

RHODE ISLAND DEPARTMENT OF LABOR & TRAINING

DIVISION OF PROFESSIONAL REGULATION

BOARD OF EXAMINERS OF HOISTING ENGINEERS

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

Cranston, RI 02920

TUESDAY, September 13, 2011

10:00am

In attendance:

Joseph Graziano

Brian Iannucillo

James White

James Woloohojian

Ellery Wood, Jr.

David Rodrigues, Chief Investigator

Mary Ellen McQueeney-Lally, Legal Counsel

The meeting was called to order at 10:02 am by James Woloohojian.

A motion to accept the minutes of the previous meeting was made by James White and seconded by Ellery Wood. The motion passed unanimously by the Board.

Hearings:

1.) James F. Broyles (Viol # 4082): The hearing did not take place as

the fine was paid prior to today's scheduled hearing.

2.) Marguerite Concrete, Inc (Viol # 4084): David Rodrigues, Chief Hoisting Investigator, and Jim Marguerite, Marguerite Concrete, Inc. are sworn in for testimony. James Woloohojian read the violation: Violation Date: 6/7/11, Violation # 4084, Marguerite Concrete, Inc. 11 Rosenfeld Dr., Hopedale, MA 01747. Location of the Violation was University of R.I., Hillside Residence Hall, Baird Hill Rd., South Kingstown, RI. Violation: On Friday, May 13, 2011, Mr. David M. Rodrigues, Chief Hoisting Engineer Investigator, witnessed James F. Broyles, an employee of Marguerite Concrete, Inc., 11 Rosenfeld Dr., Hopedale, MA 01747, operating a construction forklift without a valid RI Hoisting Engineer's License at the above location. According to RIGL 28-26-12 "Investigation and Prosecution of Violation", this is (1) one violation of RIGL 28-26-5 "License Required for Operation of Hoisting Machinery". David Rodrigues gives testimony. Jim Marguerite addressed the Board. The Board questions Mr. Marguerite. David Rodrigues addressed the Board. Mr. Marguerite addressed the Board. James White made a motion that violation 4084 did occur; seconded by Brian Iannuccillo and passed unanimously by the Board. Ellery Wood, Jr. made a motion to uphold the original fine of \$600.00; seconded by James White and passed unanimously by the Board.

End of Hearing

There was no new business.

James Woloohojian regretfully informed the Board that David Burnham, Chairperson of the Board of Examiners of Hoisting Engineers, has passed away. Mr. Woloohojian requested to adjourn the meeting in honor of Mr. Burnham. A moment of silence was observed.

The meeting adjourned at 10:14 am by general consent.

The next meeting is scheduled for Tuesday, October 11, 2011 at 10:00 am.