

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

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

Tuesday, May 21, 2013

9:00am

In attendance:

Anthony Cardarelli

Larry Giorgi

Jeffrey Hutton

Richard Mandarini

Michael Raposa

William J. Riley, Chair

Lionel Bernardino and Michael Newman were not in attendance.

Also in attendance were E. Patrick Luther, Chief Plumbing Investigator and Valentino Lombardi, Legal Counsel for the Department.

1.) Call to Order: The meeting was called to order at 9:11am by William J. Riley, Chair.

2.) Minutes of April 16, 2013 Meeting: Richard Mandarini made a motion to accept the minutes of the April 16, 2013 meeting; seconded by Jeffrey Hutton. All were in favor.

3.) Conflict of Interest: Valentino Lombardi, Legal Counsel, reminded the Board of that they are subject to the Code of Ethics and their responsibility to disclose conflicts of interest and recuse if necessary. Jeffrey Hutton recused himself from the hearing for David Olean.

4.) Violation Appeal Hearings:

David Olean v United Plumbing and Heating Inc. v Viol 4566:

Jeffrey Hutton recused himself from the hearing. E. Patrick Luther from DLT and David Olean, respondent, are sworn in for testimony. E. Patrick Luther reads the violation into the record

Date: 3/20/13; Violation 4566; David Olean, United Plumbing & Heating Inc., 20 Arsene Way, Fairhaven, MA 02719

**Location of Violation: Newport Water Dept 100 Bliss Mine Rd
Newport, RI**

Violation: RIGL 5-20-9 Acts for which journey person's license required

On March 15, 2013, David Olean did have Gary Baker, of 372 Elsbree St. Fall River MA 02720-7230, at the above location installing plumbing. Mr. Baker is not a licensed plumber in RI. This is a violation of the above referenced RI General Law.

As per RIGL 5-20-33 a \$500.00 penalty was imposed with Violation 4566

E. Patrick Luther provides testimony.

David Olean provides testimony. The Board questions Mr. Olean.

Bill Riley inquires of E. Patrick Luther of Mr. Olean has been before the Board before. Mr. Luther informs the Board that Mr. Olean has not been before the Board before.

Richard Mandarini made a motion that Violation 4566 did occur; seconded by Larry Giorgi. All were in favor.

Larry Giorgi made a motion to suspend the penalty of \$500.00 for one year provided Mr. Olean does not appear before the Board again within that one year period. The motion was seconded by Michael Raposa. All were in favor.

The recommendation will be forwarded to the Director's office.

End of hearings.

5.) Apprentice Approvals / Apprentice Registrations 02/19/2013 thru 04/16/2013:

„X Paul M. Spetelunas Paul J. Spetelunas MP003531

„X Nicholas Van Epps Mike Petronelli MP001951

E. Patrick Luther informs the Board that the Apprentice Registrations and ratios have been met and paperwork has been processed. Larry Giorgi made a motion to accept apprentices Paul M. Spetelunas and Nicholas Van Epps; seconded by Michael Raposa. All were in favor.

6.) Adjournment: Michael Raposa made a motion to adjourn; seconded by Jeffrey Hutton and passed unanimously by the Board. The meeting adjourned at 9:20am.