

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

Thursday, July 24, 2014

10:00am

In attendance:

Brian Iannuccillo

Joseph Graziano

John Shaw

James White

James Woloohojian, Chair

Ellery Wood, Jr.

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

1. - Call to Order:

The meeting was called to order at 10:06 am by James Woloohojian.

2. - Conflict of Interest:

Valentino Lombardi, Legal Counsel, addressed the Board reminding

board members that if they have any issues or conflicts with matters before the board and their obligation to disclose such conflicts and to recuse if necessary. Legal counsel is available for questions.

3. – Minutes of April 8, 2014 Meeting:

James White made a motion to accept the minutes to the meeting April 8, 2014 as presented; seconded by Ellery Wood, Jr. There was no opposition. Motion carries.

4. - Violation Appeal Hearings:

Groundworks Landscape Construction – Violation 4875: David M. Rodrigues, Chief Hoisting Engineer Investigator, and Anthony Squillante, owner of Groundworks Landscape Construction, are sworn in for testimony. The violation is read into the record.

Dated 6/18/2014; Violation #: 4875

Name of Violator: Groundworks Landscape Construction, 11 Simon St, West Warwick, RI 02893

Location of Violation: Balise Subaru (new construction) 561 Quaker Lane West Warwick, RI

Violation: On Saturday, June 14, 2014, Mr. David M. Rodrigues, Chief Hoisting Engineer Investigator, witnessed Jesus Armando Campos, an employee of Groundworks Landscape Construction, 11 Simon St.,

West Warwick, RI 02893, 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".

David M. Rodrigues, Chief Hoisting Engineer Investigator, provides testimony. Two photographs are submitted as evidence marked Exhibit A and B. The Board questions Mr. Rodrigues. Two additional photographs are entered into evidence: Exhibit C: Copy of identification from individual in California emailed to Mr. Rodrigues; Exhibit D: Copy of identification obtained at the investigation.

Anthony Squillante provides testimony and is questioned by the Board.

Board members continued questioning Mr. Rodrigues and Mr. Squillante. Additional evidence is entered; Exhibit E: Documentation of Anthony Squillante's hoisting license.

Based on testimony presented by Mr. Rodrigues and Mr. Squillante, James White made a motion that Violation 4875 did occur; seconded by Joseph Graziano. There was no opposition.

James White made a motion to recommend the fine of \$600.00; seconded by Ellery Wood, Jr. Mr. White addressed Mr. Squillante.

There is a vote and there was no opposition.

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

End of hearing.

***** There is general discussion regarding fines for violations and the possibility of an increase. Any change would need to be done legislatively. Chair Woloohojian appoints David Rodrigues, James White, Brian Iannucillo to a legislative subcommittee.**

5. - Adjournment:

Ellery Wood, Jr. made a motion to adjourn. James White seconded the motion. All were in favor. The meeting adjourned at 10:49am.