

MINUTES

321th Meeting Contractors' Registration and Licensing Board July 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. David

Caldwell and seconded by Mr. Mathew Olson.

4. The minutes of the 320th meeting, June 8, 2016, were approved on a motion

by Mr. Martin Ezeama and seconded by Mr. David Caldwell.

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 went live with E-Permitting and the new codes were delayed pending review by Office of Regulatory Review; a new date to implement is still pending.

JULY 2016 - Court Statistics

June 2016 - Funds Received Via CRB:

Contractor	Claim/File	Fines	Restitution
J. Lynch	6612	- \$1,000	(paid in full)
J. Ribeiro	7050	- \$10	(payment plan)
J. Pearson	7186	- \$250	(payment plan)
C. Sarault	7192	- \$1,500	(payment)
J. Ribeiro	7478	- \$10	(payment plan)
J. Ribeiro	7499	- \$10	(payment plan)
J. Ribeiro	7500	- \$10	(payment plan)
J. Joaquin	8021	- \$250	(payment plan)
P. Walsh	8030	- \$500	(payment plan)
V. Lombard	8469	- \$300	(payment plan)
J. Parrillo	8681	- \$2,400	(paid in full)
D. Antonucci	8687	- \$1,000	(payment plan)
J. Allen	8804	- \$1,270	(paid in full)
P. Cottrell	8805	- \$500	(paid in full)
D. Bradley	8845	- \$1,333.67	(paid in full)

TOTALS: \$ 0.00 \$ 10,343.67

Upcoming/Recent court dates:

- **06/20/16-Motion to Expunge- Barry LaFleur, Claim #8481, granted**
- **06/10/16-PTC- Joseph Ellis, Claim #8326, 61-2016-04170; Plead nolo, received one year probation with restitution**
- **06/15/16- Arraignments: Vaughn Allen, Claim #8494, 61-2016-06335; did not show warrant issued**
- **06/16/16-PTC- Christopher Sarault, Claim #7192, 61-2016-01567; paid \$1,500 toward restitution, received one year filing with Justice Assistance to pay balance.**
- **7/8/16- PTC- John Toolan, Claim #8501, 61-2016-05440, paid restitution, disposed**
- **07/11/16-Disposition- Donald Marcotte, Claim #8574, 61-2016-02895**
- **07/13/16-Status Conf.- Yazmarelis Cepeda, 61-2015-09241, appeal P3-2016-0286A**
- **7/20/16- Arraignment: Brian Campbell, Claim #8311**
- **09/13/16-Trial- Francis Martin, Claims #8394, 8416, 8417, 61-2016-01566**

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

• **Greg Theisler, Claim #8477, 61-2016-04169 (MO requested pickup 7/11/16)**

Administrative Appeals: Stephen Colucci/Colucci Brothers v. CRB, PC-2014-1101; Daniel Saffer/Jefe Properties, LLC v. CRB, PC-2015-2923; Jorge Suchite v. CRB, PC-2009-3609.

6. Consideration of Motions: None

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

8. Consideration of Request for Expungement:

12:45 PM: Iron Construction, Registration 26535, Steven DePasquale, Expunge Violation #11192 #1 HNRS, Hiring non-registered sub-contractor. Contractor was present and presented his case in regard to this request. Prior to hearing this matter two board members, Tony Raposo and Eric Wishart recused themselves from hearing this matter and a recusal form was submitted to the Executive Director for filing with the Rhode Island Ethics Commission. Mr. Richard Case an investigator for the Board also provided testimony to support contractor in regard to this request. The Board upon review, discussion and questioning the contractor entertained a motion by Mr. Martin Ezeama and second by David Caldwell to expunge this record. Motion was called by the acting

chair and unanimously carried, noting for the record that two members Tony Raposo and Eric Wishart recused themselves from hearing this matter.

12:50 PM: Bedford Builders Remodeling, LLC, Registration #23294, Request for expungement of file #8376 for insurance. After notice and opportunity the Respondent failed to attend. A motion was made by Eric Wishart and seconded by Tony Raposo to deny request. Motion was called and carried unanimously.

1:00 PM: Bathrooms by Design Inc., Registration #32132, Request to expunge

Claim #8468. After notice and opportunity the Respondent failed to attend. A

motion was made by Michael Fox and seconded by Eric Wishart to deny this

request. The motion was called and carried unanimously.

1:05 pm: Carley Construction Co., Registration #5509, Request to expunge Claim #553, 584 and 1521 as well as violation #1592 #1 & 2. Mr. Carley was present and presented his case regarding these issues to the Board. The Board decided to take each one separately starting with Claim # 553; a motion was made by David Caldwell and seconded by Martin Ezeama to expunge this claim, motion was call by chair and passed unanimously; the next claim #584 was heard and a motion was made by Eric Wishart and seconded by Carol Nelson to

expunge the record, motion was called by chair and passed unanimously; in regard to the violations file #1592 #1 a motion was made by Eric and seconded by David Caldwell and Carol Nelson, motion was called and also passed unanimously. The final violation file #1592 #2 was heard and motion was made by Carol O'Donnell and seconded by Martin Ezeama to deny. Motion was called and passed with Ron, Tom, Mathew, Eric, Carol O, and David voting to deny.

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

Approval: Review of the Providers and Courses discussed and reviewed by the

Sub-Committee;

1. Diverse Environmental LLC. As Provider for Pre-Education Classes. Sub-committee requested additional time to review and will report back to the Board after next months meeting.

2. Review section 3.8.5 of the Rules and Regulations as to if original copies of the certificates are required for Pre-Education

Classes or if photocopies are acceptable for continuing education classes. After discussion a motion was made by Eric and

seconded by Carol O'Donnell to have staff see original and make copy for file. Motion carried with Annette Stockley voting in opposition.

10. Report of the Executive Director and Staff:

(1) Statistics Report: 07/13/2016

Registrations:

Number of Registered Contractors	11799		
Number of Cards Surrendered	4893		
Number of Cards Expired/Lapsed	10628	Number of Cards	
Invalidated	1685		
Number of Cards Suspended	514		
Number of Cards Revoked	128		

Registration Actions

Number of New Registered Contractors	95
Number of Renewed Contractors	11704
Number of Cards Surrendered	43
Registrations Invalidated	1
Registrations Suspended	2
Registrations Revoked	0

Claims:

Administrative Appeals	2		
Board Appeals	1		
Address Traces		91	
	Court		
	562		
Awaiting Further Action		29	
Disposed	292		
Final Orders	37		
Hearings	25		
Out of State Services	20	Proposed Orders	148
Under Investigation			93
Total Claims Filed with the Board	8384		
Number of New Claims Processed	22		
Total Disposed Claims to date			7323

Violations:

Action Against Registration	49	
Advertising	3	
Cancelled Insurance		1334
Notice of Hearing	3	
Non-Registered Contractor		
961		

TOTAL RECORDS

2377

Number of New Violations 34

Lapsed Registrations/Never Re-Newed:

June	2015
67	
July	2015
51	
August	2015
55	
September	2015
46	
October	2015
67	
November	2015
73	
December	2015
57	
January	2016
60	
February	2016
42	

March 2016
75

April 2016
130

May 2016
119

June 2016
208

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	
December	1
\$ 1,000.00	
January	0
\$.00	
February	2
\$ 500.00	
March	7
\$ 2,000.00	
April	6
\$ 2,000.00	
May	4
\$3,000.00	
June	4
\$3,500 .00	
July	3
\$2,250.00	

Commercial Roofers:

Number of Registered Roofers

143

Number of New Registered Contractors 2

Number of Renewed Roofer Contractors 142

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 more meeting will be necessary to complete this process so it can go to the Board, Regulatory Reform and Public Hearing. Status of the Commercial Roofers Regulations is still pending completion of the forms and Regulatory Review.

13. New Business:

Board Member: The Board request to fill the Home Inspector position vacated on the Board is still pending. Other positions are also going to expire in September.

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.

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. This process needs to be completed soon, striving for late September to go live.

Positions: The Sr. State Official Position is still pending approval from the Director of Administration.

Legislation: A number of bills were submitted but only the filtration law passed.

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 bill was submitted.

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. Further investigation into this matter is being conducted. Collection of fines for board should be pursued by the courts.

Liens on Property: Board to continue to pursue best way to put lien on property as well as surety bond for contractors. Discuss further next month.

Request to ad link on website: The request was made by Tony Raposo to add NUCARI the National Utility Contractors Association of Rhode Island was made by Eric Wishart and seconded by Mathew Olson. The motion was called by the chair and passed unanimously.

Budget: Contractor's Registration Board Cash Flow 2016

Beginning Balance Forward \$368,635

Receipts 1,546,182

Expenditures 1,085,112

Ending Balance \$829,705

Expenditures through June 30, 2016

Projected Registrations and Renewals

Type	FY 2016	FY 2017
Commercial Roofer New Reg.	\$2,600	\$-
Commercial Roofer Renewals	18,800	22,000

Contractor New Registration	238,600	-
Contractor Renewals	785,500	1,038,200
Fines and Fees	83,109	50,000
Total	\$1,128,609	\$1,110,200

14. Public Comment: None

15. Announcements: The next Board meeting will be held on Wednesday, August

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

Members Present: Tom Furey, Michael Fox, Carol Ann Nelson, Martin Ezeama,

Ron Caniglia, Tony Raposo,

Annette Stockley, Carol

O'Donnell, David Caldwell, Eric

Wishart, and Mathew Olson.

Members Absent: Kimberly Wooten (resigned), Alfred DeCorte, William

Paul Brunetti and J. L. Brillon.

Geddes, Edgar Ladouceur,

**Others Present:
Director), Attorney Mariana
appeal, special guests, and**

**George Whalen (Executive
Ormonde, parties for
staff.**

Respectfully Submitted,

George W. Whalen

Executive Director

Rhode Island Contractors' Registration and Licensing Board