

**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 19, 2014**

**9:30am**

**In attendance:**

**Frank Benell, Jr.**

**Keith Burlingame**

**Michael Daley**

**Stanley Davies**

**William Lepore, Jr., Chair**

**Robert Zuba**

**Also in attendance were Robert Fratus, Electrical Investigator, John Shaw, Administrator; and Angelyne E. Cooper, DLT Legal Counsel.**

**1.) Call to Order: William Lepore, Jr, Chair, called the meeting to order at 9:33am.**

**2.) Correction to Minutes of the November 20, 2013 Meeting: Minutes to the November 20, 2013 meeting were originally approved at the January 15, 2014 meeting. Sean Nolan, Implementation Aide for Professional Regulation informed the Board of an error of the adjournment time to the November 20, 2013 meeting. The time was misstated as 9:27am and should be 9:53am. The adjournment time has been corrected. Stanley Davies made a motion to accept the minutes to the previous meeting of November 20, 2013; seconded by Michael Daley and passed unanimously by the Board.**

**3.) Minutes of the January 15, 2014 Meeting: Frank Benell, Jr. made a motion to approve the minutes of January 15, 2014 meeting as submitted; seconded by Michael Daley and passed unanimously by the Board.**

**4.) 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.**

**5.) Violation Appeal Hearings:**

**Stephen J. Lepage – Viol 4725: Stephen J. Lepage, Respondent; E.**

**Patrick Luther, Investigator for RIDLT; and Robert Fratus, Investigator for RIDLT, are sworn in for testimony. Robert Fratus reads Violation 4725 into the record.**

**NAME OF VIOLATOR: Stephen J. Lepage, 1173 Danielson Pike, Scituate, RI**

**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 Stephen J. Lepage, an employee of Eastern Electric Const Co. Inc., working unlicensed pulling wire at the new Wendy's, Garfield Ave Cranston, RI. This is a violation of RIGL 5-6-2 Work for which license required.**

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

**Stephen J. Lepage provides testimony and is questioned by the Board.**

**Michael Daley made a motion regarding Violation 4725 that a violation of RIGL 5-6-2, Work for which license required, did occur; seconded by Stanley Davies and passed unanimously by the Board.**

**Stanley Davies made motion regarding Violation 4725 that the fine of**

**\$500.00, per RIGL 5-6-32, be held for one year and if Mr. Lepage does not get in any more trouble it will be dismissed; seconded by Frank Benell, Jr. and passed unanimously by the Board.**

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

**Richard A. Boyer Jr. – Viol 4733: Robert A. Boyer, Jr, Respondent; Nicholas Ranone, Mechanical Investigator; Robert Gaj, RIDLT Investigator, are sworn in for testimony. Robert Fratus was previously sworn. Robert Fratus reads the Violation #4733 into the record.**

**NAME OF VIOLATOR: Richard A. Boyer Jr., PO Box 7041, Somerset, MA**

**LOCATION OF VIOLATION: Sports Authority 1315 West Main Rd. Middletown, RI**

**INVESTIGATOR: Robert Fratus**

**VIOLATION: It was reported by Chief Mechanical Investigator, Nicholas D. Ranone, that Richard A. Boyer Jr. was witnessed by Chief Mechanical Investigator, Nicholas D. Ranone, doing electrical work on 08/05/2013 at 1315 West Main Rd. Middletown, Rhode Island for Tradesource. The job site was visited on 08/05/2013 by Chief Mechanical Investigator, Nicholas D. Ranone. Mr. Boyer Jr. was asked to see his electrical license. He said it was in his car. He went to his car and left the job site. After investigating Mr. Boyer Jr. it was**

**found that he did not have a Rhode Island Electrical license. This is a violation of Rhode Island General Law 5-6-2 Work for which license required.**

**Nick Ranone provides testimony and is questioned by the Board.**

**Robert Gaj provides testimony.**

**Richard A. Boyer, Jr. provides testimony and is questioned by the Board.**

**The Board continues questioning Mr. Boyer and Mr. Fratus.**

**Mr. Fratus reads a letter into the record to Robert Gaj. The letter is entered into evidence as Exhibit A.**

**Mr. Boyer submits evidence into the record as Exhibit B – 6 pages consisting of copies of Richard A. Boyer time sheets (4 pgs), a fax cover sheet and a fax receipt.**

**Testimony continued.**

**Keith Burlingame made a motion that there has been ample evidence to show that electrical work was being done; multiple admissions on the part of the violator that he knew he did not have an electrical license and knew he needed an electrical license; and therefore**

**moved that a violation did occur; seconded by Michael Daley and passed unanimously by the Board.**

**Keith Burlingame made a motion to recommend to the Director that the fine of \$500.00 be upheld for Violation 4733. The motion was seconded by Michael Daley. and passed unanimously by the Board.**

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

**William Harfst – Viol 4756: William Harfst does not appear. This is the first time William Harfst has been scheduled to appear. Stanley Davies made a motion that Violation 4756, William Harfst, be put on the agenda for the next meeting and seconded by Robert Zuba. There was discussion. The motion then passed unanimously by the board.**

**End of hearings.**

**6.) Status of solar photo voltaic installation and licensing: Michael Daley addressed the Board and provided an update.**

**7.) Status of recommended legislative changes: Michael Daley informed the Board that the recommended changes have been submitted but they have not been assigned a number yet. Mr. Daley**

**will keep the Board updated.**

**William Lepore informed the Board that the legislation that was submitted last year has been resubmitted (H7006).**

**8.) Discussion of examination updates: John Shaw, Administrator addressed the Board. There is discussion.**

**Stanley Davies made a motion that Keith Burlingame look into questions for the fire alarm examination to conform with the new code. Michael Daley seconds the motion. There was no opposition. Motion passed.**

**9.) Discussion of licensing requirements for installation of wireless smoke alarm systems: Robert Gaj addressed the Board after an inquiry as to if a telecommunication's license was adequate to install wireless smoke alarm systems in three (3) family homes. Mr. Gaj stated that it is out of the telecommunication's scope of work as there already is an existing fire alarm license and should fall under electrical. Robert Zuba addressed the Board as the question originated at an electrical inspector association meeting stating the law does not indicate "wired" or "wireless" just "fire alarm system". There is discussion. RIGL 5-6-2 and 23-28 are discussed.**

**There is a discussion of “wired” and “wireless”. Stanley Davies suggests that the Board writes to the Building Commissioner’s Office stating that if it is powered at all it has to have a fire alarm license to install. Mr. Davies clarifies AC powered. The motion was seconded by Michael Daley and passed unanimously by the Board.**

**Discussion continued regarding battery controlled systems.**

**Discussion continued regarding drafting a letter.**

**\*\* Angelyn E. Cooper, Legal Counsel, addressed the Board regarding the process of amending the agenda for discussion pursuant to 42-46-6(b), (c).**

**9A) Michael Daley made a motion to add to the agenda to discuss Trade Source hiring electricians and sending them to electrical contractors and subcontracting employees; seconded by Frank Benell Jr and Stanley Davies. All were in favor.**

**The Board has a discussion.**

**Chairman Lepore requests the matter be put on the next agenda to continue the discussion for a vote.**

**Discussion continued.**

**10.) Election of Chairman and Secretary: Motion was made by Stanley Davies William Lepore remain Chairman; seconded by Frank Benell.**

**A motion was made by Frank Benell Jr to reelect Stanley Davies as Secretary, seconded by Michael Daley.**

**All were in favor.**

**William Lepore remains Chair and Stanley Davies remains Secretary.**

**11.) Adjournment: A motion to adjourn was made by Stanley Davies. There being no objection, the meeting adjourned at 10:44am.**