

RHODE ISLAND DEPARTMENT OF LABOR & TRAINING

DIVISION OF PROFESSIONAL REGULATION

BOARD OF EXAMINERS OF ELECTRICIANS

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

WEDNESDAY, February 15, 2012

9:30am

In attendance: Frank Benell, Jr.

Keith Burlingame

Michael Daley

Stanley Davies

Robert Zuba

Not in attendance: William Lepore, Jr., Chairperson

Also in attendance: Glenn Dusablon, Chief Electrical Investigator, and Benjamin Cople, Legal Counsel

1.) CALL TO ORDER: Stanley Davies, Secretary, called the meeting to order at 9:30am.

2.) APPROVAL OF MINUTES: Approval of the minutes to the January 18, 2012 meeting was held until after the hearings. After the hearings

Michael Daley made a motion to accept the minutes of the January 18, 2012 meeting; seconded by Frank Benell, Jr. and passed unanimously by the Board.

3.) VIOLATION APPEAL HEARINGS:

Stephen M. DiRenzo (Violation # 4145): Stephen M. DiRenzo and Glenn Dusablon, Chief Electrical Investigator, are sworn in for testimony. Glenn Dusablon reads the violation:

Mr. Dusablon updates the Board that Mr. DiRenzo was involved in the violation that was heard December 21, 2011 for Edward Burns DBA John Ryan Electric (Viol #4144) as an employee. VIOLATION: Rhode Island General Law 5-6-2 "Work for which license required". Mr. Stephen M. DiRenzo, of 18 Colby St. Rockland MA, an employee of Edward Burns, A-003541, DBA John Ryan Electric, installed electrical conduit in RI without a Rhode Island electrical license. On April 06 2011, at approximately 10:0am, Mr. Robert Gaj, Chief Telecommunication Investigator, witnessed Mr. DiRenzo installing the electrical conduit on site.

Glenn Dusablon submits a packet of 8 photographs as Exhibit 1. Robert Gaj, Chief Licensing Examiner, is not present. Stephen DiRenzo provides testimony.

Michael Daley made a motion that Violation # 4145 did occur and seconded by Frank Benell, Jr. Robert Zuba voted in the affirmative. Keith Burlingame abstained. Motion carried. Micheal Daley made

motion that the fine \$500.00 be suspended for a period of one (1) year pending no further violation for that period and seconded by Robert Zuba. Frank Benell, Jr. voted in the affirmative and Keith Burlingame abstained.

The recommendation will be forwarded to the Director.

Herrick Electric / Jordan Herrick (Violation # 4149): Jordan Herrick, Herrick Electric, and Glenn Dusablon, Chief Electrical Investigator, are sworn in for testimony. Glenn Dusablon submits two (2) documents as Exhibit 1, and email from Barbara Fedun, owner of 36 Bay St, and invoice from Herrick Electric for work done at the location. Glenn Dusablon read the violation:

Violation 4149: Herrick Electric / Jordan Herrick, 12 Woodland Dr, Windham, CT.

LOCATION OF VIOLATION: 36 Bay Street, Westerly, RI.

VIOLATION: Rhode Island General Law 5-6-2 "Work for which license required". Mr. Jordan Herrick owner of Herrick Electric, 12 Woodland Drive, Windham, CT, violated RIGL 5-6-2 by bidding and or soliciting electrical installations in RI at 36 Bay St., Westerly, RI without a R.I. electrical contractor's license. This is one violation of RIGL 5-6-2. Mr. Herrick also violated 5-6-2 by installing electrical apparatus in RI without a Rhode Island electrical license. This is a second violation of RIGL 5-6-2. Mr. Herrick failed to obtain an electrical permit with the Town of Westerly. This is a violation of 5-6-25 "failure to comply with the rules and requirements of City Town or State".

The original requested fine was \$2,400.00. Glenn Dusablon corrected the amount to \$1,500.00 as it is a first offense.

Jordan Herrick provides testimony.

Michael Daley made a motion that Violation 4149 did occur; seconded by Robert Zuba and passed unanimously by the Board. Michael Daley made a motion that the fine of \$1,500.00 be suspended for one (1) year pending no further violations during that period; seconded by Frank Benell, Jr. and passed unanimously by the Board.

The recommendation will be forwarded to the Director.

Gaftek Petroleum Specialists / Burnham Gaff, Jr., President (Violation # 4151): Burnham Gaff and Glenn Dusablon, Chief Electrical Investigator, are sworn in for testimony. Glenn Dusablon read the violation:

VIOLATION 4151: Gaftek Petroleum Specialists, Burnham Gaff, Jr. President, 2083 Dover Rd, Epsom, NH

LOCATION OF VIOLATION: Shell Gas Station, 4120 Mendon Rd., Cumberland, RI.

VIOLATION: Rhode Island General Law 5-6-2 "Work for which license required". Mr. Burnham Gaff, Jr., President of Gaftek Petroleum Specialists, violated RIGL 5-6-2 by bidding and or soliciting electrical installations in R.I. at the Shell Gas Station located at 4120 Mendon

Rd. in Cumberland, R.I. without a R.I. electrical contractor's license. This is one violation of RIGL 5-6-2. Mr. Gaff also violated RIGL 5-6-2 by having three unlicensed employees, Wayne Thibodeau, Shaun Martin, David Lew installing electrical apparatus, being electrical conductors and explosion proof electrical conduit fittings, in R.I. without Rhode Island electrical licenses. This is three additional violations of RIGL 5-6-2. Mr. Gaff, failed to obtain an electrical permit with the Town of Cumberland. This is a violation of RIGL 5-6-25 "failure to comply with the rules and requirements of City Town or State". On October 24, 2011, at approximately 3:45 PM, Mr. Glenn Dusablon, Chief Electrical Investigator, witnessed Mr. Thibodeau, Mr. Martin and Mr. Lew installing the electrical conductors and explosion proof electrical fittings on site at 4120 Mendon Rd., Cumberland R.I.

Mr. Gaff has four violations of 5-6-2 at \$500.00 for the first offense and \$950.00 for each consecutive violation totaling \$3,350.00 and one violation 5-6-25 at \$950.00. This is 5 violations totaling \$4,300.00.

Glenn Dusablon corrected the requested fine to \$2,500.00, five (5) violations at \$500.00 each not \$4,300.00 as incorrectly calculated on the violation as this is a first offense.

Burnham Gaff, Jr. provides testimony.

Keith Burlingame made a motion based on testimony presented and the fact that Mr. Gaff indicated they are licensed in other New England

states he should have knowledge that a license is required, the violation did occur; seconded by Michael Daley and passed unanimously by the Board. Robert Zuba made a motion that the \$2,500.00 penalty be upheld; seconded by Michael Daley and passed unanimously by the Board.

The recommendation will be forwarded to the Director.

James Salvatore (Violation # 4165): James Salvatore, Ed Campbell, owner of 90 Charles Drive Unit #5, Tiverton, RI, and Glenn Dusablon, Chief Electrical Investigator, are sworn in for testimony. Glenn Dusablon presents four (4) documents are entered as Exhibit A: a two (2) page letter from Edward T. Campbell, an invoice from James Salvatore and a copy of check receipt. Mr. Dusablon read the violation:

VIOLATION 4165: James Salvatore, 148 Monarch Drive, Seekonk, MA.

LOCATION OF VIOLATION: 90 Charles Drive Unit #5, Tiverton, RI.

VIOLATION: Rhode Island General Law 5-6-2 "work for which a license is required". On June 28, 2011, Mr. Salvatore contracted electrical work in Rhode Island without a Rhode Island electrical contractor's license. Mr. Salvatore installed electrical apparatus in Rhode Island without a Rhode Island electrical license. Mr. Salvatore failed to obtain an electrical permit with the Town of Tiverton. This is a violation of RIGL 5-6-25.

Three violations at \$500.00 each, totaling \$1,500.00.

Mr. Dusablon then read the letter from Edward T. Campbell. Benjamin Cople enters the four (4) documents, a two (2) page letter from Edward T. Campbell, an invoice from James Salvatore and a copy of check receipt, as Exhibit A.

James Salvatore provides testimony. Edward T. Campbell provides testimony. The Board questions Mr. Campbell. Mr. Salvatore provides additional testimony. The Board questions Mr. Salvatore.

Michael Daley made a motion that violation 4165 did occur; seconded by Robert Zuba and passed unanimously by the Board. Michael Daley made a motion that the fine of \$1,500.00 fine be upheld; seconded by Frank Benell, Jr. and passed unanimously by the Board.

The recommendation will be forwarded to the Director.

End of hearings.

4.) REVIEW OF RIGL 5-6 FOR CONSIDERATION OF LEGISLATIVE CHANGES:

The matter is passed.

5.) ELECTION OF CHAIRMAN AND SECRETARY:

Frank Benell, Jr. made a motion to elect William Lepore, Jr. as Chairperson; seconded by Robert Zuba and passed unanimously by

the Board.

Robert Zuba made a motion to elect Stanley Davies for Secretary; seconded by Michael Daley and passed unanimously by the Board.

6.) ADJOURNMENT: A motion to adjourn was made by Michael Daley and seconded by Frank Benell, Jr. and passed unanimously by the Board. The meeting adjourned at 10:22am.

The next meeting is scheduled for Wednesday, March 21, 2012 at 9:30am.