

**FEATURED
PRODUCTS AND
SERVICES FOR
APRIL**

Center Section

**Home Show:
You still might
have a chance to
exhibit!**

Exhibit space at RIBA's 68th Annual Home Show was not sold out as of this writing, but it was expected to be soon.

Page 8

**Fire codes:
It could be a
whole new
ballgame**

Rhode Island's new fire marshal is determined that codes will be enforced, but vows that reviews will be streamlined and problems solved for contractors. See our in-depth interview with Timothy McLaughlin.

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**Major tax
developments
that affect your
business**

Learn about important doings in the tax world, locally and nationally, that will help your business.

Page 2

Governor, NAHB chief address RIBA



Past RIBA President Robert J. Baldwin, left, welcomes Gov. Gina Raimondo and National Association of Home Builders CEO Gerald M. "Jerry" Howard to RIBA headquarters on March 6th. Story on page 7.

Class action seeks refunds of E.G. Fire District impact fees

Despite a Supreme Court decision that fees were collected improperly, the town has never offered refunds to those who paid.

By Paul F. Eno *Editor*

If you paid a development impact fee to the East Greenwich Fire District between November 26, 2002, through June 3, 2013, you might be entitled to a refund.

That's the word after a long court battle that went all the way to the Rhode Island Supreme Court, and has

now developed into a class action lawsuit.

In response to a suit by five corporate plaintiffs, the Superior Court decided in 2014 that the East Greenwich Fire District, which ceased to exist in 2013 after the town created a new fire department, had the legal authority to collect impact fees on development, and applied those fees properly.

The Rhode Island Supreme Court reversed that decision in 2016, on the basis that the Fire District failed to comply with due process requirements when they passed an ordinance providing for the assessment and

see CLASS ACTION...page 29

68th Annual Rhode Island Home Show

**April 5th-8th
R.I. Convention Center Providence**

See page 8

Tax ruling: Markup on materials does not make builder a retailer

By Paul F. Eno *Editor*

In a legal precedent that should have every Rhode Island contractor heaving a sigh of relief, a hearing officer at the state Division of Taxation has ruled that a builder is not a retailer.

Because he had a 15 percent markup on building materials he used on construction jobs, an agent of the Division of Taxation last year decided that Brian R. Arnold (B.R. Arnold Construction Co., Inc.), a longtime member of the Rhode Island Builders Association, was a retailer, and therefore owed nearly \$250,000 in back sales taxes for the period July 2010 to June 2016.

"While an invoice with the materials separately stated may raise questions of whether a contractor is also acting as a

retailer...a review of the evidence and a reading of the regulation and cases demonstrate that the Taxpayer is providing a job and not a good, and that the 15 percent markup/fee is not a charge for materials," said the decision by Hearing Officer Catherine R. Warren, handed down on January

12th.

In addition: "The Taxpayer is not in the business of selling materials. There was no evidence that the Taxpayer just sells materials or made over-the-counter sales."

Any member with tax questions should consult his or her attorney.

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It's official: Homeowners can still deduct HELOC interest for major home improvements

The Internal Revenue Service (IRS) has confirmed that recently passed federal tax reform will preserve home equity lines of credit (HELOCs) as revenue sources for substantial home improvements.

Randy Noel, chairman of the National Association of Home Builders (NAHB), praised the move.

"NAHB applauds the announcement by the IRS clarifying that households can take a tax deduction on a home equity loan or home equity line of credit if the loan is used for home improvements. This is a major victory for remodelers and for homeowners who want to invest in their homes," Mr. Noel stated.

"NAHB has been pushing hard for this outcome since December, when The Tax Cuts and Jobs Act of 2017 was signed into law. We will continue to work with Congress and the administration as they hammer out the details of the new tax law."

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Tax credits extended

National Association of Home Builders

As part of the Bipartisan Budget Act of 2018, signed into law on February 9th, Congress retroactively extended a number of expired energy and homeowner tax provisions. The following tax credits were rein-

stated on a retroactive basis for 2017 only:

• **Section 45L Credit for Energy-efficient New Homes:** This provides a \$2,000 tax credit for the construction of homes exceeding heating and cooling energy standards by 50 percent.

see **TAX CREDITS...**page 28

The Rhode Island Builder

Official publication of the
Rhode Island Builders Association
since 1951

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DEADLINES FOR THE MAY ISSUE

All copy, ads and photos must be to us by

Friday, March 30

E-mail material to builder@newriverpress.com Fax: (401) 356-0913

**RIBA welcomes
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LOOKING AHEAD!

♦April 5th-8th: **Rhode Island Home Show, with the Garden & Flower Show** - Sponsored by the Rhode Island Builders Association. Exhibit space on sale now. *Details on page 8.*

♦April 5th: **Professional Women in Building Council Networking at the Home Healthsmith Booth (#909), Rhode Island Home Show** - Rhode Island Convention Center, 5-9 p.m. *Details on page 10.*

♦April 9th: **RIBA Monthly Board of Directors Meeting** - 4 p.m. networking, 4:30 p.m. business meeting, RIBA headquarters, East Providence. Guest speaker: Speaker of the House Nicholas Mattiello. RIBA members are invited to attend for informational purposes. For more information and to register, contact Elizabeth Carpenter, ecarpenter@ribuilders.org, or call (401) 438-7400.

♦April 10th: **First Aid CPR/AED class** - 5-9 p.m., RIBA headquarters, East Providence. FREE for members, with a \$35 materials and certification charge. Non-members \$75, with a \$35 materials and certification charge. To register, contact Sheila McCarthy at smccarthy@ribuilders.org or (401) 438-7400. *Details on page 20.*

👁♦April 12th: **State-Mandated Continuing Education for Contractors - 5 Credit Hours** - Topic is Advanced Framing, Air Leakage Testing / Sealing, Frost-Protected Foundations. *Details on page 19.*

👁♦April 17th: **State-Mandated Continuing Education for Contractors - 5 Credit Hours** - Topics are Confined Spaces, Asbestos Awareness, Mold Awareness. *Details on page 19.*

♦April 26th: **Networking Night** - 4:30 to 7 p.m., FREE for members and their guests. Generously sponsored by National Building Products. *Details on page 11.*

👁♦May 7th: **State-Mandated Continuing Education for Contractors - 5 Credit Hours** - Topic is Deck Codes. *Details on page 19.*

👁♦May 23th: **State-Mandated Continuing Education for Contractors - 5 Credit Hours** - Topic is OSHA Safety Review. Class is available onsite or online at RIBAEducat.es.com. *Details on page 20.*

♦May 9th: **Networking and Tour with RIBA's Professional Women in Building Council**: 6-8 p.m. DiStefano Brothers Construction, 433 Main St., Wakefield. To register, contact Linda Bohmbach at linda@homehealthsmith.com. *Details on page 10.*

♦June 7th: **Annual Networking Barbecue** - Sponsored by Douglas Lumber, Kitchens & Home Center. FREE for members and their guests., RIBA headquarters, 4-7 p.m. *Details on page 12.*

More information, registration and payment for most RIBA events is available at RIBUILDERS.org.

♦ Indicates a RIBA-sponsored event.

👁 Designates a course eligible for Rhode Island state-mandated continuing education credits. Contact RIBA for confirmation.

(S) Class will be taught in Spanish.

Take RIBA classes online at RIBAEducat.es.com

Visit RIBAEducat.es.com for access to 24-7 continuing education!

Online courses include *Scaffold Safety, Workplace Safety, Confined Spaces, Ladder Safety* and more, each worth one credit hour of state-mandated continuing education. Just as with RIBA's on-site courses (see pages 21 and 22), online courses are **FREE** of tuition charges for members and their employees. Just use your coupon at the online checkout.

NEED A COUPON CODE? CALL RIBA AT (401) 438-7400. Non-members: \$12 per course. For information about online or on-site courses: Contact Sheila McCarthy smccarthy@ribuilders.org or (401) 438-7400.



David A. Caldwell Jr.

President's Message

RIBA represents the best of American drive!

Americans of all ages, all conditions, all minds constantly unite. Everywhere that, at the head of a new undertaking, you see the government in France and a great lord in England, count on it that you will perceive an association in the United States.

In America, I encountered sorts of associations of which, I confess, I had no idea, and I often admired the infinite art with which the inhabitants of the United States managed to fix a common goal to the efforts of many men and to get them to advance to it freely.

In democratic peoples, associations must take the place of the powerful particular persons whom equality of conditions has made disappear. As soon as several of the inhabitants of the United States have conceived a sentiment or an idea that they want to produce in the world, they seek each other out; and when they have found each other, they unite.

From then on, they are no longer isolated men, but a power one sees from afar, whose actions serve as an example; a power that speaks, and to which one listens.

-Alexis de Tocqueville, Democracy in America, 1835

In 1831, a French nobleman, Alexis de Tocqueville, undertook a tour of the young United States of America, which at that time in history still remained something of a mystery to the great European powers of the day.

The resulting analysis of his observations was the book *Democracy In America*, one the most influential books ever written in the field of what is now known as political science.

Tocqueville had the opportunity to witness this rapidly growing young country, uniquely based upon the twin pillars of democracy and capitalism that resulted in the rugged individualism that so defined the American character and was so different from the

culture of Europe of that period.

"Among a democratic people, where there is no hereditary wealth, every man works to earn a living.... Labor is held in honor; the prejudice is not against but in its favor," he wrote.

Two centuries ago, when the lively experiment of our nation was young, growing, and forging its way forward along a new and unknown path, it took a foreigner from France to make the most prescient observations about the American character that have been immortalized for history.

Why was that? Because the Americans were too busy working and trying to get ahead. Two hundred years later, I like to think they did a pretty good job.

The Rhode Island Builders Association and our members have within them the fundamental DNA at the bedrock of the rugged individualism of the American character. We celebrate those who go out on their own, on the uncertain and risky path, looking for "More."

Our association is comprised of these individuals, of many different backgrounds and beliefs, united by the requirements, challenges and rewards of our industry. As Tocqueville observed some 200 years ago, we are banded together for our mutual benefit, even though many of us are actually competitors. But we are here, working collectively, solving problems, being proactive, and not merely standing idly by waiting for someone or something else to do that for us.

I like to think that RIBA carries on, in the 21st century, some of the finest traditions of the American character. It is yet another reason why I remain relentlessly optimistic about the future of our industry and our state.



Alexis de Tocqueville

Award-Winning Monthly Magazine of The Rhode Island Builders Association

June 2016

Governor addresses RIBA board

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Supreme Court strikes down E.G. impact fees

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John Pesce, 57, longtime member, pillar of RIBA

John Robert Pesce, a third-generation member of the construction industry and a great supporter of the Rhode Island Builders Association, died suddenly on February 21st. He was 57.

A member of the RIBA Board of Directors and the association's Legislative Committee, John was a civil engineer and president of Coast Realty, a regional commercial real estate development and management company founded by his father, the late J. Robert "Bobby" Pesce, in 1969. John also worked with his uncle, George Pesce, as a vice president of Consolidated Concrete Corp.

John was a familiar face at RIBA meetings and events, and he was a great supporter of RIBA publications, social events and the Build-PAC. He was known for his ready smile and quiet demeanor.

Born in Providence, John was the only child of the late J. Robert and Catherine A. (Verado) Pesce. He grew up in Barrington, attended Providence Country Day School, and graduated from Barrington High School in 1978. He and his family had lived in Lincoln for many years.

John earned his degree in civil engineering from the University of Rhode Island, along with a Murphy Fellowship in Structural Engineering from Northwestern University.

Along with his active business life and involvement in RIBA, John served on the East Providence Waterfront Commission for over 15 years.

He belonged to the American Society of Civil Engineers, the



John Pesce

American Concrete Institute, the American Institute of Steel Construction, the Precast/Prestressed Concrete Institute, the Building Owners and Managers Association, the International Council of Shopping Centers, Kirkbrae Country Club, the University Club of Providence, and the Aurora Civic Association.

"John's young children were the love of his life and his number one priority," family members said.

John leaves his wife, Marissa (Caprio) Pesce and three children: John R. "John-John" Pesce III, and daughters Cristina and Francesca Pesce.

"John loved spending time with his family. He and his son, John, recently returned from their fourth consecutive Super Bowl trip, where they cheered for the New England Patriots. John enjoyed family skiing trips in the winter and boating on Narragansett Bay. He cherished his time as a volunteer of John's football team, with Christina and Francesca as part of the cheerleading squad. He left many lasting memories with his beautiful family."

In addition to his wife, children and Uncle George and Aunt Lori (Moschetti) Pesce, John leaves his late father's wife, Elizabeth Pesce, and her children, Jennifer Frank and Alicia von Rekowsky; Aunts Rita Verardo and Norma Hartley, along with his in-laws, Joyce and Judge Frank Caprio.

Burial took place at Gate of Heaven Cemetery, East Providence. Donations in John's memory may be made to St. Anthony Church, 1413 Mineral Spring Avenue, North Providence, RI 02904.

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Design | Build

Governor, NAHB CEO vow support for RIBA, local housing industry

By Paul F. Eno *Editor*

"These are the best builders in the country!"

That was the word from Gov. Gina Raimondo to National Association of Home Builders (NAHB) Chief Executive Officer Gerald M. "Jerry" Howard as both dignitaries, who know each other from national forums, attended the Rhode Island Builders Association's Board of Directors meeting on March 6th.

"I'll tell the other guys that," Mr. Howard responded, drawing laughter.

Gov. Raimondo, however, struck a number of serious notes in vowing her support for small business, the residential construction industry and workforce development.

"I think we're doing pretty well as far as building and the economy are concerned," she said. "We are breaking records in the number of jobs we're creating among builders, including road builders, residential and commercial."

The governor emphasized her administration's support for career and technical education (CTE) and apprenticeship programs, along with more permit streamlining and continued expansion of the e-permitting system.

Board members responded positively to the governor's comments, making it a point to commend her department heads for their willingness to work with the industry. Dept. of Environmental Management (DEM) Director Janet Coit and Dept. of Business Regulation (DBR) Director Elizabeth Tanner were specifically mentioned.

Mr. Howard, based in Washington, then offered a dramatic narrative of the back-and-forth struggle to get the best possible deal for the residential construction industry in the tax reform law enacted in December.

"We worked very hard, and it was a close call. We were able to get a better compromise on housing incentives in the Senate bill, which eventually prevailed, Mr. Howard said. "I am very proud of what NAHB was able to accomplish."

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Top: Rhode Island Gov. Gina Raimondo addresses the Rhode Island Builders Association's Board of Directors on March 6th. **Below:** National Association of Home Builders CEO Gerald M. Howard, at left, reviews NAHB efforts to get the best possible outcome for the residential construction industry in the recently enacted tax reform law.

In other matters, the board approved six new members.

RIBA President David A. Caldwell Jr. noted the next board meeting would take place on Monday, April 9th, to accommodate the guest speaker, House Speaker Nicholas Mattiello.

RIBA Executive Director John Marcantonio updated the board on the progress of the association's legislative agenda. He also noted that RIBA's education programs continue to expand, with courses required

for registration/licensing in Massachusetts to be offered by RIBA beginning in the summer.

"Use of our online courses by members and non-members is exceeding expectations," Mr. Marcantonio added.

He projected that six more courses would be added by June.

"Accordingly, we have a great need for more teachers from the ranks of RIBA members," he stressed.

see **BOARD...**page 28

April 2018/7



Now including the Rhode Island Garden and Flower Show

RIBA's 2018 Home Show: Last chance to exhibit!

WHEN: Thursday April 5th through Sunday, April 8th

WHERE: Rhode Island Convention Center, Providence

FOR INFORMATION & EXHIBIT SPACE: Contact Bob Yoffe at (800) 963-3395.

This is it! The Rhode Island Builders Association's long-awaited 68th Annual Home Show is ready to go. By the time you read this, we're not sure if exhibit space will still be available. But even if you have waited this long to get your space, you might get lucky. Call Bob Yoffe at the number above to find out.

Truly this will be your year to exhibit. Popular attractions from past years will return, and they will be joined by some new ones

that can only be described as spectacular! They will surely attract many new visitors to the show.

New attractions

New attractions include Springtime Floral Fusion, with hanging floral arrangements, a water fountain, Zen garden, a fire pit, garden and decorative floral displays, a greenhouse and a shed garden. There will even be a contest for the best display, which visitors will love.

The Designer Showcase returns, bigger than ever. Complete with kitchen and bath displays, there will be interior design, audio and video suggestions, furniture and art ideas, along with complete

see HOME SHOW...page 29

The graphic is a circular collage of images and text promoting the 68th Annual RI Home Show. At the center is the text "68TH ANNUAL RI HOME SHOW April 5-8, 2018 RI CONVENTION CENTER". Surrounding this are various circular icons and images representing different exhibit areas:

- Enjoy** (purple circle) - **RI SPRING & FLOWER GARDEN SHOW** (orange and green text) - **10,000 SQ FT OF GARDENS** (purple text) - **SPRINGTIME FLORAL FUSION** (purple text)
- Learn** (green circle) - **energy expo** (green text) - **ENERGY EFFICIENCY SHOWCASE** (green text) - **nationalgrid ENERGY INNOVATION HUB** (green text)
- Find** (yellow circle) - **HOME DECOR STORE** (orange text) - **RILiving RESOURCE CENTER** (blue text) - **AARP SOLUTIONS HUB** (red text) - **OVER 300 EXHIBITS & SEMINARS** (orange text)
- Explore** (blue circle) - **HANGING GARDENS** (purple text) - **OUTDOOR LIVING** (purple text) - **KITCHENS & BATHS** (blue text) - **10 ROOM HOME DESIGN HUB** (blue text) - **HOME TECH EXPERIENCE** (blue text)

Building the Solar Greenhouse!

Ponaganset CTE students among hundreds contributing to Home Show

By Paul F. Eno *Editor*

In a scene his home-builder grandfather couldn't have imagined, Joshua Franco of Glocester labored over a computer screen in the Manufacturing Laboratory at Ponaganset High School on February 28th.

"My dad, Joseph Franco, became a home builder too, and he built many homes in Johnston," the Ponaganset junior told *The Rhode Island Builder* when we visited the school on February 28th.

Naturally, Josh joined the school's Materials and Manufacturing Pathway with a mind toward becoming a third-generation builder.

"These are all great young people, and they get a great education here," said Josh's proud instructor, Steve Martin, now in his 17th year at Ponaganset. He's the sole instructor in the Materials and Manufacturing Pathway, one of seven CTE programs at Ponaganset, the Foster-Glocester Regional School District's high school, located in North Scituate.

"In each class there are 16 students, and I'm currently running six classes," Mr. Martin explained. "I have a heavy concentration on manufacturing skills in general, but part of that is residential construction. The pathway includes materials processing, carpentry, advanced manufacturing, and engineering design and development."

One reason for our visit was to get a first look at the Solar Greenhouse, a prime attraction at the Rhode Island Builders Association's 2018 Home Show, then being built by Mr. Martin's students.

The 68th Annual Home Show is slated from April 5th-8th at the Rhode Island Convention Center. *See page 8.*

"This whole class of 16 will come to the Home Show," Mr. Martin said. "The greenhouse itself is 16 feet long. It will all unbolt into sections and will be easy to transport."

Actual transportation will take place thanks to a trailer owned by Ponaganset's Agricultural Pathway, whose students will

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Ponaganset High School Materials and Manufacturing Instructor Steve Martin, at left, supervises students as they build the Solar Greenhouse on February 28th.

help with landscaping at the Home Show.

Meanwhile, the school's Manufacturing Lab is well equipped, and very busy.

"The younger classes start out here, on their CTE path. Our advanced classes work here too, mostly with juniors, and it's a busy place," Mr. Martin said.

Students often dovetail their learning by studying pre-engineering with his colleague, Greg Gongoleski.

Working with Josh Franco on the lab's computers that day was another junior, Travis Trotter. "I'm interested in a career in carpentry," Travis said.

Working on the greenhouse nearby were Max Kula and a number of other students.

"All the metal brackets for the green-

house and other projects are cut in-house on our own CNC plasma cutter," Mr. Smith stated. "In their efforts to promote workforce development, RIBA put us together with Liberty Cedar for our materials, and they generously reduced our cost on this greenhouse to an incredible degree."

Working on another project at the other end of the lab were senior Steve DiPetrillo and junior Matt Vivieros.

"I'm looking at a career in manufacturing or construction," Steve said. "My uncle is a plumber, and I have some job possibilities there."

Matt is considering a job shadow with another Ponaganset industry partner, Her-

see PONAGANSET...page 27

Professional Women in Building: PWB NEWS



Network with Members in your Industry

2018 UPCOMING EVENTS

- April 5: R.I. Home Show Booth #909 Home Healthsmith
5-9pm – Networking Event
- May 9: DiStefano Brothers – Networking & Showroom Tour
- June 11: Summer Social – East Greenwich Yacht Club
- September: REDI Footings for Decks & Sheds, onsite event
- October: Reid's Remodeling Tour
- December: NAWIC's Holiday Brunch 12/14 – Biltmore Hotel
Centerpiece Workshop Farmers Daughter



PWB Officers

Carol O'Donnell-President
Linda Bohmbach- Vice President
Sophia Karvunis- Treasurer
Jacqueline Pagel- Secretary

Want to learn more about the PWB?

Please visit our site for contact info, upcoming events and news at <http://ribuilders.org/professional-women-in-building>

Networking Night set for April 26

WHEN: Thursday, April 26th, 4:30 to 7 p.m.

WHERE: Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914

COST: FREE for members and their guests

SPONSOR: National Building Products

FOR INFORMATION: Contact Elise Geddes at RIBA, (401) 438-7400 or egeddes@ribuilders.org.

Stop by Rhode Island Builders Association headquarters on Thursday, April 26th, between 4:30 and 7 pm for an enlightening evening of food, drink and networking

National Building Products, along with United Vinyl Windows, will sponsor this Networking Night.

"There will be displays and representatives on hand to answer any questions. United offers a Lifetime Limited Warranty, along with eight colors," said RIBA Member Relations Coordinator Elise Geddes.

It will be a casual "meet and greet" event with food, beverages and give-ways.

"Mark your calendars because you never know who you'll meet at a RIBA networking event, and what valuable business contacts you can make. In fact, the association's 2018 Membership Drive is



Members and guests mingle during the February Networking Night at RIBA headquarters.

continuing, and this is the perfect opportunity to introduce a non-member to their trade association, and it will give you a chance to win the grand prize of \$500 cash," Ms. Geddes said.

Networking events are one of the many benefits of RIBA membership. Bring a non-member to show them what a great resource RIBA is and be entered to win \$500 cash in the 2018 Drive for Membership. In order to plan for refreshments, please contact Ms. Geddes at (401) 438-7400 or egeddes@ribuilders.org.

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Networking BBQ slated for June 7

WHEN: Thursday, June 7th, 4 to 7 p.m.

WHERE: Rhode Island Builders Association headquarters, 450 Veterans Memorial Pkwy. #301, East Providence 02914

COST: FREE for members and their guests

FOR INFORMATION & TO REGISTER:

Contact Elise Geddes at egeddes@ribuilders.org, or call (401) 438-7400.

It's the Rhode Island Builders Association's 5th Annual Networking Barbecue, generously sponsored by Douglas Lumber, Kitchens & Home Center, along with Andersen Corp., Royal Building Products and Fiberon! This is one of RIBA's most popular networking events of the year for a number of reasons.

"Not only do members come to enjoy hamburgers, hot dogs, barbeque chicken and a nice cold beer; but there are so many people to network with that we have to expand our space out the back door!" says RIBA Member Relations Coordinator Elise Geddes.

"Plus, Douglas Lumber and other sponsors will have products on display, with representatives there to answer questions. Fiberon makes decking and railing, and Royal makes PVC trim and siding."



Nearly 70 members and guests turn out for RIBA's 4th Annual Networking Barbecue in 2017. More are expected this year.

As always, this networking event is FREE for RIBA members and their guests. Bring a non-member colleague so they can see RIBA's headquarters, meet the staff, and find out about the many benefits of membership. Mark your calendars and check back for details as the date approaches!



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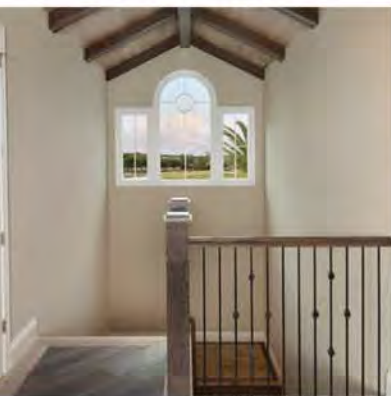
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Member Profile: Mike Kubacki of Hearthstone Properties

A boy's job became a career!

By Paul F. Eno *Editor*

"Over the years, I've done everything from clearing the site to nailing the last cap on the roof, and everything in between!"

So says Mike Kubacki, the jauntily bearded owner of Hearthstone Properties LLC, who started in residential construction at the age of 17. Did the building trade run in his family?

"No. I just needed a job, and they were hiring! I started out as a plasterer's laborer at the end of '90s. Then I moved over to the sheet rock crew," Mike says.

Fate intervened to make Mike's builder/remodeler career permanent when he ran into David Miles of Milestone Homes, an active member of the Rhode Island Builders Association for many years.

"I went with Milestone, and that's when I learned how to do everything in construction that I hadn't learned yet. I also learned about RIBA!" the Pawtucket native recalls.

Starting out on his own in 2003, Mike endured a tragedy that paused his career.

"In '04, I fell off a roof and shattered both legs. That took me out of the game for a while," he reports.

Undaunted when it came to staying in the residential construction business, Mike moved to Florida, where he got a desk job with Crosswinds, the corporate builder. He worked in the Warranty Dept.

"It was a new level of education for me. This was production-based residential construction, the kind that doesn't even exist in Rhode Island," Mike says. "Here, if you have a 20-lot subdivision, you're the biggest deal in town. In markets like Florida, these companies won't even look at a piece of land unless that can get at least 300 houses out of it."

In that scenario, though, Mike learned a great deal about efficiency and production.

Mike weathered the tough housing market that started in 2007,



Mike Kubacki

then came home, founding Hearthstone in 2016. He works mostly with subcontractors.

"In business for myself, it didn't take long to learn that it's hard to find reliable employees, especially when you have very high standards, which I do."

Hearthstone specializes in remodeling: additions, stairs, kitchens and baths, decks and porches, and even does custom millwork. As of this writing, Mike was just finishing a whole-house renovation. He can be found working anywhere in Rhode Island.

As with every RIBA member, Mike readily tackles the challenges of running his own business.

"Your business needs constant attention! Your bank account is like a

bucket of water with holes in it. As a business person, you have to keep getting more water into that bucket before it all leaks out the bottom!" he declares.

Mike doesn't limit himself to high-end work.

"I usually work for the average Joe. They deserve a good job too. You shouldn't have to be in the 1 percent to afford a quality builder!"

Hearthstone joined RIBA in 2016, as soon as the company started.

"I had been familiar with RIBA for many years, and I knew about the value of belonging, especially when the state brought in the continuing-education requirement," Mike says.

"With the free tuition RIBA offers to members, that extra education is a lot cheaper. That's really important for a business that's getting started!"

The education costs saved through RIBA are especially important when legal contractors have to compete against the outlaws, Mike indicates.

"There are unregistered and uninsured contractors out there who dodge the rule, and they can charge less. I don't compete by price. I compete by quality," he stresses.

"I want to be part of RIBA so I can be part of the best. In fact, I wish the state requirements were harder. There needs to be a higher bar for entry to this field."

As for Hearthstone, Mike is open to all good possibilities for the future.

"I'm not looking to be biggest builder, and I won't compromise quality. I want my company to be something I can be proud of!"

Find out more about Mike and his company at Hearthstonepropertiesri.com/.

Hearthstone Properties LLC.

Principal: Michael D. Kubacki

RIBA member since: 2016

Focus: Remodeling Services

Serves: Rhode Island

Founded: 2016

Based: Warwick, Rhode Island



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Continuing Education for Contractors

*Courses headlined in **RED** on the Education Pages qualify for state-mandated continuing education requirements. EVERY RESIDENTIAL CONTRACTOR registered to work in Rhode Island must take five hours of continuing education before his or her next renewal date.*

Five Credit Hours:

Advanced Framing: Codes and Practices
Air Leakage Testing / Blower Door and Air Sealing Strategies
Frost-Protected Shallow Foundations

April 12th

WHEN: Thursday, April 12th, 7:45 a.m. to 1 p.m.

WHERE: Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914


COST: FREE for members and their employees, with a \$15 materials/registration fee. \$150 for non-members, with a \$15 materials/registration fee.

DEADLINE TO REGISTER: One week before class

FOR INFORMATION AND TO REGISTER: Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

This course will cover several topics, including blower-door and air-leakage testing. This testing has been an Energy Code requirement in Rhode Island for some time, but soon the test results will matter when you apply for a certificate of occupancy anywhere in the state.

Other subjects will be advanced framing, using less material and labor, and frost-protected shallow foundations.

You must pre-register for this course. There will be no admittance without pre-registration. Payment is due upon registration. Participants must provide proof of employment with a member company for the class to be free. Lunch is included. 

Five Credit Hours:

Confined Spaces, Asbestos, Mold

April 17th

WHEN: Tuesday, April 17th, 7:45 a.m. to 1 p.m.

WHERE: Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914


COST: FREE for members and their employees, with a \$15 materials/registration fee. A \$150 charge for non-members and a \$15 materials/registration fee.

DEADLINE TO REGISTER: One week before class. No admittance without pre-registration and payment.

FOR INFORMATION AND TO REGISTER: Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

This course will cover:

- Confined spaces,
- Asbestos awareness, and
- Mold awareness.

You must pre-register for this course. There will be no admittance without pre-registration. Payment is due upon registration. Participants must provide proof of employment with a member company for the class to be free. Lunch is included. 

Five Credit Hours: Deck Construction Codes

May 7th

WHEN: Monday, May 7th, 7:45 a.m. to 1 p.m.

WHERE: Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914

COST: FREE for members and their employees, with a \$15 materials/registration fee. \$150 for non-members, with a \$15 materials/registration fee.

DEADLINE TO REGISTER: One week before class


FOR INFORMATION AND TO REGISTER: Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

Codes and Solutions."

Included will be a review of jobsite safety rules, fall protection, ladders and scaffolding, and confined spaces.

With more and more homeowners loving their backyards and looking for outdoor living solutions, decks are becoming an important part of an increasing number of homes. So it's more important than ever for contractors to know about the codes relating to deck construction.

You must pre-register for this course. There will be no admittance without pre-registration.

Payment is due upon registration. Participants must provide proof of employment with a member company for the class to be free. Lunch is included. 

This course will cover: "Deck Construction Codes: Sorting Out

Five Credit Hours: OSHA Safety Review

May 23rd

WHEN: Wednesday, May 23rd, 7:45 a.m. to 1:30 p.m.

WHERE: Rhode Island Builders Association headquarters, 450 Veterans Memorial Pky #301, East Providence 02914

COST: FREE for members and their employees, with a \$15 materials/registration fee. A \$150 charge for non-members and a \$15 materials/registration fee.

DEADLINE TO REGISTER: One week before class. No admittance without pre-registration and payment.

FOR INFORMATION AND TO REGISTER: Contact Sheila McCarthy at smccarthy@ribuilders.org, or call (401) 438-7400.

Join instructor Scott Asprey of Risk & Safety Management for an "OSHA Safety Review" to improve your knowledge and compliance, and avoid accidents and costly fines.

Subjects will include:

- A review of jobsite safety rules,
- Fall protection,
- Ladders and scaffolding,
- and confined spaces.

You must pre-register for this course.

There will be no admittance without pre-registration. Payment is due upon registration.

Participants must provide proof of employment with a member company for the class to be free. Lunch is included.



CPR/First Aid Class

April 10th

WHEN: Tuesday, April 10th, 5-9 p.m.

WHERE: RIBA headquarters, 450 Veterans Memorial Pkwy., East Providence

COST: FREE for members, with a \$35 materials and certification charge. \$75 for non-members, with a \$35 materials and certification charge.

DEADLINE TO REGISTER: April 2nd

FOR INFORMATION AND TO REGISTER: Contact Sheila McCarthy at smccarthy@ribuilders.org or call (401) 438-7400.

The Rhode Island Builders Association in April once again offers a basic first aid course that could save a life on your jobsite or in your home.

It includes instruction in CPR/AED (cardiopulmonary resuscitation/automated external defibrillation) on adults, children and infants. AEDs are defibrillation machines.

Basic first aid covers everything from protecting yourself, your employees and children to medical, trauma treatment and recognition. The class also will help participants deal with choking in adults, children and infants. Cost of the course, once successfully completed, includes study materials and your two-year certification card.

Light refreshments will be served. Space is limited, so please register now.

RIBA reserves the right to limit the number of attendees from a single company at courses taught on-site.

For all courses, employees must provide proof of employment with a member company upon registration for class to be free of tuition charges.

For information, contact Sheila McCarthy (401) 438-7400 or smccarthy@ribuilders.org

*For RIBA
membership information
contact Elise Geddes
401-438-7400
or egeddes@ribuilders.org*

Here's advice on contracts for contractors working in Massachusetts

How you enter into a home improvement contract matters.

While some may think that a wink and a handshake are sufficient when negotiating a contract for home-improvement work, the Massachusetts Home Improvement Contractor Law (HIC) requires that there be a written contract between contractor and homeowner for jobs costing over \$1,000.

Best practice suggests having a written contract for every job, every time. Having a detailed written contract signed and dated by both parties is crucial to formalizing the terms of the agreement and protects both parties should problems arise.

The HIC law outlines what must be included in-home improvement contracts. Before you sign, make sure your contract passes the test by meeting the criteria below. It needs to include:

- A complete written agreement between the homeowner and contractor. Be thorough and detailed to make sure both parties understand the project and their responsibilities.
- The contractor's full name(s), address(es), registration number, name of salesperson (if applicable) date the contract was executed, and signatures of both parties. Work on a project cannot begin before the contract is signed and both contractor and homeowner have a copy. Homeowners are emphatically advised not to sign a contract with an unregistered contractor!
- Project start and end dates. Both parties should make sure that these dates are realistic, so as to avoid misunderstanding.
- A detailed description of the work to be performed and the specific materials to be used.
- Total contract price.
- Payment schedule, complete with dates and the payment amounts in dollars.

Note: Under the HIC law, an initial deposit cannot exceed one-third of the total price, and final payment cannot be demanded until the contract is completed to both parties' satisfaction. No contract can contain an acceleration clause that would require any part or all of the balance not yet due to be declared due and payable because the contractor deems himself to be insecure.

- Clear and conspicuous notices stating:

1. That all contractors and subcontractors must be registered with the Massachusetts Office of Consumer Affairs;
2. The Homeowner's three-day cancellation rights;
3. All warranties and homeowner's rights;
4. A disclaimer notifying the homeowner "Do not sign this contract if there are any blank spaces"; and
5. Any lien or security interest on the home as a consequence

see MASSACHUSETTS...page 26

Resources for RIBA members who work in Massachusetts

The Rhode Island Builder covers Massachusetts news relevant to members of the Rhode Island Builders Association who work in our neighbor to the north and east.

Here are some sources of regulatory information and forms for contractors who work in the Bay State, or who plan to. For education purposes, RIBA will shortly expand its education programs to include courses required for work in Massachusetts.

Building Permits: Massachusetts has a statewide formula for building permits. Application forms may vary a little by municipality, but standard forms and information may be found at the Office of Consumer Affairs & Business Regulation (OCABR) website: Mass.gov/ocabr.

Contractor Registration and Licensing: Massachusetts has licensing for construction supervisors and registration for home improvement contractors. Find the details at Mass.gov/topics/building-trades.

Also find information about trade licensing at this site.

MassHousing: Similar to Rhode Island Housing, MassHousing is an independent, quasi-public agency that provides financing for affordable housing in Massachusetts.

Created in 1966, MassHousing raises capital by selling bonds, and lends the proceeds to low- and moderate-income homebuyers and homeowners, and to developers who build or preserve affordable and/or mixed-income rental housing. Since its inception, MassHousing has provided more than \$20 billion for affordable housing. Find out more at MassHousing.com.



As an added benefit to RIBA's Education Program, our instructors are happy to speak with class attendees by phone, after class, if they have additional questions or issues to discuss.

***For more information, contact Sheila McCarthy at RIBA
(401) 438-7400
or smccarthy@ribuilders.org***

Timothy McLaughlin

Rhode Island State Fire Marshal

Timothy McLaughlin was appointed Rhode Island's state fire marshal in January by Gov. Gina Raimondo, and he assumed the post in late February after confirmation by the Senate. Mr. McLaughlin comes to the post after seven years of service as Johnston's fire chief. Before serving in Johnston, he was Pawtucket's fire chief from 2004 to 2010. He served Pawtucket's fire department for a total of 29 years. Mr. McLaughlin's predecessor as fire marshal, John Chartier, retired in 2017, with James B. Gumbley serving as acting state fire marshal in the interim.



THE BUILDER: Consistency in code interpretation has always been a major issue for residential contractors. Legislative changes in 2012 made the state fire marshal the final authority in code enforcement and interpretation, instead of local fire officials, but many contractors still report inconsistencies from town to town. How do you plan to approach the consistency problem?

McLAUGHLIN: It seems there's always been a disconnect between this office and the local fire marshals. We train them, they go out there, and they sometimes interpret the code without using this office as a resource.

One thing I'm going to do, probably rather quickly, is to get our people and the local (fire code officials) together and do a training. We'll make it clear that, if they have an interpretation issue, we want them to contact this office. We don't want them to interpret the code just to get it done out in the field.

We want to go back to basics, and we want this office to be the resource. I think it hasn't been that kind of resource for many years. So we'll be doing a lot of training with the locals.

THE BUILDER: Do you plan to make educational inroads with residential contractors too?

McLAUGHLIN: Yes! We were talking about that just the other day. We'd like to sit down with the Rhode Island Builders Association, and we want to get out in the community as well. I'm not a sit-behind-the-desk kind of guy! I want to be out meeting and informing people, especially those who are out there doing the work.

So as soon as possible, I'm going to be out there, introducing myself, letting them know that this office is open for business, and that our job is to help people streamline the process so they

can get their work done and move on to the next project.

THE BUILDER: Another ongoing problem for contractors is the time it takes for reviews. Can you do something about this?

McLAUGHLIN: Talking with the plan-review people in this office, we're trying to get these reviews completed as quickly as we can. On the local level, I think the issue often comes down to staffing. For example, I came from Johnston, and I had one marshal for the whole town. In the seven years I was there, they had \$1 billion worth of construction going on there.

That being said, there's a time limit (to complete reviews). So I will emphasize to the local chiefs and fire marshals that there's a certain amount of time for them to get these plans reviewed. If they're short-staffed, I want them to

know that we will step in and help them in any way we can.

THE BUILDER: Do you feel that placing the code agencies, along with the Contractors' Registration and Licensing Board, together under DBR will improve communication and efficiency?

McLAUGHLIN: I think it's the best thing the state could have done. Being in the same building with us and the state building commissioner works well. We can just walk down the hall to talk to each other.

At some point, we will sit down and work collaboratively on the code, and we'll work out what the issues are between the building code and fire code, so we can make the whole process more efficient.

I've only been here a week (as of February 27th), but the setup here is great. I've been able to walk over and talk with (Building Commissioner) Jack Leyden a few times, and I just saw him at a meeting this morning. We're not strangers, we're in the same building, we can meet, and we can talk.

THE BUILDER: What kind of timeline are you considering for the educational campaign with local code officials? Do you envision meetings every few months?

McLAUGHLIN: To start, I'd like to have quarterly sessions. And I'll tell you this: If we issue a (deputy fire marshal license) in this office, the training we give is going to be mandatory. I spoke

see *INTERVIEW...next page*

NAHB: Export less lumber!

National Association of Home Builders

As punitive duties averaging more than 20 percent were imposed on Canadian softwood lumber imports in 2017, domestic producers responded by shipping record amounts of lumber overseas.

U.S. exports climbed 9 percent last year, compared with a modest 1 percent increase in 2016 and a sharp 16 percent drop in 2015. Exports to China, the largest U.S. offshore customer, were up 21 percent from 2016. Producers of southern yellow pine exported 41 percent more to China in 2017 than they did in 2016.

"At the same time that domestic lumber producers claimed they were being harmed

by Canadian imports, they were sending record amounts of softwood lumber overseas because they could charge a higher premium to foreign nations," said a statement by the National Association of Home Builders (NAHB).

"Meanwhile, the tariffs are harming housing affordability, causing extreme price volatility and incentivizing foreign nations to boost lumber exports to the U.S. because of record-high prices."

The Random Lengths Framing Lumber Composite Price rose to \$509 on February 23rd, just \$1 short of the all-time high of \$510 and \$99 above the \$410 price of a year ago.

Lumber imports posted their fifth con-

secutive yearly gain in 2017. However, unlike the previous four years, the increase was accompanied by a decline in imports from Canada—the first such decline in six years.

Roughly one-third of the lumber used in the U.S. last year was imported. Even with rising imports from other nations, the bulk of imported lumber — more than 95 percent — came from Canada.

"This is why NAHB believes it is imperative that the U.S. and Canada find an equitable, long-term solution in lumber trade that provides a steady supply of lumber at a reasonable price," the association statement continued.

see *CLASS ACTION...* page 26

INTERVIEW...from previous page

with all my inspectors here earlier this week, and everybody wants to be on the same page with this, whether it's getting the reports written on time, and having them cited and interpreted properly.

I don't know if this will get done as quickly as I'd like, but, in time, I'd like to see the whole state uniform in this process.

THE BUILDER: What steps are being taken to educate local fire-code officials when it comes to new technologies and their acceptance?

McLAUGHLIN: I think that can take a little time. On the local level, there can be a high turnover of fire-prevention officers because those positions can be stepping stones. So my office will try to keep informed on the turnover in every department so we can keep the new people informed. They will have to go through our class here anyway.

This will be part of the strategic plan for this office, which I'll be working on over the next few months — a three-year, then a five-year plan of where we want to be and what we want to do. As I say, our first priority is fixing the disconnects with the local departments.

THE BUILDER: Will there be an economic component as you educate local code officials? In other words, while realizing that the protection of life and property come first, will local officers be encouraged to appreciate the economic implications of their decisions and to look for ways to help small business and alleviate the housing shortage?

McLAUGHLIN: I clearly understand that. My mantra here is, "As long as it doesn't impede life safety or violate the law, there's a solution for every problem."

We will look at what the problems are, and see if the code has a solution. We realize that the code can be cumbersome. But life safety is life safety, and that's what this office will always be

about. But there are also ways to solve problems so we can help people out.

THE BUILDER: Where do you see the fire code, and your office's relationship with the residential construction industry, going over the next five years?

McLAUGHLIN: I hope to form a really good relationship with your industry over the next five years. I want this office to be a friend of the builders, and a friend of everyone in business. The door will always be open here.

Obviously, there will be things we'll agree to disagree on, but we can sit down and talk these out. But I'm looking for a very good, long-term relationship with the building community. I think that will go a long way.

THE BUILDER: As Johnston fire chief, are there any contacts you had with contractors over the years that members of RIBA could learn from when it comes to dealing with fire code authorities?

McLAUGHLIN: Well, Johnston is small, and (Mayor Joseph Polisena) is a very no-nonsense guy who would support projects. His attitude was: As long as it complies with the code, let's get it done. And that has been a very successful approach for Johnston, and it's my approach too.

THE BUILDER: Aside from that, do you have any particular message you'd like to convey to residential contractors?

McLAUGHLIN: I appreciate the opportunity to share my ideas with RIBA. I want your organization to know that the state fire marshal's office is here, and we want to help. We'll be doing some roll-out programs with the local fire officials as soon as I get my feet wet here, internally, first.

However, the people in my office already know that phone calls are to be answered and, when people come in, their questions are to be answered. We are a customer-service based office.

Woonsocket Career & Tech offering first-in-nation lead courses

Instructor Charles Myers invites other CTE schools to send students for instruction and to join ranks of first lead-certified high school seniors in America.

By Paul F. Eno *Editor*

A very good thing is beginning to spread.

In February 2016, the very first high school seniors in America to earn the 8 Hour Lead-Safe Remodeler/Renovator Certification did so at the Woonsocket Area Career and Technical Center (WACTC).

Organizing the course took three years and lots of coordination between WACTC Instructor Charles Myers, Frederick Gill of the New England Institute of Technology, the Rhode Island Dept. of Health (DOH), and the Environmental Protection Agency (EPA).

Mr. Myers, a certified environmental lead instructor, taught the course himself February 16th and 17th that year at his own facility. He and the students, eight from WACTC and one from William M. Davies Jr. Career and Technical High School in Lincoln, completed the



Students from the Woonsocket Area Career and Technical Center (WACTC) and the William M. Davies Jr. Career and Technical High School proudly display some of their hands-on work on Feb. 17, 2016, at WACTC as they gave up part of their school vacation to take the 8 Hour Lead-Safe Remodeler/Renovator Course, the first high school students in America to do so. At left are WACTC Instructor Charles Myers (holding a copy of The Rhode Island Builder Report) and Michael Weydt of the Rhode Island Dept. of Health. Mr. Myers taught the two-day course on his own time. Related story on page 9.

course on their own time during the 2016 winter vacation. Mr. Myers bought food for the students with his own money.

In February of this year, three career and technical education (CTE) students from Ponaganset High School in North Scituate completed the 8 hour lead course at WACTC, and three more are preparing to do so.

The course has now become an annual event, taught during the winter vacation. Mr. Myers continues to teach it at his own expense.

"I always contact all the career and techs when I have a spot open," Mr. Myers told *The Rhode Island Builder* in March. "Ponaganset jumped at the chance. It's a great example of schools working together to give opportunities to their students they may not have otherwise. And everyone wins."

WACTC is still the only high school CTE program in America where the lead certification is offered, and it's still very hands-on.

"Hands-on: That's what resonates with the younger students," Mr. Myers said.

That means not only reading the course materials but also dressing in hazmat suits, installing lead-dust barriers and learning to use respirators. Always enthusiastic to expand on a success, Mr. Myers hopes to involve CTE students from all over the state.

For more information, contact Mr. Myers at cmyers@woonsocketsschools.com.



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Jobs Bank showing dramatic results

If the numbers are any indication, the Residential Construction Workforce Partnership's (RCWP's) Jobs Bank at RCWP-jobs.com is working like a charm!

As of March 9th, the number of job candidates had jumped to 318, up from 301 in January. There were 597 employers registered at the site, three more than in January. There were, however, 28 job openings posted, down from 50 in January, a stunning sign that the site is matching employers with their future employees.

LUMBER...from page 23

In addition to working with political and industry leaders in Canada and the U.S. on the trade front, NAHB is urging top congressional and administration officials to open more public lands for domestic timber production.

"This is the most straightforward way to diminish reliance on imported lumber. At the same time, we are calling on domestic producers to curb their timber exports when there is a gaping need at home."

Find out more at NAHB.org.



"When your company posts a job opening, it will be personally managed. As soon as it's posted, I receive an immediate e-mail," said RIBA Marketing Director Cheryl Boyd. "I know who you are and what you're looking for."

It's the same when a resumé is posted.

Signing up for an account at RCWPJobs.com is free, and employers are urged to do so even if they have no immediate hiring plans. Once you do hire, you'll know who's available and what their qualifications are.

For details, contact Ms. Boyd at (401) 255-5910 or cboyd@ribuilders.org.



MASSACHUSETTS...from page 21

of the contract;

6. A breakdown or listing of any other matters to which both parties lawfully agree;

7. Any other provisions required by the applicable laws of the Commonwealth;

8. A notice that it is the contractor's obligation to obtain any necessary permits and that any permits secured by homeowners will exclude them from the Guaranty Fund;

9. An arbitration clause for settling disputes.

Both homeowners and contractors are responsible for ensuring that home improvement contracts are accurate and satisfactory. Failing to do so could result in administrative fines or the revocation of registration for contractors. For homeowners, having an incomplete contract, or no contract at all, could prohibit them from being eligible for the Home Improvement Arbitration Program and the state's Guaranty Fund.

For more information about the required contract terms in a home-improvement contract or to download a sample contract, visit Mass.gov/service-details/required-contract-terms-in-a-home-improvement-contract.

If you have additional questions, contact the Office of Consumer Affairs and Business Regulation by calling (617) 973-8787, Monday through Friday, from 9 a.m. to 4:30 p.m.

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PONAGANSET...from page 9

rick and White Architectural Woodworkers, based in Cumberland.

"Probably about 50 percent of our students work in the field in summers or by going out into the industry after graduation," Mr. Martin said.

Students are made aware of the Residential Construction Workforce Partnership's (RCWP's) online Jobs Bank at RCWPJobs.com, and many take advantage of it to match up with employers. *See page 26.*

The businesses that team up with Ponaganset are serious industry partners.

"As only one example of the great industry partnerships we have, the students recently used our 3-D printer to make a desk model for a customer of Herrick and White. It was pretty impressive," said Ponaganset Principal Renee Palazzo, a great supporter of the CTE programs.

"Our CTE pathways are highly valued, highly regarded and highly supported," said Dr. Palazzo. "We realize the need for the skills the industry folks are asking for. The key component to the CTE pathways we offer here is that students come out either with college credit or industry certification."

High participation

About half of Ponaganset's 770 students are in one of the CTE programs, according to Dr. Palazzo, now in her third year at Ponaganset after serving 20 years at Smithfield High School, first as a math teacher, then as an assistant principal.

Three Ponaganset students recently joined the handful of U.S. high school seniors to earn lead certification from OSHA. The students attended the certification program, coordinated by Instructor Charles Myers, at the Woonsocket Area Career and Technical Center, the first CTE school in America to offer the lead certification course to high school seniors. *Related story on page 24.*

"Mr. Martin helped make that happen," Dr. Palazzo said.

"In fact, the passion and dedication of the teachers is what makes our CTE programs successful and thrive. And the students – they come in over the summer, they come in on Saturdays, and so does Mr. Martin," she added.

"Their day doesn't end at 2:15. And this is all a reality because of our great industry

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Top: Travis Trotter, left, and Josh Franco work in the Manufacturing Laboratory. **Below, clockwise from left:** Ponaganset Principal Renee Palazzo stops by the lab for a look at progress on the Solar Greenhouse. Making a shelf is Logan Thibeault. Steve DiPetrillo, left, and Matt Vivieros prepare to work with a table saw. Students are ready to take the next step in their modular assembly of the greenhouse. Attaching the brackets. Mr. Martin prepares students for their day.



partners."

Ponaganset is always looking for more industry partners, she indicated.

"Donating materials, taking students for job shadowing and internships, sitting with Mr. Martin on our partnership team to tell us what they need from our students to get them ready for careers: These are all partnerships that help the school and the

future workforce."

Along with Liberty Cedar, current partners, many of them RIBA members, include Arnold Lumber Co. Nardelli Builders, Mazzone Home Improvement, New England Plumbing Heating and Air, Herrick and White, along with RIBA itself.

For more information, visit Fosterponaganseths.ss11.sharpschool.com.

TAX CREDITS...from page 2

The base energy code is the 2006 International Energy Conservation Code, plus supplements. Builders must have tax basis in the home to claim the credit (i.e., they must own and then sell/lease the residence).

• **Section 179D Energy Efficient Commercial Buildings Deduction:** This provides a deduction up to \$1.80 per square foot for commercial and multifamily buildings that exceed specific energy-efficiency requirements under ASHRAE 2007.

• **Section 25C Tax Credit for Qualified Energy Efficiency Improvements:** This policy offers a credit worth up to \$500 (subject to a \$500 lifetime cap), with lower caps for certain products like windows, for consumers to install qualified energy-efficient upgrades.

• **Mortgage insurance premiums:** Subject to income phase-outs, consumers who file their taxes can deduct premiums paid for private mortgage insurance in 2017.

• **Mortgage forgiveness tax relief:** The budget accord eliminates any taxes homeowners might face because of renegotiating the terms of a home loan, which result in forgiving or canceling a portion of the outstanding mortgage, particularly in connection with short sales. The debt forgiveness pertains to debt discharged in 2017 but not in 2018.

Members should note that this extension does not indicate that future extensions will occur. The White House's official "Statement of Administration Policy" on the enacted bill questions the

need for future extensions: "Furthermore, the Administration is concerned with future extensions of special-interest tax deductions and benefits in the wake of tax cuts and reforms that were enacted in December 2017."

• **Section 25D Tax Credit for Power Production Property:** Congress also included a fix that the National Association of Home Builders (NAHB) had sought for the Section 25D tax credit, which offers a 30 percent tax credit for the installation of qualifying alternative-energy equipment.

In 2016, Congress extended the 25D tax credit but limited its use to solar technology. This bill restores the ability to claim the 25D tax credit for geothermal heat pumps, small wind turbines, and fuel cell property. Unlike the credits listed above, the Section 25D tax credit remains in effect for 2018 under a phase-out regime. The applicable credit rates under the phase-out regime are:

• 30 percent in the case of property placed in service before Jan. 1, 2020;

• 26 percent in the case of property placed in service after Dec. 31, 2019, and before Jan. 1, 2021;

• 22 percent in the case of property placed in service after Dec. 31, 2020, and before Jan. 1, 2022.

Starting in 2022, this credit is scheduled to expire. For more information, contact J.P. Delmore at (800) 368-5242 x8412 or jpdeldmore@nahb.org.

BOARD...from page 7

Please contact Mr. Marcantonio at (401) 438-7400 if you are interested in teaching.

Home Show excitement

Secretary Louis Cotoia Jr. reported on the forthcoming Home Show, calling for help with setup April 3rd-5th, and with disassembly on April 8th and 9th. *Related story on page 8.*

"We have all sorts of exciting features at the Home Show this year," Mr. Cotoia said.

"There is an 11-room Designer Showcase with a huge fountain. The floral fusion and floral display areas cover some 10,000 square feet. There will be a Designers Hub, and the National Grid Energy Expo is back, with 11 vignettes," he added.

"We have 25 schools involved, and we will have 300 students per day helping with the Home Show setup," he continued. "This will be a monumental year."

Mr. Cotoia thanked partners and sponsors, including Andersen Corp.; Douglas Lumber, Kitchens and Home Center; Riverhead Building Supply; National Building Products; Coventry Lumber/Finetco; Arnold Lumber Co.; United Builders Supply Co., Inc. (UBS); the American Association of Retired Persons (AARP); the Rhode Island Association of Realtors®; National Grid; the American Automobile Association (AAA); and the Rhode Island School of Design.

RIBA members are invited to attend the public portion of the monthly Board of Directors meetings, which usually take place on the first Tuesday of each month at RIBA's East Providence headquarters. Please contact Elizabeth Carpenter at (401) 438-7400 or ecarpenter@ribuilders.org for more information.



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CLASS ACTION...from page 1

collection of impact fees.

"The class action suit is in response to the fact that the Town of East Greenwich has taken no steps to refund the impact fees in light of the Supreme Court decision, and according to the 2000 state impact-fee statute," said Joelle Rocha of Kelly, Souza, Rocha & Parmenter, a longtime member of the Rhode Island Builders Association, who successfully argued the case before the Supreme Court on behalf of the plaintiffs in 2016.

Over \$1.2 million

The impact fees collected by the fire district amount to over \$1.2 million, without interest. When the fire district was abolished in 2013, the remaining money from the impact fees was turned over to the town, according to Ms. Rocha.

Some of the impact fees were enormous, she added. According to records, Brooks Pharmacy paid an impact fee of over \$400,000.

HOME SHOW...from page 8

landscaping, including a piazza and fountain. There will be as many as 12 design vignettes.

The popular Energy Expo returns, with the Solar-Powered Greenhouse, insulation exhibits and more. Also featured will be The Home Technology Experience; Landscape Solution Center, along with myriad demonstrations and seminars, from cooking to art and furniture, to interest visitors.

RIBA offers help with exhibit design, and members who exhibit receive a 5 percent discount on booth rates.

As an added bonus, contractor members can meet and even work with their future employees during show setup April 3rd-5th. Under the eyes of their instructors and trade professionals, hundreds of career and technical education (CTE) students of all trades engage with the show.

The 68th year

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Over the years, hundreds of companies have exhibited their products and services, and have met thousands of new clients, at the Home Show. Many homeowners make the Home Show an important stop as they plan their projects for the year, and seek to meet contractors, suppliers and other service providers.

One of many builder exhibitors, Carol O'Donnell of CRM Modular Homes, states:

"The Home Show is an opportunity to meet prospective customers, exhibit my products, network with my peers and learn about new products," Ms. O'Donnell says. "It's one of the most important marketing opportunities of the year for us."

Find out more at Visit RIBAhomeshow.com, or contact Bob Yoffe at Yoffe Exposition Services, (800) 963-3395 or bob@yoffeexpo.com.



Who is part of the class action?

You are automatically a member of the class if you paid development impact fees to the East Greenwich Fire District during the specified dates, for new residential or commercial construction. Nevertheless, you have the right to be excluded from the class action suit if you wish. If you choose to remain a member of the class, simply take no action.


To exclude yourself from the class action, send a written request to be excluded to the lead counsel in this litigation, Lynn Daigle (or write to EG Fire District Case Administrator) at Kelly, Souza, Rocha & Parmenter, 128 Dorrance Street, Suite 300, Providence, RI 02903; or visit KSRPlaw.com to obtain more details, or call (401) 490-7334.

When the Superior Court decides this lawsuit, whether favorable or not to the class, it will include and bind all members of the class who do not request exclusion.

Also, any class member who does not request exclusion may be represented by their own counsel. If you appear in the litigation through your own counsel, you will be solely responsible for that attorney's fees and expenses.

For more information on any matter pertaining to this class action, contact Attorney Joelle Rocha of Kelly, Souza, Rocha & Parmenter as stated above.





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