

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF HOISTING ENGINEER
TUESDAY, December 8, 2009
10:00 A.M.**

In attendance: James Woloohojian

James White

David Burnham, Chairman

Ellery Wood Jr.

David Rodrigues, Chief Investigator

Ben Copple, Legal

Ronald D'Ambruoso

Meeting was called to order at 10:05 am by David Burnham

A motion to accept the minutes from the July 14 meeting was made by Ellery Wood and seconded by Jim White. Passed unanimously by the board.

Hearings:

1) Anthony J. Vitterito Jr. #3792

David Rodrigues read the violation:

On Monday, October 19, 2009, David M. Rodrigues, Chief Hoisting Engineer Investigator witnessed Anthony J. Vitterito Jr. an employee of Cherenzia Excavation, P O Box 513, Westerly, RI 02891, operating a skid steer loader without a valid RI Hoisting Engineer's license at the RIDOT Bellville Salt Barn, 435 Tower Hill Road, North Kingstown, RI. This is one (1) violation of RIGL 28-26-5-"License required for operation of Hoisting Machinery", for a fine of \$600.00. David Rodrigues, Anthony Vitterito are sworn in. The board questioned Mr. Rodrigues. Atty. Thomas Liguori, representing Mr. Vitterito addressed the board and questioned Mr. Rodrigues. Joseph Cherenzia, owner of Cherenzia Excavation is sworn in. David Burnham questioned Mr. Cherenzia. James White made a motion that viol#3792 did occur, seconded by Ellery Wood. James Woolohojian recuses himself from this hearing. Passed unanimously by the board. Jim White made a motion that the fine of \$600.00 be upheld, seconded by Ellery Wood. Passed by 2 votes, to 1, chairman votes against.

2) Cherenzia Excavation-#3793, David Rodrigues, Joseph Cherenzia and Anthony Vitterito are sworn in. David Rodrigues read the violation: On Monday, October 19, 2009, David M. Rodrigues, Chief Hoisting Engineer Investigator witnessed Anthony J. Vitterito Jr. an employee of Cherenzia Excavation, P O Box 513, Westerly, RI 02891, operating a skid steer loader without a valid RI Hoisting Engineer's license at the RIDOT Bellville Salt Barn, 435 Tower Hill Road, North Kingstown, RI. This is one (1) violation of RIGL 28-26-5-"License

required for operation of Hoisting Machinery”, for a fine of \$1150.00. The board questioned Mr. Rodrigues. The board also questioned Mr. Cherenzia. James White made a motion that viol#3793 did occur, seconded by Ellery Wood. James Woolohojian recuses himself from this hearing. Passed unanimously by the board. James White made a motion that the fine of \$1150.00 be upheld, seconded by Ellery Wood. Passed by 2 votes to 1, chairman votes against.

End of hearings.

A motion to adjourn was made by Ellery Wood and seconded by Jim White. Passed unanimously by the board.

Meeting adjourned at 10:50 am.

Next meeting, Tuesday, January 12, 2010 at 11:00 am.