

**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, September 17, 2013**

**9:00am**

**In attendance:**

**Lionel Bernardino**

**Larry Giorgi**

**Jeffrey Hutton**

**Richard Mandarini**

**Michael Newman**

**Michael Raposa**

**William J. Riley, Chair**

**Anthony Cardarelli was not in attendance.**

**Also in attendance were E. Patrick Luther, Chief Plumbing Investigator; and Mary Ellen McQueeny-Lally, DLT Legal Counsel**

**1.) Call to Order: The meeting was called to order at 9:00am by William J. Riley, Chair.**

**2.) Minutes of July 16, 2013 Meeting: Michael Newman made a motion to accept the minutes of the July 16, 2013 meeting; seconded by Larry Giorgi; and passed unanimously by the Board.**

**3.) Conflict of Interest: Mary Ellen McQueeny-Lally, Legal Counsel, reminded the Board that they are subject to the Code of Ethics and their responsibility to disclose conflicts of interest, financial or otherwise, and recuse if necessary.**

**4.) Violation Appeal Hearings:**

**Michael Lebeau ;V A to Z Plumbing Heating & Air Conditioning ;V Violation 4639:**

**Michael Lebeau, A to Z Plumbing; and E. Patrick Luther, DLT Investigator, are sworn in for testimony. E. Patrick Luther reads the violation.**

**Date of Violation 6/26/2013; Violation # 4639**

**Name of Violator: Michael Lebeau ;V A to Z Plumbing Heating & Air Conditioning, Inc, 69 Dorr Dr, Riverside, RI 02915**

**Location of Violation: Craigslist Ad, Posted 5-31-13, ID # 3840953902, updated 6-4-13**

**Violation:**

**RIGL 5-20-8 Practices for which master's license required**

**RIGL 5-20-12 Corporations and firms engaged in business**

**RIGL 5-20-24 license displayed in place of business - Advertising (1)**

**On June 4, 2013, A to Z Plumbing Heating & Air Conditioning Inc. posted an ad on Craigslist advertising for Plumbing, Heating and Air Conditioning. A to Z Plumbing Heating & Air Conditioning Inc has no Master Plumber in its corporate report and President, Michael Lebeau, or Vice President, Charles R. Carr, are not licensed Master Plumbers in RI. No Master Plumber's license numbers were listed in the craigslist ad. This is a violation of the above referenced RI General Laws.**

**Per RIGL 5-20-33 a \$1,500.00 penalty was assessed with Cease and Desist order 4636.**

**E. Patrick Luther presents the Craigslist advertisement as Exhibit A.  
E. Patrick Luther provides testimony.**

**The Board questions Michael Lebeau. Mr. Lebeau provides testimony.**

**Questioning of and testimony from E. Patrick Luther and Michael Lebeau continues.**

**Jeff Hutton made a motion that violations of RIGL 5-20-8, RIGL 5-20-12 and 5-20-24 did occur seconded by Lionel (Leo) Berardino and passed unanimously by the Board.**

**Jeff Hutton made a motion that the fine be upheld; seconded by Lionel (Leo) Berardino and passed unanimously by the Board.**

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

**Tad Senn, Datop Sprinkler Specialists, Inc. v Violation 4634:**

**E. Patrick Luther addressed the Board requesting the matter be continued until there is a determination from the Department regarding a request from the respondent that the violation be dismissed due to the lack of a quorum at the August meeting.**

**Michael Newman made a motion to continue the matter to next month's meeting; seconded by Larry Giorgi and passed unanimously by the Board.**

**Edward Beaudoin v Violation 4638:**

**Edward Beaudoin is sworn in for testimony. E. Patrick Luther was previously sworn. E. Patrick Luther reads the violation.**

**Date: 6/27/2013; Violation #: 4638**

**Name of Violator: Edward Beaudoin, 17 Maxim Street #3, Cranston, RI 02910-3850**

**Location of Violation: 1425 Cranston St Cranston RI**

**Violation:**

**RIGL 5-20-8 Practices for which master's license required**

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

**On May 31, 2013, Edward Beaudoin was installing a Shower valve at the above location. At the time of inspection, Mr. Beaudoin was not a licensed Master Plumber in RI (JP006303). Mr. Beaudoin did have Justin R. Anderson, of 20 Blackamore Ave, Cranston, assisting in the installation. Mr. Anderson is not a licensed plumber in RI. This is a violation of the above referenced RI General Laws.**

**\$1,000.00 penalty was assessed per RIGL 5-20-33 along with Violation 4638.**

**E. Patrick Luther provides testimony.**

**Lionel (Leo) Bernardino recused himself from the matter.**

**Edward Beaudoin addressed the Board and provides testimony.**

**Jeff Hutton made a motion that violation of RIGL 5-20-8 and RIGL 5-20-9 did occur; seconded by Michael Raposa and passed unanimously by the Board.**

**Michael Newman made a motion made a motion to suspend the**

**\$1,000.00 fine for one year and let Mr. Beaudoin try to take the Master Plumber test again so he can try to make a living for himself; seconded by Richard Mandarini and passed unanimously by the Board.**

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

**Gino Burgio v Gino's Plumbing Inc v Violation 4671:**

**William Riley recused himself from the matter. Michael Newman, Vice Chair, chaired the hearing. Gino Burgio is sworn in for testimony. E. Patrick Luther, having previously been sworn, reads the violation.**

**Date of Violation: 8/15/2013; Violation # 4671**

**Name of Violator: Gino Burgio v Gino's Plumbing Inc, 275 Nausauket Rd, Warwick, RI 02886**

**Location of Violation: Butler Hospital, 345 Blackstone Blvd, Providence, RI**

**Violation:**

**RIGL 5-20-25 Registration of plumbing and irrigation of apprentices (2 counts)**

**RIGL 5-20 Rules and Regulations Section 2.6 Supervision (2 counts)**

**On July 30, 2013, Gino's Plumbing Inc. did have Sabato B. Stanzione, of 3 Ananwan Rd Bristol RI, and Robert Coelho Jr., of 107 King Philip**

**Highway Bristol RI, installing plumbing at the above address. Mr. Stanzione and Mr. Coelho Jr. are not registered apprentices in RI. At the time of inspection Gino's Plumbing Inc. did not have any licensed plumbers on site supervising the installation. This is a violation of the above referenced RI General Laws.**

**As per RIGL 5-20-33 a \$2,000.00 fine was assessed to Violation 4671.**

**E. Patrick Luther provides testimony.**

**Gino Burgio is questioned by the Board and provides testimony.**

**Mr. Luther is also questioned by the Board.**

**Mr. Burgio addressed the Board.**

**Michael Raposa made a motion that Violation 4671 did occur; seconded by Jeff Hutton and passed unanimously by the Board.**

**Michael Raposa made a motion that the fine be suspended for one year; seconded by Lionel (Leo) Bernardino and passed unanimously by the Board.**

**Joseph Degnan, Assistant Director, addressed the Board requesting the Board, when making a motion to suspend, they put on the record the reason so the Director can consider the information in his**

**decision. Michael Raposa clarified that Mr. Burgio has not been before the Board previously. Larry Giorgi added that Mr. Burgio has come into compliance with his current employees and situation. Lionel (Leo) Bernardino confirmed that is why he seconded the motion.**

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

**End of hearings.**

**William Riley returns to chair the meeting.**

**5.) Apprentice Approvals / Apprentice Registrations:**

**„X Bryan Folgo Ray Neri MP001516**

**„X Kyle Larsen Brian Lapierre MP002317**

**„X Robert Coelho Gino Burgio MP002055**

**„X Gordon Monroe Al Dumas MP002073**

**E. Patrick Luther addressed the Board that ratios have been checked and all companies are in compliance.**

**Michael Newman made a motion to approve apprentices as presented; seconded by Lionel (Leo) Bernardino and passed**

**unanimously by the Board.**

**6.) Notice of Annual Legal Training ¡V Monday, September 30, 2013,  
8:30am ¡V 1:00pm:**

**Mary Ellen McQueeny-Lally addressed the Board reminding them of the Annual Legal Training to be held Monday, September 30, 2013 from 8:30am ¡V 1:00pm in the Main Classroom in Building 73 at the Department of Labor and Training. At this time there are no additional dates for the training.**

**\*\*E. Patrick Luther informs the Board that there is an irrigation exam review after the meeting if a Board Member is available.**

**7.) Adjournment: Lionel Bernardino made a motion to adjourn; seconded by Michael Raposa and passed unanimously by the Board. The meeting adjourned at 9:42am.**