

**BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS
MINUTES OF MEETING OF THE BOARD**

DATE: October 19, 2005

**PLACE: Department of Administration
One Capitol Hill, Conference Room B
Providence, RI 02908**

MEMBERS PRESENT: Dana M. Newbrook, Joseph A. Cirillo, James R. Carlson, Barbara Feibelman and Wilbur E. Yoder

OTHERS PRESENT: Sean Fontes, Special Assistant Attorney General

**Peter N. Dennehy, Deputy Chief Legal Counsel, Dept. of Admin.
Dawne Broadfield, Board Executive**

CALLED TO ORDER: Chair Newbrook called the meeting to order at 3:31 pm. to commence Board business. Vice-Chair Cirillo came at 3:50 p.m. Attorney Fontes left at 4:28 p.m. Attorney Dennehy left at 4:55 p.m.

MINUTES OF THE MEETING OF THE BOARD

(1) Mr. Yoder moved to approve the open meeting minutes of September 21, 2005 as printed. Ms. Feibelman seconded. Motion carried.

(2) Mr. Yoder moved to approve and seal the executive session meeting minutes of the September 21, 2005 as printed. Ms. Feibelman seconded. Motion carried.

EXECUTIVE SESSION

(1) Secretary Carlson moved to convene into executive session at 3:35 p.m. pursuant to RI General Laws, § 42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and § 42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Mr. Yoder seconded. Motion carried.

(2) Secretary Carlson moved to adjourn from executive session and to reconvene to an open meeting at 4:18 p.m. pursuant to R.I.G.L. §42-46-4. Mr. Yoder seconded. Motion carried.

(3) Secretary Carlson moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Vice-Chair Cirillo seconded. Motion carried.

(4) Secretary Carlson moved to record the votes taken in executive session in accordance with Rhode Island General Law §42-46-4 as follows. Vice-Chair Cirillo seconded. Motion approved unanimously to close Baccari Design, Barton & Associates Architects and Planners and Luis A. Torrado.

(5) Secretary Carlson moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Vice-Chair Cirillo seconded. Motion carried.

OLD BUSINESS

(1) Architectural Registration Examination (ARE) “Rolling Clock” and “Eligibility Period”.

The Board will be reviewing the “Rules of the Board” to see if they want to make any other changes other than

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the National Council of Architectural Registration Boards (NCARB) Rolling Clock changing from four years to five years and the question of the wording of the Board’s eligibility period to take the architectural registration examination (ARE). Secretary Carlson stated that in polling the Boards at the New England Conference of Architectural Registration Boards (NECARB) Fall meeting, he found out that no other Board restricts the eligibility time to take the ARE. Mrs. Broadfield polled all of the other states Boards on this subject and twenty-eight states responded. Fourteen states follow the NCARB Rolling clock and twelve states have some sort of eligibility period. Secretary Carlson stated that the other pertinent part of the

discussion was to inquire what the average time was for a person to complete the ARE. Secretary Carlson was informed that the average was twenty-three (23) months.

Ms. Feibelman suggested the wording of the “eligibility period” read as follows: “Candidates testing records will be examined by the Board and candidates who have not passed all sections within the first two years of eligibility will be asked to meet with the Board to discuss strategies for testing.”

(2) Legal Services

Chair Newbrook stated that per the last Board meeting, the Board sent a letter to Marilyn Shannon McConaghy, Esq., Administrator of Legal Services at the Department of Administration (DOA), and Beverly E. Najarian, the Director of the DOA, that inquired about the two questions that Attorney Fontes outlined. The questions were what is the resolution when there is a legal conflict and what is the resolution when there is a lobbying conflict. One of these issues will occur this legislative session, which is the lobbying issue for Interior Designers.

Attorney Dennehy updated the Board and confirmed that the Board’s letter was received and he has been trying to get a date where Brian Stern, Marilyn Shannon McConaghy and himself can meet with Chair Newbrook and Secretary Carlson. Attorney Dennehy informed all

parties involved that the Board's next meeting is November 16, 2005 and that all parties should meet and have a response well before that time.

(3) "Tech Note" – Meeting to be scheduled with Daniel L. Beardsley, Jr., Executive Director, at the League of Cities and Towns, Daniel R. DeDentro, State Building Code Commissioner and the Board.

Secretary Carlson stated that the State Purchasing Department now asks for registrations as part of their process. The question is does the Board want to try to educate cities and towns to ask them to do the same as part of their process. Secretary Carlson stated that the Board could take the state purchasing form and give it to Dan Beardsley and ask him to educate his members to make sure that when his cities or towns procure services that they follow the State of Rhode Island procedure. Vice-Chair Cirillo indicated that he will be meeting with Mr. Beardsley on the "Tech Note" and he would also suggest to Mr. Beardsley that he might want to use a similar process.

Vice Chair Cirillo asked the Board if they should discuss the issue of inter-jurisdictional practice. Secretary Carlson suggested that this Board stay parallel to the other three Boards and their procedures and also that this Board stay parallel with the National Council of Architectural Registration Boards' (NCARB) Model Law.

BLUE BOOKS (RECIPROCITY)

(1) Secretary Carlson moved to approve the following Blue Books as submitted with an expiration date of December 31, 2007. Vice-Chair Cirillo seconded. Motion carried.

(1) CURTIS, William S. (4) McCauley, Daniel

(2) HOUSEWRIGHT, James Tipton (5) MILOWITZ, Barry E.

(3) LARSON, Cindy (6) RUGGLES, David

GREEN BOOKS (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)

(1) Mr. Yoder moved to approve the following Green Books as submitted. Vice-Chair Cirillo seconded. Motion carried.

(1) BRUNDAGE, Jonathan (2) JOHNSON, Daniel (3) PRESTER, Ashley

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CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)

(A) Secretary Carlson moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for Lewis Colten AIA, Glen H. Gregg, and Gary Moyer, Architect as submitted. Mr. Yoder seconded. Motion carried.

(B) Secretary Carlson moved to approve the application for Certificate of Authorization for the Corporation for T. Cronin, Architect, Ltd. as

submitted. Mr. Yoder seconded. Motion carried.

(C) Secretary Carlson moved to approve the change in corporate structure for Certificate of Authorization for the Corporation of Giffels, LLC. Mr. Yoder seconded. Motion carried.

(D) Secretary Carlson moved to deny the application for Certificate of Authorization for the Corporation of Gensler Architecture, Design + Planning as submitted and to send a letter notifying the corporation that Cohen, Furr, Gensler, Johnson and Fisher cannot be in responsible charge in the State of Rhode Island since they are not Directors or Officers of the Corporation and that M. Arthur Gensler, Jr., since he is the only Director, is the only one that can be in responsible charge in the State of Rhode Island and that Gensler Architecture, Design + Planning, Professional Corporation, should revise and resubmit their Certificate of Authorization application and also attach a copy of Rhode Island General Laws, 5-1-15.1(a).

NEW BUSINESS

(1) Architect Renewal for Continuing Education Compliance Audit for:

(a) Kenneth A. Lewandowski, #1344

(b) David M. Masso, #1830

(c) Steven M. Pedro, #2326

Vice-Chair Cirillo moved to approve the architect renewals for the continuing education compliance audit for the above-mentioned individuals. Ms. Feibelman seconded. Motion carried.

(2) Architect Renewals Requesting Emeritus States for the following:

(a) Raymond A. DeCesare, #396

(b) James A. Jamieson, #1938

(c) James W. Melsop, #1110

Secretary Carlson moved to approve the architect renewals requesting Emeritus states for the above-mentioned individuals. Vice-Chair Cirillo seconded. Motion carried.

(3) Michael J. Silva, #3065, Renewal Application

Mrs. Broadfield informed the Board that Mr. Silva submitted his renewal application for the first time since he received his initial registration and was asking for confirmation that he did not have to submit continuing education until his second renewal. After discussion, Secretary Carlson stated that there was nothing in the Rhode Island General Laws or the “Rules of the Board” that exempts anybody at this time to submit continuing education and that Mr. Silva needs to comply with one continuing education unit per month. If he cannot comply with completing the required continuing education units by December 31, 2005, the Board will then consider an extension upon his request.

(4) Training Session for the New Board Members

Chair Newbrook stated that he would like to have a training session for the two newly appointed Board members and asked Attorney Dennehy if this meeting had to be opened to the public. Attorney Dennehy advised the Board that since the Board would not be discussing any official business, it was his opinion that the training session was not under the definition of public business, since this Board will not be doing anything that would effect the public. This meeting is scheduled for December 1, 2005 at 6:00 p.m.

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Topics that will be discussed at this meeting are as follows: educating the cities and towns purchasing agents; rolling clock change; eligibility issue; inter-jurisdictional practice issue; finances of the Boards; review of the formal hearings verses informal hearings, investigations, etc; legislation to be introduced to clean up the change in the residency requirement under Section 8; continuing education and how many hours does a newly registered architect need to obtain in order to renew after obtaining initial registration by taking and passing the architectural registration examination (ARE) for the first renewal and how many hours does a newly reciprocal architect need to obtain in order to renew for the first renewal; and when the Board does the continuing education audits, does the

Board automatically audit the persons who did not comply the previous renewal and does the Board automatically audit every newly registered architect.

(6) The American Institute of Architects (AIA) National is asking how each State Board plans to handle temporary reciprocity as a direct result of hurricane Katrina.

Ms. Feibelman moved that should any hurricane related request come before this Board, the Board would make every effort to waive irregularities. Secretary Carlson seconded. Motion carried.

ADJOURNMENT

Chair Newbrook informed the Board that the next Board meeting is scheduled for November 16, 2005 at 3:30 p.m. at One Capitol Hill, Conference Room B, Providence, RI 02908. Secretary Carlson moved to adjourn the meeting at 5:30 p.m. Mr. Yoder seconded. Motion carried.

Respectfully submitted,

James R. Carlson, NCARB, AIA

Secretary

JRC/dmb

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C. O. A. APPLICATIONS

Board Meeting of 19 October 2005

SOLES

LEWIS COLTEN AIA APPROVED – 10/19/05

GLENN H. GREGG \$100. APPROVED – 10/19/05

GARY MOYER, ARCHITECT \$100. APPROVED – 10/19/05

LIMITED LIABILITY COMPANIES

GIFFELS, LLC APPROVED – 10/19/05

ALLC 19 - Amended application, chng in company structure

LIMITED LIABILITY PARTNERSHIPS

CORPORATIONS

T. CRONIN, ARCHITECT, LTD. - 0 - APPROVED – 10/19/05

**GENSLER ARCHITECTURE, DESIGN & PLANNING DENIED – 10/19/05
A-14,074 - Amended application...see attached listing of COHEN,
FURR, GENSLER, JOHNSON & FISHER**

**additional names of responsible charge architects CANNOT BE IN
RESP. CHARGE IN RI – NOT**

DIRECTORS OR OFFICERS, REVISE & RESUBMIT

FOR DISCUSSION

FOR DENIAL

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