

RHODE ISLAND DEPARTMENT OF LABOR & TRAINING

DIVISION OF PROFESSIONAL REGULATION

BOARD OF EXAMINERS OF HOISTING ENGINEERS

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

Cranston, RI 02920

TUESDAY, August 14, 2012

10:00am

In attendance: Ronald R. D'Ambruoso

Joseph Graziano

Brian Iannuccillo

Ellery Wood, Jr.

James White and James Woloohojian were not in attendance.

Also in attendance were David Rodrigues, Chief Hoisting Engineer Investigator; and Benjamin Cople, Legal Counsel.

1. - Call to Order:

The meeting was called to order at 10:10 am by Brian Iannuccillo.

2. - Conflict of Interest:

Benjamin Cople, Legal Counsel, announced to the Board of an upcoming training for board members on September 24, 2012. Ethics Commission rules, Administrative Law, Robert's Rules of Order and

Open Meetings Law will be covered. Mr. Copple informed the Board regarding compliance with conflict of interest requirements and recusal will be part of the training. All board members are encouraged to attend.

3. - Approval of Minutes:

A motion was made by Ron D'Ambruoso to approve the minutes of the May 8, 2012 meeting; seconded by Joseph Graziano and passed unanimously by the Board.

4. - Violation Appeal Hearings:

E&J Masonry Co., Inc. (Violation 4274): Earl Parfitt, representative for E&J Masonry Co., Inc; and David Rodrigues, Chief Hoisting Engineer Investigator, are sworn in for testimony. Brian Iannuccillo reads the violation.

VIOLATION: On Thursday, June 14, 2012, Mr. David M. Rodrigues, Chief Hoisting Engineer Investigator, witnessed Earl D. Parfitt, an employee of E & J Masonry Co., Inc., 54 Baldwin St., Cumberland, RI 02864, operating a skid steer loader 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".

LOCATION OF VIOLATION: Central Laundry Bldg., Pastore Complex,

Cranston, RI.

David Rodrigues, Chief Hoisting Engineer Investigator, and Earl Parfitt, E&J Masonry Co. Inc., provide testimony and are questioned by the Board.

Ron D'Ambruoso made a motion that Violation 4274 did occur; seconded by Ellery Wood and passed unanimously by the Board.

Ron D'Ambruoso made a motion that the original penalty of \$600.00 for violation 4274 stand; seconded by Ellery Wood and passed unanimously by the Board.

The recommendation of the Board will be forwarded to the Director.

End of hearings

5. – Department Board Trainings – Legal will address the Board concerning the upcoming Board training on September 24, 2012 from 8:30 to 12:00: Ben Copple, Legal Counsel, addressed this earlier in the meeting.

6. - Adjournment:

A motion to adjourn was made by Ron D'Ambruoso; seconded by Ellery Wood and passed unanimously by the Board. The meeting adjourned at 10:25am.

The next meeting is scheduled for Tuesday, September 11, 2012 at 10:00 am.