

# **MINUTES**

## **BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS**

**DATE: August 16, 2010**

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

**MEMBERS PRESENT: Chair David R. Prengaman, Vice-Chair Barbara Feibelman; Members John K. Grosvenor and Wilbur E. Yoder**

**MEMBERS ABSENT: Secretary Christian J. Ladds**

**OTHERS PRESENT: Brian J. Riggs, DBR, Administrator, Financial Management**

**Louis A. DeQuattro, Jr., DBR Deputy Director & Counsel**

**Dawne Broadfield, Board Executive**

**CALLED TO ORDER: Chair Prengaman called the meeting to order at 1:06 p.m.**

**to commence Board business.**

**John K. Grosvenor came at 1:16 p.m.**

**Attorney DeQuattro and Mr. Riggs left at 2:50 p.m.**

**MINUTES OF THE MEETING OF THE BOARD**

**(1) Vice-Chair Feibelman moved to approve the open meeting minutes of July 12, 2010 as published. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

**(2) Vice-Chair Feibelman moved to approve and seal the executive session meeting minutes of the July 12, 2010 as published. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

## **EXECUTIVE SESSION**

**(1) Member Yoder moved to convene into executive session at 1:08 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 Feibelman seconded. Motion passed, 3-0, three (3) in favor and two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, and Member Wilbur E. Yoder. Secretary Christian J. Ladds and Member John K. Grosvenor were absent from this vote.**

**(2) Member Yoder moved to adjourn from executive session and to reconvene to an open meeting at 2:26 p.m. pursuant to R.I.G.L. §42-46-4. Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

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

**(4) Member Yoder moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: Votes were made to close (C2009-09.9)-Alyssa A. Heller vs. Luis Torrado, L.A. Torrado Architects; Frank J. Murphy, #3265, Renewal Application – Disciplinary Action Noted – Question on “Tax Affidavit;” 2009-2010 Verizon Yellow Pages, Listings under the categories related to “Architects” and the 2010-2011 Yellow Book, Listings under the categories related to “Architects” and “Architectural Designers.” Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor**

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

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

(8) In Executive Session closed matters, the vote was 4 to 0 to close four (4) investigative matters. One (1) recusal was noted that did not influence one (1) Board Member's objectivity. One (1) Board member was absent from all matters.

(9) In Executive Session pending matters, there are five (5) pending matters, comprised of one (1) potential litigation-related matter, one (1) monitoring matter and three (3) investigative matters.

**OLD BUSINESS**

## **(1) Development of a Record Retention Schedule for the Division of Design Professionals**

**No update at this time. Member Yoder moved to close. Member Grosvenor seconded. After discussion, Member Yoder amended the motion to request that the Board be provided an Annual Update every January. Member Grosvenor seconded the amendment. Hearing no discussion, motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds 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**

**Due to an inadvertent posting on the legislative website, the bill on the technical amendments noted passage. Then it noted no movement from the Senate. The bill did not pass. Vice-Chair Feibelman moved that the Board reintroduce the bill for the “Technical Amendments to RI General Laws Chapter 5-1. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this**

**vote.**

**Vice-Chair Feibelman moved to close and revisit under “New Business” at the Board’s October 18, 2010 meeting. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

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

**Secretary Ladds received a September 29, 2010 date for the meeting but is still waiting for a time. Member Yoder moved to continue. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

**(4) 2009 Individual Renewal Applications.**

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

**Forty-four (44) registrants have responded to the random continuing education audit. The Board granted an extension to one (1) registrant. Therefore, Member Grosvenor moved to continue and leave on the agenda until next month. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

## **NEW BUSINESS**

**(1) Certificate of Authorization (COA) – Professional Liability Insurance Requirement.**

**Vice-Chair Feibelman gave an update. This item is being revisited based on Secretary Ladds’ suggestion to revisit in a year. The Board decided that COAs have very little value to protect the public because the responsibility still goes back to the registrant. It was suggested that if the Board required firms to carry professional liability insurance that would actually be a benefit to the public. The Board surveyed the jurisdictions and very few jurisdictions have this requirement. The Board then interviewed two (2) State insurers. They told the Board that the Architects who do not carry liability**

insurance have the most residential work. The Board's statute does not require Architects who have one and two residential practice to be registered. Then, by the length of time research in considering this requirement, the economy crashed and the Board was having trouble keeping all of its registrants current. The Board also received new Board members and Secretary Ladds suggested that the Board should give this some thought and revisit in a year. That brings the Board to where it is now.

After discussion, Vice-Chair Feibelman moved to close with no action. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.

## **(2) On-Line Registrations and Renewals**

Vice-Chair Feibelman brought up a concern as noted at the last meeting that moving forward registrants will be renewing on-line and will no longer be receiving a renewal notification. Vice-Chair Feibelman requested that this item be placed on the agenda next month.

## **BLUE BOOKS (RECIPROCITY)**

**(A) Member Yoder moved to approve the following Blue Books as**

submitted with an expiration date of December 31, 2011. Member Grosvenor seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.

(1) ARMSTRONG, Lawrence R. (4) POWELL, Mikael

(2) ATTEMANN, Paul E. (5) WINK, Kenneth A.

(3) GINES, Gary A.

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#### **BLUE BOOKS(REINSTATEMENTS)**

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

(1) AHEARN, Patrick J., #1379 (2) YARINSKY, Adam, #3227

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

**(A) Chair Prengaman moved to approve the Name Change for the application for Certificate of Authorization for the Corporation for Cole + Russell Architects, Inc. dba CR Architecture + Design, #A-14,130, as submitted. The former name was Cole + Russell Architects, Inc. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

**(B) Chair Prengaman moved to approve the Change in Responsible Control removing Anthony V. Saviano and adding Thomas E. Powers for the application for Certificate of Authorization for the Corporation for Interior Architects, P.C., #A-14,368, as submitted. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

**(C) Member Grosvenor moved to deny the applications for the Certificates of Authorization for not completing the application**

**process and not submitting a “Certificate of Good Standing” from the Rhode Island Secretary of State office as required for the following: Arkinetics; DiLullo, Inc.; Mitchell Studio, LLC; Scott Simons Architects, LLC; TMG Architects LLC; and the Wallace Design Group. Member Yoder seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

## **ADJOURNMENT**

**Chair Prengaman announced that the next meeting of the Board is scheduled for Monday, September 13, 2010, at 1:00 p.m. at the DBR, The John O. Pastore Center, 1511 Pontiac Avenue, Conference Room 68-1, Cranston, RI 02920. Member Yoder moved to adjourn the meeting at 3:17 p.m. Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members John K. Grosvenor and Wilbur E. Yoder. Secretary Christian J. Ladds was absent from this vote.**

**Respectfully submitted,**

**David R. Prengaman, AIA**

**Chair**

**DRP/dmb**

- **Posted on September 14, 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 AUGUST 16, 2010**

**SOLE PROPRIETORSHIPS**

**LIMITED LIABILITY COMPANY**

**CORPORATIONS**

**COLE + RUSSELL ARCHITECTS, INC.**

**DBA CR ARCHITECTURE + DESIGN \$50. OH APPROVED – 08/16/10**

**A-14,130 – Name Change**

**From: Cole + Russell Architects, Inc.**

**INTERIOR ARCHITECTS, P.C. - 0 - CA APPROVED – 08/16/10**

**A-14,368 – Change in Responsible Control**

**Removed: Anthony V. Saviano**

**Added: Thomas E. Powers**

**DENIED:**

**(Did not Complete the Application by Process due to lack of Submission of a “Certificate of Good Standing” from the Rhode Island Secretary of State’s Office.)**

**ARKINETICS DENIED – 08/16/10**

**DILULLO, INC. DENIED – 08/16/10**

**MITCHELL STUDIO, LLC DENIED – 08/16/10**

**SCOTT SIMONS ARCHITECTS, LLC DENIED – 08/16/10**

**TMG ARCHITECTS, LLC DENIED – 08/16/10**

**WALLACE DESIGN GROUP DENIED – 08/16/10**

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