

MINUTES

272nd Meeting Contractors' Registration and Licensing Board August 8, 2012

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:33 PM.

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

(C) The minutes of the 271st meeting and statistics from July were approved on a motion by Mr. Art Salisbury and seconded by Mr. Dave Caldwell.

Introduction: Christy Hetherington who has served as legal counsel to the Board over the last several years was kind enough to introduce Ariele Yaffee, who will be replacing her in this role for the Board. Ariele was welcomed by all the members and wished the best in this new position.

Resignation: Steve Gianlorenzo, a contractor member of the Board, addressed the Board regarding his resignation and new position working as a member of the staff. The Board thanked him for his years of dedication and service to the Board and looks forward to working with him in the years to come.

(D) Court Case Update:

August 2012 - Court Ordered

Restitution/Fines:

Contactors	Claim/File	Fines	Restitution	Complainant
McClellan, C.	7154	250	700	Sylaphone
McClellan, C.	7255	- 1,785		McCormick
O'Dell, M.	5697	200	2,675	Constantino
Flaherty	7494	- 7,700		Gallagher
Flaherty	4728(3)	500	-	NRB
Tavares, J.	7400	- 25,000		Soares

Totals: Fines: \$ 950 Restitution: \$ 37,860

TOTAL: \$ 38,810

August 2012 - Funds Received Via AG's Office:

Contactors	Claim/File	Fines	Restitution	Complainant
Denison, E.	5650	- 3,945.90		Armstrong
Denison, E.	5633	- 1,350.69		Hawkins
Denison, E.	5575	- 975		Waxer
Smith, Jr., W.	4286(3)	150	-	NRB
Webster, J.	3428	250	-	NRB
Marr, F.	4480	- \$50		Lamphere

Totals: Fines: \$ 400 Restitution: \$6,321.59

TOTAL: \$ 6,721.59

Picked Up/Surrendered on Warrants:

Warrants Issued: Thomas Anthony Gage Reg # 33958 14 Dresser St, Unit 4,

Newport, RI; DOB 2/10/74

(E) Review of Pending Issues with the Building Officials Association:

1.) The Building Officials were not represented at this meeting.

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

1.) 12:40 PM, Claim #7689, Antoinette Breed, Claimant filed exceptions, against

Registration #15980, Venture Window LLC, Bruce Schulbaum. The homeowner showed at the appeal and presented exceptions, the contractor failed to attend after notice and opportunity. The Board reviewed the exceptions filed by the homeowner and commented on the great job of putting the file together to help them understand the concerns she expressed. After her presentation members questioned her as to the information provided at the hearing and why the complete package provided and part of the file was not put in as exhibits? After much discussion and concern that some information didn't seem to be part of the record, a motion was made by Robert Cardoza and seconded by William Nash to remand the case back to

the hearing officer to be heard again and allow evidence to be submitted to prove her case. The motion passed unanimously. This case will be re-scheduled for a new hearing with proper notice to both parties.

EXPUNGEMENTS:

1.) 1:20 PM, Registration # 17959, Brian Marcotte, Request to expunge Violation #4866 #1 to 4, Insurance and Advertising. Mr. Marcotte presented his reasons to have these records removed. The Board reviewed the file and questioned the contractor on the violations. Upon review a motion was made by Felix Carlone and seconded by Bob Cardoza to remove violation #1 and 4 only because he was insured when work was performed. Motion carried with William Nash, Martin Ezeama and Dave Caldwell voting in opposition.

2.) 1:30 PM. Registration #1077, Jalex Builders Inc., Raymond Degidio, Request to expunge violation #3723 #1 Insurance violation, and Claim #3032. Paul Brunetti recused himself from hearing this matter and left his position on the Board. The contractor presented his reasons to have his record expunged. After review and discussion a motion was made by Dave Caldwell and seconded by Art Salisbury to expunge the record. This motion passed unanimously.

(G) Report of the Executive Director and Staff:

(1) Statistics Report: 08/08//2012

Registrations:

Number of Registered Contractors	11329		
Number of Cards Surrendered	5883	Number of Cards	
Expired/Lapsed	16736	Number of Cards Invalidated	1179
Number of Cards Suspended	499		
Number of Cards Revoked	103		

Registration Actions

07/11/2012-08/08/2012

Number of New Registered Contractors	81		
Number of Renewed Contractors	11248		
Number of Cards Surrendered	35		
Registrations Invalidated	63	Registrations Suspended	3
Registrations Revoked	1		

Claims:

Administrative Appeals	6		
Board Appeals	3		
Address Traces			87
Awaiting Further Action	31		

Court

Disposed		6387
Final Orders	44	
Hearings	30	
Out of State Services	11	Proposed Orders 111
Under Investigation		92

Total Claims Filed with the Board 7433

Number of New Claims Processed 18

07/11/2012-08/08/2012

Violations:

Action Against Registration 31

Advertising 2

Non-Registered Subcontractors

19

Cancelled Insurance 1067

Notice of Hearing 4

Non-Registered Contractor

834

TOTAL RECORDS 1957

Number of New Violations 99

07/11/2012-08/08/2012

Lapsed Registrations/Never Re-Newed:

75	August	2011
97	September	2011
73	October	2011
75	November	2011
87	December	2011
67	January	2012
66	February	2012
108	March	2012
162	April	2012
158	May	2012
172	June	2012
	July	2012

Month	# Tickets Issued
Fines	
2011	
June	3
\$1,500.00	
July	5
\$2,000.00	
August	0
\$ 00.00	
September	1
\$250	
October	2
\$750	
November	5
\$2,250.00	
December	0
\$00.00	
2012	
January	0
\$00.00	
February	1
\$50.00	
March	2
\$200.00	

April	0
\$000.00	
May	0
\$00.00	
June	3
\$550.00	
July	1
\$250	
August	2
\$200	

Commercial Roofers:

Number of New Registered Contractors	0
Number of Renewed Roofer Contractors	135
Number of Cards Surrendered	19
Number of Expired/Lapsed	62
Registrations Invalidated	1
Registrations Suspended	0
Registrations Revoked	0

(H) Old Business:

(1.) Review of regulations, laws and standards, established by sub-committee, report of committees and progress. No meetings have been held yet

on this matter but have made some progress. New attorney will be working with executive director to get the regulations formulated for committee review and then public hearing on matter.

(I) New Business:

(1.) Budget: awaiting bid process to purchase two new card machines

which is expected soon; this will be ready for the new software.

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

has been proceeding and making progress. Projected date because of data

transfers will be later than expected in that we are phase III. May not be

ready until early next year instead of early fall this year.

(4.) The Board was advised that the positions that have been pending

have been processed and only one remains to be filled. Posting of that

position should take place soon.

(5.) Legislation; Home Inspector legislation H-7407 in the Senate was held

for further study and never reached the floor for passage.

New legislation

passed in the budget article was the licensing of well drillers which will

be effective on January 1, 2013. Other bills pending governor's approval

and review include H-8004 House Resolution to reinstate the Special

House Commission to examine the issue of Licensing Builders and

Contractors, S-2341 & H-7995 act related to businesses and professions

expanding powers of Board.

(6.) Education: David Arneson, president of Titanium Education Solutions

may fly in from CA to discuss his program with the Board in the near

future. NASCLA is also working on education standards and would

provide the Board with a presentation regarding its ability to serve as a

clearing house for the state.

(7.) NASCLA: Meeting of Board of Directors celebrating 50 years of

**excellence in regulation will be in Bend OR
September 30th to October 4th
2012.**

**(8.) Request for Proposal: The Board, working with the Department of
Labor,**

**was included in an RFP to seek testing companies to provide the
RICRLB**

**with an avenue to test Home Inspectors and Commercial Roofers.
Matter**

**is still pending. If we do not get an answer soon may have to go
forward**

**on behalf of Board only so we can implement new well driller's
license**

requirement which become effective in January 2013.

**(9.) Board discussed next meeting in July and many members
were not going**

**to be able to attend the meeting. A motion was made by
Edgar Ladouceur**

**seconded by Bill Nash to cancel the July meeting. Motion
passed**

unanimously.

(J) Public Comment: None

(K) Announcements: The next Board meeting is scheduled for Wednesday

September 09, 2012 at 12:30 PM

Conference Room "A", 2nd

Floor, One Capitol Hill, Providence, Rhode Island.

(L) Adjournment: A motion was made by Mr. William Nash and seconded by Mr.

Edgar Ladouceur to adjourn at 3:10

PM.

Members Present: William Nash, David Caldwell, Martin Ezeama, Felix Carlone,

Robert Cardoza, Ronald Caniglia, Steven Carlino, Arthur Salibury,

Tom Furey, Paul Brunetti and Edgar Ladouceur.

Members Absent: Eric Anderson & Steve Gianlorenzo, who resigned from the Board,

William Geddes and J. Lawrence Brillon.

Others Present: George Whalen (Executive Director), Christy Hetherington & Ariele

Yaffee (Attorney Generals Office, legal

counsel), stenographer, staff

Respectfully Submitted,

George W. Whalen

Executive Director

Rhode Island Contractors' Registration and Licensing Board