

MINUTES

318th Meeting Contractors' Registration and Licensing Board April 13, 2016

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

America, led by: George Whalen, the Board's, Executive Director.

2. The meeting was called to order by the Vice-Chairman, Tom Furey, at

12:45 PM.

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

Caldwell and seconded by Mr. Paul Brunetti.

4. The minutes of the 317th meeting, March 02, 2016, were approved on a motion

by, Mr. David Caldwell and seconded by Mathew Olsen.

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

Association: No members were present but the Executive Director informed the

Board that the Building Code Commission should be going live soon with E-

Permitting and the new codes are slated to be ready for July 1, 2016.

6. Court Case Update: March 2016

March 2016 - Funds Received Via CRB:

Contractor Claim/File Fines Restitution

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

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

J. Pearson 7186 - \$250 (payment plan)

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

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

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

D. Petrucci 8152 - \$1,000 (payment)

H. Lemos 8173 - \$250 (payment plan)

S. Boucher 8285 - \$100 (payment plan)

S. Boucher 8303 - \$100 (payment plan)

S. Boucher 8541 - \$100 (payment plan)

J. Piche 8548 - \$500 (paid in full)

J. Sousa 8568 - \$700 (paid in full)

P. Sionni 8642 - \$3,835 (paid in full)

C. Tremblay 8655 - \$1,000 (paid in full)

F. Rome 8666 - \$500 (payment plan)

R. Degidio 8696 - \$1,275 (paid in full)

C&C Constr. ---- - \$18,620.53 (paid in full)

TOTALS: \$ 0.00 \$ 28,350.53

Upcoming/Recent court dates:

- **03/02/16- Trial- Dan Saffer, 61-2015-11780; settled with claimant**
- **04/06/16-PTC- Christopher Sarault, Claim #7192, 61-2016-01567**
- **04/04/16-PTC- Francis Martin, Claims # 8394, 8416, 8417, 61-2016-01566**
- **04/13/16-PTC-Barry LaFleur, Claim # 8481, 61-2016-02894**
- **04/19/16-Trial- David Petrucci (61-2016-00171) to pay remaining \$4,000 to homeowner at this court date to have case dismissed**
- **04/20/16- Arraignments: Joseph Ellis, claim #8326; Greg Theisler, Claim #8477**
- **04/20/16- PTC- Matthew Warhurst, Claim # 8379, 61-2016-01565**
- **04/25/16-PTC- Yazmarelis Cepeda, 61-2015-09241, on appeal P3-2016-0286A**

Outstanding Warrants:

- **Joshua Genereux (61-15-04113 and 61-15-04097) (1) 11 Reservoir Ave, Manville RI; (2) 2327 Putnam Pike, Chepachet RI; (3) 147 Sayles Street, Woonsocket RI**
- **Otto De Jesus Mendoza Lopez, 121 Bradford St., Bristol RI 02809 (61-2014-06804)**
- **Olksiy Dubovy (1) 160 Pidge Avenue (2) P.O. Box 5521, Pawtucket, RI 02861**
- **Donald Marcotte, Claim #8574 (Failed to show for arraignment;**

61-2016-02895)

• Anthony Piccirilli (Found Guilty – 61-15-01087, Appealed to Superior Court – now P3-2015-1091A) (claim 8177)

Administrative Appeals: Stephen Colucci/Colucci Brothers v. CRB

7. Consideration of Motions:

1. Request to Re-Issue Revoked Registration from Daniel Saffer.

The attorney representing Daniel Saffer was not present but Mr. Saffer addressed the Board. He was informed by the acting chair that it would be in his best interest to rectify any outstanding issues with staff before petitioning the Board for possible reinstatement of his registrations. He understood and no further discussion on the matter was had by the Board.

8. Consideration of Cases on Appeal and Oral Argument: None

9. Consideration of Request for Expungement: None

10. Education: Review of all applications received and courses submitted for Approval: Need to discuss the time period for courses as well as classes approved for two hours but only taken for one. How credit will be extended and how to address this matter in the future. Discussion took place regarding the change of the continuing education courses (3) from one hour to two hours and the receipt of a \$300.00 payment for the changes. Concern was expressed from the Chair that in the future this should be submitted

to the sub-committee for review prior to going to the Board. The Director explained that it was submitted but only approved for one hour and the request was to make it a two hour class. After more discussion a motion was made by J.L. Brillion and seconded by Dave Caldwell to approve this change. Motion carried unanimously.

11. Report of the Executive Director and Staff:

(1) Statistics Report: 04/13/2016

Registrations:

Number of Registered Contractors	11851
Number of Cards Surrendered	4829
Number of Cards Expired/Lapsed	10345
Number of Cards Invalidated	1707
Number of Cards Suspended	514
Number of Cards Revoked	128

Registration Actions

Number of New Registered Contractors	158
Number of Renewed Contractors	11693
Number of Cards Surrendered	51
Registrations Invalidated	0
Registrations Suspended	2

Registrations Revoked 0

Claims:

Administrative Appeals 2

Board Appeals 0

Address Traces 93

Court

570

Awaiting Further Action 29

Disposed 325

Final Orders 35

Hearings 31

Out of State Services 9 Proposed Orders 148

Under Investigation 96

Total Claims Filed with the Board 8314

Number of New Claims Processed 17

Total Disposed Claims to date 7245

Violations:

Action Against Registration 53

Advertising 4

Cancelled Insurance 1405

Notice of Hearing 3

Non-Registered Contractor

TOTAL RECORDS	2441
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Number of New Violations	78
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Lapsed Registrations/Never Re-Newed:

April	2015
80	
May	2015
58	
June	2015
71	
July	2015
52	
August	2015
59	
September	2015
51	
October	2015
69	
November	2015
77	
December	2015
63	

January	2016
65	
February	2016
62	
March	2016
125	

Month	# Tickets Issued
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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	
December	1
\$ 1,000.00	
January	0
\$.00	
February	2
\$ 500.00	
March	7
\$ 2,000.00	
April	2
\$ 500.00	

Commercial Roofers:

Number of Registered Roofers

138

Number of New Registered Contractors 0

Number of Renewed Roofer Contractors 138

Number of Cards Surrendered 26

Number of Expired/Lapsed 87 Registrations Invalidated 1

Registrations Suspended 0

Registrations Revoked 0

12. Old Business:

(1.) Regulations, laws and standards were the topic of discussion. Home Inspectors rules and regulations are proceeding and hopefully only one or two more meetings will be necessary to complete this process so it can go to the Board, Regulatory Reform and Public Hearing. Tom Furey wanted to know the status of the Commercial Roofers and was informed it still was pending completion of the forms and Regulatory Review.

13. New Business:

Board Member: The Board requested last month that the Executive Director send a letter to the Governor's office for a new appointment to that position in light of the fact that these new rules and regulations are being developed it would be nice to have two members provide input to the regulations. Executive Director spoke with Carole Cornelison in regard to this and she sent an email to the Governor's Office expressing need to fill this vacancy.

Budget: In this year's budget a budget initiative was submitted by DOA to increase its billing of its centralized services (CAMM and HR). The changes will assess the allocation of cost to the Boards Account in the amount of \$20,230.00 If passed the billing of these services would commence in FY 2017.

Computer Program Update: We are currently testing the system and still finding some bugs that need to be worked out. We are progressing but with staff shortages it has been a very slow process. We need to get this system up and running soon so we can take pictures for the underground utility contractors before the end of June

Positions: Enforcement Aide position was hired and we have a start date of May 15th and the Sr. State Official Position was also put into the system again with four possible people who meet the qualifications and hope to have interviews soon.

Legislation: A number of bills were submitted and discussed:

H-7085 Matter in committee held for further study.

H-7402 Board members to attend hearing on this bill today in support.

H-7403 Board members to attend hearing on this bill today in support.

H-7253 & S-2163 Matter in committee held for further study.

H-7305 Matter in committee held for further study.

S-2213 Matter in committee held for further study.

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. Keep on the Agenda.

Licensing: Discussion as to moving onto licensing of contractors in the near future. Board wants to keep this on the agenda to continue this discussion each month as time permits as to steps necessary. A legislative study commission may be a measure to get better input and review and to bring all the parties to the table, Tom Furey, said he would like to discuss with Representative Lima the possibility of establishing another legislative study committee to review licensing possibilities and looking into the feasibility of starting that process.

Prosecution: The Board wants the Executive Director to look into the feasibility of hiring a third party collection agency to retrieve fines assessed by the Board. Concerns were expressed by the Executive Director about final orders just on violations going forward in court. Topic will be discussed further regarding these concerns.

Request to visit: An email was received from Nairobi Kenya from the National Construction Authority to possibly visit Rhode Island and the Contractors' Registration and Licensing Board. It would be a three day visit for four or five people to see how the Board operates and what our registration and licensing process are as well as what the Board's dispute resolution process entails. Permission was granted to invite the African Delegation to visit Rhode Island and learn about how the Board operates. Wanted to visit next week but

because we just receive conformation late, asked that they visit during the week of May 9th so they could attend a Board meeting and this would coincide with our state legislative session.

Safety Month of May: The Board established a proclamation regarding safety month of May to address the critical issues of safety, energy efficiency, water conservation and resilience in the built environment that affect our citizens every day.

Home Show: It was a great success and we were able to reach a lot of consumers and educate them regarding the purpose of the Board.

Consideration of request from Louis Cirillo, Bristol Town Clerk, regarding Lionel Ramos Excavating: A letter was received by Mr. Cirillo in regard to the drain layers license and the grandfather provision which was missed. Senator Bates also supported this measure and any efforts the Board could take on behalf of Mr. Ramos. Upon review and discussion by the Board a motion was made by J. L. Brillion and seconded by Mathew Olson not to take any action on the matter in that the time had passed and a process has been established to obtain a license. The Executive Director stated that Tony Raposo, who was not able to attend the meeting but would support this measure. The acting chair called the motion and it passed unanimously to take no action on this request.

Solar Energy concerns and problems encountered in Warwick: A

review of the check list was provided to the Board and information which would be part of the application process reviewed.

14. Public Comment: The Boards attorney Mariana Ormonde provided the Board with a copy of the open meetings law and highlighted the sections that address public comment for the Board to review.

15. Announcements: The next Board meeting will be held on Wednesday, May 11, 2016 at 12:30 PM, Conference Room "A" 2nd Floor; One Capitol Hill, Providence, Rhode Island.

16. Adjournment: A motion was made by J. L. Brillion and seconded by Martin Ezeama to adjourn the meeting at 2:05 PM.

Members Present: Paul Brunetti, Tom Furey, Michael Fox, William Geddes, Annette Stockley, Carol O'Donnell, David Caldwell, Eric Wishart, J. L. Brillion, Mathew Olson and Martin Ezeama.

Members Absent: Tony Raposo, Kimberly Wooten (resigned),

Nelson; Ron Caniglia and Edgar

Alfred Decorte; Carol Ann

Ladouceur.

**Others Present:
Director), Attorney Mariana
comment and staff.**

**George Whalen (Executive
Ormonde, parties for public**

Respectfully Submitted,

George W. Whalen

Executive Director

Rhode Island Contractors' Registration and Licensing Board