

# **MINUTES**

## **315th Meeting Contractors' Registration and Licensing Board January 06, 2016**

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

**America, led by: Edgar Ladouceur.**

**2. The meeting was called to order by the Chairman, Edgar Ladouceur, at**

**12:38 PM.**

**3. Approval of the agenda and order of business was accepted on a motion by Mr. David**

**Caldwell and seconded by Mr. Eric Wishart.**

**4. The minutes of the 314th meeting, December 9, 2015, were approved with a**

**modification as to the proper name of the second, Matt Olson, on a motion by Mr.**

**David Caldwell and seconded by Mr. Eric Wishart.**

**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 upcoming education seminar being held by the Association.**

**Warren Ducharme was recently appointed to replace John Leyden the Building**

**Commissioner until he returns from foot surgery.**

**6. Court Case Update:**

**December 2015 - Funds Received Via CRB:**

**Contractor Claim/File Fines Restitution**

**F. Davison 6012 - \$10,575 (paid in full)**

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

**M. Costello 7091 - \$1,675 (paid in full)**

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

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

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

**J. Cimalore 8331 \$479.75 (paid in full)**

**Fines: \$ 0.00**

**Restitution \$ 12,769.75**

**TOTAL: \$ 12,769.75**

**Upcoming/Recent court dates:**

- 1/05/16- Arraignments**

- 01/06/16 – PTC – Norberto Emanuel (61-15-07894/ cl 7588 and NRB 7989(1))
- 01/07/16-PTC-Juan Padin (case #61-2015-11779)
- 01/07/16 – Set for disposition- Anthony Piccirilli (Found Guilty – 61-15-01087, Appealed to Superior Court – now P3-2015-1091A) (claim 8177)
- 01/08/16- PTC- Micah Cosek (claim 8350/case 61-2015-11778)-supposed to pay remaining \$1,000 outstanding to homeowner at this court date to have case dismissed
- 1/16/16- Trial- Yazmarelis Cepeda (61-2015-09241)
- 01/20/16- PTC- Dan Saffer (61-2015-11780)
- 02/02/16-PTC- David Petrucci (61-2016-00171) supposed to pay remaining \$4,000 to homeowner at this court date to have case dismissed

#### **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)
- Olksiy Dubovy (claim #5985) (1) 160 Pidge Avenue (2) P.O. Box 5521, Pawtucket, RI 02861

## **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 heard by the  
Board and both**

**parties were in attendance. The homeowners presented their case  
and explained that**

**the estimate they received was after the hearing and was for much  
more than that**

**assessed by the hearing officer in the proposed order issued. They  
were concern that**

**the contractor was somewhat abusive to them and really wanted to  
resolve this matter**

**with a monetary settlement. The contractor explained that this was  
part of the original**

**scope of work which also included raising the floor in the garage,  
but was unable to**

**provide that document to the Board and was not part of the  
evidence submitted at the**

**hearing. After much discussion and options to repair or replace the**

**driveway a**

**motion was made by Eric Wishart and seconded by J.L. Brillion and Carol Nelson to**

**remand this matter back to the hearing officer only for a determination as to the cost**

**to repair or replace and that the claimant would have to supply up to three estimates at**

**the hearing and the Respondent could also provide estimates and costs for the hearing**

**officer to make a decision on this matter. Motion was called by the chair and passed**

**unanimously. Returned check to contractor that was being held.**

## **9. Consideration of Request for Expungement:**

**(1.) 1:00 PM Request by William Scampoli, Wescom Construction, Registration**

**#10204, to expunge claim # 3659. This matter was heard by the Board and the contractor presented his case in regard to this matter. In reviewing the history it was brought to the contractor's attention that the current filing of his company was not proper and he would need to correct that situation. A motion was made by Michael J Fox and seconded by Tony Raposo to expunge the record. Passed unanimously.**

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

**submitted for**

**Approval**

**None**

**11. Report of the Executive Director and Staff:**

**(1) Statistics Report: 1/06/2016**

**Registrations:**

**Number of Registered Contractors 11725**

**Number of Cards Surrendered 4753**

**Number of Cards Expired/Lapsed 10293 Number of Cards**

**Invalidated 1706**

**Number of Cards Suspended 510**

**Number of Cards Revoked 129**

**Registration Actions**

**Number of New Registered Contractors 41**

**Number of Renewed Contractors 11684**

**Number of Cards Surrendered 18**

**Registrations Invalidated 1**

**Registrations Suspended 3**

**Registrations Revoked 2**

**Claims:**

<b>Administrative Appeals</b>	<b>2</b>	
<b>Board Appeals</b>	<b>0</b>	
<b>Address Traces</b>		<b>81</b>
	<b>Court</b>	
	<b>601</b>	
<b>Awaiting Further Action</b>		<b>29</b>
<b>Disposed</b>		<b>265</b>
<b>Final Orders</b>	<b>54</b>	
<b>Hearings</b>	<b>34</b>	
<b>Out of State Services</b>	<b>7</b>	<b>Proposed Orders 143</b>
<b>Under Investigation</b>		<b>121</b>
<b>Total Claims Filed with the Board</b>	<b>8248</b>	
<b>Number of New Claims Processed</b>	<b>30</b>	
<b>Total Disposed Claims to date</b>		<b>7113</b>

**Violations:**

<b>Action Against Registration</b>	<b>53</b>	
<b>Advertising</b>	<b>3</b>	
<b>Cancelled Insurance</b>		<b>1319</b>
<b>Notice of Hearing</b>	<b>3</b>	
<b>Non-Registered Contractor</b>		
<b>942</b>		
<b>TOTAL RECORDS</b>	<b>2346</b>	

**Number of New Violations            66**

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

<b>January</b>	<b>2015</b>
<b>41</b>	
<b>February</b>	<b>2015</b>
<b>56</b>	
<b>March</b>	<b>2015</b>
<b>70</b>	
<b>April</b>	<b>2015</b>
<b>84</b>	
<b>May</b>	<b>2015</b>
<b>63</b>	
<b>June</b>	<b>2015</b>
<b>73</b>	
<b>July</b>	<b>2015</b>
<b>56</b>	
<b>August</b>	<b>2015</b>
<b>63</b>	
<b>September</b>	<b>2015</b>
<b>56</b>	
<b>October</b>	<b>2015</b>
<b>90</b>	
<b>November</b>	<b>2015</b>

100

December

2015

121

<b>Month</b>	<b># Tickets Issued</b>
<b>Fines</b>	
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	
December	1
\$1,000.00	

**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.**

**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 but because of lack of staff and testing it may be until April or May of 2016.

**Positions:** The position of enforcement aide has been filled with a promotion from within staff. A new posting will be issued with hopes that interviews can be conducted very soon. The Principal Building Official Position will be put into the system again with hopes of moving this matter forward as well.

**Legislation:** Legislation for next year will hopefully be processed soon by the Department of Administration.

**Education Sub-Committee:** No meetings to review courses were scheduled in light of the fact that no new providers have applied or new courses submitted.

**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: Effective April 1, 2016 and thereafter letters will be sent to contractors informing them of the new continuing education requirements which will take place on the next renewal cycle. So contractors will have two years to take course prior to their next renewal which would be April 1, 2018. Contractors' must obtain five hours of education from approved providers and courses.**

**A thank you note was received from Ed and Deb Ladouceur in regard to the floral arrangement sent by the Board in honor of Ed's dad.**

**14. Public Comment: None**

**15. Announcements: The next Board meeting will be held on Wednesday, February 10, 2016 at 12:30 PM, Conference Room "A" 2nd Floor; One Capitol Hill, Providence, Rhode Island.**

**16. Adjournment: A motion was made by Carol O'Donnell and seconded by Eric**

**Wishart to adjourn the meeting at 2:35 PM.**

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

**Carol O'Donnell, Mathew  
Wishart, Ron Caniglia, Alfred  
Raposo, Kimberly Wooten,  
J.L.Brillon.**

**Michael Fox, Annette Stockley,  
Olson, David Caldwell, Eric  
Decorte, Martin Ezeama,,Tony  
Carol Ann Nelson and**

**Members Absent:**

**William Geddes,**

**Others Present: George Whalen (Executive  
Director), Attorney Mariana  
Ormonde, stenographer,  
appeal parties and parties for  
expungements and staff.**

**Respectfully Submitted,**

**George W. Whalen  
Executive Director Rhode Island Contractors' Registration and  
Licensing Board**