

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

DATE: November 16, 2005

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

**MEMBERS PRESENT: Dana M. Newbrook, James R. Carlson, and
Wilbur E. Yoder**

**OTHERS PRESENT: Sean Fontes, Special Assistant Attorney
General**

Adam J. Sholes, 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
3:53 pm. to commence Board business. Attorney Dennehy left at 4:52
p.m.**

MINUTES OF THE MEETING OF THE BOARD

**(1) Mr. Yoder moved to approve the open meeting minutes of October
19, 2005 as printed. Secretary Carlson seconded. Motion carried.**

(2) Mr. Yoder moved to approve and seal the executive session meeting minutes of the October 19, 2005 as printed. Secretary Carlson seconded. Motion carried.

EXECUTIVE SESSION

(1) Secretary Carlson moved to convene into executive session at 3:54 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 4:30 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. Mr. Yoder 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. Mr. Yoder seconded. Motion approved unanimously to close KWF Group, Christopher A. Carey, John Clancy, Earth Friendly Homes, LLC, Sweenor Builders, Ira Anthony Chilton, Clifford Curry, Mary G. Soderstrum, Fernando J. Andrade and Dante Marinaro.

(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). Mr. Yoder seconded. Motion carried.

OLD BUSINESS

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

The training session for new members that has been scheduled for December 1, 2005 at 6:00 p.m. has been postponed and has not been rescheduled at this time.

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(2) Legal Services

Secretary Carlson stated that the Board requested that the Department of Administration (DOA), Division of Legal Services, respond to questions concerning lobbying and conflict of interest and asked how the State was going to resolve those issues. Secretary Carlson stated that he and Chair Newbrook met with Brian Stern, Executive Director of DOA and Marilyn Shannon McConaghy, Esq., Administrator of Legal Services at DOA.

Secretary Carlson stated that as a result of that meeting and in answer to the Board's first question pertaining to the lobbying, it was Mr. Stern's interpretation of the State statute that this Board is not entitled to lobby. Secretary Carlson also stated that in answer to the Board's second question pertaining to a legal conflict, Mr. Stern replied that if Attorney Dennehy had a conflict, he could contact other State attorneys with expertise in specific areas, and if there were no attorneys available or there was no one without a conflict, the Division of Legal Services would retain the services of someone to assist the Board.

Secretary Carlson stated with that said, he asked the Attorney General for their opinion to the State statute as to whether or not this Board has the right to lobby. Secretary Carlson indicated that this Board has been lobbying for many years and no other attorney has pointed this out to the Board before. Therefore Secretary Carlson wanted to know if Mr. Stern's position was supported by anyone else.

Attorney Fontes agreed with Secretary Carlson and indicated that his task is to research this, be in contact with Attorney Dennehy and report to the Board.

Attorney Fontes asked the Board if they knew other states that have Boards that lobby. Attorney Fontes will contact the attorney for the

attorney for the National Council of Architectural Registration Boards (NCARB) Daniel Taylor, and inquire as to whether or not there are other State Boards that lobby.

(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.

This matter has been continued.

BLUE BOOKS (RECIPROCITY)

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

(1) CONTE, Philip R. (4) POPE, Ronald Craig

(2) MOONEY, Jr., David W. (5) SPENCE, David M.

(3) PERRY, Michael L.

GREEN BOOK (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)

(1) Secretary Carlson moved to approve the following Green Book as submitted. Mr. Yoder seconded. Motion carried.

(1) CONNORS, Patrick McKenna

CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)

(A) Mr. Yoder moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for Centrepont Architects and Barry E. Milowitz as submitted. Secretary Carlson seconded. Motion carried.

(B) Mr. Yoder moved to approve the applications for Certificates of Authorization for the Corporations for Next Phase Studios, Inc. and Renaissance Group, Inc. as submitted. Secretary Carlson seconded. Motion carried.

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

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(D) Secretary Carlson moved to refer the application for Certificate of Authorization for the Corporation of Barton & Associates, L.P., Architects and Planners, to the Board's legal counsel, Peter N. Dennehy, for review of compliance. Mr. Yoder seconded. Motion carried.

NEW BUSINESS

(1) Vijay M. Kumar, #1713, Requesting an Extension of the Continuing

Education Requirement.

Secretary Carlson moved to instruct Mr. Kumar to send in the renewal application with the required \$100 renewal fee, to grant an extension to March 31, 2006 to complete the required continuing education, to submit documentation to the Board of the completed continuing education on or before March 31, 2006, and to instruct Mr. Kumar that if the continuing education is not completed on or before March 31, 2006 the Board will take action on suspension of Mr. Kumar's registration. Mr. Yoder seconded. Motion carried.

(2) Peter Forbes, #1060, Indicated on Renewal – Cannot fulfill Continuing Education Requirement.

Secretary Carlson moved to instruct Mr. Forbes to send in the renewal application with the required \$100 renewal fee, to grant an extension to March 31, 2006 to complete the required continuing education, to submit documentation to the Board of the completed continuing education on or before March 31, 2006, and to instruct Mr. Forbes that if the continuing education is not completed on or before March 31, 2006 the Board will take action on suspension of Mr. Forbes' registration. Mr. Yoder seconded. Motion carried.

(3) Kim Smith – Question for the Board, does a subcontractor for a larger firm need to have a Certificate of Authorization or is it the responsibility of the Project Architect and Engineers of the larger

firm?

After reviewing the question, the Board will reply to Kim Smith that the architect who is in responsible charge must have the appropriate registrations and indicate that this response is from the Architect Board only.

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

(a) Thomas C. Crabtree, #2073 (f) Robert P. Mocarsky, #2815

(b) Fernando J. Domenech, Jr., #1766 (g) Joel H. Nudell, #1237

(c) Orestes Krawciw, #2511 (h) William A. Previdi, #1070

(d) Frederick S. Marzec, Jr., #2580 (i) Frederick S. Scott, #2131

(e) Michael W. McKinley, #1530

The above-mentioned renewal applications will be distributed amongst the Board members for their review and comment at their next regularly scheduled meeting.

Secretary Carlson moved that if an American Institute of Architects (AIA) transcript is submitted for documentation as part of proof for the required continuing education audit and the required continuing education units are fulfilled, the Board instructed Mrs. Broadfield to automatically renew the architectural registration without it being submitted to the Board for their review and approval. Mr. Yoder seconded. Motion carried.

(5) Architect Renewals Requesting Emeritus Status for the following:

(a) David I. Grist, #371

(b) Owen F. Hackett, Jr., #275

Secretary Carlson moved to approve the architect renewals requesting Emeritus status for the above-mentioned individuals. Mr. Yoder seconded. Motion carried.

(6) Christopher Oberly Utter, #2854, Questioning compliance of Continuing Education.

Mr. Utter's renewal application will be distributed to a Board member for their review and comment.

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(7) Christina Del Vecchio, #1824 and Joseph Del Vecchio, #1825 – considering an extended leave and questioning if it would jeopardize their registration and what would required to reinstate at a later date.

Secretary Carlson moved to send a letter to Christina Del Vecchio and Joseph Del Vecchio in response to their question and indicate that they have three options according to the Rules of the Board, III(C) and attach a copy with the Board's response. The options are as follows:

(1) maintain Rhode Island registration and maintain the required continuing education units. (2) let registrations lapse up to two years while maintaining continuing education and reapply before two years

are over, or (3) let registrations lapse more than two years and would have to acquire National Council of Architectural Registration Boards (NCARB) certification and reapply for new licensure in Rhode Island. Mr. Yoder seconded. Motion carried.

(8) James W. Dean, #2778, Registration Expired December 31, 2003.

Secretary Carlson moved to send a letter to Mr. Dean informing him that in order to renew, he must reapply through NCARB by submitting the uniform application, \$200 fee and NCARB transmittal per Rules of the Board, III(C), attach a copy with the Board's response and in addition must be current with his continuing education units. Mr. Yoder seconded. Motion carried.

(9) 2007 Joint Spring Meeting New England Council of Architectural Registration Boards (NECARB)

Secretary Carlson updated the Board and stated that he notified Mark Saccoccio, Secretary/Treasurer, Region I, that he went and visited the Newport Inn on the Harbor and notified him that it was acceptable to this Board to hold the Regional meeting there and informed Mr. Saccoccio that he should pursue that hotel for the Region's 2007 Joint Spring Meeting.

ADJOURNMENT

Chair Newbrook informed the Board that the next Board meeting is scheduled for December 21, 2005 at 3:30 p.m. at One Capitol Hill, Conference Room B, Providence, RI 02908. Secretary Carlson moved to adjourn the meeting at 5:46 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 16 November 2005

SOLES

CENTREPOINT ARCHITECTS \$100. APPROVED – 11/16/05

BARRY E. MILOWITZ - 0 - APPROVED – 11/16/05

PARTNERSHIPS

**BARTON & ASSOCIATES, L.P., REFERRED TO LEGAL COUNSEL
FOR REVIEW**

ARCHITECTS AND PLANNERS \$ 100. OF COMPLIANCE – 11/16/05

LIMITED LIABILITY COMPANIES

GIFFELS, LLC

ALLC 19 - Change in corporate structure APPROVED – 11/16/05

LIMITED LIABILITY PARTNERSHIPS

CORPORATIONS

NEXT PHASE STUDIOS, INC. \$ 100. APPROVED – 11/16/05

RENAISSANCE GROUP INC. \$ 100. APPROVED – 11/16/05

FOR DISCUSSION

FOR DENIAL

11/16/05

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