

198th Meeting Contractors' Registration Board

November 9, 2005

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:40 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. Brunelle and seconded by Ms. Turkel.

(C) The minutes of the 197th meeting were approved on a motion by Ms. Turkel and seconded by Mr. Caldwell.

(D) Court Case Update: November 2005

FINES RESTITUTION DATE CLAIMANT

Moss 750 - 01/05

Parrillo 250 - 01/05

Kithes 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
Fundakowski 250 - 03/05
Tierney 313 03/05 Castelano
Ribeiro 1,100 03/05 Myers
Corriveau 250 - 04/05
Aceto 1,000 04/05
Theroux 1,000 04/05
Felder 750 04/05
Puopolo 250 1,300 04/05 Moscatelli
Puopolo 225 04/05 St. Laurent
Puopolo 525 04/05 Walukiewicz
Ribeiro 1,100 04/05 Myers
Valenti 2,500 8,000 05/05 Brown
W. Smith 250 14,650 05/05 Cotton
Ribiero 250 05/05
Tierney 250 05/05
Dias 2,500 06/05 Krupa

Giorgio 2,525 06/05 Benton

Giorgio 1,336.45 06/05 Perez

Giorgio 1,000 06/05

Lopez 500 06/05

Sgueglia 250 2,090 06/05 Beaudry

Sgueglia 500 5,400 06/05 Clukey

Harvey 475 06/05 Cohen

Woolhouse 500 06/05

Carreiro 250 1,200 06/05 Hall

Brooks 500 06/05 Canning

Cotoia 250 887.04 06/05 Ott

Houle 250 625 07/05 Bradley

Kirwin 1,000 27,530.87 07/05 Jalbert

Kirwin 500 07/05

Bonner 3,500 2,000 07/05 DeTora

K.

Smith 500 1,714 07/05 Ladouceur Wood 1,000 6,300 07/05 R.Johnson

Comella 500 07/05

Rocchio 250 07/05

Boillard 3,500 1,650 07/05 Pendergrass

Boillard 1,000 07/05

Huling 1,500 2,800 07/05 Catlow

Puopolo 250 850 07/05 Chevalier

Puopolo 725 07/05

Rainville 500 07/05

Dias 500 07/05
Troy 100 4,000 08/05 Thibault
Oliver 750 8,000 08/05 Flynn
Card 275 08/05 McDonnell
Bannon 12,500 08/05 Thurber
Dalmer 1,475 08/05 Blair/Hughes
Martin 250 08/05
Boillard 1,380 08/05 Dussault
Terrero 250 2,850 08/05 Cahill
Dowding 500 6,680 08/05 Pacheco
Gardiner 1,911.65 08/05 Negron
Cullen 500 1,950 08/05 Hinchey
Moniz 250 4,800 09/05 Petrosinelli
Szabo 250 09/05
Szabo 1,000 09/05 Bessette
Miller 250 1,500 09/05 Greenwood
Lisi 250 09/05
Pratas 1,116.40 09/05 DeBlasio
Dalmar 250 1,450 09/05 Blair/Hughes
Sajkowski 250
Card 150 275 10/05 McDonnell
Gardiner 500 1,911.65 10/05 Negron

TOTAL: 35,000 203,464

TOTAL FINES & RESTITUTION: \$238,527

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

(1) 12:40 PM, claim #4895, Gorman vs. DePetrillo, exceptions filed by the respondent. The claimant was present but the respondent failed to appear. This matter was carried over from last month, because parties were close to obtaining a settlement. Having failed to come to an agreement, the Board reviewed the exceptions, listened to the testimony provided by the claimant and upon review of the file the Board, on a motion by Ed Ladouceur and seconded by David Caldwell, unanimously concluded to uphold the decision of the hearing officer, with the exception of date of completion and fines. Fines would be increased to \$10,500, if the respondent fails to complete the work by 12/12/05. If work is timely completed the fine would be reduced to \$3,000. Failure to comply would also result in loss of registration; ;

(2) 01:00 PM, claim #5216, Zawislak vs. Lapin, exceptions filed by the respondent. The claimants were present the respondent was represented by legal counsel. The Board listened to the parties and reviewed the file and evidence submitted at the hearing. Concerns were expressed by the respondent's legal counsel that new evidence was being heard. The Chair advised counsel that they would review the hearing officer's findings and rule accordingly. On a motion by Felix Carlone and seconded by David Caldwell, the respondent was ordered to remove 16" tiles and install base in accordance with the manufacturers suggested installation for the type of flooring being installed. Work is to be completed by 12/15/05 or pay the claimant

\$2,000 for this work to be done by another party. Motion, after discussion, carried unanimously.

(F) Report of the Executive Director:

(1) Statistics Report: 11/9/05

Registrations:

Number of Registered Contractors	12263
Number of Cards Surrendered	3232
Number of Cards Lapsed	10842
Number of Cards Invalidated	373
Number of Cards Suspended	286
Number of Cards Revoked	36

Registration Actions 10/12/05 - 11/9/05

Number of New Registered Contractors	128
Number of Renewed Contractors	12135
Number of Cards Surrendered	30
Registrations Invalidated	10
Registrations Suspended	3
Registrations Revoked	0

Claims:

Administrative Appeals

4

Board Appeals 3

Awaiting Further Action

56

Court

159

Disposed

4435

Under Investigation

189

Disposed Prior to 4/95

286

TOTAL CLAIMS FILED WITH THE BOARD

5352

Number of New Claims

65

(10/12/05-11/9/05)

Violations: (10/12/05 – 11/9/05)

Advertising 1

Non-Registered Subcontractors

3

Cancelled Insurance

512

Non-Registered Contractors

342

TOTAL RECORDS

870

Number of New Violations

162

(10/12/05-11/9/05)

Lapsed Registrations/Never Re-Newed:

October 2004 28

November 2004 14

December 2004 10

January 2005 6

February 2005 15

March 2005 4

April 2005 6

May 2005 10

June 2005 12

July 2005 14

August 2005 11

September 2005 184

October 2005 239

Tickets: #'s Fines

2005

January	0	\$0
February	0	\$0
March	0	\$0
April	0	\$0
May	5	\$1,250
June	1	\$250
July	0	\$0
August	0	\$0
September	3	\$750
October	0	\$0

Commercial Roofers: (10/12/05 – 11/9/05)

Number registered	102
Number expired/lapsed	17
Number surrendered	9
Number invalidated	0
Number suspended	0
Number revoked	0
Pending Approval	0

Registration Actions (10/12/05 – 11/9/05)

Number of New Registered Contractors 2

Number of Renewed Contractors 100

Number of Cards Surrendered 1

Registrations Invalidated 0

Registrations Suspended 0

(G) Old Business:

(1) Committee Reports: None, due to staffing problems have been unable to have any committee meetings;

(2) Appointments: The Governor recently made all the appointments to bring the Board to the full complement of (13) members. Unfortunately, due to unforeseen reasons, Leonard Reynolds placed his resignation to the executive director and the Governor at the end of last months meeting. This recent vacancy is pending a new appointment.

(H) New Business:

(1) Meetings: No sub-committee meetings, so no review;

(2) Legislation: Several bills were prepared by the executive director and were put forth for discussion. These bills modified the existing registration, home inspector and commercial roof laws, to add language to retain funds generated to a restricted receipt account. After much discussion, the Board decided that having submitted this bill for the last several years to no avail, to submit it again was just an exercise in futility. The Board wants to focus on the one bill this year for modifications to beef up fines and language in the existing law.

Changes will be made and copies will be provided for the next meeting for review. Excluding the home inspectors

law all the dates were changed to reflect July of 2006. The Board was in agreement to go forward with these bills for next years legislative session;

(3) Legislation Study Commission: The legislative study committee regarding licensing has yet to be established as acted on in May of 2005. The committee has not met nor has it been formulated;

(4) Staff: Since July 10, 2005, the Board has been short an investigator. Claims have been mounting some 253 since that date and the time period due to increased workload is now

(4) to (6) weeks and climbing. At the earliest, the job posting will more than likely take until the beginning of next year 2006;

(5) Memorandum: Attorney Kathryn Ryan provided the Board with a memo regarding development of database to provide information on the Board's cases being prosecuted. This will make information more readily available.

(I) Public Comment: None

(J) Announcements: The next meeting is scheduled for Wednesday December 14, 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. Ladouceur to adjourn at 2:30 PM.

**Members Present: F. Carlone, E. Ladouceur D. Caldwell, R. Cardoza ,
A. Salisbury, P. Brunetti, T. Furey, B. Calcagni, D. Gagnon and
M. Turkel**

**Members Absent: S. Gialorenzo and J. Pesce (L Reynolds resigned
last meeting**

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

Respectfully Submitted,

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

GWW/man