

Minutes of ADALB November 8, 2005 meeting held in Marlboro, MA

Present:

Members: Bruce King, Donald Spinelli, Stephen Tague and Joe Valariotti,
Attorney for the Board: Richard Cody
Presiding: Vice Chairman Joseph Valariotti

Proceedings recorded by John Joyce, Commerce Ins. Co. (Audio/Video) AND Thomas Colo (Audio)
Bruce King (Audio) and Richard Cody (Audio)

Approval of Minutes

Bruce King moved to accept minutes of September 28, 2005 amended to show that the statements calling for an effective date of September 28, 2005, for recognition of the Board's interpretation of Advisory Ruling 97-98 (REVISED) on paint and material was NOT voted on at that September meeting.

Seconded by Donald Spinelli. Passed 4-0

Report on licenses

5,216 Active Licenses

305 pending renewal

2 Temporary Licenses - Joseph F Fusco – T00022 Robert B. Kinnear – T00023

8 individuals passed Part I and are on the list for Part II **10** retakes for Part I

215 new applications processed and all pending examination results

Old Complaints

2005-06 – Colo v. Commerce (Bradford matter)

A proposed final agreement has been submitted to Mr. Colo and Commerce Insurance Company. There was discussion on whether appraisals should be submitted in hours or in dollars.

Bruce King moved that this agreement is the Board's proposal. Motion seconded by Donald Spinelli. Passed 4-0.

New Complaints

2005-01 Mario Marenghi v. Scott Rawson

Bruce King moved that this matter proceed to an informal hearing in December. Donald Spinelli seconded. Vote 4-0.

2005-14 – Paul G. Bazinet v. Ricci A. Tomassetti

The Board at its September meeting had placed this matter on the agenda for the December meeting and a motion was made by Stephen Tague to postpone the discussion until that time. The motion was seconded by Bruce King. Passed 4-0.

2005-20 – Robert P. Barrile, Truck Connection v. Charles Francoeur

A motion was made by Donald Spinelli to dismiss this complaint. It was seconded by Stephen Tague. Vote 4-0.

Other Requests/Discussions

After a 20 minute recess, the Board resumed.

Bruce King read aloud a cover letter drafted by Board members to be mailed to all licensed appraisers with a copy of Advisory Ruling 97-98 (Revised).

Bruce King moved to accept the cover letter as modified: i.) by deleting in the first line of the second to last paragraph the word "voted" and inserting in its place the word "agreed"; and ii.) by deleting the last paragraph for inclusion in a separate document to be sent to all appraisers.

Seconded by Joseph Valariotti.

Passed 4-0

Fuel Surcharge

The Board next considered an inquiry from an appraiser regarding adding fuel surcharges to appraisals. The Board concluded that this was a matter for negotiation. The staff was directed to write the appraiser to advise him of this opinion.

R & I Question

The Board considered a question on R & I. The questioner was asked to submit his question in the form of a complaint at the next meeting.

Temporary Licenses

William McGrath, who has passed part 1 of the examination, requested a 90 day license. Motion was made by Donald Spinelli and seconded by Bruce King to allow the temporary license. Vote 3-1 with Joseph Valariotti voting no.

Richard D. Coughlin, who has not taken any part of the examination, requested a temporary license. Motion was made by Donald Spinelli and seconded by Stephen Tague to NOT allow this license. Vote was 4-0.

Executive Session

Bruce King moved to go into executive session. Motion seconded by Stephen Tague. Vote 4-0.