

**COMMITTEE OF THE
BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS
OF THE UNIFIED BOARD OF DESIGN PROFESSIONALS DIVISION
WITHIN THE DEPARTMENT OF BUSINESS REGULATIONS (DBR)
MINUTES OF MEETING**

DATE: February 20, 2008

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

MEMBERS PRESENT: Dana A. 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.**

Dawne Broadfield, Board Executive

**CALLED TO ORDER: Chair Newbrook called the meeting to order at
8:30 a.m. to commence Board business.**

Attorney Dennehy left at 10:15 a.m.

MINUTES OF THE MEETING OF THE BOARD

(1) Ms. Feibelman moved to approve the open meeting minutes of December 19, 2007 as published. Secretary Carlson seconded. Motion approved.

(2) Secretary Carlson moved to approve and seal the executive session meeting minutes of the December 19, 2007 as published. Vice-Chair Yoder seconded. Motion approved.

EXECUTIVE SESSION

(1) Secretary Carlson moved to convene into executive session at 8:39 a.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) Secretary Carlson moved to adjourn from executive session and to reconvene to an open meeting at 8:51 a.m. pursuant to R.I.G.L. §42-46-4. Ms. Feibelman seconded. Motion approved.

(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. Ms. Feibelman seconded. No votes were taken. Motion approved.

(4) 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 Yoder seconded. Motion approved.

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OLD BUSINESS

(1) Legislation - 2007 – H – 5300 Sub A – Article 3 - Reorganization
• Discussion on Proposed Amendments to the “Rules and Regulations” to include the new “Division of Design Professionals” within the Department of Business Regulation (DBR) per Chapter 73, Article 3, Section 13(a), of the Public Laws of 2007.

Secretary Carlson indicated that it was his understanding from the Unified Board meeting held on January 23, 2008 that each Board was to rewrite their own “Rules and Regulations” to incorporate the new law. Attorney Dennehy stated that he discussed this with Attorney Bernstein and believes that Director Marques is requesting that each Committee have a formal standard for operation; such as guidelines,

procedures or policies. This will be discussed at the next Unified Board meeting scheduled for February 27, 2008.

Based on his understanding, Secretary Carlson stated that he rewrote four pages of the “Rules and Regulations” indicating his comments. Mrs. Broadfield also inserted her comments to clean up the housekeeping items from the last adoption. Secretary Carlson’s rewrite consisted of the Boards retaining their statutory authority and that this Board participates in a “Division”. It was this Board’s opinion that the law continues to call each of the four (4) Boards “Boards” and not “Committees” and that the minutes should be reflected that way.

The Board then proceeded to review the draft changes drafted by Secretary Carlson and Mrs. Broadfield. It was agreed that changes be made in the “Introduction” to incorporate the new law; in the “Purpose, Authority and Applicability” to incorporate the new law; in “Definitions” to incorporate the new law; in the “Approval of Applications” to incorporate a housekeeping item; in “Examinations” to incorporate a change made by the National Council of Architectural Registration Boards (NCARB); in “Practice” to incorporate a housekeeping item; in “Continuing Education (C.E)” to incorporate a housekeeping item; in “Inter-Jurisdictional Practice” to incorporate a housekeeping item; in “By-Laws” to incorporate the new law; and in “Duties and Officers” to incorporate the new law.

After discussion and review and because of the inconsistency between the two laws, this Board's law and the new law creating the Division of Design Professionals within the Department of Business Regulation (DBR), Ms. Feibelman moved that this Board take these revised "Rules and Regulations", use them as way of operating in the interim and consider them next month. Secretary Carlson seconded for discussion. After discussion, this Board will submit these "Rules and Regulations" to the Chair of the Division of Design Professionals for their meeting on February 27, 2008 as requested by the DBR Director for their action. Motion approved.

(2) Sanderson Association Medical Facility in Smithfield, RI – Review of David W. Fish agreement.

Secretary Carlson is the investigator.

Per the final "Settlement Agreement", a report is due from Mr. Fish in March 2008.

(3) Amendments to the "Rhode Island General Laws – Chapter 5-1"

The Board is deferring action on any amendments at this time. These amendments will be held for the future.

(a) Section 5-1-8 – Opinion from NCARB on ARE/IDP Timing

As requested, the Board received an opinion from Daniel Taylor, Legal Counsel for the National Council of Architectural Registration Boards (NCARB), on incorporating NCARB's Resolution of now allowing an architectural registration examination (ARE) candidate to begin taking the ARE prior to completing the Intern Development Program (IDP). After review and discussion, there will be no amendments to the law on this issue at this time.

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(b) Section 5-1-16 – Requested Legislative wording from Mississippi in the event of a Disaster

As requested, Mississippi provided their “Good Samaritan” law. This Board already has a “Good Samaritan” law in place. No changes are necessary.

(c) Section 5-1-15.1 – The change of the wording from “charge” to “control”. Clarification was requested from NCARB on those terms in their “Legislative Guidelines” and “Model Rules and Regulations” handbooks.

As requested, the Board received a clarification from Stephen Nutt,

AIA, Vice President, Programs, NCARB. He indicated that this is a very minor discrepancy in the language with different intentions. Mr. Nutt indicated that being “in charge” of the firm deals with the structure of the firm and being in “responsible control” deals with the project.

(4) Discussion on Proposed Amendments to the “Rhode Island General Laws” and the “Rules and Regulations” to allow the National Council of Architectural Registration Boards (NCARB) Resolution #07-8 on the Architectural Registration Examination (ARE) Timing.

The Board requested an opinion on whether or not its law and “Rules and Regulations” would have to be amended to accommodate the NCARB Resolution that was passed in June 2007 allowing an ARE candidate to begin taking the ARE prior to completing the Intern Development Program (IDP).

At the present time, this Board cannot allow an ARE candidate to begin taking the ARE prior to completing IDP. A candidate would have to apply in a State that allows taking the ARE prior to completing IDP. Then when that candidate completes the ARE, gets registered and obtains a NCARB certificate (Blue Cover), that candidate can then apply for reciprocal registration.

BLUE BOOKS (RECIPROCITY)

(A) Vice-Chair Yoder moved to approve the following Blue Books as

submitted with an expiration date of December 31, 2009. Secretary Carlson seconded. Motion approved.

(1) CATALAN, Arnel T. (4) MORIARITY, Daniel T.

(2) DOUGHERTY, Matthew R. (5) SCOFIDIO, Ricardo

(3) L'HEUREUX, Erik G.

GREEN BOOKS (APPROVAL TO TAKE ARCHITECTURAL REGISTRATION EXAM)

(A) Vice-Chair Yoder moved to approve the following Green Books as submitted. Ms. Feibelman seconded. Secretary Carlson recused from this vote. Motion approved.

(1) NICHOLS, Daniel (3) PEARCE, Benjamin

(2) PARENTE, David A.

CERTIFICATES OF AUTHORIZATION APPLICATIONS (See Attached List)

(A) Secretary Carlson moved to approve the applications for Certificates of Authorization for the Sole Proprietorships for Marc Brundige, Architect; Steven G. Cecil; Matthew R. Dougherty; Fazio Architects; Crystal Harris; James W. P. Howard; Ellis L. McIntosh, Jr.; Marvin W. Overton III, R.A.; David Porter AIA; and Kui-Mew Wong, Architect as submitted. Vice-Chair Yoder seconded. Motion approved.

(B) Secretary Carlson moved to approve the application for Certificate of Authorization for the Partnership for Carlone Dick LaFleche as submitted. Vice-Chair Yoder seconded. Motion approved.

(C) Secretary Carlson moved to approve the applications for Certificates of Authorization for the Limited Liability Companies (LLC) for Dalgliesh, Gilpin, Paxton, PLLC; Forum Architects, LLC; Point One Architects + Planners, LLC and Wooding Design LLC as submitted. Vice-Chair Yoder seconded. Motion approved.

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(D) Secretary Carlson moved to approve the Name Change for the application for Certificate of Authorization for the Corporation for Smithgroup, Inc. as submitted. The former name was Smith Group Midatlantic, Inc. Vice-Chair Yoder seconded. Motion approved.

(E) Secretary Carlson moved to approve the Amended Change in Responsible Control adding John J. Scott for the application for Certificate of Authorization for the Corporation for Symmes Maini & McKee Associates, #A-14,274 as submitted. Vice-Chair Yoder seconded. Motion approved.

(F) Secretary Carlson moved to approve the applications for Certificates of Authorization for the Corporations for Crabtree, Rohrbaugh & Associates and DKMullin Architects as submitted. Vice-Chair Yoder seconded. Motion approved.

(G) Secretary Carlson moved to Deny the application for Certificate of Authorization for the Limited Liability Company (LLC) for Cube 3 Studio, LLC as submitted due to lack of receipt of a “Certificate of Good Standing” from the Rhode Island Secretary of State’s office. Mr. Cirillo seconded. Motion approved.

(H) Secretary Carlson moved to approve the Withdrawal of the applications for Certificates of Authorization for the Corporations for Fukui Architects and Mitchell Giurgola Architects LLP as submitted and take no action. Vice-Chair Yoder seconded. Motion approved.

(I) Secretary Carlson moved to send a letter to Machado and Silveti Associates, Inc. indicating that since Machado and Silveti are not members of the firm and are not registered architects or engineers, the firm must be renamed to practice architecture in this State in accordance with the Board’s “Rules and Regulations” and may reapply under a different name. Vice-Chair Yoder seconded. Motion approved.

NEW BUSINESS

(1) Joel S. Bielawski, #2688, 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.

Based on the action taken against Mr. Bielawski in this State and the matter was resolved, Ms. Feibelman moved approval of the renewal. Secretary Carlson seconded. Motion approved.

(2) Jonathan B. Hodosh, #2356, 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.

On the basis that the Board has no evidence before them of any malpractice by Mr. Hodosh, Secretary Carlson moved approval of the renewal. Mr. Cirillo seconded. Motion approved.

(3) Christina Delvecchio, #1824, indicated not renewing on her renewal application and is requesting “Emeritus Status” which is a Title issued to Retired Architects who are prohibited from practicing architecture.

Secretary Carlson moved approval of emeritus status. Vice-Chair Yoder seconded. Motion approved.

(4) Raymond J. Wisniewski, #1170, Requesting Continuing Education Clarification

Secretary Carlson moved for medical reasons to waive Mr.

Wisniewski's continuing education requirements for the last two years (January 1, 2006 through December 31, 2007) and advise him that for the upcoming two years (January 1, 2008 through December 31, 2009) continuing education is required if he wants to maintain his registration in Rhode Island and that the status of Emeritus Architect is also available should he wish to pursue that option. Vice-Chair Yoder seconded. Motion approved.

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(5) Maurice R. King, #867, Questioning Exemption of Remaining Continuing Education Hours that need to be Fulfilled.

Secretary Carlson moved to waive the shortage of Mr. King's continuing education hours and advise him that the 24 hours of continuing education will be required for the next two years (January 1, 2008 through December 31, 2009) and express the Board's sympathy of the passing of his wife. Ms. Feibelman seconded. Motion approved.

(6) Robert S. Morris, #1184, Requesting Extension to Obtain the Required Continuing Education for 2006 and 2007.

Secretary Carlson moved to give Mr. Morris the ninety (90) day extension to March 31, 2009 for completion of the continuing education requirement. Ms. Feibelman seconded. Motion approved.

(7) Thomas J. DeLuca, #2150, Review of Continuing Education Audit.

Chair Newbrook reviewed Mr. DeLuca's continuing education audit. Based on that review, Mr. DeLuca submitted 20 hours and 20 in health, safety and welfare (HSW) which does not fulfill the continuing education requirement. 24 hours are required.

Secretary Carlson moved to give Mr. DeLuca the ninety (90) day extension to March 31, 2009 for completion of the continuing education requirement. Ms. Feibelman seconded. Motion approved.

(8) Edward A. Rowse, #1347, Review of Continuing Education Audit.

Chair Newbrook reviewed Mr. Rowse's continuing education audit. Based on that review, Mr. Rowse submitted 30 hours and 13 in health, safety and welfare (HSW) which does not fulfill the continuing education requirement. 16 hours are required in HSW.

Secretary Carlson moved to give Mr. Rowse the ninety (90) day extension to March 31, 2009 for completion of the continuing education requirement. Ms. Feibelman seconded. Motion approved.

(9) Christopher Heinzmann, #1975, Review of Continuing Education Audit.

Chair Newbrook reviewed Mr. Heinzmann's continuing education audit. Based on the review, Mr. Heinzmann submitted 24 and 21 ½ in health, safety and welfare (HSW) which meets the continuing education requirement.

Secretary Carlson moved to approve the renewal of his registration. Ms. Feibelman seconded. Motion approved.

(10) Stuart A. Simmons, #1348, Review of Continuing Education Audit.

Chair Newbrook reviewed Mr. Simmons's continuing education audit. Based on the review, Mr. Simmons submitted 24 and 21 in health, safety and welfare (HSW) which meets the continuing education requirement.

Secretary Carlson moved to approve the renewal of his registration. Ms. Feibelman seconded. Motion approved.

(11) Mary Soderstrum, #2710, Review of Continuing Education Audit.

Chair Newbrook reviewed Ms. Soderstrum's continuing education audit. Based on the review, Ms. Soderstrum submitted 24 and 19 in health, safety and welfare (HSW) which meets the continuing education requirement.

Secretary Carlson moved to approve the renewal of her registration. Ms. Feibelman seconded. Motion approved.

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(12) Erik R. Thorp, #863, Review of Continuing Education Audit.

Chair Newbrook reviewed Mr. Thorp's continuing education audit. Based on the review, Mr. Thorp submitted 26 and 21 in health, safety and welfare (HSW) which meets the continuing education requirement.

Secretary Carlson moved to approve the renewal of his registration. Ms. Feibelman seconded. Motion approved.

(13) Robert J. Tindall, #2438, Review of Continuing Education Audit.

Chair Newbrook reviewed Mr. Tindall's continuing education audit. Based on the review, Mr. Tindall submitted 25 and 16 ¼ in health, safety and welfare (HSW) which meets the continuing education requirement.

Secretary Carlson moved to approve the renewal of his registration. Ms. Feibelman seconded. Motion approved.

ADJOURNMENT

Chair Newbrook informed the Board that the next Board meeting is scheduled for March 19, 2008 at 8:30 a.m. at One Capitol Hill, Conference Room C, Providence, RI 02908. Vice-Chair Yoder moved to adjourn the meeting at 11:05 a.m. Secretary Carlson seconded. Motion approved.

Respectfully submitted,

**James R. Carlson, NCARB, AIA
Secretary**

JRC/dmb

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C. O. A. APPLICATIONS

Board Meeting of 20 FEBRUARY 2008

SOLES

MARC BRUNDIGE,ARCHITECT - 0 - APPROVED – 02/20/08

STEVEN G. CECIL - 0 - APPROVED – 02/20/08

MATTHEW R. DOUGHERTY - 0 - APPROVED – 02/20/08

FAZIO ARCHITECTS \$100. APPROVED – 02/20/08

CRYSTAL HARRIS - 0 - APPROVED – 02/20/08

JAMES W. P. HOWARD - 0 - APPROVED – 02/20/08

ELLIS L. MCINTOSH JR. - 0 - APPROVED – 02/20/08

MARVIN W. OVERTON III, R.A. - 0 - APPROVED – 02/20/08

DAVID PORTER AIA - 0 - APPROVED – 02/20/08

KUI-MEW WONG, ARCHITECT - 0 - APPROVED – 02/20/08

PARTNERSHIP

CARLONE DICK LAFLECHE \$100. APPROVED – 02/20/08

LIMITED LIABILITY COMPANIES

DALGLIESH, GILPIN, PAXTON PLLC \$100. APPROVED – 02/20/08

FORUM ARCHITECTS, LLC \$100. APPROVED – 02/20/08

**DENIED–02/20/08–NAMES IN COMPANY ARE NOT
REGISTERED ARCHITECTS OR ENGINEERS PER**

**MACHADO AND SILVETTI ASSOC. LLC \$100. RULES 5.5–MAY APPLY
UNDER DIFFER NAME**

**POINT ONE ARCHITECTS + PLANNERS, LLC \$100. APPROVED –
02/20/08**

WOODING DESIGN LLC \$100. APPROVED – 02/20/08

CORPORATIONS

**CRABTREE, ROHRBAUGH & ASSOCIATES \$100. APPROVED –
02/20/08**

DKMULLIN ARCHITECTS \$100. APPROVED – 02/20/08

SMITHGROUP, INC. \$50. APPROVED – 02/20/08

A-14,274 – Name Change From: Smith Group Midatlantic, Inc.

SYMMES MAINI & MCKEE ASSOCIATES - 0 - APPROVED – 02/20/08

A-14,274 – Addition of responsible control: John J. Scott

DENIED

CUBE 3 STUDIO, LLC DENIED – 02/20/08

WITHDRAWAL

**FUKUI ARCHITECTS ACKNOWLEDGED – NO ACTION TAKEN –
02/20/08**

**MITCHELL GIURGOLA ARCHITECTS LLP ACKNOWLEDGED – NO
ACTION TAKEN – 02/20/08**

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