

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

DATE: November 21, 2007

**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

MEMBERS ABSENT: None

**OTHERS PRESENT: Peter N. Dennehy, Deputy Chief Legal Counsel,
Dept. of Admin.
Adam J. Sholes, Special Assistant Attorney General
Dawne Broadfield, Board Executive**

**CALLED TO ORDER: Chair Newbrook called the meeting to order at
3:50 pm. to commence Board business.
Attorney Dennehy left at 4:51 p.m.**

MINUTES OF THE MEETING OF THE BOARD

(1) Mr. Cirillo moved to approve the open meeting minutes of October 17, 2007 as published. Ms. Feibelman seconded. Vice-Chair Yoder

recused since he was not present at that meeting. Motion approved.

(2) Mr. Cirillo moved to approve and seal the executive session meeting minutes of the October 17, 2007 as published. Ms. Feibelman seconded. Vice-Chair Yoder recused since he was not present at that meeting. Motion approved.

EXECUTIVE SESSION

(1) Mr. Cirillo moved to convene into executive session at 3:51 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 Yoder seconded. Motion approved.

(2) Mr. Cirillo moved to adjourn from executive session and to reconvene to an open meeting at 4:07 p.m. pursuant to R.I.G.L. §42-46-4. Vice-Chair Yoder seconded. Motion approved.

(3) Mr. Cirillo 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 Yoder seconded. Motion approved to close Richard E. Fleischer and Joyce S. Fleischer vs. Joel S. Bielawski, #2688, Stillhouse ADI, Inc. #A-14,343 and R. W. Catenacci Building and Remodeling (2006-07, 2007-08 Yellow Book).

(4) Mr. Cirillo 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 Yoder seconded. Motion approved.

OLD BUSINESS

(1) Update on the “Rules of the Board” and “By-Laws”

The Board incorporated the By-Laws into the Rules and Regulations effective June 28, 2007. Per the Rhode Island Secretary of State’s office, the Board must now file a “Notice of Repeal” to repeal the previous version of

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the By-Laws on file. The Repeal “Notice of Public Hearing” has been published in the Providence Journal Legal Notices on Thursday, October 18, 2007, and is scheduled for Public Hearing on Wednesday, December 19, 2007. Notification was sent to the American Institute of Architects (AIA) Rhode Island Chapter and the National Council of Architectural Registration Boards (NCARB). This item has been continued.

(2) “Tech Note” – Meeting with the “Board, the State Building Code Commissioner and the Building Official.

After the annual meeting with the building officials, Mr. Cirillo felt that there was an issue with the section of Rhode Island General Laws pertaining to the exemption for one and two family dwellings. That section of law was written in accordance with the National Council of Architectural Registration Boards (NCARB) Model Law. Secretary Carlson did further research on other state laws and felt that Rhode Island's law is comparable and that this is probably an enforcement issue by the building officials.

The presentation to the Building Officials will be made yearly. This item will be removed from the agenda and added back in June 2008 for discussion of the annual presentation to be held sometime in September 2008.

(3) 2007 – H – 5300 Sub A – Article 3 - Reorganization

Attorney Dennehy provided the Board with the most recent proposed bill that he also sent to the Department of Business Regulation (DBR) on November 19, 2007. Attorney Dennehy is inquiring as to whether or not DBR will be introducing this proposed bill as part of their legislative package being submitted to the Governor's Office by December 3, 2007. Attorney Dennehy told the Board that he deleted paragraphs five and six in reference to the combined Board and left the January 1, 2008 effective date unchanged.

Attorney Dennehy will continue to work with Attorney Richard

Bernstein, Attorney for A. Michael Marques, Director of DBR, on the issue of how the Boards will meet in January 2008 and will also change the explanation of the proposed bill to reflect this Board's discussion today by adding the following: "In order to eliminate the possibility of statutory conflict while maintaining the cost efficiencies of the Boards." Attorney Dennehy will send the proposed revised bill to DBR and the other three Boards.

(4) Christopher Bardt – Question on Continuing Education Credit

Christopher Bardt submitted a request to the Board for approval of Continuing Education Credit for a paper that he wrote and presented at the Masonry Conference. The Board reviewed his request at their last meeting and requested additional documentation of the man hours he spent developing the masonry presentation, preparing for the class and a copy of the syllabus for the class. Chair Newbrook and Ms. Feibelman reviewed the documentation that was presented.

Based on that review, Ms. Feibelman moved to give Mr. Bardt the two missing health, safety and welfare (HSW) credits this year, to let Mr. Bardt go through the American Institute of Architects (AIA) process for self-reporting, to advise Mr. Bardt to follow the AIA rules and to advise not to white-out information on the AIA transcript. Secretary Carlson seconded. Motion approved.

(5) Sanderson Association Medical Facility in Smithfield, RI – Review

of David W. Fish agreement.

Secretary Carlson is the investigator.

Secretary Carlson stated that Mr. David W. Fish resent the list of buildings names, addresses and owners as requested. Ms. Feibelman asked if anyone knew the size of the buildings. As investigator, Secretary Carlson volunteered to a drive-by of the buildings.

Ms. Feibelman moved to send a letter to the owners of the buildings listed by Mr. Fish and also to the building officials and include a copy to Mr. David W. Fish and a copy to the Board of Registration for Professional Engineers, stating that in a recent investigation it has been determined that the building that the owner owns at the address listed was designed without the services of a registered architect as is required by Rhode Island law. This Board has notified the building official of this condition and suggested that the building official may wish

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to re-inspect the building since this determination has been made and include a copy to Mr. Fish and to the Board of Registration for Professional Engineers. Vice-Chair Yoder seconded. Secretary Carlson recused as investigator. Motion approved.

(6) Update of 2007 Fall National Conference of Architectural

Registration Boards (NECARB) Meeting in Mystic, Connecticut.

All members attended. After this conference was held, the Board was to make a decision on the Architectural Registration Examination (ARE) and Intern Development Program (IDP) timing based on a resolution that was passed at the 2007 National Council of Architectural Registration Boards (NCARB) Annual meeting in June 2007. See the next agenda item for more information.

(7) Discussion on the National Council of Architectural Registration Boards (NCARB) Resolution 07-8 on ARE Timing: NCARB Required Eligibility to Complete the Architectural Registration Examination (ARE) that was passed at the 2007 NCARB Annual Meeting.

NCARB has passed a resolution at the June 2007 annual meeting to allow an examination candidate to begin taking the ARE prior to completing IDP. Currently, according to Rhode Island law, an examination candidate must complete IDP before beginning to take the ARE. During discussions at the 2007 Fall NECARB Conference, it was determined that the New England states could not come to an agreement since some states will allow this change and some states will not.

Ms. Feibelman moved to add the ARE/IDP Timing change to the draft legislation. Vice-Chair Yoder seconded. Motion carried.

BLUE BOOKS (RECIPROCITY)

(A) Secretary Carlson moved to approve the following Blue Books as submitted with an expiration date of December 31, 2009. Vice-Chair Yoder seconded. Motion approved.

- (1) BECHTOL, Timothy K. (8) ROSATI, Charles A.**
- (2) CARDELLO, Robert A. (9) SAMTON, Peter**
- (3) CHAFEE, Jr., Robert S. (10) SCHULTZ, David A.**
- (4) EPSTEIN, David J. (11) SMITH, Keith H.**
- (5) HOTALING, Thomas M. (12) SWARTZ, Paul R.**
- (6) MULLIN, Daniel K. (13) TREMBLAY, George T.**
- (7) OLIVER, Timothy M.**

BLUE BOOK (REINSTATEMENT)

(A) Secretary Carlson moved to approve the reinstatement of the Blue Book as presented with an expiration date of December 31, 2009. Mr. Cirillo seconded. Motion approved.

- (1) BRIGHT, James Boyd, #3146**

GREEN BOOKS (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)

(A) Secretary Carlson moved to approve the following Green Book as submitted. Vice-Chair Yoder seconded. Ms. Feibelman was absent for this vote. Motion approved.

(1) MAXWELL, Gregory J.

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 David C. Baudo; Sharon V. Dwyer; Barry Greenberg; Hardaway Associates; James A. Lichty; Gregory L. Pando, AIA; Alexander P. Raymond and Burton S. Visnick, AIA as submitted. Secretary Carlson seconded. Ms. Feibelman was absent for this vote. Motion approved.

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(B) Vice-Chair Yoder moved to approve the Name Change for the application for Certificate of Authorization for the Sole Proprietorship for Krehbiel Architecture as submitted. The former name was Jeff Krehbiel Associates Secretary Carlson seconded. Ms. Feibelman was absent for this vote. Motion approved.

(C) Vice-Chair Yoder moved to approve the application for Certificate of Authorization for the Partnership for Elton & Hampton Architects as submitted. Secretary Carlson seconded. Ms. Feibelman was absent for this vote. Motion approved.

(D) Vice-Chair Yoder moved to approve the applications for Certificates of Authorization for the Limited Liability Partnerships (LLP) for Gerdes Henrichson Ltd., LLP; Gruzen Samton Architects,

LLP; LDA Architect LLP and Page Southerland Page, LLP as submitted. Secretary Carlson seconded. Ms. Feibelman was absent for this vote. Motion approved.

(E) Vice-Chair Yoder moved to approve the applications for Certificates of Authorization for the Limited Liability Companies (LLC) for Curry Architecture, LLC; H3Hardy Collaboration Architecture, LLC; MJM Architects, LLC; Perspectus Architecture, LLC and Petersen Architecture, PLLC as submitted. Secretary Carlson seconded. Ms. Feibelman was absent for this vote. Motion approved.

(F) Vice-Chair Yoder moved to approve the Amended Change in Responsible Control adding Michael A. Cassavoy and Michael Pearce for the application for Certificate of Authorization for the Corporation for Edwards and Kelcey Architectural & Design Services, Inc., #A-14,226 as submitted. Secretary Carlson seconded. Motion approved.

(G) Vice-Chair Yoder moved to approve the applications for Certificates of Authorization for the Corporations for Andrus Architecture, Inc.; Antinozzi Associates PC; Bay State Design, Inc.; Dooling & Company Architects, Inc.; EHS Architecture, Inc.; Grieves, Worrall, Wright & O'Hatnick, Inc.; B. Thomas Heinzer Associates, Inc.; Howell Belander Castelli Architects, P.C.; Gaylen H. Laing Architect, Inc.; McCluggage Van Sickle & Perry; Nelsen partners, Inc.; Paul North Architects, PC; O'Sullivan Architects Inc.; Schwerdt Design

Group, Inc. and Yarosh Associates, Inc. as submitted. Secretary Carlson seconded. Motion approved.

NEW BUSINESS

(1) Millard A. Gensler, Jr., #2217, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.

Secretary Carlson moved that registration be granted. Ms. Feibelman seconded. Motion approved.

(2) Teryl K. Miller, #3239, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.

Secretary Carlson moved that registration be granted. Ms. Feibelman seconded. Motion approved.

(3) Salvatore Saccoccio, #626, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.

Secretary Carlson moved that registration be granted. Ms. Feibelman seconded. Motion approved.

(4) Harvey H. Lusk, Jr., #3156, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.

Secretary Carlson moved that registration be granted. Ms. Feibelman seconded. Motion approved.

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(5) Dominic Lance Muscara, #3024, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.

Secretary Carlson moved that registration be granted. Ms. Feibelman seconded. Motion approved.

(6) William L. Rawn, III, #1796, indicated on his renewal application that he was subject of a formal or informal hearing or inquiry, complaint, or disciplinary action in another state since the last renewal. Board will review.

Secretary Carlson moved that registration be granted. Ms. Feibelman seconded. Motion approved.

(7) Donald E. Brundage, #3020, indicated not renewing on his renewal application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.

Secretary Carlson moved to grant emeritus status. Mr. Cirillo seconded. Motion approved.

(8) Richard H. Heym, #924, indicated not renewing on his renewal application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.

Secretary Carlson moved to grant emeritus status. Mr. Cirillo seconded. Motion approved.

(9) James R. DeStefano, #1503, indicated not renewing on his renewal application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.

Secretary Carlson moved to grant emeritus status. Mr. Cirillo seconded. Motion approved.

(10) Harvey C. Schorr, #1892, indicated not renewing on his renewal

application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.

Secretary Carlson moved to grant emeritus status. Mr. Cirillo seconded. Motion approved.

(11) David C. Baudo, #2827, Review of Continuing Education Audit.

Chair Newbrook moved to accept and approve the renewal application. Secretary Carlson seconded. Motion approved.

(12) Nancy J. Cocroft, #1187, Review of Continuing Education Audit.

Chair Newbrook moved to send a letter to Ms. Cocroft asking for proof that the Certificate of Completion for PMP Exam Prep qualifies as health, safety and welfare (HSW) as defined by the American Institute of Architects (AIA) continuing education guidelines. Vice-Chair Yoder seconded. Motion approved.

(13) Joseph F. Cornwall, #1513, Review of Continuing Education Audit.

Vice-Chair Yoder moved to accept and approve the renewal application. Secretary Carlson seconded. Motion approved.

(14) Vijay M. Kumar, #1713, Review of Continuing Education Audit.

After review, Secretary Carlson moved to accept and approve the renewal application. Mr. Cirillo seconded. Motion approved.

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(15) Anthony A. Marnell, II, #2656, Review of Continuing Education Audit.

Chair Newbrook reviewed Mr. Marnell's continuing education submitted with his renewal application. Mr. Marnell submitted Certificates of Completion from RedVector.com. Some of the certificates did not specify whether or not the course was accredited in health, safety and welfare (HSW). Secretary Carlson told the Board that RedVector's website indicates whether courses listed are accepted by AIA as HSW.

Vice-Chair Yoder moved to continue so that Chair Newbrook can review RedVector's website to determine whether or not the courses submitted by Mr. Marnell are accepted as HSW. Secretary Carlson seconded. Motion approved.

(16) Discussion on Amendments to the "Rhode Island General Laws – Chapter 5-1"

Discussion of changes to the Rhode Island General laws began at the Board's March 29, 2006 meeting. The Board decided to revise the "Rules" first and then discuss changes to the law. Those changes are as follows:

- §5-1-6 – to change "secretary" to "board executive."**
- §5-1-8 – to delete the section pertaining to "residency" because the first part of the "residency" requirement was removed in a previous year requiring residency.**
- §5-1-15.1(a)(3) – to change "charge" to "control" in accordance with the National Council of Architectural Registration Boards (NCARB)**
- §5-1-15.1 – to add a new section "to permit a six month grace period, on request, to allow a Rhode Island Registered Architect to continue to practice until a new Certificate of Authorization (COA) can be issued upon ownership transition or change in the responsible control of a firm.**
- §5-1-16 – to add a new section "When the Rhode Island Governor declares a state disaster, all registered architects with the National Council of Architectural Registration Boards (NCARB) certification will be allowed to practice.**

Secretary Carlson stated that he agreed with the changes except on §5-1-16 in terms of disaster. The Board should think of a way to limit how long the registered architect can practice. The time needs to be longer than the duration of the declaration of emergency, because if a registered architect starts a project, they need to finish.

Secretary Carlson requested that Attorney Dennehy take the draft of legislation changes prepared by Mrs. Broadfield and prepare a bill for review by the Board. Attorney Dennehy told the Board that they need a sponsor for the bill.

(17) Review of an Individual Reciprocal Application and an Initial Certificate of Authorization Application at the same meeting.

Secretary Carlson moved that as of today's date, the Board will review and act on a person's individual reciprocal application and their initial Certificate of Authorization at the same Board meeting and also to assign a registration number at the same meeting. Vice-Chair Yoder seconded. Motion approved.

(18) Agenda Item

Ms. Feibelman requested that the following item be added to the agenda for next month.

(1) COA Number of Individual Registration Application

The issue of adding a Certificate of Authorization (COA) Number on an Individual Registration Application was discussed as to whether or not to ask for the COA number of the registrant's employer. The Board felt that this was a way to get employees to know what their

employer's COA number is and to also give the registrant education on the COA. Mrs. Broadfield informed the Board that this Board uses a "uniform application" provided by the National Council of Architectural Registration Boards (NCARB) for use throughout the United States. Since a statement was added to the Individual Renewal Application, the registrant is now aware that the COA is needed but does not know if the employer has one.

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ADJOURNMENT

Chair Newbrook informed the Board that the next Board meeting is scheduled for December 19, 2007 at 3:30 p.m. at One Capitol Hill, Conference Room B, Providence, RI 02908. Secretary Carlson moved to adjourn the meeting at 6:10 p.m. Vice-Chair Yoder seconded. Motion approved.

Respectfully submitted,

James R. Carlson, NCARB, AIA

Secretary

JRC/dmb

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C. O. A. APPLICATIONS

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SOLES

DAVID C. BAUDO - 0 - APPROVED – 11/21/07

SHARON V. DWYER - 0 - APPROVED – 11/21/07

BARRY J. GREENBERG \$100. APPROVED – 11/21/07

HARDAWAY ASSOCIATES \$100. APPROVED – 11/21/07

KREHBIEL ARCHITECTURE \$50. APPROVED – 11/21/07

A-10,590 – Name Change from:

Jeff Krehbiel Associates

JAMES A. LICHTY - 0 - APPROVED – 11/21/07

GREGORY L. PANDO AIA \$100. APPROVED – 11/21/07

ALEXANDER P. RAYMOND \$100. APPROVED – 11/21/07

BURTON S. VISNICK, AIA \$100. APPROVED – 11/21/07

PARTNERSHIP

ELTON & HAMPTON ARCHITECTS - 0 - APPROVED – 11/21/07

LIMITED LIABILITY PARTNERSHIP

GERDES HENRICHSON LTD., LLP \$100. APPROVED – 11/21/07

GRUZEN SAMTON ARCHITECTS, LLP \$100. APPROVED – 11/21/07

Architect Registration is Pending

LDA ARCHITECTS LLP \$100. APPROVED – 11/21/07

PAGE SOUTHERLAND PAGE, LLP \$100. APPROVED – 11/21/07

LIMITED LIABILITY COMPANY

CURRY ARCHITECTURE, LLC \$100. APPROVED – 11/21/07

**H3HARDY COLLABORATION ARCHITECTURE, LLC \$100. APPROVED
– 11/21/07**

MJM ARCHITECTS, LLC \$100. APPROVED – 11/21/07

PERSPECTUS ARCHITECTURE, LLC \$100. APPROVED – 11/21/07

PETERSEN ARCHITECTURE, PLLC \$100. APPROVED – 11/21/07

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CORPORATIONS

ANDRUS ARCHITECTURE, INC. \$100. APPROVED – 11/21/07

ANTINOZZI ASSOCIATES PC \$100. APPROVED – 11/21/07

BAY STATE DESIGN, INC. \$100. APPROVED – 11/21/07

**DOOLING & COMPANY ARCHITECTS, INC. \$100. APPROVED –
11/21/07**

**EDWARDS AND KELCEY ARCHITECTURAL APPROVED – 11/21/07
& DESIGN SERVICES, INC.**

**A-14,226 - Add two resp control: Michael A. Cassavoy
and Michael Pearce**

EHS ARCHITECTURE, INC. - 0 - APPROVED – 11/21/07

**GRIEVES, WORRALL, WRIGHT & O'HATNICK, INC. \$100. APPROVED
– 11/21/07**

B. THOMAS HEINZER ASSOCIATES, INC. \$100. APPROVED – 11/21/07

**HOWELL BELANGER CASTELLI ARCHITECTS, P.C. \$100. APPROVED
– 11/21/07**

GAYLEN H. LAING ARCHITECT, INC. \$100. APPROVED – 11/21/07

McCLUGGAGE VAN SICKLE & PERRY \$100. APPROVED – 11/21/07

NELSEN PARTNERS, INC. \$100. APPROVED – 11/21/07

PAUL NORTH ARCHITECTS, PC - 0 - APPROVED – 11/21/07

O'SULLIVAN ARCHITECTS INC. \$100. APPROVED – 11/21/07

SCHWERDT DESIGN GROUP, INC. \$100. APPROVED – 11/21/07

YAROSH ASSOCIATES, INC. \$100. APPROVED – 11/21/07P

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