

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

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

Cranston, RI 02920

Wednesday, February 1, 2012

9:00am

In attendance: Dennis Brennan

Timothy Byrne

Stanley Davies, Chair

Robert Eva

Fred Foeri

Steven Gray

Bobby Joe Harris

Michael Januario

Charles Wright

Not in attendance: Jack King and Quinlan T. Regan

Also in attendance were Edward J. Whittaker, Sr. Chief Investigator, and Ted Radway, Legal Counsel. Fred Foeri arrived at 9:11 am.

The meeting was called to order at 9:02 am by Chairman, Stanley Davies.

Dispensing of the minutes was held until after the hearings.

HEARINGS:

Richard Brochu (Violation # 4152): This is a continuation of the appeal hearing held at the January 4, 2012 meeting. Edward J. Whittaker read the violation. DATE: October 28, 2011; VIOLATION # 4152; NAME OF VIOLATOR: Richard Brochu c/o Heat Energy Technology, 1086 Main Street, West Warwick, RI 02893. LOCATION OF VIOLATION: 1086 Main Street, West Warwick, RI. VIOLATION: It has come to this division's attention that Mr. Brochu has been operating Heat Energy Technology without a Pipefitters Master license. The ads on Angie's List do not have a Master Pipefitters number in the ads which is required by RIGL 28-27-5, Practice for which master or contractor license required, "All masters shall carry this license on their person at all times while so engaged and shall affix their master's license number to any advertisement". One violation at \$500.00, total \$500.00. This matter was continued to today at the request of the Board to bring the party that made the complaint, Joseph Pendleton, in for testimony.

Richard Brochu, Joseph Pendleton and Edward J. Whittaker, Sr. Chief Investigator, are sworn in for testimony. Mr. Whittaker enters a print out from the Secretary of State's website indicating the fictitious name of Heat Energy and Technology was filed on 6/18/10 and was abandoned 1/18/11 and an invoice as Exhibit A. Richard Brochu

provides testimony. Joseph Pendleton provides testimony. Mr. Pendleton submits a copy of James Brochu's Facebook page as Exhibit B. Copies of check #1001, dated 11/8/10 in the amount of \$4,200.00, and check #101, dated 10/08/10 in the amount of \$2,252.34, were entered as Exhibit C. A business card submitted by Richard Brochu was entered as Exhibit D. Mr. Brochu provides further testimony.

Dennis Brennan made a motion that the violation did occur; seconded by Fred Foeri. There is a discussion. The motion passed unanimously by the Board. Timothy Byrne made a motion to uphold the original penalty of \$500.00 be upheld; seconded by Charles Wright and passed unanimously by the Board.

End of hearings.

MINUTES:

Regarding the minutes of the previous meeting on January 4, 2012, Charles Wright made a motion to approve the minutes as presented; seconded by Timothy Byrne and passed unanimously by the Board.

Exam reviews were conducted following the meeting.

ADJOURNMENT:

A motion to adjourn was made by Timothy Byrne; seconded by Charlie Wright and passed unanimously by the Board.

The meeting adjourned at 9:42 am.

The next meeting is scheduled for Wednesday, March 7, 2012 at 9:00am.