

## **Minutes of June 15, 2005 ADALB meeting held in Marlboro, MA**

Present: Chairman Gilbert Cox

Members: Bruce King, Donald Spinelli, Stephen Tague and Joe Valarioti,

Attorney for the Board: Richard A. Cody

Secretary: Yvonne Torres

### **Approval of Minutes**

Motion by Don Spinelli to accept minutes of prior meeting held on May 25, 2005. Seconded by Joe V. Passed 4-0.

### **Report on licenses**

Richard Cody reported:

**1,695** Active Licenses

**3,418** pending renewal

**2** Temporary Licenses (Todd E. Luzi – T00020 and Justin J. Kuncz – T00021)

**10** new applications were processed

**35** individuals passed Part I and are on the waiting list for Part II

The following meeting was recorded by:

1. Commerce Insurance Company – Audio/Video
2. Thomas Colo - Audio
3. EXP Consultants – Audio/Video.

### **Informal Hearings.**

**2004-08** –Carol A. Walsh v. Steve Giordano & Kevin Demers.

Spinelli recused himself from voting on this matter. After listening to the testimony of both Carol Walsh and Mr. Giordano, Joe Valarioti moved to hold to formal hearing with respect to Mr. Giordano for failure to negotiate. Seconded by Bruce King. Passed 2-1 vote.

With respect to Mr. Demers for possible steering, Joe Valarioti moved to dismiss.

Seconded by Tague. 3-0 vote. The formal hearing shall be scheduled for August.

Parties shall receive 30 days notice.

Matter disposed.

**2004-09** - -. Legere v. Frank Cates, Steven Chicos, James Steere & Robert Correa

Present: Leonard Legere, Robert Correa, James Steere and Liberty's attorney Rusconi

**Cates** - Don Spinelli moved to dismiss. Seconded by Tague. Passed 3-1

**Chicos** – King moved to formal hearing. Valarioti seconded. Passed 3-2

**Steere** – Spinelli moved to dismiss. Seconded by Tague. Passed 3-1 vote

**Correia** – Valarioti moved to formal hearing. Seconded by Tague. Passed 3-1

A formal hearing shall be scheduled for September. Parties need 30 days notice.

Liberty filed a counter-complaint against Leonard Legere. Both complaints will be heard simultaneously at the formal hearing in September.

### **Review of New Complaints**

**2005-04** – Ernie Nickole v. Chris Gaudreau and William Chambers

Kings moved that a letter should be sent out by the Board on the proper way that claim should have been handled. Attorney Cody was instructed to prepare the draft. Motion to dismiss by Don Spinelli, Seconded by Tague. Passes 3-1

**2005-06** - Thomas Colo, Athol Auto Glass v. Commerce Insurance Company. Valarioti made motion to go to informal hearing. King seconded. Passed 3-2. The Board noted that this matter go to informal hearing.

**Future Meeting Dates**

July 27<sup>th</sup>

August 17<sup>th</sup>

Sept. 21

**Topics of Discussion**

Spinelli moved that the last three items remaining on the June agenda will be discussed at the next meeting in July. Seconded by Tague. Passed 4-0