

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

**1511 Pontiac Avenue**

**Building 70 – 2nd Floor Conference Room**

**Cranston, RI 02920**

**TUESDAY, MAY 7, 2008**

**In attendance: Stanley Davies, Chairperson**

**John Webster**

**Bobby Joe Harris**

**Ronald Cronin**

**Quinlan Regan**

**Michael Carreiro**

**Timothy Bryne**

**Jack King, Jr.**

**Not in Attendance: Dennis Brennan, Raymond Freitas, Michael  
Januario**

**Also in Attendance: Benjamin Copple, Esquire, Ted Whittaker,  
Investigator, and  
Valentino Lombardi, Esquire**

**There was a Quorum today.**

**Chairperson, Stanley Davies, opened the Board meeting at 9:14 AM. The Board went right into the hearing, and the minutes will be reviewed after the general meeting.**

**There is (1) one hearing scheduled for today.**

**1. Steve's Heating #3404 -**

**Ted Whittaker read the violation, dated February 28, 2008 Violation No. 3404 On January 21, 2008, Steve's Heating sent Kevin Swist, 134 Ocean View Avenue, Swansea, MA 02777 to service an oil fired burner at 3255 East Main Road, Portsmouth, RI. Mr. Swist is not properly licensed as an oil burner service technician. This is one (1) violation of RIGL 28-27-28 "Practices for which a license is required".**

**On January 21, 2008, it was brought to the RIDLT's attention that the required liability insurance was not in effect. This is one (1) violation of RIGL 5-65-2(10).**

**Steven Evert Lane of Steve's Heating was sworn in by the Board Stenographer.**

**Mr. Lane stated before the Board that Kevin Swist, was a new hire and was licensed in Massachusetts for 15 years. Mr. Lane stated that**

**Mr. Swist was not licensed at the time the work was performed, but has since sat for the examination and passed with a score of 93.**

**-2-**

**Steven Lane stated to the Board that at the time the job was performed, he was under the assumption he had insurance. On January 24, 2008, he found out that he did not have insurance, but that he did pay for the insurance, but the insurance company did not receive the check in time and therefore cancelled the policy. Mr. Lane submitted copies of the cancelled check, the day they cancelled the policy and the date they reinstated the policy for evidence and will be recorded on record. Also submitted as evidence to the Board were letters representing no problem with the work that was performed.**

**Mr. Lane presented pictures of the boiler in question, with whom he has a civil suit with John Vitkevich, Real Estate Agent, which was submitted as evidence, but the Board had no jurisdiction concerning this, as this is a civil suit between the contractor and the insurance company.**

**Based on the evidence and testimony presented, Michael Carreiro, made a motion that has far has not having insurance, then being reinstated by the insurance company, the Board cannot make a determination on the insurance part of the violation because as far as the Board is concerned, the violation did not occur based on the**

**testimony. Jack King seconded the motion. All Board members were in favor.**

**Based on the evidence presented before the Board and the testimony that was heard, Michael Carreiro made a motion that a finding of fact did occur regarding violation No. 3404 regarding RIGL 28-27-28 "Practices for which a license is required". Timothy Bryne seconded the motion. All Board members were in favor.**

**Michael Carreiro made a motion to suspend the fine of \$1,000 for one year pending any further violations. John Webster seconded the motion. All Board members were in favor.**

**The hearing was closed.**

**The minutes of the April 2, 2008 Board meeting were reviewed. John Webster made a motion to accept the minutes. Bobby Joe Harris seconded the motion. All Board members were in favor.**

**New Business:**

**Ted Whittaker brought information before the Board regarding Denise Plante, who wanted the permission of the Board to sit for the contractor master's limited license (business exam). Ms. Plante has worked in the office for over 40 years, engaged in heating, air conditioning, and commercial refrigeration trade. Timothy Bryne**

**made a motion for Denise Plante to sit for the examination. Bobby Joe Harris seconded the motion. All Board members were in favor.**

**There was no further business before the Board.**

**-3-**

**John Webster made a motion to adjourn the meeting at 9:50 a.m. Quinlan Regan seconded the motion. All Board members were in favor.**

**Review of examinations will be performed after the Board meeting.**

**The next meeting of the Mechanical Board is June 4, 2008 at 10:00 am in Building #70, 2nd floor conference room, 1511 Pontiac Avenue, Cranston, RI 02920.**

**Minutes respectively submitted by Elaine J. Heiss, May 7, 2008.**