

MINUTES

308th Meeting Contractors' Registration and Licensing Board June 10, 2015

The meeting began with the pledge of allegiance to the flag of the United States of America led by: Edgar Ladouceur.

(A) The meeting was called to order by the Vice-Chairman, Edgar Ladouceur, at 12:35 PM after obtaining a quorum.

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

(C) The minutes of the 307th meeting, May 13, 2015, were approved on a motion by Mr. Eric Wishart and seconded by Mr. Martin Ezeama.

Introduction of two new Board Members Appointed by the Governor for Underground Utility License Holders to members who were not present at the last Board meeting:

Mr. Tony Raposo: Representing the Utility Contractors Association of Rhode for a term expiring on September 1, 2017;

Mr. Mathew Olsen: Representing the Rhode Island Independent Contractors & Associates for a term expiring on September 1, 2017.

(D) Court Case Update: June 2015 - Court Ordered Restitution/Fines:

Contractor Claim/File/Case Fines Restitution

J. Leone (61-15-01089/ claim 8190) 5,000* 4,215 (check amount)

R. Parrillo (claim 8169/61-15-02932) 30,000* 10,300 (ordered)

M. Warhurst (NRB 6663(9)/61-15-02930) Fines ordered (check court judgment)

M. Warhurst (61-15-02931 / NRB 6663(10)) Dismissed

*** = fine is still due to CRB but was not ordered by the courts**

June 2015 - Funds Received Via CRLB:

Contractor Claim/File Fines Restitution

R. Chiaverini 8432 - 1,900 (settled)

K. Kirwin 8233 - 2,829 (settled)

D. Marcotte 8512 - 800 (settled)

R. Lavoie 8370 - 875 (settled)

R. Martinez 8387 - 1,350 (settled)

S. (B) Willard 8068 - 1,700 (settled)

S. (B) Willard 8215 - 680 (settled)

S. (B) Willard 8259 - 325 (settled)

J. Clark 8333 - 500 (payment)

R. Malouin 8252 - 6,500 (settlement/release)

D. Petrangelo 8486 - 1,700 (settlement/release)

D. Petrangelo 9643 250 -
J. Pearson 7186 - 250 (payment)
M. Pereira 8281 - 2,100 (settled)
A. Seguin 8380 - 5,000 (settled)
R. Rasmussen 7419 - 100 (payment)
J. Braz 8085 - 750 (payment)

Fines \$ 250

Restitution \$27,359

TOTAL: \$ 27, 609

Upcoming court dates:

Felony Screening (OMUFP > 1,500) - Edward Elston
(22-13-02636/OMUFP / Claim 8125)

6/16/15 Arraignment – Alvin Morris Williams (OMUFP/Conspiracy –
P2-2014-1709A)

6/17/15 – PTC - Scott Brown (61-15-04111/claim 8388)

6/10/15 – PTC - James Clarke (claim 8212/61-15-02934)

6/12/15 – PTC - Josue Najera (claim 8381/61-15-04112)

6/9/15 – PTC - (Guilty – 61-15-01087 Appealed to Superior Court – now
P3-2015-1091A) - Anthony Piccirilli (claim 8177)

Warrant Cancelled - Everett Gibbons (61-15-01090/cl 8217 & file
10201(1))

6/18/15 – PTC - Scott Hicks (61-14-13177/cl 7722)

6/10/15 – Arraignment - Edward Joseph (61-13-12063)

Outstanding Warrants:

- **Jose Tavares (P2-14-2391A OMUFP – same facts as claim 8230) (Failed to Appear – Warrant)**
- **Marvin Reyes, 179 Carleton Street, Providence, RI 02908 (no case number?)**
- **Otto De Jesus Mendoza Lopez, 121 Bradford St., Bristol RI 02809 (# file 8728(1)) (no case number?)**
- **Joseph Forte (NRB 2741(4)/61-15-02933) (BW issued FTA)**
- **Joshua Genereux (claim 8301 and file 10039/61-15-04113 and 61-15-04097) – FTA.**

Status of Administrative Appeals:

Kapucinski v. CRB – Cert to Supreme Court denied. Fines to be pursued.

Stephen Colucci/Colucci Brothers v. CRB –Admin Appeal.

Greene v. CRB –Admin Appeal. (PC-14-3371) – opposing counsel to sign dismissal stipulation.

(E) Review of pending issues with Code Officials from Rhode Island Building

Officials Association; No pending issues; Building Officials were not in attendance.

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

APPEALS and MOTIONS: No appeals this month.

Mr. Felix Carlone arrived and took over as Chair for the meeting.

EXPUNGEMENTS:

1. 12:45 PM: Request from ARJS Development, Inc., registration #28203, represented by legal counsel, John Mc Green, to expunge violation #10034, and claim #8330. The requests for expungement were heard by the Board with two members recusing, Mr. Edgar Ladouceur and Mr. Paul Brunetti who both were friendly with the Respondent. Conflict of interest forms were filed. Upon reviewing the files the first matter regarding expungement of violation #10034 was presented by legal counsel and a motion was made by Mr. Tom Furey and seconded by Mr. Eric Wishart to remove the violation. Motion was called by the chair and matter passed with Mr. J.L. Brillion voting in the negative. The second matter was heard; that being the claim and the executive director provided the Board with an email sent to the Board regarding claim #8330 by the claimant. The Board members reviewed the document and listened to the testimony provided by the Respondents legal counsel. A motion was made by Mr. Ron Caniglia and seconded by Mr. Eric Wishart to expunge the claim. Motion was called by the chair and passed unanimously.

2. 12:55 PM: Request by Dehigar Ramirez, Registration #33105; to expunge File # 7370, NRB violation.

This matter was put on the agenda again but the Respondent failed to attend after notice and opportunity. A motion was made by Mr. Edgar Ladouceur and seconded by Mr. Eric Wishart and Mr. Ronald Caniglia to Deny this request. Motion was called by the chairman and matter passed unanimously to deny this request.

3 1:00 PM: Request by Ergolo Aceto, Aceto Construction co. Inc., registration

#20220, to re-instate REVOKED registration.

The Respondent failed to show after notice and opportunity. A motion was made by

Mr. Edgar Ladouceur and seconded by Mr. Eric Wishart to Deny this request.

Motion was called and vote was unanimous to Deny.

Further discussion by the Board members to deny any requests for expungement

until all outstanding matters pending with the Board have been resolved. The

executive director will institute this policy for future requests.

(G) Report of the Executive Director and Staff:

(1) Statistics Report: 06/10/2015

Registrations:

Number of Registered Contractors	11540		
Number of Cards Surrendered	6962		
Number of Cards Expired/Lapsed	18110	Number of Cards	
Invalidated	1686		
Number of Cards Suspended	505		
Number of Cards Revoked	122		

Registration Actions

Number of New Registered Contractors	130
Number of Renewed Contractors	11410
Number of Cards Surrendered	18
Registrations Invalidated	0
Registrations Suspended	3
Registrations Revoked	1

Claims:

Administrative Appeals	3
Board Appeals	0
Address Traces	30
	Court
	81
Awaiting Further Action	633
Disposed	6973
Final Orders	51
Hearings	30

Out of State Services	17 Proposed Orders	145	
Under Investigation			106
Total Claims Filed with the Board		8078	
Number of New Claims Processed		19	

Violations:

Action Against Registration	56	
Advertising	3	
Cancelled Insurance		1337
Notice of Hearing	3	
Non-Registered Contractor		
910		
TOTAL RECORDS	2338	

Number of New Violations **73**

Lapsed Registrations/Never Re-Newed:

January	2015
51	
February	2015
72	

March	2015
86	
April	2015
130	
May	2015
90	

Month	# Tickets Issued
Fines	

May 2014	5
\$1,025.00	
June 2014	7
\$1,475.00	
July 2014	0
\$.00	
August 2014	6
\$ 2,500.00	
September 2014	4
\$ 1,100.00	
October 2014	0
\$.00	
November 2014	2
\$ 250.00	
December 2014	2
\$ 1,000.00	

January 2015	3
\$1,250.00	
February 2015	1
\$ 500.00	
March 2015	1
\$ 250.00	
April 2015	3
\$ 2,250.00	
May	1
\$ 250.00	

Commercial Roofers:

Number of Registered Roofers

148

Number of New Registered Contractors 0

Number of Renewed Roofer Contractors 148

Number of Cards Surrendered 22

Number of Expired/Lapsed 74 Registrations Invalidated 0

Registrations Suspended 0

Registrations Revoked 0

(H) Old Business:

(1.) Regulations, laws and standards were the topic of discussion. The Public Hearing which was held on Thursday April 2, 2015 at 3:00 PM in Conference Room "A" at One Capitol Hill, Providence, Rhode

Island produced public comments and recommendations. After review by Regulatory Reform they were filed with the Secretary of State and they became effective on May 14, 2015.

(2.) Home Inspector Rules and Regulations need to be reviewed further by the Sub-Committee and a meeting was scheduled for June 23rd at 2:00 PM. Notice will be sent to members on the committee, Paul Brunetti and Robert Cardoza and posted.

(3.) Commercial Roofer Rules and Regulations also need to be reviewed further by the Sub-Committee and a meeting was scheduled for June 24th at 1:00 PM subject to available space. Notice will be sent to committee members, Tom Furey and J. L. Brillion and posted.

(I) New Business:

(1.) Budget: It does not appear that a rate increase in registration fees for the next fiscal year will be needed at this time but may be reviewed again for fiscal year 2017.

2) Computer Program Update: We are currently testing the system and working on making corrections.

3) Positions: Still waiting on the position of enforcement aide or another similar

position which may cause delays to the new licensing

programs. This position has

been vacant since March 2013. The Principal Building Official Position is also

vacant and needs to be filled.

4) PSI: The date to get licensing programs up and running was moved to August 2015 with hopes that all the other licensing programs are ready with their rules and regulations.

5) Roofers and Well/Pump installers licensing requirements: Legislation was submitted in regard to this to include water filtering systems. Several other bills have also been filed in this regard and are up for consideration.

6) Board Appointments: Two new appointments were made by the Governor: Mr. Tony Raposo; Representing the Utility Contractors Association of Rhode for a term expiring on September 1, 2017; and Mr. Mathew Olsen: Representing the Rhode Island Independent Contractors & Associates for a term expiring on September 1, 2017. Other pending appointments for expired terms have yet to be made by the Governor.

7) Legislation: Currently many bills are pending for consideration. Other legislation has been submitted including making failure to comply with a Final Order a felony offense which is S756 which would be a major improvement to our current process.

8) Underground Utility Contractors License: Emergency rules and regulations were developed and filed by the Board. A onetime 90 day extension was agreed to by the Board and filed. Special meetings were held by the established sub-committee on underground utilities whereby rules and regulations were developed to be voted on by the Board. A motion was made by Mr. Felix Carlone and Mr. Edgar Ladouceur to adopt rules and regulations developed by the Sub-Committee with seconds by Mr. Eric Wishart and Mr. Tony Raposo; motion was called by the chair and unanimously approved by the Board. These rules and regulations will now be submitted to Office of Regulatory Reform for review and upon clearance will be set up for a public hearing.

9) Education Sub-Committee: Board established a subcommittee on education of three members consisting of: Mr. Felix Carlone, Mr. Tom Furey and Mr. Arthur Salisbury. All members agreed to participate and will meet when necessary prior to the Boards monthly meeting to review applicants for providers and approve classes. The Board decided last month to extend the time period to have pre-registration classes taken in order to get a registration to July 1, 2015. At this meeting the full board reviewed the first Education Provider which was submitted by the Rhode Island Builders Association, and upon review Mr. Michael Fox made a motion to approve the provider and seconded by Mr. Edgar Ladouceur. The motion was called by the chair and motion was passed unanimously. Additionally; five

courses were submitted for approval as instructor lead core classes for pre-registration. The courses submitted were: Introduction to Construction Contracts; Introduction to Construction Codes and Standards; Introduction to Construction Regulations and Regulation Agencies; Introduction to Construction Business Principles and Practices; and Workplace Health and Safety. Upon review a motion was made by Mr. Tony Raposo and seconded by Mr. Tom Furey to approve these five courses submitted by the approved provider. The motion was called by the chair and the Board unanimously approved these courses. No further providers or courses were submitted for review.

10) Election of Chair and Vice Chair: The chairman, Mr. Felix Carlone, announced that he would like to step down from that position after over 25 years of service in that capacity. In the he will not be available next month he would like to schedule the election for the August meeting.

(J) Public Comment: None.

(K) Announcements:

. The next Board meeting will be held on Wednesday, July 8, 2015 at 12:30 PM,

Conference Room "A" 2nd Floor. One Capitol Hill, Providence, Rhode Island.

(L) Adjournment: A motion was made by Mr. Art Salisbury and seconded by Mr. Eric

Wishart and Mr. Ron Caniglia to adjourn the meeting at 2:15 PM.

Members Present: Mr. Felix Carlone, Mr. Mathew Olson, Mr. Tony Raposo,

Mr. Martin Ezeama, Mr. Arthur Salisbury, Mr. Michael Fox,

Mr. Eric Wishart, Mr. Tom Furey, Mr. Robert Cardoza , Mr.

Paul Brunetti, Mr. Edgar Ladouceur, Mr. J.L.Brillon and

Mr. Ron Caniglia.

Members Absent: Mr. William Nash, Mr. Steve Carlino , Mr. David Caldwell and

Mr. William Geddes.

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

expungement parties and staff.

Respectfully Submitted,

George W. Whalen

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