

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
MECHANICAL BOARD**

WEDNESDAY, February 4, 2009

9:00 A.M.

In attendance: Stanley Davies, Chairman

Michael Januario

Timothy Byrne

John Webster

Dennis Brennan

Raymond Freitas

Bobby Joe Harris

Edward Whitaker, Sr. Chief

Ben Copple, Legal

Not in attendance: Michael Carreiro

Jack King

Ron Cronin

Quinlan T. Regan

Meeting was called to order at 9:10 am by Stanley Davis.

We will dispense with the reading of last months minutes until after the hearings.

Hearings:

1) K. Gallo HVAC Enterprises LLC-viol # 3611, Kenneth Gallo.

Kenneth Gallo and Ted Whittaker are sworn in.

Mr. Whittaker reads the violation:

A complaint was received from Merridith Plante, Sr. Energy Auditor of CCAP, the complaint referred to an installation done by Kenneth Gallo for a Ms. Kathleen Rubbert at 32 Henry Street, Cranston, RI. The installation was for an oil fired boiler and a tankless coil. Mr. Gallo is not licensed to do this type of installation. This is a violation of RIGL 28-27-5-"practice for which a master or contractor license required". There was no permit taken with the City of Cranston, this is a violation of RIGL 28-27-20-"state and municipal inspection and installation permits". Two violations of \$500.00 each for a total of \$1000.00. There were no questions from the board for Mr. Whittaker.

Mr. Gallo addressed the board. The board questioned Mr. Gallo. Attorney Albert Watt, representing Mr. Gallo addressed the board. Merredith Plante was sworn in and addressed the boar. The board questioned Ms. Plante. Pat Luther, Chief Plumbing Investigator was sworn in and addressed the board. Ben Copple, legal counsel for the DLT addressed the board.

A motion that a violation of RIGL 28-27-5 did occur was made by Tim Byrne and seconded by John Webster. Passed unanimously by the

board.

A motion that a violation of RIGL 28-27-20 did occur was made by Tim Byrne and seconded by John Webster. Passed unanimously by the board.

A motion to uphold the fine of \$1000.00 was made by Tim Byrne and seconded by John Webster. Passed unanimously by the board.

2) James L. Shroyer Jr. - viol#3612

Mr. Shroyer was sworn in. Dennis Brennan board member recused himself from this hearing.

Mr. Whittaker read the violation:

On or about November 20, 2008, James L. Shroyer Jr. (PM2 lic.#00006788) did work on a boiler at 934 Tourtellot Hill Road, North Scituate, RI. The work done by Mr. Shroyer did cause a serious condition when two pipes did break along with eight joints. This resulted in a steam eruption. The fire department was called to stabilize the situation. Gem Plumbing & Heating was called to correct the situation at a cost of \$1814.06. They attributed the problem to a bypassed safety control which allowed the boiler to run wild. This is a violation of RIGL 28-27-1-“Purposee-this chapter is necessary to protect the life, property, safety and welfare of the people of Rhode Island”. On violation at \$500.00. The board questioned Mr. Whittaker.

Mr. Shroyer addressed the board. The board questioned Mr. Shroyer.

A motion to issue a warning to Mr. Shroyer and that if he appears before the board again his license will be suspended or revoked was made by Tim Byrne and seconded by John Webster. Passed unanimously by the board.

End of hearings.

A motion to accept the minutes from the last meeting was made by Jack Webster and seconded by Tim Byrne. Passed unanimously by the board.

Update on violations.

A motion to adjourn was made by Michael Januario and seconded by Tim Byrne.

The meeting adjourned at 10:20 am.

The next meeting will be on Wednesday, March 4, 2009 at 9:00 am.