

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 16, 2014

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; John Shaw, Administrator; Joseph Degnan Assistant Director; and Mary Ellen McQueeney-Lally, DLT Legal Counsel.

1.) Call to Order: The meeting was called to order at 9:05am by Board

Chair William J. Riley.

2.) Minutes of July 15, 2014 Meeting: Michael Newman made a motion to approve the minutes of the July 15, 2014 meeting; seconded by Richard Mandarinini; and passed unanimously by the Board.

3.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Mary Ellen McQueeney-Lally, DLT Legal Counsel, reminds the Board that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recues from hearing and voting on the matter. Legal Counsel is available for questions.

4.) Violation Appeal Hearings:

Anthony Mastriano, Bristol Plumbing and Heating – Violation 4914: E. Patrick Luther, DLT Chief Plumbing Investigator; Anthony Mastriano, Respondent; and Joseph Sousa, are sworn in for testimony. E. Patrick Luther read Violation #4914 into the record.

DATE: 7/18/14

NAME OF VIOLATOR: Anthony Mastriano – Bristol Plumbing and Heating

**LOCATION OF VIOLATION: Roger Williams University One Old Ferry
Road
Bristol, RI, Stonewall #4**

VIOLATION:

RIGL 5-20-9 Acts for which Journeyperson's license required

RIGL 5-20-10 Work for which apprentice certificate required

On July 10, 2014 RIDLT Investigator, E. Patrick Luther, conducted an investigation at the above location. Upon entering the building Mr. Luther witnessed Shaun A. Calouro carrying plumbing tools and materials to a Bristol Plumbing and Heating service vehicle. Inside the boiler room two individuals; Mr. Joseph Sousa and Mr. Joseph Cruz, were completing the installation and testing a backflow preventer. Mr. Sousa and Mr. Calouro are not licensed or registered plumbers in RI. Mr. Cruz was testing the device and had proper certification to do so. This is a violation of the above referenced RI General Laws.

As per RIGL 5-20-33 a \$3,000.00 fine was assessed with Violation 4914.

E. Patrick Luther provides testimony, and is questioned by the board.

The Board continues questioning parties.

Mr. Anthony Mastriano provides testimony and is questioned by the board.

Mr. Bernard Treml, apprenticeship was sworn in and provided testimony and was questioned by the board.

Leo Bernadino made a motion that Violation 4914 did occur; seconded by Jeffrey Hutton; and passed unanimously by the Board.

Regarding the fine, Michael Raposa made a motion per RIGL 5-20-33 the fine of \$3,000.00 be reduced in half to \$1500.00 for violation RIGL 5-20-9. Michael Newman seconded the motion. The motion passed unanimously.

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

End of hearings.

5.) Apprentice Approvals / Apprentice Registrations:

- Michael Maymon Ryan Choinere MP003502**
- Chris Albro Ryan Choinere MP003502**
- Henderson Wilkins Melanie Aldrich MP00236**
- Joe Sousa Antonio Mastriano MP001941**
- Zachary Olink Steve Desmarist MP002155**

- Robert Bliss Steve Freitas MP001622
- Mike Cruz Robert Desmarist MP001973
- Madison Ford Melanie Aldrich MP00236
- Jayson Milano Len Gemma MP001809
- Cesar Timeo Len Gemma MP001809
- Justin Robidoux Bill Riley MP001234
- Thomas Danti Jr Al DantiMP001909
- Nathan Chadorette Mark Chadorette MP001845

Michael Raposa made a motion to accept the new apprentice approvals / apprentice registrations; seconded by Michael Raposa and passed unanimously by the Board.

Leo Bernadino recues himself from participating in discussion of or taking official action relating to said matter.

6.) Announcement-Annual Legal training scheduled for 10/06/14, 8:30am-12:00pm

Discussion

7.) Adjournment: Michael Newman made a motion to adjourn; seconded by Richard Mandarini. The motion passed unanimously. The meeting adjourned at 9:50am.