

State of New Hampshire
Office of Professional Licensure and Certification
Electrician's Board
Concord, New Hampshire

Robert R. Brunelle
License No.: 9877
(Adjudicatory/Disciplinary Proceeding)

Docket No. 19-02

FINAL DECISION AND ORDER

Before the New Hampshire Office of Licensure & Certification, Board of Electricians ("Board") is an adjudicatory/disciplinary proceeding in the Matter of Robert Brunelle ("Respondent" or "Mr. Brunelle") in Docket Number 18-02.

BACKGROUND INFORMATION

A violation notice was issued on September 24, 2018 when two unlicensed employees of the Respondent were found making electrical installations at Tuscan Village, 11 Montalcino Way, Salem, NH. As a result, of the foregoing, a Notice of Hearing was forwarded to the Licensee on December 5, 2018.

A disciplinary hearing on that matter was held on Tuesday, January 8, 2019 at the Board office in Concord, New Hampshire. A Notice of Hearing (NOH) was mailed to Mr. White at the Board's last on-file address via US Mail, via certified mail, return receipt requested and regular first class mail, dated December 5, 2018. The receipt, signed by Mr. Brunelle, was received back at the Board office December 13, 2018. A Hearing List of Witnesses and Exhibits and the exhibits were mailed to Mr. Brunelle at the Board's last on-file address via US Mail, via certified

mail, return receipt requested and regular first class mail, dated December 20, 2018. The receipt, signed by Mr. White, was received back at the Board office December 26, 2018.

The Respondent appeared at the hearing. Testimony was received at the hearing from Dean Sotirakopoulos, Chief Electrical Inspector of the Office of Professional Licensure and Certification and the Respondent, Robert Brunelle.

Board members present were¹

Peter Cicolini, Master Electrician, Chairperson, Presiding Officer
Matthew Connors, Master Electrician, Vice Chairperson
Henry Szumiesz, Journeyman Electrician
Jack Grube, Public Member
William Infantine, Public Member

The following exhibits were introduced into evidence and accepted into the record:

1. Notice of Hearing dated December 4, 2018.
2. Notice of Violation issued on September 24, 2018 to Robert R Brunelle master/owner of Brunelle Brothers Electric Inc.
3. Report of Investigation dated September 24, 2018 from State of NH Electrical Inspector Denis Laurendeau.

FINDINGS OF FACT

1. The Respondent was issued a Master Electrician's License on February 4, 2004.
2. The Respondent was responsible for sending 2 unlicensed people, namely Robert Cantwell and Mike Bolarinho, to make electrical installations at a NH job site on September 17, 2018. The Respondent apologized and stated that it was a last minute change when someone was sick. Most of their work is in MA. Their trucks are set up for

¹ The same Board members also deliberated and voted on this Final Decision and Order.

one journeyman and one apprentice. They are working on a system through payroll to show which state licenses each employee has to avoid this happening again.

CONCLUSIONS OF LAW

Pursuant to the evidence submitted in this matter the Board finds that the Respondent is found to be in violation of RSA 319-C:12, II(c) & (g) and Elec 404.05 (a), 405.01(a)(1) & (3) exhibiting unprofessional conduct by having two unlicensed in Salem, NH.

THEREFORE, IT IS ORDERED, pursuant to RSA 319-C:12, III(a) and (b) the Board imposes the following sanctions:

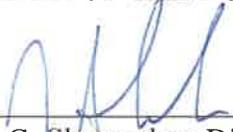
- A. The Respondent is hereby **reprimanded**.
- B. The Respondent is deemed to be in violation of RSA 319-C:12, II(c) & (g) and 405.01(a)(1) & (3) by exhibiting unprofessional conduct or dishonorable conduct unworthy of and affecting the practice of the profession.
- C. The Respondent's license is **suspended** for a period of three months for each violation to be served consecutively for a total of six months. The suspension will be deferred for twelve months provided the Respondent advises the Board on a monthly basis in a written report of the location of any current or projected jobs in NH. The reports shall include jobs (completed or projected) from the first day of the month to the last day of the month. The report form, supplied by the Board shall be received in the Board's office by the first day of the month, or if the first is a Sunday or holiday by the next workday, with the first report due February 1, 2019 and the last report due on January 1, 2020. A report shall be filed each month even if no work is performed in NH.

- D. If any of the Probation Reports are missing or late this will be considered a breach of the condition of this Order shall constitute unprofessional conduct pursuant to Elect. 405.01(a)(5) and RSA chapter 319-C:12,II and serve as a separate sufficient basis for further disciplinary action by the Board for a period of seven (7) years, pursuant to NH RSA 319-C:12,IV and Elec. 405.03(i).
- E. Additionally, the Board may consider the fact that discipline was imposed by this Final Decision and Order in determining appropriate discipline in the future should any further misconduct be proven against the Respondent.
- F. This order shall become a permanent document in the Respondent's file which is maintained by the Board as a public document.
- G. This Order shall take effect on the date it is signed by an authorized representative of the Board.
- H. Any person affected by a final decision of the board may appeal such final decision to the state building code review board, pursuant to RSA 155-A:11-a.
See NH RSA 319-C:12-b.

IT IS FURTHER ORDERED that a motion for rehearing, reconsideration, or clarification shall be filed within 30 days of the effective date of this Final Decision and Order. This motion shall be in accordance with Elec part 213.

BY ORDER OF THE BOARD

Dated: January 17, 2019



Joseph G. Shoemaker, Director
Division of Technical Professions
NH Office of Professional Licensure and Certification
Authorized Representative of the NH Electricians' Board