

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
MECHANICAL BOARD**

1511 Pontiac Avenue

Building 70 – 2nd Floor Conference Room

Cranston, RI

401.462.8538

Wednesday, November 2, 2005

9:00 am

In attendance: Michael Carreiro

Peter Lombardi

Bobby Joe Harris

Stanley Davies

John Webster

Quinlan T. Regan

Ronald Cronin

Michael Januario

Board members Kenneth Aurecchia and Chester Stewart are not in attendance for today's meeting.

There is a quorum – Mr. Davies called the meeting to order at 9:05 am.

Mr. Davies began the meeting by asking Mr. Whittaker to introduce the new members to the Board. Mr. Terry Regan and Mr. Michael Januario were introduced and welcomed by all present.

There are five (5) hearings scheduled today for which there is a board stenographer.

1. GKT Refrigeration Corp – Violation # 2427

The first appeal hearing today is with GKT Refrigeration Corp. Attorney John Biafore is representing GKT Refrigeration Corp. and is present today. Mr. Tony Giorgianni of GKT Refrigeration Corp, RIDLT Investigators, Glenn Dusablon, Edward Whittaker and Charles Wright are also present and sworn in by the board stenographer.

Mr. Whittaker read the violation: It is alleged that on July 14, 2005, Mr. Glenn Dusablon, RIDLT Investigator did find three (3) alleged employees (Jessie Stevens, 105 Maple Crest Dr., Pawtucket, RI, Ed Stockert and John Marotta, 12 Metropolitan Drive, Warwick, RI) of Mr. Tony Giorgianni of G.K.T. Refrigeration Corp., working on refrigeration systems at Chili's Restaurant, Lincoln Mall, Lincoln, RI without valid RI Mechanical licenses. This is a violation of RIGL 28-27-28 "Practices for which a license is required".

Based on the testimony provided today, Mr. Lombardi made a motion that a finding of fact has been made by the board that; one employee of GKT Refrigeration Corp did violate RIGL 28-27-28 "Practices for

which a license is required" but to suspend this fine for a 12-month period. Mr. Harris seconded the motion. All members voted in favor.

2. Standish Heating & AC - Violation # 2444

Mr. Wright informed the board that this hearing has been postponed for the third and final time until the December meeting. Mr. Carreiro made a motion to postpone the hearing for Violation # 2444. Mr. Harris seconded the motion. All members voted in favor.

3. MJ Briggs /HVAC – Violation # 2421

The third appeal today is with MJ Briggs/HVAC. Mr. Michael Briggs is present and sworn in by the board stenographer. Mr. Davies stated that RIDLT Investigator Bob Gaj is not present today and asked Mr. Briggs if he wished to proceed in the absence of Mr. Gaj. Mr. Briggs stated yes he would.

Mr. Whittaker read the violation: It is alleged that on September 13, 2005, Mr. Robert Gaj, RIDLT Investigator, did observe an alleged employee (Mr. David Fitzgerald of 171 West Street, Walpole, MA 02081) of M.J. Briggs/HVAC Mechanical, Inc., doing service work on an A/C unit at Mr. Tux, Route 2, Warwick, RI 02886 without a valid RI Mechanical license. These are violations of RIGL 28-27-28 "Practices for which a license is required".

Based on the testimony provided today, Mr. Carreiro made a motion that a finding of fact has been made by the board that; an employee of M.J. Briggs/HVAC Mechanical, Inc., (David Fitzgerald) did violate RIGL 28-27-28 "Practices for which a license is required" and to uphold the minimum fine. Mr. Regan seconded the motion. All members voted in favor.

4. Bill Murray – Violation # 2421

Mr. Bill Murray and Ms. Cynthia Lummus are present and sworn in today for the appeal of Mr. Murray. Mr. Davies stated that Mr. Vincent Walsh, City of Newport Mechanical Investigator, is not present for today's hearing and asked Mr. Murray if he wished to proceed. Mr. Murray stated yes he would.

Mr. Whittaker read the violation: It is alleged that Mr. Vincent Walsh, City of Newport Mechanical Investigator filed a complaint that on August 25, 2005, Mr. Bill Murray installed refrigeration equipment at Rogers High School, Newport, RI without the proper RI Mechanical license. This is a violation of RIGL 28-27-28 "Practices for which a license is required". Further, no permit was issued by the City of Newport. This is a violation of RIGL 28-27-20 "Municipal inspections and installation permits".

Based on the testimony provided today, Mr. Carreiro made a motion

that a finding of fact has been made by the board that; Mr. Murray did violate RIGL 28-27-28 "Practices for which a license is required" and RIGL 28-27-20 "State and municipal inspections and installation permits" and to uphold the minimum fines. Mr. Harris seconded the motion. All members voted in favor.

5. RI Restaurant Equipment & Supply – Violation #2421

The final appeal today is with regard to RI Restaurant Equipment and Supply. Mr. Walter Richard and RIDLT Investigator E. Patrick Luther are present and sworn in by the board stenographer.

Mr. Whittaker read the violation: It is alleged that on June 23, 2005, Mr. E. Patrick Luther, RIDLT Investigator did find 3 alleged employees (Dines P. Leite, 22 Kenmore St., Pawtucket, RI, Richard J. Hitch, 912 Newport Ave., Pawtucket, RI and Edward Carle, 91 Maynard St., Pawtucket, RI) of RI Restaurant Equipment and Supply installing refrigeration equipment on a newly installed reefer box without valid RI Mechanical licenses. This is a violation of RIGL 28-27-28 "Practices for which a license is required" (3 Violations). RI Restaurant Equipment and Supply does not have a RI licensed Master Refrigeration individual listed in their corporation. This is a violation of RIGL 28-27-6 "Corporations and firms engaged in business". Further, no permit was issued by the Town of Johnston. This is a violation of RIGL 28-27-20 "Municipal inspections and installation permits".

Based on the testimony provided today, Mr. Carreiro made a motion that a finding of fact has been made by the board that; Mr. Murray did violate RIGL 28-27-28 "Practices for which a license is required" and RIGL 28-27-20 "State and municipal inspections and installation permits" and to uphold the minimum fines. Mr. Harris seconded the motion. All members voted in favor.

This concludes the appeal hearings for today.

Mr. Davies asked if all board members had an opportunity to review the minutes of the October 2005 meeting. Mr. Harris made a motion to accept the minutes as submitted. Mr. Januario seconded the motion. All members voted in favor.

In other business Mr. Cronin stated that two of the appeals heard today were with regard to kitchen suppliers installing prefab equipment and has become an increasing problem. Mr. Cronin suggested notification be sent to this industry informing them of their responsibility of employing RI licensed individuals.

Mr. Whittaker presented the most recent information that the State of Rhode Island has a total of 7332 individuals licensed in the mechanical trade. Mr. Wright stated that he, Mr. Whittaker and Mr. Luther would be spending time at career days in the next few months.

Some of these institutions include NE Tech and the South County

Collaborative.

Mr. Davies informed the board that election of officers for the Mechanical Board would take place at the December 7, 2005 meeting.

With no further business, Mr. Carreiro made a motion to adjourn the meeting at 9:50 am. Mr. Januario seconded the motion. All members voted in favor.

The next meeting of the Mechanical Board is scheduled for Wednesday, December 7, 2005 at 9:00 a.m. in Building 70, second floor conference room. Once again, board members are asked to remain after the regular meeting to conduct examination reviews from the October 27, 2005 testing.