

**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, November 4, 2015

9:00am

In attendance: Dennis Brennan

Stanley Davies (Chair)

Robert J. Eva

Steven Gray

Jack King

Anthony Vessella

Board Members Timothy Byrne, Fred Foeri, Michael Januario, Quinlan T. Regan and Charles Wright were not in attendance.

Also in attendance were Nicholas Ranone, Chief Mechanical Investigator; John Shaw, Administrator and Angelyne E. Cooper, DLT Legal Counsel.

1.) Call to Order: Chair, Stanley Davies called the meeting to order at 9:05am

2.) Minutes of the October 7, 2015 Meeting: Dennis Brennan made a motion to accept the minutes of October 7, 2015 meeting as presented; seconded by Robert Eva and passed unanimously by the Board.

3.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Angelyne E. Cooper, DLT Legal Counsel, reminds board members that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recuse from hearing and voting on the matter. Legal Counsel is available for any questions.

4.) Violation Appeal Hearings:

James M. Drouin – Violation 5293: Does not appear.

Anthony J. Spellman, Fire Inspectional Services – Violation 5294: Does not appear.

It could not be confirmed if Mr. Drouin and Mr. Spellman received notice of today's hearing.

Regarding Violations 5293 and Violation 5294, Dennis Brennan made

a motion to table to the next meeting; seconded by Robert Eva and passed unanimously by the Board.

Guy Clermont, Guy Clermont Plumbing & Heating, Inc. – Violation 5321: Rescheduled

Violations 5335, Michael J. Briggs, BMI Briggs Mechanical Inc.; Violation 5336, Cory Beauregard and Violation 5337, Steven P. Gomes are related, company and employees. Testimonies are related. Respondents, Michael J. Briggs (owner of Briggs Mechanical Inc.), Corey Beauregard (employee of Briggs Mechanical, Inc.), Steven Gomes (employee of Briggs Mechanical, Inc.) and Chief Mechanical Investigator, Nicholas Ranone, are sworn in for testimony.

**Michael J. Briggs, BMI Briggs Mechanical Inc. – Violation 5335:
Nicholas Ranone reads violation 5335**

LOCATION OF VIOLATION: Ken McGann (residence), 789 High St., Cumberland, RI 02865

VIOLATION: On 9-24-15, Mr. Glen Dusablon, Chief Electrical Investigator, Mr. E. Patrick Luther, Chief Plumbing Investigator and I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and confronted four (4) employees of

Briggs Mechanical Inc., No. Attleboro, MA, Mr. Jason M. Murray, Mr. Steven P. Gomes, Mr. Cory Beauregard, and Mr. Cameron R. Glennon.

All four (4) men were taking part in the installation of one (1) central air conditioning system.

I witnessed Mr. Gomes in the attic installing the sheet metal ductwork. I also witnessed Mr. Beauregard outside on the side of the home bending the copper tubing for the tie in of the A/C condensing unit. Mr. Glennon was not in violation as I witnessed him insulating the sheet metal ductwork in the attic (no RI license is needed to insulate ductwork). I did not witness Mr. Murray, the job site foreman, engaging in any part of this installation, therefore, he is exempt from any violation.

This is one (1) violation of RIGL 28-27-6 Corporations and firms engaged in business (paragraph 2, section b, unlicensed employees).

Nicholas Ranone submits nine (9) photographs as Exhibit A for Violations 5335, 5336 and 5337. Mr. Ranone is questioned by the Board. Mr. Ranone reads a previous violation issued in 2005 to Michael J. Briggs.

Michael J. Briggs provides testimony and is questioned by the board.

Regarding Violation 5335, Robert Eva made a motion that a violation was made. Steve Gray seconds the motion. All were in favor. Motion passed.

Regarding the fine for Violation 5335, Steve Gray, made a motion, based on testimony and past history, the fine should be upheld. Robert Eva seconds the motion. All were in favor. Motion passed.

The Board's recommendation will be forwarded to the Department.

Cory Beauregard – Violation 5336: Nicholas Ranone reads the violation.

LOCATION OF VIOLATION: Ken McGann (residence), 789 High St., Cumberland, RI 02865

VIOLATION: On 9-24-15, Mr. Glen Dusablon, Chief Electrical Investigator, Mr. E. Patrick Luther, Chief Plumbing Investigator and I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and confronted four (4) employees of Briggs Mechanical Inc., No. Attleboro, MA, Mr. Jason M. Murray, Mr. Steven P. Gomes, Mr. Cory Beauregard, and Mr. Cameron R. Glennon.

All four (4) men were taking part in the installation of one (1) central air conditioning system.

I witnessed Mr. Gomes in the attic installing the sheet metal ductwork. I also witnessed Mr. Beauregard outside on the side of the home bending the copper tubing for the tie in of the A/C condensing unit. Mr. Glennon was not in violation as I witnessed him insulating

the sheet metal ductwork in the attic (no RI license is needed to insulate ductwork). I did not witness Mr. Murray, the job site foreman, engaging in any part of this installation, therefore, he is exempt from any violation.

This is one (1) violation of RIGL 28-27-28 Practices for which a license is required.

Cory Beauregard is questioned by the board.

Regarding Violation 5336, Robert Eva made a motion that a violation was committed; seconded by Steve Gray. All were in favor. Motion passed.

Regarding the fine for Violation 5336, Robert Eva made a motion that the fine be suspended for one (1) year pending no other violations; seconded by Dennis Brennen. All were in favor. Motion passed.

The Board's recommendation will be forwarded to the Department.

Steven P. Gomes – Violation 5337: Nicholas Ranone reads the violation.

LOCATION OF VIOLATION: Ken McGann (residence), 789 High St., Cumberland, RI 02865

VIOLATION: On 9-24-15, Mr. Glen Dusablon, Chief Electrical Investigator, Mr. E. Patrick Luther, Chief Plumbing Investigator and I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and confronted four (4) employees of Briggs Mechanical Inc., No. Attleboro, MA, Mr. Jason M. Murray, Mr. Steven P. Gomes, Mr. Cory Beauregard, and Mr. Cameron R. Glennon. All four (4) men were taking part in the installation of one (1) central air conditioning system.

I witnessed Mr. Gomes in the attic installing the sheet metal ductwork. I also witnessed Mr. Beauregard outside on the side of the home bending the copper tubing for the tie in of the A/C condensing unit. Mr. Glennon was not in violation as I witnessed him insulating the sheet metal ductwork in the attic (no RI license is needed to insulate ductwork). I did not witness Mr. Murray, the job site foreman, engaging in any part of this installation, therefore, he is exempt from any violation.

This is one (1) violation of RIGL 28-27-28 Practices for which a license is required.

Steven Gomes is questioned by the Board.

Regarding Violation 5337, Robert Eva made a motion that a violation did occur; seconded by Anthony Vesella. All were in favor. Motion passed.

Regarding the penalty for Violation 5337, Robert Eva made a motion to suspend the fine posing Mr. Gomes has no violations within the next year; seconded by Dennis Brennan. All were in favor. Motion passed.

The Board's recommendation will be forwarded to the Department.

End of hearings

5.) Old Business - Review of proposed changes to Rules & Regulations and proposed licenses: Steve Gray requests a copy of what has been done so far by Board Member, Charles Wright and others so it can be reviewed. Nicholas Ranone will look into that matter.

6.) Adjournment: Motion to adjourn made by Dennis Brennan; seconded by Anthony Vessella. All were in favor. The meeting adjourned at approximately 9:39am.