

MINUTES

314th Meeting Contractors' Registration and Licensing Board December 9, 2015

1. The meeting began with the pledge of allegiance to the flag of the United States of

America, led by: Edgar Ladouceur. The Executive Director asked the members to

remain standing for a moment of silence in memory of Edgar Ladouceur Sr. who recently passed.

2. The meeting was called to order by the Chairman, Edgar Ladouceur, at 12:40 PM.

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

4. The minutes of the 313th meeting, November 4, 2015, were approved with a modification as to the opening of the meeting by Tom Furey, on a motion by Mr.

Eric Wishart and seconded by Carol O'Donnell.

5. Review of pending issues with Code Officials from Rhode Building Officials

Association; The Executive Director informed the Board of the ongoing activities of the Association and the potential of a new fee schedule proposed by the Building Code Standards Committee.

6. Court Case Update:

November 2015 - Court Ordered Restitution/Fines:

Contractor Claim/File/Case Fines Restitution

M. Cosek 8350/ \$2,000

T. Giddings 7989 \$400

Total: \$ 2,400.00

November & December 2015 - Funds Received Via CRB:

Contractor Claim/File Fines Restitution

K. Hadley 1090 - \$1,000 (paid in full)

T. Ogilvie 5933 - \$80 (payment plan)

J. Pearson 7186 - \$250 (payment)

J. Ribeiro 7478 - \$10 (payment plan)

J. Ribeiro 7499 - \$10 (payment plan)

J. Ribeiro 7050 - \$10 (payment plan)

J. Ribeiro 7500 - \$10 (payment plan)

J. Loccisano 7879 - \$1,130 (payment in full)
T. Giddings 7989 \$400 ---
H. Lemos 8173 - \$500 (payment)
J. Clark 8333 - \$500 (payment)
J. Boillard 8336 - \$2,000 (paid in full)
W. Cinquegrano 8471 - \$500 (payment)
S. Alves 8499 - \$11,010.19 (escrw chk rtrnd)
R. Edmands 8506 - \$1,475 (paid in full)
S. Filippi 8511 - \$437 (paid in full)
H. Beausoleil 8519 - \$6,500 (paid in full)
M. Young 8522 - \$2,000 (paid in full)
F. Martin 8527 - \$66,685.14 (ins. pmt.)
M. Young 8549 - \$3,400 (paid in full)
M. Piedmonte 8551 - \$2,210 (paid in full)
W. Faulkner 8555 - \$1,290 (paid in full)
J. Depasquale 8565 - \$2,500 (paid in full)
J. Parrillo 8577 - \$3,460 (paid in full)
M. Young 8588 - \$8,000 (paid in full)
M. Young 8598 - \$1,850 (paid in full)
M. Young 8601 - \$750 (paid in full)
A. Mourato 8641 - \$500 (paid in full)
W. Baldwin 8667 - \$10,000 (payment)
J. Blake 8952 - \$1,000 (payment)

Fines: \$ 400*

Restitution \$ 129,067.33

TOTAL: \$ 129,467.33

Upcoming/Recent court dates:

- **1/05/16- Arraignments**
- **11/24/15- Pretrial conference (PTC) Thomas Giddings (cl. 7989/Case #61-2015-09242)- dismissed upon full payment**
- **12/3/15 – PTC - (Guilty – 61-15-01087 Appealed to Superior Court – now P3-2015-1091A) - Anthony Piccirilli (claim 8177)**
- **12/3/15- PTC- Yazmarelis Cepeda (61-2015-09241); 01/16/12-Trial**
- **12/10/15-PTC-Juan Padin (case #61-2015-11779)**
- **12/15/15- PTC- Dan Saffer (61-2015-11780)**
- **12/18/15- PTC- Micah Cosek (claim 8350/case 61-2015-11778)- will pay remaining \$1,000 outstanding to homeowner at this court date**
- **01/06/16 – PTC – Norberto Emanuel (61-15-07894/ cl 7588 and NRB 7989(1))**

Outstanding Warrants:

- **Joseph Forte (NRB 2741(4)/61-15-02933) (BW issued FTA) 149 Atlantic Ave, Providence RI 02907 (served at this location)**
- **Joshua Genereux (claim 8301 and file 10039/61-15-04113 and 61-15-04097) (1) 11 Reservoir Ave, Manville RI 02838; (2) 2327 Putnam Pike, Chepachet RI 02814; (3) 147 Sayles Street, Woonsocket RI 02895**
- **Otto De Jesus Mendoza Lopez, 121 Bradford St., Bristol RI 02809 (# file 8728(1)) (61-2014-06804)**

Administrative Appeals:

Stephen Colucci/Colucci Brothers v. CRB

7. Consideration of Motions: None this month.

8. Consideration of Cases on Appeal and Oral Argument: 12:40 PM

Claim #8234,

**Helmut Reinhardt vs. Christopher Sears Custom Concrete;
Registration #22917,**

**exceptions filed by the Homeowner. This matter was postponed
until next month's
meeting.**

9. Consideration of Request for Expungement:

**(1.) 1:00 PM Registration # 30249 J. Raymond Pearson Jr, .move
from Revoked Status**

**to Surrendered Status. Notices went out to all the parties and
only Mr. Pearson was**

**present who presented his request to change the status of
this registration from**

**revoked to surrendered. After many questions from the Board
members and**

**much discussion regarding changing the status from the
chair as well as other**

members, a motion was made by Paul Brunetti and seconded by Mathew Olson

and Eric Wishart to deny this request. Motion passed unanimously.

(2.) Registration # 4546, J. Raymond Person Jr., move from Revoked Status to

Surrendered Status. Additionally expungement of Claim's 2175,3647,3715,4120,

and 6260. On the matter of changing the status from revoked to surrendered on

this registration a motion was made by Paul Brunetti and seconded by Eric

Wishart to deny this request. Motion was called by the chair and passed

unanimously. On the matter of expungement of the claims a motion was made by

Tom Furey to expunge claims 2175, 3647, 3715, 7 4120 because the claims were

over ten years old with a binding agreement that the contractor would not ever go

back into business as a contractor. Motion was seconded by Dave Caldwell and

Mathew Olson but after discussion from the chair and other members the motion

was withdrawn. A new motion was made by Tom Furey

withdrawing the

**provision of the contractor never getting registered again
which was seconded by**

**David Caldwell. Motion was called by the chair and David
Caldwell, Tom Furey,**

**Paul Brunetti and Michael Fox voting to support the motion
but it failed to carry**

**with the majority voting against the motion. A new motion
was made by Eric**

**Wishart and seconded by Matt Olsen to deny the request to
expunge any of the**

**claims. Motion was called and passed with Tom Furey voting
in opposition.**

**10. Education: Review of all applications received and courses
submitted for**

Approval

Review the proposed courses and providers;

**1. Rhode Island Builders Association. (continuing education) The
sub-committee presented their approval of 17 hours of continuing
education course for approval by the Board. They are:**

**Advanced Framing: Less material, less labor, results in superior
performing wall system. (2hr)**

Asbestos Awareness Training (2hr)

Blower Door and Air Leakage Testing (2hr)

Deck Construction Codes: Sorting out codes and Solutions (2hr)

Mold Awareness Training (2hr)

OSHA Fall Protection (3hr)

OSHA Confined Space New Regulations (1hr)

Weather Resistive Barriers, Flashings and Exterior Water Management (1hr)

Critical Roof Details to Prevent Leaks (1hr)

Creative Cedar Shingle Designs (1hr)

A motion was made by Eric Wishart and seconded by Dave Caldwell to approve all the courses submitted by the sub-committee. Motion was called by the chair and all members voted unanimously to approve courses.

2. Rhode Island Realtors Association. (continuing education & provider)

The sub-committee presented the application from the Rhode Island Association of Realtors to become a provider and on a motion by Eric Wishart and second by Carol O'Donnell to approve the provider the matter was passed unanimously. The sub-committee also presented the 12 hours of continuing education courses to the Board. They are:

Wetlands and Coastal Real Estate (3hr)

The Truth about Mold and Risk Management (3hr)

Don't Play with Fire: Understanding the New Fire Code (3hr)

Floods and FEMA-What You Need to Know (3hr)

A motion was made by Eric Wishart and seconded by Carol O'Donnell to approve the courses. The motion was called by the chair and passed unanimously.

11. Report of the Executive Director and Staff:

(1) Statistics Report: 12/09/2015

Registrations:

Number of Registered Contractors	11749
Number of Cards Surrendered	4740
Number of Cards Expired/Lapsed	10224
Number of Cards Invalidated	1695
Number of Cards Suspended	506
Number of Cards Revoked	129

Registration Actions

Number of New Registered Contractors	82
Number of Renewed Contractors	11667
Number of Cards Surrendered	46
Registrations Invalidated	0
Registrations Suspended	1
Registrations Revoked	2

Claims:

Administrative Appeals	2
Board Appeals	0

Address Traces		80
	Court	
	607	
Awaiting Further Action		29
Disposed		280
Final Orders	46	
Hearings	33	
Out of State Services	15	Proposed Orders 143
Under Investigation		103
Total Claims Filed with the Board		8218
Number of New Claims Processed		17
Total Disposed Claims to date		7063

Violations:

Action Against Registration	53	
Advertising	3	
Cancelled Insurance		1358
Notice of Hearing	3	
Non-Registered Contractor		
932		

TOTAL RECORDS 2378

Number of New Violations 66

Lapsed Registrations/Never Re-Newed:

January 2015

41

February 2015

56

March 2015

70

April 2015

84

May 2015

63

June 2015

75

July 2015

58

August 2015

65

September 2015

60

October 2015

96

November 2015

120

Month	# Tickets Issued
Fines	
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	
June	3
\$ 750.00	
July	6
\$3,000.00	
August	1
\$ 250.00	
September	0
October	2
\$ 600.00	
November	2
\$750.00	

Commercial Roofers:

Number of Registered Roofers

143

Number of New Registered Contractors 0

Number of Renewed Roofer Contractors 143

Number of Cards Surrendered 25

Number of Expired/Lapsed 81 Registrations Invalidated 0

Registrations Suspended 0

Registrations Revoked 0

12. Old Business:

(1.) Regulations, laws and standards were the topic of discussion and were reviewed by the Board. Upon review it was determined that we would continue to go forward with subcommittee meetings on Home Inspectors and Well Drillers and Pump Installers. The Commercial Roofing Rules and Regulations have been completed and were presented to the Board for approval. A motion was made by Ron Caniglia and seconded by Michael Fox and Paul Brunetti to proceed to the next step of approval from Regulatory Reform and then to a public hearing. Motion was called by the Chair and the Board unanimously approved the regulations and rules. It was also discussed that the picture for the underground utility contractors be extended until July 1, 2016 because of the computer upgrade problems which will not be completed and tested before December

31, 2015 when the licenses expire. Board agreed to extend out the date one more time with hopes that the system will up and running well before then.

13. New Business:

Budget: Will continue to review the proposed budget as to need to increase registration fees for fiscal year 2017.

Computer Program Update: We are currently testing the system and still finding some bugs that need to be worked out. Striving to have this system up and running by late January 2016.

Positions: The position of enforcement aide has been posted and interview conducted with hopes of selecting a candidate soon. This position has been vacant since March 2013. The Principal Building Official Position will be put into the system again with hopes of moving this matter forward.

Legislation: Legislation for next year will hopefully be processed soon by the Department of Administration. A proposed change to section 5-65-4 may be submitted to delete section b. Board discussed and on a motion by Tom Furey seconded by Edgar Ladouceur to support it was unanimously approved by the Board.

Education Sub-Committee: Concerns were expressed by members

as to the ability to teach pre or continuing education classes and a letter was drafted by legal counsel for the Executive Director and send to the Ethics Board in regard to this matter for a formal interpretation. Upon discussion with Amy Stewart, staff attorney with the Ethics Commission the request was withdrawn and the request should come from the board member requesting this advice rather than by the Board. Members were advised and will have to seek a separate advisory opinion relative to their particular circumstances.

Retention Schedule: The Board tabled this matter and the Executive Director would like to see this modification made after all the new rules and regulations have been established so it doesn't have to be modified after each change. This change will happen early 2016.

Education: Discussion took place as to when the Board would start the process of requiring continuing education now that there are a number of classes available. After much discussion a motion was made by Tom Furey and seconded by Paul Brunetti to begin the process effective April 1, 2016 as the start date so contractors would be noticed in their renewal package that before they can renew they must obtain five hours of education from approved providers and courses. Motion was called and passed unanimously.

Board Meeting Schedule: The Executive Director provided the Board members with s to next year's meetings.

Human Rights Commission: A charge was filed by an employee which is being addressed.

Solar energy and questions on who needs to be registered: The chair wanted to bring this matter to the Board as a result of a recent event that took place in Warwick. The need to assure that contractors performing this type of work are required to be registered with the Board before entering into contracts, bidding any work, or advertising to perform or arrange to perform work.

14. Public Comment: None

15. Announcements: Merry Christmas and Happy New Year!

The next Board meeting will be held on Wednesday, January 6, 2016 at 12:30

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

16. Adjournment: A motion was made by Paul Brunetti and seconded by David

Caldwell to adjourn the meeting at 2:50 PM.

Members Present: Edgar Ladouceur, Paul Brunetti, Tom Furey,

Michael Fox, Annette Stockley,

Carol O'Donnell, Mathew

Olson, David Caldwell, Eric

Wishart and Ron Caniglia.

Members Absent: Alfred Decorte, Martin

Ezeama,,Tony Raposo, Kimberly Wooten

William Geddes, Carol Ann

Nelson and J.L.Brillon.

Others Present: George Whalen (Executive

Director), Attorney Mariana

Ormonde, parties for

appeals, motions & expungements and staff.

Respectfully Submitted,

George W. Whalen

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