

**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 6, 2008**

**In attendance: Paul Feeney, Acting Chair**

**Robert Zuba**

**Thomas Chabot      Laurence Ryan, Jr.**

**Those Also In Attendance: Robert Gaj, Investigator, Benjamin Cople,  
Esquire**

**Not In attendance: William McGowan, Steven Mollo, Jay Bombardier**

**Paul Feeney, Acting Chairperson called the meeting to order at 9:15  
am.**

**Paul Feeney, Acting Chairperson asked the Secretary, Robert Zuba,  
to make the Roll call. Roll call was made and there was a Quorum.**

**Minutes of the March 4, 2008 Board meeting and the notes of April 1,**

2008 were reviewed by the Board. Laurence Ryan made a motion to approve the notes of March 4th, and April 1st minutes. Robert Zuba seconded the motion.

There will be one hearing scheduled for today. Paul Feeney informed the Board members that testimony was given by Wallace Olsen, III of Ascio Wireless, Inc. at our last meeting. Bob Gaj, Investigator informed the Board that a message was left on Monday, May 5, 2008 at 2:32 pm, by Wallace Olsen of Ascio Wireless, but not retrieved until May 6, 2008 at 9:10 am after the Board meeting had already started stating that Mr. Olsen would not be able to make the meeting due to a conflict, and he wanted to send a representative in his place. No one was present to represent Ascio Wireless, Inc.

Bob Gaj, Investigator informed the Board that on January 17, 2008, he was performing an on site investigation at the Hampton Inn, Route 7, Smithfield, RI, and found that Ascio Wireless, contracted and engaged in the installation of cabling for data, telephony, and video system that required a RI Telecommunication license. Mr. Gaj reported that there were two vehicles, one on site, and the other one which was just leaving. Robert Gaj spent two hours looking for the individual. Mr. Gaj also spoke to the Building Superintendent and the Manager of the Company that owns the hotel and was informed that Ascio Wireless, Inc. was doing all the work.

**Robert Gaj went to the Town Hall of Smithfield and found that a permit was issued to Ascio Wireleses employee, Mr. Oswaldo Ortiz. Mr. Ortiz, who is a licensed Telecom Technician, and not a contractor, should not have pulled the permit to perform the work.**

**Mr. Feeney asked the members of the Board to review the transcript of last month's meeting testimony that was given from Mr. Olsen. Robert Zuba made a motion that based on last month's testimony, that a finding of fact did occur on Violation No. 3400, dated February 15, 2008 in regards to RIGL 5-70-2. Thomas Chabot seconded the motion after an explanation of the RIGL's 5-70-22/6/2. All Board members were in favor.**

**Thomas Chabot made a motion to uphold the fine as written in the amount of \$1,000 (2 violations at \$500 each). Laurence Ryan seconded the motion. All Board members were in favor. Ayes have it. Motion carries.**

**Hearing was closed.**

**Mr. Charles Balboni, Director of Operations, came to represent Ascio**

**Wireless before the Board because Mr. Olsen had a conflict. Mr. Balboni arrived after the testimony and decisions were made because he got lost.**

**Mr. Feeney asked what the pleasure of the Board is – is there a motion to re-open the meeting and get back on record. There was a motion to re-open the meeting.**

**Mr. Balboni stated to the Board that he was here to represent Ascio Wireless, and that there was a conflict with Mr. Olsen attending this morning's meeting. Mr. Balboni claimed he did not know what the case is about. Mr. Balboni had only bits and pieces to add to the testimony that was given at last month's meeting. Mr. Balboni claimed that he did not work on the job site. He added that Mr. Oswaldo Ortiz, and employee of Ascio Wireless was licensed. Applications are in the process of being filed for licenses that they were lacking.**

**Paul Feeney asked the Board if they would like to re-consider the previous motion. Laurence Ryan made a motion that based on the testimony last month that a violation did occur and recommend that the fine remain in place. Robert Zuba seconded the motion. All Board members were in favor. Ayes have it.**

**Paul Feeney informed Charles Balboni that if there are any questions regarding the applications for licenses or any questions he may have**

**with the legislation of the rules that are required, he can contact Bob Gaj. Mr. Feeney explained to Mr. Balboni that the Board does encourage people to comply with the laws.**

**That was the conclusion of the hearing.**

**-3-**

**Robert Zuba made a motion that the Board should send a letter to the Town of Smithfield Building Officials, the State Building Commissioner's Office, and a copy of the letter be sent to the Electrical Board Inspector informing them that electrical inspectors should sign an electrical permit, and not the building officials.**

**Examinations were reviewed after the Board meeting.**

**Thomas Cabot made a motion to adjourn the meeting at 10:05 a.m. Robert Zuba seconded the motion.**

**The next meeting of the Board of Examination & Licensing of Telecommunication System Contractors, Technicians and Installers will be June 3, 2008, at 10:05 am in Building #70, Department of Labor and Training, second floor conference room, Cranston, RI 02920.**

**Minutes respectively submitted by Elaine J. Heiss, May 6, 2008**