

**BOARD OF EXAMINERS OF TELECOMMUNICATIONS SYSTEM
CONTRACTORS, TECHNICIANS AND INSTALLERS**

Minutes of Meeting of Tuesday, December 7, 2004

In Attendance: William McGowan, Chairperson

Paul Feeney

Jay Bombardier

Steven Mollo

Larry Ryan

Mr. William McGowan, Chairperson, called the meeting to order at 9:30 a.m. The above members were present for today's meeting. Members absent for today's meeting were Robert Zuba and the vacant board member position. There was a quorum.

There was no meeting on Tuesday, November 2, 2004 because of the Election Day holiday, and there was no quorum at the Tuesday, October 5, 2004 meeting.

The first order of business is acceptance of the minutes of the Tuesday, September 7, 2004 meeting of the Board of Examination and Licensing of Telecommunication Systems Contractors, Technicians and Installers. Mr. Paul Feeney made a motion to approve the

minutes as submitted. Mr. Jay Bombardier seconded the motion. All members voted in favor.

The next item on the agenda is appeal hearings. There is one (1) appeal hearing scheduled for today. However, the company, Master Tech Phone Corporation, requested that this hearing be temporarily postponed.

There was an appeal hearing scheduled for the Tuesday, October 5, 2004 hearing pertaining to Group Comm Systems, Inc. However, because there was no quorum at this meeting, a vote could not be taken. The Board did, however, take testimony from Chief Telecommunications Investigator, Mr. Robert Gaj and Mr. Geoffrey Klein, representing Group Comm Systems, Inc.

Mr. McGowan opened discussion on the testimony taken at the October 5, 2004 meeting pertaining to Group Comm Systems, Inc.

Mr. Gaj stated for the Board's information that the violation occurred on May 25, 2004. He was conducting an investigation at the Care New England facility (Kent Hospital) on Tollgate Road, Warwick, RI. Work consisted of design and installation of Cabling and equipment for an audio/video system. After Mr. Gaj made his presence known at this job and informed them of the need for this work to be performed by a properly licensed telecommunications contractor, Group Comm Systems, Inc. subbed out the work to Shannix, Inc. Their assumption

was that they subbed the work out to a licensed contractor, however, because Group Comm Systems, Inc. does not possess a telecommunication contractor's license (TSC), they cannot contract/sub-contract work, and they were still in violation of the law.

Mr. Gaj was asked if any permit was taken for this work, and Mr. Gaj stated that an attempt was made to make application for a permit by a technician of Group Comm Systems, Inc. who possessed a telecommunication technician's (TST) license. That is when the work was noted by the city of Warwick, and when Mr. Gaj was notified of the work being done at Kent Hospital.

Mr. Bombardier summarized the matter by stating that at first Group Comm Systems, Inc. thought they were following the law because they had a licensed telecommunications technician. When they found out they were not in compliance with the law, they subbed out the work to a licensed sub-contractor, and at the October 5, 2004 meeting, Mr. Klein found out that he was not properly licensed to sub out telecommunications work.

Mr. Gaj informed the Board that no one from Group Comm Systems, Inc. has applied to take the telecommunication system contractor's (TSC) exam being held in January, and the deadline for getting applications in is fast approaching. Mr. Klein did indicate that he had other jobs in the works in Rhode Island, and he wasn't sure what he was going to do about them.

Mr. Paul Feeney asked if this matter could be referred back to the City of Warwick since the amount on the proposed permit and the amount on the bid proposal did not match. Mr. Gaj stated that the permit applied for by Group Comm Systems, Inc. was not accepted by the City of Warwick. Shannix, Inc., the licensed company that took the job over was issued a permit for this work. There was a brief discussion pertaining to permitting.

Mr. Feeney made a motion that based on the testimony presented that a finding of fact was made by the Board that Group Comm Systems, Inc. did violate RIGL 5-70-2 "Practices Prohibited" by contracting for an engaging in telecommunications work without a telecommunication system contractor's license, and that the \$500 fine be upheld. Mr. Larry Ryan seconded the motion. All members voted in favor.

There was no further business before the Board.

A motion to adjourn was made by Mr. Feeney at 10:00 a.m., and seconded by Mr. Mollo. All members voted in favor.

The next meeting of the Board of Examination and Licensing of Telecommunication System Contractors, Technicians and Installers is scheduled for Tuesday, January 4, 2005 at 9:00 a.m. in Building 70 of the RI Department of Labor & Training, second floor conference

room.