

191st Meeting

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:30 PM.

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

(C) The minutes of the 190th meeting were approved on a motion by Ms. Turkel and seconded by Mr. Caldwell.

(D) Court Case Update:

February 2005 FINES RESTITUTION DATE CLAIMANT

Moss 750 - 01/05

Parrillo 250 - 01/05

Kites 8,000 01/05 Evans

Fundakowski 500 - 01/05

Carter 250 - 01/05

K. Garies 300 01/05

Ford 150 01/05 Braman

Pratas 1,116.40 01/05 DeBlasio

Brouillard 500 01/05

Kithes 8,274.54 01/05 Evans

Bolcon 3,250 01/05 Correia

Cheney 9,027 02/05 Williams

Prata 250 02/05

Weaver 500 02/05

Laporte 7,500 02/05 Bassett
Webster 150 02/05
Corriveau 250 5,350 02/05 Mandeville
Merhi 250 5,500 02/05 Bruzzi
Belisle 500 800 02/05 Ingraham
Jodoin 500 11,800 02/05 Tanzi
Escribano 250 02/05
K. Garies 500 02/05
C. Johnson 950 03/05
Carreiro 250 1,500 03/05 Hall
TOTAL: 6,900 62,267.94

TOTAL FINES & RESTITUTION: \$69,167.94

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

(1) 12:40 PM, claim #4028, Sears vs. Marshall, motion to review progress and establish schedule. Both parties were in attendance and the claimant expressed concerns over the determinations made by the 3rd party engineer and the corrective measures taken to comply with the final order issued by the Board. After much discussion on the matter, the respondent's attorney agreed to provide information to the Board's Executive Director within the next week or so to hopefully resolve this concern. Work as ordered is not due to be completed until 5/1/05, because of weather conditions;

(2) 12:55 PM, claim #4024, Sirois vs. Houghton, motion to vacate the final ordered filed by the respondent. Both parties were in attendance

and provided the Board with the concerns. The respondent, represented by counsel, informed the Board that a change of address did occur and stated he did not notify the Board, but the information was provided to the post office. The Board, after listening to both parties, on a motion by Ed Ladouceur and seconded by M. Turkel unanimously upheld the order and moved not to vacate the final order;

(3) 01:15 PM, claim #4608, Carline vs. Dozois, exceptions filed by the respondent. The claimant was present, the Board waited 30 minutes for the respondent who never appeared. On a motion by F. Carlone and seconded by E. Ladouceur, the Board unanimously upheld the decision of the hearing officer;

(4) 01:35 PM, claim #4818, Hinchey vs. Cullen, exceptions filed by the respondent. The Board, after listening to the respondents exceptions and claimants rebuttal, elected to modify the decision of the hearing officer only in regard to the fine amount and conditionally on paying the claimant in full. On a motion by F. Carlone and seconded by B. Calcagni, the Board passed the modification to reduce the fine to \$500 as long as the claimant was paid within (30) days, the only person opposed was E. Ladouceur;

(5) 1:50 PM, claim #4637, Silva vs. Rhynard, exceptions filed by the respondent. After having been provided proper notice, the respondent failed to appear, only the claimant was present. On a motion from F. Carlone and seconded by E. Ladouceur, the Board unanimously upheld the decision issued by the hearing officer.

(F) Report of the Executive Director:

(1) Statistics Report: 3/9/05

Registrations:

Number of Registered Contractors

11617

Number of Cards Surrendered

3058

Number of Cards Lapsed

10771

Number of Cards Invalidated

311

Number of Cards Suspended

253

Number of Cards Revoked

28

Registration Actions 2/9/05 - 3/9/05

Number of New Registered Contractors

144

Number of Renewed Contractors

11473

Number of Cards Surrendered

0

Registrations Invalidated

0

Registrations Suspended 0

Registrations Revoked

0

Claims:

Administrative Appeals

3

Awaiting Further Action

60

Court

98

Disposed

4111

Under Investigation

382

Disposed Prior to 4/95

286

TOTAL CLAIMS FILED WITH THE BOARD

4947

Number of New Claims

29

(2/9/05 – 3/9/05)

Violations:

Advertising

3

Non-Registered Subcontractors

6

Cancelled Insurance

369

Non-Registered Contractors

390

TOTAL RECORDS

781

Number of New Violations

139

(2/9/05 – 3/9/05)

Lapsed Registrations/Never Re-Newed:

February 2004 79

March 2004 91

April 2004 84

May 2004 104

June 2004 102

July 2004 114

August 2004 85
September 2004 40
October 2004 33
November 2004 17
December 2004 11
January 2005 10
February 2005 19

Commercial Roofers:

Number registered	98
Number expired/lapsed	13
Number surrendered	7
Number invalidated	0
Number suspended	0
Number revoked	0
Pending Approval	0

(G) Old Business:

- (1) Received all Board members updated e-mails;**
- (2) Members interested in re-appointment were made aware that the Governor's office now had a web site, which they could utilize if they desired to submit resumes;**
- (3) Home Inspectors sub-committee has had (2) meetings and progressing along to get work done**

as to be able to get to a public hearing in May or early June. Next meeting scheduled for

Wednesday March 16th at 1:00 PM at One Capitol Hill;

(4) Legal issues were tabled until next meeting, or if need be a special meeting. Chair and Board

members appointed E. Ladouceur to represent the Board at meetings if possible;

(5) Check returns; it was brought to the Board's attention that some checks issued in August and

September were just getting returned to the Board in March and late fees were being imposed.

The Executive Director has informed Mr. Brunelle of this concern in writing and the matter will

hopefully be corrected soon;

(6) Legislation: S-0496/H-6009 (sister or companion bill): Act changing definition of bill, structure eliminating (4) dwelling units or less, Board, supports;

H-5415: Act to require contractors to set up escrow accounts, Board, opposes;

S-0373: Act makes it a condition to register to disclose conviction as a felon, Board opposes;

S-0468/H-5960: (sister or companion bill): bill submitted by the Department of Administration,

Act changing dates of home inspection and eliminating part of grandfather clause, Board seeks

Sub-A, dates were not correct and grandfather clause needs to be in place;

H-5861: Act regarding background criminal checks, Board opposes, increase cost and only

Registration not a license, even if felon no measure to prevent from registering,

H-6004: Bill submitted by the Board, ability to post registrations suspended or revoked quarterly,

Mechanic lien petition, notify Board in writing of change of address, Board supports;

H-6131: bill submitted by the Board. Act to set fee by Board, restricted receipt account, establish

On-line renewals, budget to capitol projects and properties, increase fines to value of job, increase

NRB fines, no longer hear claims registered under this chapter, Board supports.

(H) New Business:

(1) Home Show: Thank RIBA for inviting the Board to participate and thanks those who assisted;

(2) Review of Rules/Regulations: Sub committee will establish a meeting before next Board meeting and hopefully try and make necessary modifications. Legal review will be required;

(3) Action Plan: Was distributed to be review and discussed by Board at next meeting;

(4) Outsourcing; Tablied. R.F.P. being worked on , until bid hold off on discussion;

(5) Notice of Hearings: Discussed sending all notices of hearing by registered mail, but will try to phone parties first.

(I) Public Comment: Several news articles in local papers, builders magazines and in the Providence Journal.

(J) Announcements: The next meeting is scheduled for Wednesday April 13, 2005 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. Weisman to adjourn at 3:405 PM.

**Members Present: F. Carlone, E. Ladouceur, D. Caldwell, R. Cardoza, P. Brunetti,
B. Calcagni, S. Gianlorenzo, M. Turkel and
L. Weisman**

Members Absent: D. Gagnon and A. Salisbury

**Others Present: George Whalen (Executive Director), Legal Counsel, Parties
for Appeal and Stenographer.**

Respectfully Submitted,

**George W. Whalen, Executive Director
Contractors' Registration Board**

GWW/man