

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

DATE: March 15, 2006

**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: 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 3:36pm. to commence Board business. Attorney Dennehy and Vice-Chair Cirillo left at 4:58 p.m.

MINUTES OF THE MEETING OF THE BOARD

(1) Vice-Chair Cirillo moved to approve the open meeting minutes of February 15, 2006 as printed. Mr. Yoder seconded. Motion carried.

(2) Vice-Chair Cirillo moved to approve and seal the executive

session meeting minutes of the February 15, 2006 as printed. Mr. Yoder seconded. Motion carried.

EXECUTIVE SESSION

(1) Secretary Carlson moved to convene into executive session at 3:37 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. Vice-Chair Cirillo seconded. Motion carried.

(2) Secretary Carlson moved to adjourn from executive session and to reconvene to an open meeting at 4:34 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 Wooding Design; Lawrence Y. Paye, Paye Design & Community Development and Peter Forbes, #1060.

(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) Amendments to the “Rules of the Board”

The Board will hold a workshop for discussion of the suggested changes to the Rules of the Board, By-Laws, General Laws and long-term issues on March 29, 2006 at 6:00 p.m., place to be determined.

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(2) “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.

Vice-Chair Cirillo stated that he is working on coordinating a meeting with Mr. Beardsley and Mr. DeDentro. Vice-Chair Cirillo sent a letter to Mr. Beardsley on February 24, 2006. To date, no response has been received. Vice-Chair Cirillo will call Mr. Beardsley. This matter was 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) BELL, Catherine M. (6) KROCKMALNIC, Arnold M.

(2) BILOW, David N. (7) O'QUINN, Shade Lawrence

(3) DANIELS, Scott M. (8) ROTHE, Edward N.

(4) FREEMAN, Jack W. (9) SUCHOZA, Dane A.

(5) KOLASINSKI, Diane M.

BLUE BOOK (REINSTATEMENT)

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

(1) DEAN, James W., #2778

GREEN BOOK (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)

(1) Mr. Yoder moved to approve the following Green Books as submitted. Ms. Feibelman seconded. Motion carried.

(1) GELNETT, Kristina (2) IACOBUCCI, Jason C.

REQUESTS FOR EXTENSION OF ARCHITECTURAL REGISTRATION

EXAMINATION ELIGIBILITY DATE PERIOD.

(1) DILLON, Tracey Eileen – Secretary Carlson moved to extend the architectural registration examination eligibility period for one year to expire on January 2, 2007, which will also end Ms. Dillon’s rolling clock. Mr. Yoder seconded. Motion carried.

(2) KOSITSKY, Ruth – Secretary Carlson moved to extend the architectural registration examination eligibility period for two years to expire on March 15, 2008. Mr. Yoder seconded. Ms. Feibelman recused as Ms. Kositsky is an employee of hers. Motion carried.

(3) RACINE, John Roy – Secretary Carlson moved to extend the architectural registration examination eligibility period for two years to expire on March 15, 2008. Mr. Yoder seconded. Motion carried.

CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)

(A) Mr. Yoder moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for Kenneth Bavaro, David S. Frieder, Michael L. Perry, Architect, James F. Sims Architect, Tuck and Tuck Architects and Rob Wooding as submitted. Secretary Carlson seconded. Motion carried.

(B) Mr. Yoder moved that a letter be sent along with a copy of the Rules of the Board Section III F for Certificate of Authorization for the Sole Proprietorship for Stan DeAngelis & Associates indicating the use of the title “Associates” and what it represents as far as that term

is concerned and that Mr. DeAngelis can correct and update his Certificate of Authorization application. Secretary Carlson seconded. Motion carried.

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(C) Mr. Yoder moved to approve the applications for Certificates of Authorization for the Corporations for GMA Architects and Engineers, P.C.; Mackenzie Architects, P.C.; Pacheco Ross Architects, P.C.; RSP Architects, Ltd.; and Schnee Architects, Incorporated as submitted. Secretary Carlson seconded. Motion carried.

(D) Mr. Yoder moved to deny the application for Certificate of Authorization for the Corporation for Pawlowski Associates, Inc. for two reasons, the use of the word “associates” as per Rules of the Board, Section III (F) and does not meet the 2/3rds-1/3rd ownership requirement as per RI General Laws, 5-1-15.1 as submitted. Secretary Carlson seconded. Motion carried.

(E) Brad B. Smith - Certificate of Authorization Application – Sole Proprietorship

The Board received an application for Certificate of Authorization from Brad B. Smith on the day of this meeting. Mrs. Broadfield submitted the application to Mr. Yoder for review. Mr. Yoder

indicated that the Board has a deadline for submission of these applications a week in advance. Mr. Yoder asked that the question if the Board wanted to make an exception for this individual since the application was submitted today.

Secretary Carlson moved that the Board not act on the Certification of Authorization application submitted to this Board by Brad B. Smith. Mr. Yoder seconded. Discussion arose. Secretary Carlson stated that his logic is that this incident did not just arise. This incident arose when Mr. Smith took the job and was improperly registered. Mr. Yoder stated that to support Secretary Carlson's position, the corporation that Mr. Smith is a part of applied for the Certificate of Authorization in July 2004 and never completed the process. Mr. Smith is now applying for a Certificate of Authorization as a Sole Proprietorship in his own name. Mr. Yoder stated that the company cannot plead ignorance to the fact that they did not know they had to have a Certificate of Authorization. Mr. Yoder stated that he also read that Mr. Smith indicated that he did not know that he had to have a Certificate of Authorization. Motion carried.

Secretary Carlson moved to send a letter to Mr. Brad B. Smith in care of the Pazdan-Smith Group Architects that indicates that in July 2004 their company failed to obtain the Certificate of Authorization necessary to practice architecture in Rhode Island, and by creation of the drawings of the Seattle's Best Coffee conversion in an existing Borders Books and Music Store currently in review with the City of

Cranston, Mr. Smith and/or Pazdan-Smith Group Architects has practiced architecture in violation of state laws and ask Mr. Smith to submit an explanation. Also attached is a copy of the Certificate of Authorization application submitted to the Board in July 2004. Mr. Yoder seconded. Motion carried.

The Board will also call Lieutenant Tim Hawthorne, Cranston Fire Marshall, to notify him that Pazdan-Smith Group Architects is not properly registered to practice architecture in Rhode Island.

(F) Burton, Behrendt & Smith, P.C. – Certificate of Authorization Application - Corporation

This application has been continued to the next meeting.

NEW BUSINESS

(1) Draft Memo by Attorney Dennehy on Issues regarding Quorums and Voting

Attorney Dennehy stated that he submitted a very rough draft memo concerning quorums, voting and recusals and will continue to be work in progress.

Secretary Carlson moved to continue. Mr. Yoder seconded. Motion carried.

(2) Notification of a Potential Project at 50 Kennedy Plaza, Providence, RI, by Scott Daniels of Space located in Newark, NJ, as per Rules of the Board, Section VII.

Secretary Carlson indicated that he spoke with Mr. Scott Daniels who told him was that his company had practiced architecture and not just offered to practice. His company does all of Wachovia's interior work. Secretary Carlson stated that it was his understanding was the company has done the design and were hoping to get started with the work.

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Secretary Carlson stated that the Board just approved Mr. Daniels' Blue Book at this meeting today and it was concluded that Mr. Daniels' practiced before he asked to get registered in this State. Secretary Carlson stated that the company still does not have a Certificate of Authorization.

Mr. Yoder moved to send a letter to Mr. Scott Daniels telling him that he needs a Certificate of Authorization before the Board can approve the practice of architecture, send a letter to the Providence Building Official indicating that Mr. Daniels does not have a Certificate of Authorization and does not meet the regulations for practicing architecture in this state. When Mr. Daniels provides a Certificate of Authorization, the Board will follow up with a letter to the Building Official that Mr. Daniels is now authorized. Secretary Carlson seconded. Discussion occurred. Ms. Feibelman asked if this is the

normal procedure of the Board to notify the Building Official. Secretary Carlson stated that from an educational standpoint it was good to tell the Building Officials that the Board is paying attention, and if the Building Official is not, the Board is and the Building Official should be. Motion carried.

(3) 2005 American Institute of Architects Rhode Island (AIA/RI) Membership Directory – Response Received.

The Board instructed Mrs. Broadfield to review the names listed in the 2005 AIA/RI Member Directory and confirm that the members hold a current architectural registration and certificate of authorization. The Board sent letters to those individuals who did not hold an architectural registration or a certificate of authorization. Responses were received from the following individuals:

(a) Richard Stibolt – Secretary Carlson moved to close and send a letter thanking him for his response. Mr. Yoder seconded. Motion carried.

(b) Laura Love Rose – Ms. Feibelman moved to send a letter informing Ms. Rose the letter that she received from the Board was written because she is listed as a full member and not an associate member of AIA, and she should inform AIA to correct their records. The Board will enclose a copy of the listing. Mr. Yoder seconded. Motion carried.

(c) Ralph Beckman – Ms. Feibelman moved to send a letter thanking him for his response and tell him that if he intends to practice

architecture again he needs to obtain a Certificate of Authorization.

Mr. Yoder seconded. Motion carried.

(d) Stanley DeAngelis – Secretary Carlson moved to close since Mr. DeAngelis has submitted a Certificate of Authorization application that was discussed at this meeting. Mr. Yoder seconded. Motion carried.

(e) Kristine Royal – Secretary Carlson moved to close and send her a letter thanking her for her response. Mr. Yoder seconded. Motion carried.

(f) Philip Cox – Secretary Carlson moved to close and send him a letter thanking him for his response. Mr. Yoder seconded. Motion carried.

(g) Paul R. V. Pawlowski – Secretary Carlson moved to close since Mr. Pawlowski has submitted a Certificate of Authorization application that was discussed at this meeting. Mr. Yoder seconded. Motion carried.

(h) Stephen White – Secretary Carlson moved to close and send him a letter thanking him for his response. Mr. Yoder seconded. Motion carried.

(i) David Frieder – Secretary Carlson moved to close and send him a letter thanking him for his response. Mr. Yoder seconded. Motion carried.

(j) Gregory Spiess – Secretary Carlson moved to close and send him a letter thanking him for his response. Mr. Yoder seconded. Motion carried.

(k) Claudia Gorun – Secretary Carlson moved to close as certified

letter came back to the Board from the post office marked “Not at Rhode Island Hospital”. Mr. Yoder seconded. Motion carried.

(4) 2006 National Council of Architectural Registration Boards (NCARB) Annual Meeting, Funded Delegate.

Chair Newbrook will be attending the above-mentioned meeting on Out-of-State Travel funds and Mr. Yoder will be attending on NCARB’s Funded Delegate program.

Secretary Carlson moved that the Rhode Island Board appoint Dana Newbrook as the Board’s delegate and in his absence, Wilbur E. Yoder. Ms. Feibelman seconded. Motion carried.

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(5) Discussion on the implementation of the Governor’s Fiscal Fitness Program on On-line Renewals

Secretary Carlson stated that in reviewing the document he had several questions as follows:

(a) What do the other Member Board Executives (MBE) think about on-line renewals in the states that have it?

(b) What are the issues that the MBE’s have had so that this Board can tell our state?

(c) How have the states dealt with continuing education or violations? How does the on-line system know not to renew a registration for

someone who has completed the required continuing education if the person is registering on-line? If the individual was selected for a continuing education audit, how does it get kicked out of the system to verify compliance before it gets renewed?

(d) How is this state going to guarantee personal credit security? Chair Newbrook stated that the state has added another security step.

(e) Each one of the renewal applications have to be reviewed even though they are registering on-line to make sure that everything is correct and proper. Just accepting it without any review, Secretary Carlson felt was not safe.

(6) Crocker Architectural Sheet Metal Co., Inc.

Attorney Dennehy explained to the Board that Crocker Architectural Sheet Metal Co., Inc. is a Massachusetts corporation and its main function is roofing and architectural sheet metal. The Board received a call from the company who contacted the Secretary of State's office. The Secretary of State's office told the company that architecture is listed in their name and the company must go to the Board of Examination and Registration of Architects to get approval for the use of the word in their name. Christopher C. Whitney, Attorney for Crocker Architectural Sheet Metal Co., Inc., contacted Attorney Dennehy. Attorney Dennehy told Attorney Whitney to send a very detailed letter to him outlining exactly what his client does and why this company should be exempt.

Attorney Dennehy stated he reviewed the statute and felt that anyone involved in the practice of architecture is certainly covered by that, but the company or entity has a reference to “architectural” in its name, it appears not to condone any type of service or product.

Secretary Carlson stated that the Board has precedence with “Architectural Woodworkers” that has been before the Board in the past. Therefore, Secretary Carlson moved that because the corporation’s full name clearly explains what they do, there should be no confusion and the name is acceptable to the Board. Mr. Yoder seconded. Motion carried.

(7) “The New Bookstore”

Vice-Chair Cirillo asked that an agenda item be added to the next regularly scheduled meeting on April 19, 2006 to be called the “The New Bookstore” in regards to the Secretary of State. Vice-Chair Cirillo stated that he hears many complaints from professionals and other trying to buy Codes and Regulations in the State of Rhode Island and would like to have a discussion on this even though this Board cannot do anything and would have to refer it to the Secretary of State or the legislature. Vice-Chair Cirillo indicated that in the State of Massachusetts, Room 16, State House, a person can buy every Code, Regulation, or publication produced in the State of Massachusetts. Vice-Chair Cirillo would like to see something like

that done in this State.

Secretary Carlson suggested that Vice-Chair Cirillo also suggest this to the Building Board and the Fire Board and that those two Boards have more to do with this than this Board. Secretary Carlson stated that he did not want to take any action as a Board, but the Building and Fire Boards are more in charge with protecting the public safety relative to Codes.

Vice-Chair Cirillo indicated that the reason that he brought it up was because Attorney Dennehy deals with the Secretary of State on the Regulations.

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ADJOURNMENT

Chair Newbrook informed the Board that the next Board meeting is scheduled for April 19, 2006 at 3:30 p.m. at One Capitol Hill, Conference Room B, Providence, RI 02908. Secretary Carlson moved to adjourn the meeting at 6:08 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 15 March 2006

SOLES

KENNETH BAVARO - 0 - APPROVED – 03/15/06

DENIED – 03/15/06 – USE OF THE TITLE “ASSOCIATES”

**STAN DeANGELIS & ASSOCIATES - 0 - WHAT IT REPRESENTS –
CORRECT APPL. (III-F)**

DAVID S. FRIEDER - 0 - APPROVED- 03/15/06

MICHAEL L. PERRY, ARCHITECT - 0 - APPROVED – 03/15/06

JAMES F. SIMS ARCHITECT - 0 - APPROVED – 03/15/06

(See attachment)

TUCK & TUCK ARCHITECTS \$100. APPROVED – 03/15/06

ROB WOODING - 0 - APPROVED – 03/15/06

CORPORATIONS

GMA ARCHITECTS AND ENGINEERS, P.C. \$100. APPROVED –

03/15/06

MACKENZIE ARCHITECTS, P.C. \$100. APPROVED - 03/15/06

PACHECO ROSS ARCHITECTS, P.C. \$100. APPROVED – 03/15/06

DENIED – 03/15/06 – USE OF THE TITE “ASSOCIATES”

**PAWLOWSKI ASSOCIATES, INC. \$100. DOES NOT MEET 2/3RDS –
1/3/RD.**

RSP ARCHITECTS, LTD. \$100. APPROVED – 03/15/06

SCHNEE ARCHITECTS, INCORPORATED \$100. APPROVED – 03/15/06

FOR DISCUSSION

**BURTON, BEHRENDT & SMITH, P.C. 8/18/05 - Approved by the
Board-requested Cert. of Good Standing**

10/25/05 - Sent Final Notice letter

11/14/05 - Cert of Authority mailed to us instead of Sec. of State

11/25/05 - Up for Board Denial

**2/3/06 - Faxed us a Good Standing...Name of company is not the
name approved by the Board.**

**2/9/06 - Letter sent to Corporations requesting that this COA be
recinded as the company name is different. Company was copied.**

03/09/06 – Contacted Corp Div at Sec. of St – waiting for a return

phone call –

**03/10/06 – Sec. of St. notified the Bd that the co. is putting
in a correction changing their name and purpose – Sec. of St. will
notify the Bd when this happens.**

03/15/06 – Continued.

FOR DENIAL - DID NOT SUBMIT CERTIFICATE OF GOOD STANDING

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