

RHODE ISLAND DEPARTMENT OF LABOR & TRAINING

DIVISION OF PROFESSIONAL REGULATION

Board of Examination & Licensing of Telecommunication System

Contractors, Technicians and Installers

1511 PONTIAC AVENUE

Building 70 – 2nd Floor Conference Room

Cranston, RI 02920

TUESDAY, May 1, 2007

In attendance: William McGowan, Chairperson

Robert Zuba

Steven Mollo

Jay Bombardier

Robert Gaj

Paul Feeney

Not In attendance: Laurence Ryan, Jr.

Mr. McGowan called the meeting to order at 9:15 a.m.

Roll called was made and we had a Quorum.

Chairperson, William McGowan, asked the Board members if they had reviewed the minutes of the previous meeting. Paul Feeney made a

motion to accept the minutes as recorded, and Steven Mollo seconded the motion. All members voted in favor.

There will be two (2) hearings for today.

Hearings:

1. Danmark Communications & Computer Services/Mark Giglio – Violation #3093

Mark Giglio and RIDLT Investigator, Bob Gaj is present today to provide testimony and have been sworn in by the board stenographer.

Bob Gaj, RIDLT Investigator, read the violation: Location of violation: Office Building, 43 Jefferson Boulevard, Second Floor – Rear, Warwick, RI: On February 20, 2007, RIDLT Investigator, Robert Gaj, witnessed two employees, Mr. Mark Giglio and Mr. Eric Anderson of Danmark Communications & Computer Services, 47 Evers Street, Auburn, MA 01501, installing infrastructure cabling, termination and devices for a telephony/data system.

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Danmark Communications & Computer Services contracted for telecommunications work, which requires a Rhode Island

Telecommunication Systems Contractor license. Danmark Communications & Computer Services is not in possession of any form of a Rhode Island Telecommunications System Contractor/Technician or installer license. This is one (1) violation of RIGL 5-70-2 “Practices Prohibited.”

Mr. Mark Giglio and Mr. Eric Anderson of Danmark Communications & Computer Services are not in possession of any form of a Rhode Island Telecommunications System Contractor/Technician or installer license required for performing work at the above-referenced location. This is two (2) violations of RIGL 5-70-2 “Practices Prohibited.”

Danmark Communications & Computer Services failed to file for a permit with the City of Warwick to perform this work. This is one (1) violation of RIGL 5-70-19(d) “Local Laws – Codes.”

Mr. Giglio stated that he had not previously done any work in Rhode Island. The Board informed Mr. Giglio that he needed a RI license to perform this type of work in RI. Mr. Giglio was unaware that he needed a license to perform this work in RI, because the State of Massachusetts does not require a license to perform this type of work.. When Mr. Giglio was informed that they needed a license to perform this work, they immediately ceased work.

Paul Feeney made a motion that Mr. Eric Anderson and Mr. Mark

Giglio were in violation of RIGL 5-70-2 and in violation of RIGL 5-70-19(d). Robert Zuba seconded the motion. All members were in favor.

Paul Feeney made a motion that one violation of RIGL 5-70-2 “Practices Prohibited” be reduced from \$500 to \$250 and that two violations of RIGL 5-70-2 “Practices Prohibited” be reduced from \$500 to \$250 for each violation; one violation of RIGL 5-70-19(d) “Local Laws – Codes” remain at \$500 for a total of \$1,250. Robert Zuba seconded the motion. All Board members were in favor. William McGowan, Chairperson advised Mark Giglio that a recommendation will be made to the Director of same and that Mr. Giglio has 20 days to file an appeal with the Director or pay the fine. Mr. Giglio will receive a letter with his rights in writing.

2. Partners Communication, LLC – Violation #2792

The next hearing is in regard to Mr. Jim Rabbitt and Mr. Jim Dillon of Partners Communication, LLC who were sworn in by the board stenographer.

Mr. Bob Gaj read the violation: Location of violation: Middlesex Gases and Technologies, Elmwood Avenue, Warwick, RI: Upon on site investigation, Robert

Gaj, found an employee of Partners Communications, LLC preparing to install telephony equipment requiring a telecommunications license at the above location. Cabling was previously installed by Partners Communications according to Middlesex Gases. Partners Communications, LLC and its employee, Mr. Brian Dillon is not in possession of any form of RI Telecommunications license. This is two (2) violations of RIGL 5-70-2 “Practices Prohibited” (contracting for and engaging in telecommunications work without a valid RI Telecommunications license). Partners Communications, LLC also failed to make application for a permit with the City of Warwick for the installation of the above telecommunications cabling and equipment. This is a violation of RIGL 5-70-19(d) “Local Laws – Codes.”

Mr. Jim Rabbitt and Steven Dillon were unaware that they needed a Rhode Island license to perform this type of work and was unaware that they needed to pull a permit with the City of Warwick, as they don’t need a license in Massachusetts to perform this type of work, nor do they need a permit to perform this type of work in Massachusetts. Mr. Rabbitt and Mr. Dillon, did however, cease work immediately.

Paul Feeney made a motion that a Finding of Fact did occur. Steven

Mollo seconded the motion. Mr. Feeney made a motion that a recommendation be made to the Director that two violations of RIGL 5-70-2 “Practices Prohibited” be reduced from \$500 for each violation to \$250 for each violation, for a total of \$500 and that one violation of RIGL 5-70-19(d) “Local Laws – Codes” remain at \$500 for a total of \$1,000 instead of \$1500. All Board members were in favor.

Paul Feeney made a motion to suspend the two violations of RIGL 5-70-2 “Practices Prohibited” providing that Mr. Rabbitt and Mr. Dillon get licensed within 6 months in Rhode Island and if they do not get licensed within in 6 months in Rhode Island, they will have to pay \$500 for each violation. Mr. Jay Bombardier seconded the motion.

Upon advice from Legal Counsel, Mr. Valentino Lombardi, advised Mr. William McGowan, Chairperson that if the two parties (Mr. Rabbitt and Mr. Dillon) obtain licenses in Rhode Island that the fine be suspended and Mr. Feeney’s first motion be withdrawn. Mr. Feeney then made a motion to suspend the two violations of RIGL 5-70-2 “Practices Prohibited” providing that Mr. Rabbitt and Mr. Dillon get the necessary test material and get licensed in Rhode Island to perform this type of work. Mr. Steven Mollo seconded the motion.

Mr. William McGowan, Chairperson advised Mr. Rabbitt and Mr. Dillon that a recommendation will be made to the Director of same and that Mr. Rabbitt and Mr. Dillon will be notified with a letter through the mail and have 20 days to appeal or pay the fine.

Other Business:

Mr. Valentino Lombardi, Esquire, advised the Board that Starlight Communications agreed to pay the \$3,500 fine and that Starlight Communications is no longer in business. Case will be dismissed of payment of the fine.

Jay Bombardier made a motion to adjourn at 10:30 am. Steven Mollo seconded the motion.

Respectively submitted by Elaine J. Heiss, May 1, 2007.

The next meeting of the Board of Examination & Licensing of Telecommunications System Contractors, Technicians and Installers Board will be June 5, 2007 at 9:00, 1151 Pontiac Avenue, Bldg. 70, 2nd Floor Conference Room, Cranston, RI 02920-4407.