

MINUTES

BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS

DATE: April 12, 2010

PLACE: Department of Business Regulation (DBR)
1511 Pontiac Avenue, Bldg 68-1 Conference Room
Cranston, RI 02920

MEMBERS PRESENT: Chair Wilbur E. Yoder, Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds

MEMBERS ABSENT: Vice-Chair David R. Prengaman

OTHERS PRESENT: Richard W. Berstein, DBR Executive Counsel
Brian J. Riggs, DBR, Administrator, Financial Management
Dawne Broadfield, Board Executive

CALLED TO ORDER: Chair Yoder called the meeting to order at 1:12 p.m.

to commence Board business.

Mr. Grosvenor came at 1:18 p.m.

Attorney Berstein and Mr. Riggs left at 3:35 p.m.

MINUTES OF THE MEETING OF THE BOARD

(1) Secretary Feibelman moved to approve the open meeting minutes of March 8, 2010 as published. Mr. Grosvenor seconded. The motion carried, 3-0, three in favor, one (1) abstained and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, and Member John K. Grosvenor. Christian J. Ladds abstained since he was not at the last meeting. Vice-Chair David R. Prengaman was absent from this vote.

(2) Secretary Feibelman moved to approve and seal the executive session meeting minutes of the March 8, 2010 as published. Mr. Grosvenor seconded. The motion carried, 3-0, three in favor, one (1) abstained and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, and Member John K. Grosvenor. Christian J. Ladds abstained since he was not at the last meeting. Vice-Chair David R. Prengaman was absent from this vote.

EXECUTIVE SESSION

(1) Mr. Ladds moved to convene into executive session at 1:18 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. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John

K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

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(2) Mr. Ladds moved to adjourn from executive session and to reconvene to an open meeting at 2:50 p.m. pursuant to R.I.G.L. §42-46-4. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(3) Mr. Ladds 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. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(4) Mr. Ladds moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: Secretary Feibelman seconded.

• To close C2009-09.8 – Jeffrey Palumbo (Resume` “Architectural

Designer”) – (Not Registered); James R. Castellucci, #1905, Renewal Application – Continuing Education Not Completed as required; Kenneth Ricci, #2834, Renewal Application – Disciplinary Action Noted; Frank D. Mileto, #2560, Renewal Application – Disciplinary Action Noted; Vincent L. Stella, #2995, Renewal Application, Continuing Education Requirement Not Completed; Joseph N. McPhee, II, #2749, Renewal Application, Tax Affidavit (Entered a Written Installment Agreement to Pay Delinquent Taxes); Advanced Media Design (2010-2011 Yellow Book Listing) – Does not hold a Current Certificate of Authorization (COA); and

- As a result of a random continuing education audit, the following registrants submitted documentation approved by the Board. Those registrants are as follows: Gary Dedeke, #1321; Neil Dixon, #1074; Thomas A. Edson, #2259; Scott L. Hoffland, #2551; Stephen J. Larocque, #1435; Lawrence Lott, #3628; Steven A. Moeser, #1927; John M. Robinson, #911; Hughes W. Thomspn, Jr., #2942; Francis X. Watkins, #2145; and Margaret E. Wohl, #3664; and**

- Beginning with the 2011 Individual Renewal Application, the disciplinary action question will read as follows: Have you been Has any State Board made you the subject of a formal or informal hearing or inquiry, complaint, or disciplinary action related to your license to practice architecture in any state since your last renewal?**

The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair

David R. Prengaman was absent from this vote.

(4) Mr. Ladds 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). Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(5) In Executive Session closed matters, the vote was 4 to 0 to close eight (8) investigative matters, with Board member, Chair Wilbur E. Yoder recused in one (1) matter and one (1) Board member absent from all matters.

(6) In Executive Session pending matters, there are eleven (11) pending matters, comprised of three (3) potential litigation-related matters and eight (8) investigative matters, with one (1) recusal in one (1) matter.

OLD BUSINESS

(1) Record Retention Schedule

The “draft” Design Professionals record retention schedule is work in progress. A meeting was held with Brien Brothman, Rhode Island Secretary of State’s (SOS) office. It was pointed out that the Design Professional Boards are more complicated than Mr. Brothman had thought and that the Boards have a need to go back a lot longer than what the typical DBR standard is. Mr. Brothman asked that the Design Professionals Boards poll

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the other States and inquire about length of their record retention schedule.. Mrs. Broadfield sent a group e-mail to the Member Board Executives (MBEs) in the other States and received approximately thirteen (13) responses and in turn forwarded those responses to Attorney Savage, DBR, and Mr. Brothman, SOS. No response has been received to date. Ms. Styron, Design Professionals Boards, is also sending out the same inquiry on the Engineers’ and Land Surveyors’ side.

Mr. Grosvenor moved to continue. Mr. Ladds seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(2) Future Law Changes Governing “Architects”

- **(2010-S-2476 and 2010-H-7693) Technical Amendments to RI General**

Laws Chap. 5-1

See Attorney Bernstein's update below.

- **(2010-S-2464SubA and 2010-H-7691) Unregistered Activity – Division of Design Professionals Penalties.**

Attorney Bernstein updated the Board. On March 16, 2010, he and Cynthia Gerlach, AIA, President of the American Institute of Architects/RI Chapter (AIA/ri), testified in support of the two (2) bills. Because March 16, 2010 was early in the legislative session, like most other bills, these two bills were held for further study. Attorney Bernstein indicated that he met with a lobbyist at the State House for the licensed salvage yard association. Attorney Bernstein suggested that the lobbyist call the Chairs of the Boards for the possibility of lobbying and for the purpose of moving this legislation forward during this session.

(3) Report of the Annual Spring 2010 Meeting with the Building Officials and the State Building Code Commissioner

The Annual Meeting scheduled with the State Building Code Commission on March 31, 2010 at 1:00 p.m. at the Department of Administration (DOA), One Capitol Hill, 2nd Floor, Conference Room A, Providence, RI 02908, in order for the Board to express the importance of architectural stamps and the requirement of the Certificate of Authorization (COA) for the firm was cancelled due to

the declared State of Emergency caused by flooding. Mr. Ladds could not reach anyone but will follow up.

Mr. Ladds moved to continue. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(4) 2009 Individual Renewal Applications.

- Continuing Education Reporting Forms” were sent to 45 Architects (approximately 2.5%)**

Secretary Feibelman moved to send a letter to those architects who have not responded to the random continuing education audit, to reference the prior continuing education audit form sent, to require a response within fifteen (15) days, to advise these registrants that the random audit is a mandate of the Board and that if the registrant does not reply by the required date, the Board will begin the process of taking disciplinary action. Mr. Grosvenor seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

- “Lapsed Letters” were sent to the 281 individuals who did not**

renew.

A list was presented to the Board members of those registrants who did not renew their registrations. After review, it was noted and removed from the agenda.

(5) Review of “Form Letters” signed by the Board Secretary (Batch 7)

After review, Mr. Grosvenor moved to approve the following “Form Letter”: “Random Continuing Education Audit – Transcript Submitted – Approved.” Mr. Ladds seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

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BLUE BOOKS (RECIPROCITY)

(A) Mr. Grosvenor moved to approve the following Blue Books as submitted with an expiration date of December 31, 2011. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(1) BACHNIVSKY, George (8) POLVINO, Richard A.

(2) COMEAU, John R. (9) QUAILE, AIA, Daniel R.

- (3) GELFAND, Lisa Jay (10) SENSENY, Sylvia E.**
(4) MANSFIELD, Timothy (11) SULLIVAN, Gregory C.
(5) MINOTT, Gregory O. (12) SULLIVAN, Raymond G.
(6) NORRIS, Peter (13) THOMPSON, Maryann
(7) PERSEN, Aaron G.

BLUE BOOK (REINSTATEMENT)

(A) Mr. Grosvenor moved to approve the reinstatement of the Blue Book as presented with an expiration date of December 31, 2011. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(1) COHEN, Andrew C., #1716

CERTIFICATES OF AUTHORIZATION (COA) APPLICATIONS (See Attached Lists)

(A) Mr. Grosvenor moved to approve the applications for the Certificates of Authorization for the Sole Proprietorships for Alan Berry Architect; Harold E. Gebhard; and Michelle Robinson Architect as submitted. Mr. Ladds seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor

and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(B) Mr. Grosvenor moved to approve the applications for the Certificates of Authorization for the Sole Proprietorships for Andrew Cohen Architects; Lacuna Design and Thomas A. Manning, AIA as submitted. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(C) Mr. Grosvenor moved to approve the applications for the Certificates of Authorization for the Limited Liability Companies for Archit8 Studio LLC and Moser Pilon Nelson/Architects, LLC as submitted. Mr. Ladds seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(D) Mr. Grosvenor moved to approve the applications for the Certificates of Authorization for the Limited Liability Companies for Charney Architects LLC and Gregg Wies & Gardner Architects LLC as submitted. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur

E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(E) Mr. Grosvenor moved to approve the applications for the Certificates of Authorization for the Corporations for Architects Design Group, Inc.; GLMV Architecture, Inc.; and William Rawn Associates, Architects, Inc. as submitted. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

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(F) Mr. Grosvenor moved to approve the applications for the Certificates of Authorization for the Corporations for Bay State Architectural and Engineering Services, PC and Pierce Goodwin Alexander & Linville Inc. as submitted. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(G) Mr. Grosvenor moved to approve the Change in Business Structure for the application for Certificate of Authorization for the Corporation for Chipman Adams Architects, Inc., #A-14,016, as submitted. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(H) Mr. Grosvenor moved to approve the Change in Business Structure for the application for Certificate of Authorization for the Limited Liability Company for Fletcher Thompson Architecture Engineering, LLC, #ALLC26, as submitted. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(I) Mr. Grosvenor moved to approve the Change in Responsible Control removing Peter E. Avetta and adding John W. Johnson and Joseph H. Donovan for the application for Certificate of Authorization for the Corporation for Stantec Architecture, Inc., #A-14,432, as submitted. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent

from this vote.

(J) Mr. Grosvenor moved to approve the Change in Responsible Control removing Duncan Pendlebury for the Corporation for TRO Jung/Brannen, Inc., #A-14,046, as submitted. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

NEW BUSINESS

(1) Retroactive Documentation of IDP (Intern Development Program) for NCARB (National Council of Architectural Registration Boards) – NCARB is asking for confirmation of requirement

Mr. Grosvenor moved to send NCARB the Board's current law and rules and regulations, to ask NCARB to clarify request, and to continue. Mr. Ladds seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(2) National Council of Architectural Registration Boards (NCARB)

2010 Annual Meeting and Conference

- **Draft of the Resolutions to be Acted Upon**
- **Candidates for Office**

Secretary Feibelman moved to continue. Mr. Ladds seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

- **Appointment of two (2) Funding Delegates**
- **Appointment of Voting Delegate**

Secretary Feibelman moved to approve Chair Yoder and Mr. Grosvenor as the funding and voting delegates. Mr. Ladds seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

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(3) Matthew Arnold, Request for Statistics

Mr. Ladds moved that from this point forward the Board will refer all inquiries to the National Council of Architectural Registration Boards (NCARB), will send a letter to Mr. Arnold, with a copy to NCARB, to that effect and will close. Mr. Grosvenor seconded. The motion

carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

(4) (Courtnee Crystal, PPI, Rhode Island Architectural Registration Examination (ARE) Registrants List Request.

Mr. Ladds moved to notify Ms. Crystal that Counsel to the Board has advised that this information is not considered to be a public record, and as such, cannot be made available for release. Secretary Feibelman seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder; Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

ADJOURNMENT

Chair Yoder announced that the next meeting of the Board is scheduled for May 10, 2010 at 1:00 p.m. at the DBR, The John O. Pastore Center, 1511 Pontiac Avenue, Conference Room 68-1, Cranston, RI 02920. Mr. Grosvenor moved to adjourn the meeting at 3:45 p.m. Mr. Ladds seconded. The motion carried, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair Wilbur E. Yoder;

Secretary Barbara Feibelman, Members John K. Grosvenor and Christian J. Ladds. Vice-Chair David R. Prengaman was absent from this vote.

Respectfully submitted,

Barbara Feibelman, AIA

Secretary

BF/dmb

• **Posted on May 11, 2010, electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.**

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C. O. A. APPLICATIONS

Board Meeting of MARCH 8, 2010

Board Meeting of APRIL 12, 2010

SOLE PROPRIETORSHIPS

ALAN BERRY ARCHITECT - 0 - APPROVED – 04/12/10

HAROLD E. GEBHARD \$100. APPROVED – 04/12/10

MICHELLE ROBINSON ARCHITECT - 0 - APPROVED – 04/12/10

LIMITED LIABILITY COMPANY

ARCHIT8 STUDIO LLC - 0 - APPROVED – 04/12/10

**MOSER PILON NELSON/ARCHITECTS, LLC \$100. APPROVED –
04/12/10**

LIMITED LIABILITY PARTNERSHIP

CORPORATIONS

ARCHITECTS DESIGN GROUP, INC. \$100. APPROVED – 04/12/10

CHIPMAN ADAMS ARCHITECTS, INC. - 0 - APPROVED – 04/12/10

A-14,016 – Change in Business Structure

**Removing: R. Daryl Adams, Director and
Deborah Chipman, Officer**

GLMV ARCHITECTURE, INC. \$100. APPROVED – 04/12/10

WILLIAM RAWN ASSOCIATES,

ARCHITECTS, INC. \$100. APPROVED – 04/12/10

STANTEC ARCHITECTURE, INC. - 0 - APPROVED – 04/12/10

A-14,432 – Change in Responsible Control

Removing: Peter E. Avetta and

Adding: John W. Johnson and Joseph H. Donovan

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C. O. A. APPLICATIONS

Board Meeting of APRIL 12, 2010

SOLE PROPRIETORSHIPS

ANDREW COHEN ARCHITECTS \$100. APPROVED – 04/12/10

LACUNA DESIGN - 0 - APPROVED – 04/12/10

THOMAS A. MANNING, AIA - 0 - APPROVED – 04/12/10

LIMITED LIABILITY COMPANY

CHARNEY ARCHITECTS LLC \$100. APPROVED – 04/12/10

FLETCHER THOMPSON ARCHITECTURE

ENGINEERING, LLC - 0 - APPROVED – 04/12/10

ALLC26 – Change in Business Structure

Removed: James A. Beaudin and

Added: Daniel L. Casinelli

**GREGG WIES & GARDNER ARCHITECTS LLC \$100. APPROVED –
04/12/10**

LIMITED LIABILITY PARTNERSHIP

CORPORATIONS

BAY STATE ARCHITECTURAL AND

ENGINEERING SERVICES, PC \$100. APPROVED – 04/12/10

**PIERCE GOODWIN ALEXANDER & LINVILLE INC. \$100. APPROVED –
04/12/10**

TRO JUNG/BRANNEN, INC. - 0 - APPROVED – 04/12/10

A-14,046 – Change in Responsible Control

Removed: Duncan Pendlebury

04/12/10

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