feeling the respondent has been notified the hearing continued in his absence. Mr. Luther read the violation. The date of the violation was February 11, 2011, violation number 4025. The name of the violator is Thomas Sousa, 2 Barker Ave, North Providence, RI 02911. The location of the violation is the Greg and Lori Tillier Residence, 110 Mill St #032, Woonsocket, RI 02895. Violations of RIGL 5-20-8 Practices for which a Masters License Required, RIGL 5-20-24 Licensed displayed in place of business-Advertising, and RIGL 5-20-26 Municipal inspectors and installation permits. On July 6, 2010 Tom Sousa claiming to be AAA Affordable Plumbing and Heating entered into a contract to install a Navien tankless gas water heater at the above location. Mr. Sousa is not licensed in Rhode Island as a master plumber or Pipefitter. On July 9th 2010 Mr. Sousa and Mr. Tom Finnegan removed the water heater and installed the Navien water heater. Mr. Sousa did not realize that the water heater was also being used for space heating. No permit was taken in the City of Woonsocket for the installation. This is a violation of the above referenced RI General Laws. Mr. Luther addressed the board. Lori Tillier addressed the Board. The Board questions Ms. Tillier.

Michael Newman made a motion that Violation 4025 did occur; seconded by William Riley and passed unanimously by the Board. Michael Newman made a motion to uphold the original fine of \$1,500.00; seconded by Anthony Cardarelli and passed unanimously by the Board.

End of hearings.

A motion to adjourn was made by William Riley, seconded by Anthony Cardarelli and passed unanimously by the Board.

The meeting adjourned at 9:37am.

The next meeting is scheduled for Tuesday, June 21, 2011 at 9:00am.