

MINUTES

281st Meeting Contractors' Registration and Licensing Board May 8, 2013

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:35 PM.

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

**(C) The minutes of the 280th meeting were approved by Mr. Arthur Salisbury,
and seconded by Mr. Steven Carlino.**

(D) Court Case Update: May 2013 Statistics

May 2013 - Court Ordered Restitution/Fines:

Contactors	Claim/File	Fines	Restitution	Complainant
Ridondo, J.	File 6901	250	-	CRB
Mourato, J.	Claim 6258	250	-	CRB
McDowell, C.	Claim 7699	500	5,000	Smith, L.

Totals: Fines: \$ 1,000

Restitution: \$ 5,000

TOTAL: \$ 6,000

May 2013 - Funds Received Via CRB:

Contractor Claim/File Fines Restitution Complainant

Locciasano Claim 7879 - 100 Dubois

Locciasano Claim 7854 - 100 Melfi

Streiff Claim 7874 - 600 Brinson

Emanuel Claim 7588 - 600 Fayanjuola

Rubio Claim 7894 - 1,000 Connors

Totals: Fines \$

Restitution \$ 2,400

TOTAL: \$ 2,400

Warrants Issued on 4/23/13:

Donald Petit, Jr. (61-2013-04411), 44 Alexander St., N. Prov., RI 02904

Julio Goncalves (61-2013-04410), 79 Chestnut Hill Ave, Cranston, RI 02920

Brian Campbell (61-2013-04409 & 61-2013-04412), 117 Brookside Ave., 1st Fl., W. Warwick, RI 02893

Upcoming Court Dates:

Jamie Lynch was continued to 5/10/13 (61/13-01092)

Justin Perreault continued to 5/10/13-judge to rule on the SOL issue (61/13-01090)

Douglas Lima was continued to 5/17/13 (61/12-14162)

Roland Ferrara was continued to 5/24/13 (61/12-3848)

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

1.) The Building Officials were not represented at this meeting; however the Executive Director for the Board was informed by members, that the new codes will be published soon. A public hearing is scheduled later this month and codes should be ready to be enacted to take effect on July 1, 2013. Training sessions are continuing to be conducted to assure all building officials and inspectors are aware of the changes.

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

APPEALS and MOTIONS:

1. 12:40 PM: Request for Reinstatement of Registration #13667, Joseph Faria, Faria Brother's. Matter was previously heard on October 10, 2012 and it was decided to continue the re-instate of Registration #13667 for another period of six months, which is why it is being heard. Respondent did leave a message regarding working out of state but never stated he was not available for this hearing. The Board after reviewing the record and having granted the continuance

from last month, on a motion by Eric Wishart and second by J. L. Brillion elected to deny any additional time for reinstatement and Revoked, Joseph Faria's Registration #13667. Board would reconsider this matter in the future if Mr. Faria wishes to re-present his petition to the Board.

2. 12:50 PM: Request for reinstatement of Registration #24346, Patrick Iarossi, PDI Builders. Matter was previously heard in October and re-instated for a six month time frame in December. Mr. Iarossi presented his request and members listened to his testimony. Upon reviewing the file a motion was made by J.L.Brillion and seconded by Felix Carlone and Willam Nash to re-instate Registration #24346 without any further conditions. The chair called the motion and matter passed unanimously.

3. 1:00 PM: Claim #7872, Lafleur vs ANR, Inc., Brady, Registration 29025, Exceptions filed by the Claimant, John Lafleur on the Stipulated Proposed Order issued by the Board. The Claimant was in attendance but the Respondent failed to appear after proper notice and opportunity. The Board reviewed the exceptions filed by the Homeowner and the Stipulated Proposed Order issued and listened to concerns expressed. Upon further review a motion was made by the Chair but was unable to get a second so motion was withdrawn. A new motion was made by Robert Cardoza and seconded by William Nash to modify the decision issued by the hearing office only in

regard to the assessment of fines to reflect the following: Fine in the amount of \$12,000.00 pursuant to 5-65-10 (c) (1); Fine of \$5,000.00 pursuant to 5-65-10 (a) (11); and Fine of \$5,000.00 pursuant to 5-65-10 (a) (14) for a Total Assessment of Fines in the amount of: \$22,000.00. All fines would be waived if the Order was timely fulfilled. The hearing officer had imposed a fine originally in excess of the amount allowed for that offense so this was clarified in this motion. The motion was called and the matter passed unanimously.

4. 1:20 PM: Claim #7894, Connors vs. Rubio, Jose Rubio Registration #14392, Exceptions filed by the Respondent on the Proposed Order. This matter was mutually resolved by the parties prior to the hearing and a payment plan schedule was established with first payment being obtained by the Board today.

EXPUNGEMENTS:

1. 1:40 PM: Request by Cobalt Industries, Registration #25552 to expunge record regarding claim #7632. After notice and opportunity and the contractor having failed to show, the Board on a motion by J. L. Brillion and seconded by Michael J. Fox to Deny this request passed unanimously.

(G) Report of the Executive Director and Staff:

(1) Statistics Report: 05/08/2013

Registrations:

Number of Registered Contractors	11352		
Number of Cards Surrendered	6185	Number of Cards	
Expired/Lapsed	17025	Number of Cards Invalidated	1302
Number of Cards Suspended	507		
Number of Cards Revoked	106		

Registration Actions

04/10/2013-05/08/2013

Number of New Registered Contractors	94		
Number of Renewed Contractors	11258		
Number of Cards Surrendered	25		
Registrations Invalidated	45		
Registrations Suspended	3		
Registrations Revoked	0		

Claims:

Administrative Appeals	7		
Board Appeals	2		
Address Traces			75
Awaiting Further Action	29		

Court

588

Disposed			6527	
Final Orders	29			
Hearings	29			
Out of State Services	24	Proposed Orders	129	
Under Investigation				86

Total Claims Filed with the Board 7584

Number of New Claims Processed 13

04/10/2013-05/08/2013

Violations:

Action Against Registration		34	
Advertising	8		
Non-Registered Subcontractors			
22			
Cancelled Insurance			1277
Notice of Hearing	3		
Non-Registered Contractor			
836			
TOTAL RECORDS		2180	

Number of New Violations 32

04/10/2013-05/08/2013

Lapsed Registrations/Never Re-Newed:

April	2012
131	
May	2012
119	
June	2012
118	
July	2012
111	
August	2012
102	
September	2012
100	
October	2012
72	
November	2012
69	
December	2012
74	
January	2013
52	

February 2013
48

March 2013
96

April 2013
170

May 2013
160

Month # Tickets Issued
Fines

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	11
\$2,750.00	
September	11
\$4,100.00	
October	9
\$2,450.00	
November	10
\$2,000.00	
December	5
\$1,600.00	
January 2013	4
\$1,200.00	
February 2013	3
\$ 525.00	
March 2013	0
\$.00	
April 2013	13
\$3,800.00	
May 2013	7
\$2,100.00	

Commercial Roofers:

Number of Registered Roofers

142

Number of New Registered Contractors 1

Number of Renewed Roofer Contractors	141		
Number of Cards Surrendered	20		
Number of Expired/Lapsed Registrations Suspended	0	60 Registrations Invalidated	1
Registrations Revoked	0		

(H) Old Business:

(1.) Review of regulations, laws and standards, established by sub-committee, report of committees and progress. The Boards attorney has been working with the executive director to get the regulations formulated for the committee to review and it was decided that each month we will spend some time reviewing the changes and try to have a completed package ready for public hearing by July 1, 2013. This month's package included the re-write of the construction standards which was reviewed by the Board members and some suggestions and modifications were submitted as well as Division #1 and #2. These matters will be discussed and reviewed at the next meeting.

(I) New Business:

(1.) Budget: The new RFP to purchase two new card machines is now out to

bid and waiting for responses. Bid opening date is May 10, 2013.

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

has been proceeding and making progress. Projected date has now been

moved to July 22, 2013. Still major problems in transferring documents

into the new system which is being worked on to assure a smooth

transition.

(3) Positions: The Board was advised that interviews for the position of Sr.

State Building Official were conducted and currently awaiting applicant

approval from personnel.

(4.) Legislation; Home Inspector legislation was submitted for this

years session; as well as underground utilities. Some Board members and

the Director for the Board were interviewed in regard to implementing this

program. Additionally, a new bill was heard by the House Finance

Committee regarding a new Commerce Department being formed which

would merge code enforcement and licensing Board.

(5.) Request for Proposal: The Board will have to develop a new

RFP to seek

testing companies to provide the RICRLB with an avenue to test Home

Inspectors, Commercial Roofers and Well Drillers. This hopefully will

be put forth shortly and may include other disciplines.

(6.) Discussions on to use of the word Surrendered Registration as a

Classification was discuss as it shows up in red on web site and seems to

have a negative impact. After many comments and much discussion a

motion by William Nash and second by Art Salisbury to change the name

to Voluntarily Surrendered was made and color from red to black. Motion

was called by chairman and it was unanimously passed.

(7.) Tom Furey requested that the DLT Fraud Unit be invited again to talk to the Board. The Board agreed that would be a great idea and the executive director will try and arrange this for the next meeting if possible.

(J) Public Comment: None

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

Wednesday

June 12, 2013 at 12:30 PM Conference

Room "A", 2nd

Floor, One Capitol Hill, Providence, Rhode

Island.

(L) Adjournment: A motion was made by Mr. Felix Carlone and seconded by Mr.

Ron Caniglia, to adjourn at 2:30 PM.

Members Present: Michael Fox, Arthur Salisbury, Eric Wishart, Ronald Caniglia, Paul

Brunetti, Felix Carlone, Martin Ezeama, J.L.Brillion, David Caldwell, William

Nash, William Geddes, Tom Furey, Robert Cardoza and Steve Carlino.

Members Absent: Edgar Ladouceur.

Others Present: George Whalen (Executive Director), Ariele Yaffee (Attorney

Generals Office, legal counsel), stenographer, staff, parties for appeal

and expungements and staff.

Respectfully Submitted,

George W. Whalen

Executive Director

Rhode Island Contractors' Registration and Licensing Board