

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINATION & LICENSING
TELECOMMUNICATIONS SYSTEM CONTRACTORS,
TECHNICIANS AND INSTALLERS
1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room
Cranston, RI 02920**

Tuesday, August 5, 2014

9:00 A.M.

Members in attendance:

Jay Bombardier Sr

Paul Feeney

Laurence E. Ryan, Jr.

Robert Zuba

G. Thomas Chabot Steven Mollo and Steven J. Murphy were not in attendance.

**Also in attendance: Mary Ellen McQueeney-Lally, DLT Legal Counsel;
Robert Gaj, Chief Licensing Examiner.**

1. - Call to Order:

Meeting was called to order at 9:06am by Paul Feeney, Vice Chair. A

roll call was taken by Secretary, Robert Zuba, and the following members were present: Jay Bombardier Sr, Paul Feeney, Laurence E. Ryan Jr, and Robert Zuba. There is a quorum.

2. – Minutes of April 1, 2014:

Laurence E. Ryan Jr made a motion to accept the minutes of the April 1, 2014 meeting; seconded by Robert Zuba and passed unanimously by the Board.

3. - Conflict of Interest:

Mary Ellen McQueeney-Lally, DLT Legal Counsel, addressed the Board reminding the Board they are subject to the ethics code. If there is a conflict with anything that comes before the Board with board member, family member or business associate they should recuse. Legal counsel is available if necessary.

4. - Violation Appeal Hearings:

Electrical Maintenance & Construction Inc., Brian Lamontagne – Violation #4811: Respondent does not appear. Robert Gaj, Chief Licensing Examiner is sworn in for testimony and reads the violation.

VIOLATION NOTICE DATE: 4/2/2014; VIOLATION # 4811

NAME OF VIOLATOR: Electrical Maintenance & Construction Inc,

Brian Lamontagne, 270 South West Cutoff, Worcester, MA

LOCATION OF VIOLATION: Stop & Shop, RT. 44 Smithfield, Rhode Island

INVESTIGATOR: Robert Gaj

VIOLATION: On 3/12/14, DLT Chief Licensing Examiner, Robert Gaj, witnessed two employees of Electrical Maintenance & Construction Inc. (EMCI) providing infrastructure cabling for a telecommunication system. EMCI employees were performing this work without possession of Rhode Island telecommunication system technician licenses. This is two violations of Rhode Island General Law-Title 5, Chapter 70-2 Practices Prohibited - Unlicensed employees.

EMCI is not in possession of a valid Rhode Island Telecommunication System Contractor license or electrical license which is required to contract for, engage in and apply for a permit with the Town of Smithfield. This is two violations of Rhode Island General Law-Title 5, Chapter 70-2 practices prohibited and one violation of 5-70-19d Local laws/codes.

EMCI employees: Christopher W. Thibodeau and Jason R. Cohen

The matter was previously scheduled for June 3, 2014 but there was no quorum. Robert Gaj confirms respondent was renoticed for today's hearing and receipt was confirmed.

Jay Bombardier Sr. made a motion to postpone the hearing until next

month, seconded by Laurence E. Ryan Jr. and passed with no opposition.

Datel Communications, Howard Davis TSC 4072 – Violation #4825:
Respondent, Howard Davis of Datel Communications, is sworn in for testimony. Robert Gaj, having been previously sworn, read the violation.

VIOLATION NOTICE DAE: 4/21/2014; VIOLATION # 4825

NAME OF VIOLATOR: Datel Communications, Howard Davis TSC 4072, 1445 Bodell St, Avon, MA

LOCATION OF VIOLATION: Chestnut Terrace Nursing Ctr. 100 Wamponoag Trail, East Providence, Rhode Island

INVESTIGATOR: Robert Gaj

VIOLATION DATE: 3/5/14

VIOLATION: On 3/5/14, DLT Chief Licensing Examiner, Robert Gaj, witnessed two employees of Datel Communications providing infrastructure cabling and devices for a telecommunication system. The Datel Communications employee's were performing this work without possession of Rhode Island telecommunication systems technician licenses.

This is two violations of Rhode Island General Law-Title 5, Chapter 70-2 Practices Prohibited - Unlicensed employees.

Datel Communications failed to apply for a permit with the City of East Providence. This is one violation of Rhode Island General Law-Title 5, Chapter 70 -19d Local laws/codes.

Datel Communications employees: Charles Gale and Nicholas Andrews

Howard Davis provides testimony. Robert Gaj enters a packet of 16 photographs into evidence as Exhibit A. Board members and Mr. Davis review the photographs. Board members questions Mr. Davis and Mr. Gaj.

Laurence E. Ryan made a motion that there was no permit; seconded by Robert Zuba. There was no opposition. Motion passed.

Laurence E. Ryan made a motion that there were two unlicensed technicians, seconded by Robert Zuba. There was no opposition. Motion passed.

Laurence E. Ryan made a motion to fine \$500.00 for no permit; seconded by Robert Zuba. There was no opposition. Motion passed.

Laurence E. Ryan made a motion to fine \$500.00 for having two technicians on site without licensing; seconded by Robert Zuba. There was no opposition. Motion passed. Total fine recommendation is \$1,000.00.

Mr. Davis addressed the board requests consideration for a total fine of \$500.00. There is discussion. After discussion the Board's recommendation remains unchanged. Mr. Davis may appeal to the Director.

The recommendation of the Board will be forwarded to the Director's office.

Mr. Davis addressed the Board.

End of hearing

5.) Application Reviews / Approvals:

At 10:02am the board went into recess to review the following applications for Telecommunication System Contractor Exams:

- Joshua B. Broder – TSC – Telephony**
- Francisco Dominguez – TSC Video / Sound**
- Timothy A. Hanniford Jr – TSC Video**
- Mark S. Hicks – TSC Data / Video / Telephony**
- Theodore H. Higgins – TSC Data / Video / Telephony**
- Timothy T. Martin – TSC Data**
- Kent M. Prehn – TSC Data / Video / Telephony / Sound**
- Bob H. Tucker – TSC Data / Video / Telephony**

The Board reconvened at 10:32am. Applications have been reviewed. Chief Licensing Examiner, Robert Gaj will take appropriate action.

6.) Election of Officers:

It is noted that there are vacancies on the board that may not be addressed until January.

Jay Bombardier made a motion to table elections until February 2015; seconded by Robert Zuba and passed unanimously by the Board.

7.) Adjournment:

A motion to adjourn was made by Jay Bombardier Sr; seconded by Robert Zuba and passed unanimously by the board. The meeting adjourned at 10:35am.