

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF HOISTING ENGINEERS
TUESDAY, MARCH 8, 2011**

In attendance: Ronald D'Ambruoso

James White

James Woloohojian

Ellery Wood, Jr.

David Rodrigues, Chief Investigator

Benjamin Copple, Legal Counsel

The meeting was called to order at 10:04 am by James Woloohojian.

Roll call.

A motion to accept the minutes for the July 13, 2010 and February 8, 2011 made by Ellery Wood and seconded by James Wood. Motion passed by the Board.

Hearings:

David Rodrigues and Jim Henebury, R.C. & D., Inc., Chief Operating Officer, are sworn in.

1.) RC & D, Inc – Viol # 4029: James Woloohojian read the violation. Viol # 4029 dated 2/14/2011, RC & D, Inc., 17 Gordon Avenue, Suite 204, Providence, RI 02905. Location of violation was Lincoln Lace & Braid Soil Remediation, 55 Ponagansett Ave, Providence, RI. On Thursday, November 18, 2010, Mr. David M. Rodrigues, Chief Hoisting Engineer Investigator, witnessed Philip C. Bedard, an employee of RC&D, Inc., 17 Gordon Avenue, Suite 204, Providence, RI 02905, operating a track dozer without a valid RI Hoisting Engineer's License at the above location. According to RIGL 28-26-12 "Investigation and Prosecution of Violation", this is (1) one violation of RIGL 28-26-5 "License Required for Operation of Hoisting Machinery". David Rodrigues addressed the Board. Photos taken on November 18, 2010 were entered into the record as Exhibits A, Exhibit B, Exhibit C and Exhibit D. The Board questions Mr. Rodrigues. Jim Henebury addressed the Board. The Board questions Mr. Henebury. A motion was made by James White that Violation #4029 did occur, seconded by Ellery Wood. Passed by the Board. A motion was made by James White that the fine of \$1,150.00 be upheld, seconded by Ellery Wood. Passed by the Board. Ron D'Ambruoso, as "ex officio" did not vote on this matter.

2.) Philip C. Bedard – Viol # 4028: Philip Bedard was not present. James Woloohojian read the violation. Violation against Philip C. Bedard, 81 Millbury Rd, Oxford, MA 01540-1313. Location of violation was Lincoln Lace & Braid Soil Remediation, 55 Ponagansett Ave, Providence, RI. On Thursday, November 18, 2010, Mr. David M.

Rodrigues, Chief Hoisting Engineer Investigator, witnessed Philip C Bedard, an employee of RC&D, Inc., 17 Gordon Avenue, Suite 204, Providence, RI 02905 operating a track dozer without a valid RI Hoisting Engineer's License at the above job location. This is one (1) violation of RIGL 28-26-5 "License Required for Operation of Hoisting Machinery". A motion was made by James White that Violation # 4028 did occur, seconded by Ellery Wood. Passed by the Board. A motion was made by Ellery Wood that the fine of \$600.00 be upheld, seconded by James White. Passed by the Board. Ron D'Ambruoso, as "ex officio", did not vote on this matter.

End of hearings.

Other Business:

The minutes to the previous meeting addressed unfinished business regarding the Public Utilities Commission. As it was not on today's agenda it was not discussed and will be put on the agenda for April 12, 2011.

Proposed Changes to Rules and Regulations: David Rodrigues addressed the Board regarding testing, reviews and retesting. Mr. Rodrigues is concerned about individuals memorizing answers and inquired about the possibility of a waiting period before retesting. The Board has a discussion.

A motion to adjourn was made by Ellery Wood, seconded by James White and passed unanimously by the Board.

The meeting adjourned at 10:40 am.

The next meeting is scheduled for Tuesday, April 12, 2011.