

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

Tuesday, June 21, 2011

In attendance: Lionel Bernadino

Larry Giorgi

Richard Mandarini

Michael St. Martin, Chair

Michael Newman

Michael Raposa

William J. Riley

E. Patrick Luther, Chief Investigator

Benjamin Copple, Legal Counsel

The meeting was called to order at 9:14 am by Michael St. Martin.

A motion to approve the minutes of the May 17, 2011 meeting was made by Michael Newman; seconded by William Riley and passed unanimously by the Board.

Hearings:

Curtis Anderson, Anderson Turf Irrigation (Viol #4069): E. Patrick Luther and Curtis Anderson are sworn in for testimony. E. Patrick

Luther read the violation: Violation # 4069, date 5/23/11. Name of violator Curtis Anderson, Anderson Turf Irrigation, 6 Deer Run Road, Canton, CT 06019. Location of violation: Town Place Suites Hotel, 55 Gate Rd, No. Kingstown, RI. Violation: 5-20-27 Grounds for revocation of license (3) (4). On March 21, 2011 Curtis Anderson did take a permit (P-1463) at the State of RI Building Code Commission for the installation of an Irrigation system at the above address. Mr. Anderson, of Anderson Turf Irrigation, was not under contract with Procon, the general contractor, he was subcontracted by Salmon Falls Nursery and Landscaping of Berwick, Maine. This is a violation of the above referenced RI General Laws. § 5-20-27 Grounds for revocation of license. – The director of labor and training shall revoke the license of any master plumber or master irrigator or journeyman plumber or journeyman irrigator after a hearing when the weight of the evidence establishes any one or more of the following specific violations: (3) On account of knowingly aiding or assisting any person to engage in the work specified for a master plumber, master irrigator or journeyman plumber or journeyman irrigator when that person does not have a license as provided in this chapter; (4) Because of any master plumber, master irrigator or journeyman plumber or journeyman irrigator willfully and fraudulently loaning his or her license to any other person for the purpose of permitting that person to engage in any plumbing or irrigation work in violation of the provisions of this chapter. A hearing will be held on Tuesday, June 21, 2011 at the RI Department of Labor, Building 70, Second Floor Conference Room at 9:00 am.

Your attendance is required. Failure to appear will result in revocation of Master Irrigator License Number MI 000063. Pat Luther gives testimony. The Board questions Mr. Luther. Exhibits are entered into the record: Exhibit A - permit # P-1463 and Exhibit B - notification of revocation hearing letter to Curtis Anderson from the department. Curtis Anderson gives testimony. Mr. Anderson is questioned. A copy of Curtis Anderson's contract with Salmon Falls Nursery and Landscaping is entered as Exhibit C. Questioning continues. Pat Luther is questioned by the Board. Curtis Anderson is questioned by the Board. There is a brief discussion. The Board continues questioning Mr. Anderson. Michael Newman made a motion that Violation 4069 did not occur; seconded by Richard Mandarinini and passed unanimously by the Board. Mr. Anderson inquired about penalties associated with the violation. He was informed that the Board found that no violation has occurred; therefore, there is no penalty. Mr. Anderson is informed that this is a recommendation to the director and the final decision will be sent in writing. Pat Luther informs Mr. Anderson that the deputy director will review this matter and she has the final decision regarding the Board's recommendation. Mr. Anderson will be notified by mail of the final decision.

End of hearing.

Apprentice Registrations:

William Riley made a motion to approve the new Apprentice

registrations; seconded by Michael Raposa and passed unanimously by the Board.

Benjamin Copple, Legal Counsel, addressed the Board regarding a training session for all department boards. The Board will be informed of the exact date.

Michael Newman requested email notification of meetings.

A motion to adjourn was made by Richard Mandarin, seconded by Michael Newman and passed unanimously by the Board.

The meeting adjourned at 9:43am.

The next meeting is scheduled for Tuesday, June 19, 2011 at 9:00am.