

# **MINUTES**

## **253rd Meeting Contractors' Registration and Licensing Board November 10, 2010**

**(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:45 PM.**

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

**(C) The minutes of the 252nd meeting were approved on a motion by Mr. Arthur Salisbury and seconded by Mr. Paul Brunetti.**

**(D) Court Case Update:**

**Contractors' Registration & Licensing Board: October/November 2010  
Funds Collected Via AG Prosecution or Settlement Agreement**

**Defendant Fine Restitution Victim**

**Ogilvie \$160 Zeigelmayer**

**Marr \$40 Lamphere**

**Feole \$700 Walker**

**TOTAL           \$ \$900**

**Total fines and restitution: \$900**

**Contractors' Registration & Licensing Board: October/November 2010**

**Court Ordered Dispositions**

**Defendant   Fine   Restitution   Victim**

**Cavanaugh - \$8,950.00 Elmasian**

**Hoegen \$100 \$3,332.30 Ryan**

**Hoegen \$100 \$825.00 Card**

**Hoegen \$100 \$1,275.00 Callahan**

**Hoegen \$100 \$2,825.00 Middleton**

**Hoegen \$100 - NRB**

**Leite \$250 \$17,650.00 Cook-Diorio**

**Patnode \$250 \$4,210.00 Delgizzo**

**Patnode \$250 \$7,525.00 Viera**

**Suarez \$250 \$28,000.00 Teixeira**

**Davison, Jr. \$250 \$10,575.00 Bessette**

**TOTAL   \$1,750.00 \$85,167.30**

**Total fines and restitution: \$86,917.30**

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

**1.) 12:40 PM, Claim #7304, Smith vs. Lombardi, Sr., exceptions filed by Respondent's Attorney. Both parties were in attendance and attorney Longo presented his exceptions regarding his client the Respondent, Mr. Lombardi, Sr.; upon presenting his case, the Claimant was then allowed to present. The Board reviewed the record of the claim and information provided in the file. After discussing the matter and asking a few questions of the parties, a motion was made by Edgar Ladouceur and seconded by Bill Nash to remand the matter back for a new administrative hearing on this claim. Motion passed with only one person in opposition, Robert Cardoza.**

**2.) 2:00 PM, Claims #7115, & 7282 Medeiros/Jackson vs. Coulombe, Southern NE**

**Custom Kitchens; Motion to Vacate Final Order filed by the Respondent, 21528. This**

**matter was continued from last month. The Respondent was represented by attorney**

**Timothy Dodd who presented his request to the Board and explained in detail the**

**circumstances of these matters. Both homeowners were present and expressed concern**

**to the Board that they were never included in the receivership notice and wanted the**

**Board to uphold the decision of the hearing officer. In reviewing**

**the matter and**

**listening and taking into consideration all the factors, a motion was made by Felix**

**Carlone and seconded by Mr. Edgar Ladouceur to vacate the Final Orders issued on**

**both of these claims and then remand the Proposed Orders back for new**

**administrative hearings. After further discussion the vote was call and passed 6 to 2**

**with Bill Nash and Art Salisbury voting in the negative. Both these claims will be**

**reheard and notice will be provided to Attorney Dodd of the new hearing dates.**

**3.) 1:40 PM, Registration #5369, Leroy Harris, L J Harris Design Builders,**

**REVOKED Registration, request for reinstatement. Mr. Harris showed with his**

**attorney to present to the Board his request; however the Board just had a quorum**

**of eight members and Mr. Edgar Ladouceur had to recuse himself because of a**

**conflict. As a result of the recusal the Board did not have a quorum and the matter**

**had to be tabled until the next scheduled meeting. Party will be notified of new time**

and date in this regard.

**EXPUNGEMENTS:**

**1.) 1:20 PM, Registration #17516, Eddy's Construction, Claims # 3598 &**

**3614. At the request of the Contractor for a continuance, Felix Carlone made a**

**Motion and seconded by Art Salisbury to continue this matter until the next**

**Meeting, motion passed with one objection, Mr. Edgar Ladouceur voting in the negative.**

**2.) 1:30 PM, Registration #19632, Keith Dampier, South Shore Builders,**

**Claim #7303. Contractor failed to show at the hearing. A motion was made by**

**Art Salisbury and seconded by Edgar Ladouceur to deny expungement, motion**

**carried unanimously.**

**(F) Report of the Executive Director and Staff:**

**(1) Statistics Report: 11/10/2010**

**Registrations:**

<b>Number of Registered Contractors</b>	<b>11549</b>		
<b>Number of Cards Surrendered</b>	<b>5284</b>	<b>Number of Cards</b>	
<b>Expired/Lapsed</b>	<b>15637</b>	<b>Number of Cards Invalidated</b>	<b>1068</b>
<b>Number of Cards Suspended</b>	<b>476</b>		
<b>Number of Cards Revoked</b>	<b>89</b>		

**Registration Actions**

**10/13/2010-11/10/2010**

<b>Number of New Registered Contractors</b>	<b>86</b>		
<b>Number of Renewed Contractors</b>	<b>11463</b>		
<b>Number of Cards Surrendered</b>	<b>49</b>		
<b>Registrations Invalidated</b>	<b>63</b>	<b>Registrations Suspended</b>	<b>12</b>
<b>Registrations Revoked</b>	<b>2</b>		

**Claims:**

<b>Administrative Appeals</b>	<b>6</b>
<b>Board Appeals</b>	<b>5</b>
<b>Address Trace</b>	<b>132</b>

Awaiting Further Action		32
	Court	
	573	
Disposed		6004
Final Orders	52	
Hearings	57	
Out of State Services	28	Proposed Orders 84
Under Investigation		109

**Total Claims Filed with the Board 7082**

**Number of New Claims Processed 15**

**10/13/2010-11/10/2010**

**Violations:**

Action Against Registration	21
Advertising	4
Non-Registered Subcontractors	16
Cancelled Insurance	1281
Notice of Hearing	4
Non-Registered Contractors	806

**TOTAL RECORDS 2132**

**Number of New Violations      27**

**10/13/2010-11/10/2010**

**Lapsed Registrations/Never Re-Newed:**

	<b>October</b>	<b>2009</b>
<b>107</b>		
	<b>November</b>	<b>2009</b>
<b>93</b>		
	<b>December</b>	<b>2009</b>
<b>95</b>		
	<b>January</b>	<b>2010</b>
<b>99</b>		
	<b>February</b>	<b>2010</b>
<b>121</b>		
	<b>March</b>	<b>2010</b>
<b>137</b>		
	<b>April</b>	<b>2010</b>
<b>153</b>		
	<b>May</b>	<b>2010</b>
<b>153</b>		
	<b>June</b>	<b>2010</b>
<b>166</b>		
	<b>July</b>	<b>2010</b>
<b>144</b>		
	<b>August</b>	<b>2010</b>

142

September

2010

119

October

2010

159

<b>Month</b>	<b># Tickets Issued</b>
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**Fines**

January

0

\$ .00

February

3

\$1,750.00

March

3

\$1,000.00

April

1

\$ 250.00

May

4

\$1,350.00

June

10

\$3,400.00

July

7

\$2,700.00

August

6

\$1,700.00

September

3

**\$ 600.00**

**October**

**1**

**\$ 100.00**

**Commercial Roofers: 11/10/2010**

<b>Number registered</b>	<b>132</b>
<b>Number surrendered</b>	<b>15</b>
<b>Number invalidated</b>	<b>50</b>
<b>Number suspended</b>	<b>1</b>
<b>Number revoked</b>	<b>0</b>
<b>Pending approval</b>	<b>0</b>

**Registration Actions; 10/13/2010-11/10/2010**

<b>Number of New Registered Contractors</b>	<b>1</b>
<b>Number of Renewed Roofer Contractors</b>	<b>131</b>
<b>Number of Cards Surrendered</b>	<b>0</b>
<b>Number of Expired/Lapsed</b>	<b>0</b>
<b>Registrations Invalidated</b>	<b>0</b>
<b>Registrations Suspended</b>	<b>0</b>
<b>Registrations Revoked</b>	<b>0</b>

**(G) Old Business:**

**(1.) Review of regulations, laws and standards, established by sub-committee,**

**report of committees and progress. No meetings on matter and no further progress.**

**(H) New Business:**

**(1.) Budget: Restricted receipt account will be utilized to purchase new**

**Equipment and have submitted requests that are still pending.**

**(2.) Computer Software Program Update on Progress (DBR), CAVU; Board**

**has been proceeding and making progress on the mapping of the charts**

**and the registration process. Awaiting finalization of the charts and then**

**hopefully programming can begin. Still awaiting CAVU to finalize final**

**charts. Will have test site available shortly.**

**(3.) Retention Schedule; Legal counsel discussed with the Board and matter**

**will be given more consideration in the near future.**

**(4.) Appointments; Several new appointments were made by the Governor. Among those appointed were: Paul Brunetti Home**

**Inspector; David Caldwell Contractor; Steve Gianlorenzo Contractor;**

**Steven Carlino Contractor; Arthur Salisbury Architect; and**

**Edgar**

**Ladouceur. There are still several more members' positions that need to be reappointed or replaced that are still pending.**

**(I) Public Comment: None**

**(J) Announcements: The next Board meeting which was scheduled for Wednesday**

**December 8, 2010 at 12:30 PM Conference Room "A", 2nd**

**Floor, One Capitol Hill has been CANCELLED. The Board**

**has tentatively scheduled the next meeting for: Wednesday**

**January 12, 2011 at 12:30 PM Conference Room "A", 2nd**

**Floor, One Capitol Hill**

**(K) Adjournment: A motion was made by Edgar Ladouceur and seconded by Felix**

**Carlone to adjourn at 3:10 PM.**

**Members Present: A. Salisbury, Felix Carlone, S.Carlino, W. Nash, E. Ladouceur,**

**Paul Brunetti, T. Furey & R.Cardoza.**

**Members Absent: B. Calcagni and E. Anderson, both who have resigned from the Board**

**and positions are pending new appointments.**

**R. Caniglia,**

**S.Gianlorenzo, R. Welch, JL Brillon, and D.**

**Caldwell.**

**Others Present: George Whalen (Executive Director), Christy Hetherington (Attorney Generals Office, legal counsel), stenographer, staff and parties for appeals and motions.**

**Respectfully Submitted,**

**George W. Whalen**

**Executive Director**

**Rhode Island Contractors' Registration and Licensing Board**