

186th Meeting

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:31 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. Caldwell and seconded by Mr. Gianlorenzo.

(C) The minutes of the 185th meeting were approved on a motion by Ms. Turkel and seconded by Mr. Gianlorenzo.

(D) Court Case Update: October 2004

FINES RESTITUTION DATE CLAIMANT

Pate 250 - 7/04

Bonsall 250 - 7/04

Longley 250 - 7/04

Gencarelle 500 - 7/04

Buchignani 500 1,400 7/04 Bell

Braz 250 725 7/04 Foti

Catauro 500 - 7/04

Geritsen 500 - 7/04

K. Garies 300 - 7/04

E. Johnson 500 - 7/04

Thomas 7,000 6,500 8/04 DeFina Bevelacqua 500

2,000 8/04 Baccari

Iarossi 100 6,500 8/04 Izzo

K. Garies 300 8/04

E. Fontaine	100	1,526.69	8/04	Lobdell
Colucci	500	3,000	8/04	Lanagan
Bourgault	500	5,708	8/04	Clark
VanDale	250		8/04	
Manchester	250		8/04	
J. Fontaine	100	55,000	9/04	Rooney
Chase	250		9/04	
Belevaqua	1,600		9/04	Foley
Villella	1,392		9/04	Admaczyk
Gordon	250		9/04	
Padula	250		9/04	
Mourato	250		9/04	
Charette	500		9/04	Almonte
K. Garies	300		9/04	

TOTAL: 31,300 191,121.03

YEAR TO DATE FINES/RESTITUTION: \$222,421.03

(E) Consideration of Cases on Appeal and Oral Argument:

(1) 1:20 PM, claim #4441, Tanzi vs. Jodoin, exceptions filed by the respondent. The Board reviewed the exceptions, the claim and information provided and listened to the parties. The respondent claimed he was away for (3) weeks and didn't receive notice until he returned. He testified that he never notified the Board that he was going to be away. After much discussion, the parties agreed to the

following settlement: \$200 per week for (10) weeks and getting a loan of \$10,000 to pay the claimant a total of \$12,000. The Board would reduce fines to \$500 (payable within (3) months) if the homeowner was satisfied. A payment of \$200 was made in the presence of the Board as a show of good faith, leaving a balance due of \$11,800 and the \$500 fine. On a motion by Mr. Ladouceur and seconded by Mr. Caldwell the motion was approved unanimously, but tabled until next month for action.

(F) Report of the Executive Director:

(1) Statistics Report: 10/13/04

Registrations:

Number of Registered Contractors

10978

Number of Cards Surrendered

3033

Number of Cards Lapsed

10931

Number of Cards Invalidated

272

Number of Cards Suspended

237

Number of Cards Revoked

27

Registration Actions 9/8/04 – 10/13/04

Number of New Registered Contractors

195

Number of Renewed Contractors

10783

Number of Cards Surrendered

0

Registrations Invalidated

0

Registrations Suspended

0

Registrations Revoked

0

Claims:

Administrative Appeals

3

Board Appeals

1

Awaiting Further Action

39

Court

98

Disposed

3907

Under Investigation

350

Disposed Prior to 4/95

286

TOTAL CLAIMS FILED WITH THE BOARD

4691

Number of New Claims

54

(9/8/04 – 10/13/04)

Violations:

Advertising

3

Non-Registered Subcontractors

8

Cancelled Insurance

299

Notice of Hearing

26

Non-Registered Contractors

463

TOTAL RECORDS

Number of New Violations

19

(9/8/04 – 10/13/04)

Lapsed Registrations/Never Re-Newed:

October 2003	125
November 2003	86
December 2003	102
January 2004	99
February 2004	84
March 2004	100
April 2004	91
May 2004	120
June 2004	123
July 2004	133
August 2004	109
September 2004	53

TICKETS 2004

January 0

February 0

March 0

April 0

May 0
June 1 \$250
July 0 0
August 1 \$250

September 0 0
October 1 \$250

Commercial Roofers:

Number registered.....Y.....95
Number expired/lapsed.....N.....11
Number surrendered.....S.....7
Number invalidated.....0
Number suspended.....0
Number revoked.....0
Pending Approval.....0

(G) Old Business:

(1) Committee Report: None to report on at this time, but hope to get committees back in session soon to go forward with programs still unfunded;

(2) Parking/ ID's: Distributed to all but one member who wasn't present;

(3) Budget: Projected budget 2004/2005 was presented reflecting revenues, which could be generated if programs are implemented, as well as 2005/2006 revenues expected to be generated.

(H) New Business:

(1) Attorney General: Unable to attend Board meeting, had a funeral to for a RI soldier lost in battle in Iraq. Will be rescheduled, hopefully for next months meeting;

(2) Insurance: Tabled for further discussion;

(3) Contract on Web: Tabled for further review;

(4) Budget/Funding

New Staff: The Executive Director introduced a new employee to the Board, Thomas DiFusco, who will be working as an investigator and hopefully in the future establishing the Home Inspection Program. Tom has worked for D.O.T. for several years and has an extensive resume regarding construction.

The Auditor General has been conducting an audit of the Board and Building Commission over the last several months and a representative from that office, Terri, was present to review the

Board process. The Board expressed concerns over unfunded mandates and use of revenues generated. The audit should be completed shortly with a report forth coming.

(5) Registration: Action from RI Division of Taxation will be reviewed further by the Board and legal counsel as to constitutionality and process that will occur;

(6) R.I.B.A.: Congratulations to Edgar Ladouceur on his recent appointment as president of RI Builders Association. His professionalism and leadership skills will be an asset to that organization;

(7) NASCLA: A plaque was presented to the Board by NASCLA, for assisting in hosting the 2004 Annual Directors Meeting in Newport RI. It was a great success. Thanks to all who assisted in this event;

(8) N.R.B. News: Recent coverage on non-registered contractors in the Providence Journal has provided staff with more claims and phone calls, but has better educated the consumers in our state in this regard;

(9) Electronic Filing: The Board must now file minutes and notices on the Secretary of States web-site in addition to the normal posting of open meetings.

This process is being facilitated;

(10) Unfunded Mandates: The Boards liability, as well as shared responsibility are items to be discussed next month.

(I) Public Comment: Irene Urban expressed her concern over the hearing process and what happens when a matter is remanded back for a new hearing and the contractor refuses to sign the jury waiver form. She was very frustrated with the process and expressed dismay regarding her claim. The Board listened intently and wanted everyone to be afforded their due process rights.

(j) Announcements: The next meeting is scheduled for Wednesday November 17, 2004 at 12:30 PM, Conference Room "C", 2nd Floor, One Capitol Hill.

(K) Adjournment: A motion was made by Mr. Caldwell and seconded by Mr. Brunetti to adjourn at 2:45 PM.

Members Present: F. Carlone, E. Ladouceur, P. Brunetti, D.

Caldwall, D. Gagnon,

S. Gianlorenzo, A. Salisbury, M. Turkel. and L. Weisman

Members Absent: R. Cardoza and B. Calcagni

**Others Present: George Whalen (Executive Director) Parties for
appeal and**

Stenographer.

Respectfully Submitted,

George W. Whalen, Executive Director

Contractors' Registration Board

GWW/man