

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, January 15, 2014

9:30am

In attendance:

Frank Benell, Jr.

Keith Burlingame

Michael Daley

Stanley Davies

William Lepore, Jr., Chair

Robert Zuba was not in attendance

Also in attendance were Robert Fratus, Electrical Investigator, John Shaw, Administrator; Joseph Degnan, Assistant Director (exits approximately 9:45am and returns 10:05am); Sean Fontes, Executive Counsel; and Angelyne E. Cooper, DLT Legal Counsel.

1.) Call to Order: William Lepore, Jr, Chair, called the meeting to

order at 9:31am.

2.) Minutes of the November 20, 2013 Meeting: Frank Benell Jr made a motion to accept the minutes to the previous meeting of November 20, 2013 as submitted; seconded by Stanley Davies and passed unanimously by the Board.

3.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Angelyne E. Cooper, DLT Legal Counsel, reminds board members that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recuse from hearing and voting on the matter.

4.) Violation Appeal Hearings:

David Pono – Viol 4713: Rescheduled

Eastern Electric Const Co. Inc. – Viol 4724: Paul R. Quinn Jr appears for Eastern Electric Const. Co. Inc. Paul R. Quinn, Jr, Eastern Electric Const Co. Inc.; E. Patrick Luther, Chief Plumbing Investigator for DLT; and Robert Fratus, Seasonal Chief Electrical Investigator, are sworn in for testimony. Robert Fratus reads Violation 4724 into the record.

Violation 4724: Eastern Electric Const Co Inc, 530 Wellington Ave, Cranston, RI 02910

LOCATION OF VIOLATION: New Wendy's Garfield Ave, Cranston, RI

INVESTIGATOR: E. Patrick Luther

VIOLATION DATE: 10/24/2013

VIOLATION: On 10/24/2013, E. Patrick Luther witnessed an employee of Eastern Electric Const Co. Inc., Stephen J. Lepage, working unlicensed pulling wire at the new Wendy's on Garfield Ave, Cranston, RI. This is a violation of RIGL 5-6-2 Work for which license required.

Fine is \$500.00 per RIGL 5-6-32.

E. Patrick Luther, Chief Plumbing Investigator, provides testimony and is questioned by the Board.

Paul R. Quinn, Jr., Eastern Electric Const. Co. Inc., provides testimony and is questioned by the Board.

Stanley Davies made a motion that, on case # 4724, a violation did occur; seconded by Michael Daley and passed unanimously by the Board.

Michael Daley made a motion that the fine of \$500.00 be imposed. The motion was seconded by Frank Benell, Jr. and passed unanimously by the Board.

The recommendation will be forward to the Director's office.

End of hearings.

5.) Status of solar photo voltaic installation and licensing memo: Sean Fontes, DLT Executive Counsel addressed the Board. Mr. Fontes provides an overview to the Board of the SolBright matter. There has not been a final ruling. Under the preliminary order the Department cannot enforce violations against the company with respect to the installation of the aluminum structures but Department can enforce against the company for any installation of the panels and the company has no exemption under the utility exemption. A motion to dismiss has been filed to get a final ruling with a hearing date set for March 2014.

There is discussion.

Keith Burlingame inquired about the status of the Board's recommendation to have a memo distributed regarding the Board's interpretation of solar photo voltaic installations and licensing. Joseph Degnan, Assistant Director, informed the Board that at this time it has not been sent.

Mr. Fontes' presentation ends.

Discussion continued.

6.) Status of recommended legislative changes: Joseph Degnan, Assistant Director, addressed the Board regarding the Department suggested addition to 5-6-29. Legislative change process is ongoing.

There is discussion.

Chairman Lepore requests this item be kept on the agenda for updates.

****OTHER: Keith Burlingame inquired about examinations. There is discussion. Joseph Degnan, Assistant Director addressed the Board that the Chief Electrical Investigator, Glenn Dusablon, is currently out and of the preference to have him involved.**

7.) Adjournment: A motion to adjourn was made by Michael Daley and seconded by Frank Benell Jr. and Stan Davies. There being no objection, the meeting adjourned at 10:31am.