

11, 2006

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:32 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 198th meeting and statistics for December meeting were approved on a motion by Mr. Cardoza and seconded by Mr. Salisbury.

(D) Court Case Update: December 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 Negrón
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 Negrón
Bannon 500 12/05
Bonner 50 12/05
Valenti 150 12/05 Imondi

TOTAL: 35,550 203,614

TOTAL FINES & RESTITUTION: \$239,164

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

(1) 12:40 PM, claim #5220, Ferri vs. Crenca, exceptions filed by the respondent. Both parties were represented by legal counsel. The respondent's attorney, Jonathan Oster, presented his exceptions to the hearing officers decision first, in that the waiver of jury trial form was not signed by his client, but the Board ordered a monetary award an issue of the law. The executive director read into the record the definition of monetary award in the Board's Rules and Regulations, which indicated that a return of a deposit was not considered a monetary award pursuant to these rules promulgated by the Board. Attorney Oster also felt that after reviewing the recording of the hearing, that his client was not afforded a full, fair and impartial decision by the hearing officer. He felt that the hearing officer led the claimant through the process and badgered his client and even spoke over him. In that this was not a fair hearing he requested that the matter be over turned or remanded back for a new, fair hearing. The claimant's attorney, Mr. Petraca, felt the decision rendered was fair and impartial. The contract was an oral one and at a previously scheduled hearing the respondent was represented by his wife, who was the president of the corporation and agreed to the terms of the three equal payments on 10/6/05; however failed to adhere to this new

contract. Attorney Petraca agreed that the definition clearly allowed the hearing officer to order a return of the deposit rendered to his client. After, much discussion and questioning of the Board members, a motion was made by Mr. Gianlorenzo and seconded by Mr. Brunette, that the Board uphold the decision rendered by the hearing officer with the addition of the suspension of the respondent's registration until this matter is paid in full. This matter was unanimously approved by the Board.

(F) Report of the Executive Director:

(1) Statistics Report: 1/24/06

Registrations:

Number of Registered Contractors	11991
Number of Cards Surrendered	3282
Number of Cards Lapsed	11233
Number of Cards Invalidated	364
Number of Cards Suspended	296
Number of Cards Revoked	39

Registration Actions 12/15/05 – 01/24/06

Number of New Registered Contractors	180
Number of Renewed Contractors	11811
Number of Cards Surrendered	51
Registrations Invalidated	0

Registrations Suspended 19

Registrations Revoked 4

Claims:

Administrative Appeals

4

Board Appeals 1

Address Trace 23

Awaiting Further Action

56

Court

167

Disposed

4520

Final Orders 102

Hearings 65

Out of State Services 50 Proposed Orders 13

Under Investigation

182

Disposed Prior to 4/95

286

TOTAL CLAIMS FILED WITH THE BOARD

5183

Number of New Claims

75

(12/15/05 – 1/24/06)

Violations:

Action Against Registration 17

Advertising 1

Non-Registered Subcontractors

3

Cancelled Insurance

787

Non-Registered Contractors

543

TOTAL RECORDS

1353

Number of New Violations

126

(12/15/05 – 1/24/06)

Lapsed Registrations/Never Re-Newed:

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		157
October 2005	173	
November 2005	132	
December 2005	173	
January 24, 2006	2006	250

Tickets: #'s Fines

2006

January	0	\$0
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Commercial Roofers: (12/1/05 – 1/24/06)

Number registered	103
Number expired/lapsed	20
Number surrendered	9
Number invalidated	0
Number suspended	0
Number revoked	0
Pending Approval	0

Registration Actions (12/1/05 – 1/24/06)

Number of New Registered Contractors	2
Number of Renewed Contractors	101
Number of Cards Surrendered	0
Number of Expired/Lapsed	4
Registrations Invalidated	0
Registrations Suspended	0
Registrations Revoked	0

(G) Old Business:

(1) Review of Regulations, Laws, Standards: Tabled, no meeting held by subcommittee;

(2) Legislation: New legislation proposed by the Board needs to be put forth. Additionally, on 1/10/06 S 2036, an act introduced by Senators Ciccone, Badeau, Connors, Ruggerio and Damiani, will move the Contractors Board to the Department of Labor and Training and remove the Executive Director from the statute and from the Civil Service classified position;

(3) Staff Status: Currently the Board is still down one investigator, since 7/10/05. Hopefully this position will be posted very soon. Clerical position has also remained vacant until other position is filled.

(H) New Business:

(1) Budget: On Wednesday 12/14/05, the Board's Executive Director had a meeting with J. Williams and R. Brunelle to discuss the proposed budget for FY 06/07. At this time he was informed that the budget that will be submitted to the Governor will eliminate

the Contractors' Registration Board; zero staff, zero funding. After 45 minutes of discussion, explaining the ramifications and implications of this action the meeting concluded with no change in reconsidering this action. Upon leaving the office, some 15 to 30 minutes later, J. Williams contacted the Executive Director to inform him to provide numbers to budget for a full licensing board! Currently a legislative study commission is being formulated by the General Assembly to provide information in regard to licensing verses registration and what would be required;

(2) Attorney General Consumer Discussion on Licensing: John Palangio and Martha Crippen participated with the Board in a healthy discussion of registration verses licensing and the scope of what may be required to get a license, such as testing, additional insurance, etc. and who needs to be licensed. This discussion proved to be very beneficial and hopefully the lines of communication will continue to be open and cooperative. The legislative study commission will be reviewing these options with the industry and consumers and hopefully this legislative session we will have a new direction to help consumers and the construction industry;

(3) Discussion: Policy to alert building officials and post suspended registration; tabled until next month;

(4) Unfunded Mandates: Tabled until all legislation is submitted;

(5) Barbara Calcagni: She was chosen as a recipient of the 2005 Justice Award in the category of consumer protection and was provided by Attorney General Patrick Lynch.

(I) Public Comment: None

(J) Announcements: The next meeting is scheduled for Wednesday February 8, 2005 at 12:30 PM, Conference Room "C", 2nd Floor, One Capitol Hill.

(K) Adjournment: A motion was made by Mr. Gianlorenzo and seconded by Mr. Salisbury to adjourn at 2:10 PM.

**Members Present: F. Carlone, S. Gialornezo, D. Caldwell, R. Cardoza ,
A. Salisbury, P. Brunetti, T. Furey and B. Calcagni**

Members Absent: E. Ladouceur, D. Gagnon, M. Turkel and J. Pesce

Others Present: George Whalen (Executive Director), Legal Counsel, Kathryn

Ryan, representatives from the Attorney

Generals Consumer

Division and Parties for Appeal and

Stenographer.

Respectfully Submitted,

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

GWW/man