

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

DATE: October 18, 2006

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

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

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 3:31 pm. to commence Board business. Secretary Carlson came at 4:00 p.m. Mr. Cirillo left at 5:11 p.m.

MINUTES OF THE MEETING OF THE BOARD

(1) Vice-Chair Yoder moved to approve the open meeting minutes of September 20, 2006 as published. Ms. Feibelman seconded. Motion approved by all members present.

(2) Vice-Chair Yoder moved to approve and seal the executive session meeting minutes of the September 20, 2006 as published. Ms. Feibelman seconded. Motion approved by all members present.

EXECUTIVE SESSION

(1) Vice-Chair Yoder moved to convene into executive session at 6:18 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. Ms. Feibelman seconded. Motion approved by all members present.

(2) Vice-Chair Yoder moved to adjourn from executive session and to reconvene to an open meeting at 6:37 p.m. pursuant to R.I.G.L. §42-46-4. Ms. Feibelman seconded. Motion approved by all members present.

(3) Vice-Chair Yoder 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. Ms. Feibelman seconded. Motion approved by all members present.

(4) Vice-Chair Yoder moved to record the votes taken in executive session in accordance with Rhode Island General Law §42-46-4 as follows. Ms. Feibelman seconded. Motion approved by all members

present to close Sweenor Builders and Dante Marinaro.

(5) Vice-Chair Yoder 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). Ms. Feibelman seconded. Motion approved by all members present.

OLD BUSINESS

(1) Discussion on Amendments to the “Rules of the Board”

Attorney Dennehy formatted the “Rules of the Board” to add a Table of Contents, Purpose, Authority, Construction, to consolidate various sections, and add a new numbering system.

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The Board reviewed the “Rules of the Board” in the new format and made changes. Mrs. Broadfield will incorporate those changes into the document for review of the final draft at the next meeting.

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

Mr. Cirillo is working on scheduling a meeting with Mr. Daniel Beadsley, Executive Director, League of Cities and Towns, the State

Building Code Commissioner, and the Board. Mr. Cirillo has been working with Mr. Warren Ducharme who was the Acting State Building Code Commissioner. Mr. Cirillo will now speak to Mr. John Leyden, the new State Building Code Commissioner, about scheduling the meeting. Therefore, this matter has been continued.

(3) Discussion on “disaster” – what would happen to the Board’s records, paper and computer, if the building burns?

Chair Newbrook informed the Board that a letter was sent to the National Council of Architectural Registration Boards (NCARB) asking what they would do to assist the Board. NCARB responded that they are working on a plan as well and is looking at the Continuity of Operations Plan (COOP) that this Board sent to them. NCARB responded to the Board that they can provide the Board up with the information that they have for those Rhode Island registered architects and replace approximately thirty-five percent (35%) because NCARB covers thirty-five percent (35%) of the registered architects in the States. There are many registered architects that are not covered by NCARB, therefore THIS Board will have to back up those registered architects.

Mrs. Broadfield told the Board that the registrants’ information is stored on the computer, and the computer is backed up at another site other than this building.

Chair Newbrook asked if the Board will be keeping hard copies of their records or does the Board keep only computer records. Mrs. Broadfield told the Board that the State of Rhode Island has a Request for Proposal (RFP) out for services to scan all the documents in the Department of Administration (DOA) in the future. If that occurs, those documents will be stored on the computer, and the computer is backed up at another site other than this building.

Mrs. Broadfield developed a three-ring binder containing a hard copy and an Excel list on a CD of the Rhode Island registered architects including the registrants' name, address, registration number, telephone number and email address. Secretary Carlson also obtained information from the American Institute of Architects (AIA) on the guidelines regarding Disaster Preparedness. That information was gathered and also included in the binder. This binder will be held by a Board member off-site.

(4) Admendments to the Open Meetings Act (OMA) and Access to Public Records Act (APRA)

Attorney Sholes provided the Board with the 5th Edition of the Attorney General's Guide to Open Government in Rhode Island and discussed three areas of the OMA that public bodies should be more cautious about in conducting business.

(A) "Email Correspondence" between Public Body Members.

Attorney Sholes referred the Board members to Rhode Island General Laws Chapter 42-46-5 (b) and paraphrased the law. Email correspondence between Board members is only acceptable for scheduling purposes. Attorney Sholes gave an example to the Board by indicating that if a Board member emails all of the other Board members about an item that is on the agenda and then two other Board members respond by clicking “Reply to All” that technically would be a violation of the law. Discussion with all Board members on implementing final actions is allowed.

(B) “Walking Quorum”

Attorney Sholes stated that this is when two Board members interact. Then one Board member speaks to another Board member about the conversation that the two Board members just talked about. That would be a “walking quorum” and is a violation of the Open Meetings Act.

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(C) “Emergency Disaster Meeting”

Attorney Sholes searched the OMA and has discussed this with different individuals in his office of the Department of the Attorney General. The conclusion was that there is nothing in the OMA that discusses what would happen if a natural disaster occurred. According to the OMA in the event of a natural disaster and a meeting

needs to be held, that meeting could take place within 48 hours under the emergency meeting provision and could not occur over the telephone or email. The only exception, amended this year, to communicate over the telephone are for soldiers and disabled people.

(5) Topics for the next Newsletter to be published.

The newsletter is in the development stage and has been continued.

BLUE BOOKS (RECIPROCITY)

(A) Vice-Chair Yoder moved to approve the following Blue Books as submitted with an expiration date of December 31, 2007. Ms. Feibelman seconded. Motion approved by all members present.

(1) ALDERMAN, Stuart M. (9) KARKAU, Kenneth A.

(2) BACHMANN, Peter G. (10) KHALSA, Jai Singh

(3) BLOOM, Derek (11) KISH, Georgina

(4) BRUNDIGE, Marc W. (12) LeBLANC, Michael R.

(5) CAHILL, Angela D. (13) MOON, AIA, D. L.

(6) FREEBY, Matthew W. (14) SHAY, Stephen D.

(7) GINSBURG, Nathaniel J. (15) SUTTER, Robert T.

(8) JAFFE, Matthew Stuart

BLUE BOOK (REINSTATEMENT)

(A) Secretary Carlson moved to approve the reinstatement of the Blue Book as presented with an expiration date of December 31, 2007. Vice-Chair Yoder seconded. Motion approved by all members present.

(1) RANKIN, Richard W., #2165

GREEN BOOKS (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)

(A) Secretary Carlson moved to approve the following Green Books as submitted. Vice-Chair Yoder seconded. Motion approved by all members present.

(1) DeMATTEO, Michael (2) ZUENA, Eric N.

REQUEST FOR EXTENSION OF ARCHITECTURAL REGISTRATION EXAMINATION (ARE) ELIGIBILITY DATE PERIOD.

(A) WEBER, Paul F. – Vice-Chair Yoder reviewed Mr. Weber’s file. Mr. Weber failed the “General Structures” division five times between 1984 and 1989. After the third time, Mr. Weber had indication of review courses taken. In 1989, Mr. Weber stopped. Those examination divisions that Mr. Weber took had an effective date of January 2, 2002 when this Board began the “rolling clock”. Mr. Weber is now requesting to be able to take the “General Structures”

division to complete the ARE.

Based on the information in Mr. Weber's file, Vice-Chair Yoder moved to send Mr. Weber a letter indicating that he has to complete the "General Structures" division of the ARE prior to January 2, 2007, to also suggest that Mr. Weber be prepared because if he does not pass the "General Structures" division of the ARE prior to January 2, 2007, he will lose all previously passed divisions of the ARE. Secretary Carlson seconded. Motion approved by all members present.

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CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)

(A) Vice-Chair Yoder moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for Joseph Edward Feher and Matthew McGeorge as submitted. Ms. Feibelman seconded. Motion approved by all members present.

(B) Vice-Chair Yoder moved to approve the application for Certificate of Authorization for the Corporation for Habeeb & Associates, Inc. as submitted. Ms. Feibelman seconded. Motion approved by all members present.

(C) Vice-Chair Yoder moved to approve the application for Certificate of Authorization for the Limited Liability Company for The CFP Group,

LLC adding a new person in responsible charge as submitted. Ms. Feibelman seconded. Motion approved by all members present.

ADJOURNMENT

Chair Newbrook informed the Board that the next Board meeting is scheduled for November 15, 2006 at 3:30 p.m. at One Capitol Hill, Conference Room B, Providence, RI 02908. Secretary Carlson moved to adjourn the meeting at 6:39 p.m. Vice-Chair Yoder seconded. Motion approved by all members present.

Respectfully submitted,

James R. Carlson, NCARB, AIA
Secretary

JRC/dmb

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C. O. A. APPLICATIONS

Board Meeting of 18 OCTOBER 2006

SOLES

JOSEPH EDWARD FEHER \$100. APPROVED – 10/18/06

MATTHEW MCGEORGE - 0 - APPROVED – 10/18/06

LIMITED LIABILITY COMPANY

THE CFP Group, LLC - 0 - APPROVED – 10/18/06

ALLC25 - Add new responsible charge Sara M. Snodgrass

LIMITED LIABILITY PARTNERSHIP

CORPORATIONS

HABEEB & ASSOCIATES, INC. \$100. APPROVED – 10/18/06

REQUEST TO WITHDRAW

DENIED

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