

MEETING MINUTES

DATE: July 9, 2012

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 and Members David L. DeQuattro (Present 1:20 p.m. – 2:58 p.m.) and John K. Grosvenor

MEMBERS ABSENT: Secretary Christian J. Ladds

OTHERS PRESENT: Dawne Broadfield, Board Executive

Brian J. Riggs, DBR, Administrator, Financial Management

(Present 2:03 p.m. – 2:33 p.m.)

OTHERS ABSENT: Louis A. DeQuattro, Jr., Esq., CPA, DBR Deputy Director & Counsel

CALLED TO ORDER: Chair Prengaman called the meeting to order at 1:15 p.m.

A. MINUTES OF THE MEETING OF THE BOARD

(1) Vice-Chair Feibelman moved to approve the open meeting minutes of June 11, 2012 as published. Member Grosvenor seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Member John K. Grosvenor. Secretary Christian J. Ladds and Member David

L. DeQuattro were absent from this vote.

(2) Member Grosvenor moved to approve and seal the executive session meeting minutes of the June 11, 2012 as published. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

B. EXECUTIVE SESSION

(1) Member Grosvenor moved to convene into executive session at 1:16 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, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(2) Member Grosvenor moved to adjourn from executive session and to reconvene to an open meeting at 2:18 p.m. pursuant to R.I.G.L. §42-46-4. Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor, one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Members David L.

DeQuattro and John K. Grosvenor. Secretary Christian J. Ladds was absent from this vote.

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

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(4) Member Grosvenor moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: Motions were made to close the following agenda items G and H. Motions were made to continue the following agenda items A, B, C, D, E, and F. Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor, one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Members David L. DeQuattro and John K. Grosvenor. Secretary Christian J. Ladds was absent from this vote.

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

(6) In Executive Session closed matters, the vote was four (4) to zero (0), to close. Each vote was unanimous at the time that it was taken with no Board members recused and one (1) Board member absent.

(7) In Executive Session pending matters, there are six (6) pending matters, comprised of one (1) investigative matter and five (5) registration matters with one (1) recusal.

C. OLD BUSINESS

(1) Rules and Regulations – (Review for Updating)

Mrs. Broadfield provided a “draft” of revisions of the Rules and Regulations. The revisions were incorporated based on items that were discussed at previous Board meetings. After the last meeting, all changes discussed were incorporated and re-distributed. The Board again reviewed page-by-page and looked at the changes made.

After discussion, the Board agreed to the following:

- Rule 2.7 – The definition will remain, but the language will be changed to the exact language as it appears in the National Council of Architectural Registration Boards (NCARB) Legislative Guidelines.**
- Rule 2.12 – The Board questioned the “responsible control”**

definition and decided to leave “as is” since it is NCARB Model Language.

- Rule 4.1.8 and 4.1.9 – Deleted the “rolling clock” language since it is controlled by NCARB and is no longer necessary.
- Rule 5.2.3 - Discussion occurred on responsible control vs. ownership. The Board felt that this topic is worthy of discussion. Member DeQuattro will develop language for proposed legislation to be reviewed by the Board. Then if agreed on, the proposed legislation would be submitted to DBR to be introduced in the next legislative session.
- Rule 5.3.2 – Attorney Louis DeQuattro changed the language, in part, as follows: An electronic submission A digital facsimile of the seal may be used in lieu of the hand stamp.
- Rule 5.8 – Discussion occurred. Continuing Education credits will now have to be obtained on a yearly basis as opposed to a biennial basis.
- Rule 9.12 – Deleted per Attorney DeQuattro since fees are regulated by statute.

A copy of the Rules and Regulations will be kept with a history of the NCARB Model Language highlighted in yellow. This will track how much of the Rules and Regulations language is in conformance with NCARB Model Language.

Vice-Chair Feibelman moved to continue until the above changes are made and NCARB Model language highlighted in yellow. Member

Grosvenor seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(2) Annual Meeting with the Building Officials and the State Building Code Commissioner

(Discussion for Scheduling)

The Board is waiting for a meeting date from Mr. Warren Ducharme. Member Grosvenor moved to continue. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

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

- 2012 Annual Meeting – Minneapolis, MN (June 20 -24, 2012)**
- Funding – Chair Prengaman and Mrs. Broadfield attended.**
- 2012 Officer Candidate Resumes – New England now has two (2) people on the NCARB Board of Directors; Margo Jones/MA, Secretary and Christopher Williams/NH, Region I Director.**
- 2012 Draft Resolutions – NCARB withdrew two (2) “Resolutions” that had to do with Canadian reciprocal licenses. Canada offers a Canadian examination and the NCARB Architectural Registration**

Examination (ARE). The examination candidate has a choice of what examination to take. NCARB is still negotiating with Canada in regard to the examination. The remaining of the “Resolutions” passed.

- **ARE Desktop Software – NCARB announced that the new ARE Desktop Software that NCARB thought would be out this year for examinees taking the examination will be delayed a year. Based on Member Grosvenor’s knowledge in serving on NCARB ARE Committees, he indicated that the old software is very antiquated. The new software still has a lot of bugs.**

Member Grosvenor moved to close. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

D. NEW BUSINESS

(1) Certificate of Authorization (COA) Ownership – General Discussion.

Vice-Chair Feibelman moved to continue. Member Grosvenor seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(2) New England Conference of Architectural Registration Boards (NECARB)

• 2012 Fall Conference

Chair Prengaman updated the Board. This year Vermont was going to host the 2012 Fall Conference sometime in October. Because there are so many other Committee meetings in October and November, the Region is adding a day onto the NCARB Member Board Chairs/Member Board Executives meeting in Boston, MA, since many people will be attending that meeting.

E. National Council of Architectural Registration Boards (NCARB) Information and Updates)-(Review/Take Action)

(1) None at this time.

F. APPLICATIONS

1. RECIPROCAL REGISTRATION REQUESTS FROM INDIVIDUALS REGISTERED IN OTHER STATES SEEKING REGISTRATION IN RHODE ISLAND

(A) Member Grosvenor moved to approve the following reciprocal registration requests as submitted with an expiration date of December 31, 2013. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member

John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(1) BERNHEIMER, Andrew (4) MILLER, Anthony

(2) CALDWELL, Kevin S. (5) YOUNG, Wayne P.

(3) KING, Timothy L.

(B) Member Grosvenor moved to approve the following reciprocal registration request as submitted with an expiration date of December 31, 2013. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(1) ELAM, Merrill Lynn

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(C) Member Grosvenor moved to continue the following reciprocal registration requests as submitted pending Roger L. Beale answering the first question on the application and submitting the supporting documentation. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(1) BEALE, Roger L.

2. REGISTRATION REINSTATEMENT REQUESTS FROM INDIVIDUALS REQUESTING REINSTATEMENT OF HIS/HER RHODE ISLAND REGISTRATION.

(A) None at this time.

3. INITIAL REGISTRATION REQUESTS FROM INDIVIDUALS WHO HAVE COMPLETED THE REQUIRED EDUCATION, INTERN DEVELOPMENT PROGRAM (IDP) AND THE ARCHITECTURAL REGISTRATION EXAMINATION (ARE) THROUGH THE NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) DIRECT REGISTRATION PROGRAM

(A) None at this time.

4. CERTIFICATES OF AUTHORIZATION (COA) APPLICATIONS (See Attached List)

(A) Member Grosvenor moved to approve the application for the Certificate of Authorization for the Sole Proprietorship for Wayne P. Young, AIA as submitted. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(B) Member Grosvenor moved to continue pending compliance with firm name the application for the Certificate of Authorization for the Limited Liability Companies for Compass Group Architects, LLC. Member Grosvenor seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(C) Member Grosvenor moved to continue pending legal direction on the application for Certificate of Authorization for the Limited Liability Company for Herbst-Musciano, LLC. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(D) Member Grosvenor moved to conditionally approve the application for the Certificates of Authorization for the Corporations for Crabtree, Rohrbaugh & Associates, Inc.; Mack Scogin Merrill Elam Architects and Independence Energy Homes dba Zeroenergy Homes as submitted pending receipt of the required "Certificate of Good Standing" issued by the Rhode Island Secretary of State's Office. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member John K. Grosvenor.

Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(E) Member Grosvenor moved to approve the Change in Responsible Control removing Ronald R. Henry (3883) for the application for Certificate of Authorization for the Corporation for URS Corporation AES, #A-14,375, as submitted. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

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(F) Finegold Alexander + Associates, Inc. held a Certificate of Authorization #A-14,013 that expired on December 31, 2002. An initial application has been received with the initial \$100 application fee. Additional fees were required, due to the expiration of the prior COA.

Member Grosvenor moved to approve the application for the

Certificate of Authorization for the Corporation for Finegold Alexander + Associates, Inc., #A-14,103, based on receipt of the total payment due and pending receipt of the required “Certificate of Good Standing” issued by the Rhode Island Secretary of State’s Office. Chair Prengaman seconded. Motion passed, 3-0, three (3) in favor two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Feibelman and Member John K. Grosvenor. Vice-Chair Barbara Feibelman voted indicating that she can participate fairly. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

(G) Regarding the application for Certificate of Authorization for the Corporation of Pfeiffer Partners, Architect Inc., Member Grosvenor moved to continue and send a letter to question whether the firm submitted a proposal for the University of Rhode Island (URI) Fine Arts Center Project. The Board is questioning why the firm checked “no” instead of “yes” and explain their answer to the question concerning prior practice or offer to practice. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman and Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

G. ADJOURNMENT

Chair Prengaman announced that the next Board meeting is scheduled for Monday, August 6, 2012, at 1:00 p.m. at the DBR, John O. Pastore Center, 1511 Pontiac Avenue, Conference Room 68-1, Cranston, RI 02920. Member Grosvenor moved to adjourn the meeting at 3:52 p.m. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor, two (2) absent. Voting in favor were, Chair David R. Prengaman, Vice-Chair Barbara Feibelman, and Member John K. Grosvenor. Secretary Christian J. Ladds and Member David L. DeQuattro were absent from this vote.

Respectfully submitted,

David R. Prengaman, AIA

Chair

DRP/dmb

- **Posted on August 1, 2012 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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CERTIFICATE OF AUTHORIZATION (COA) APPLICATIONS

Board Meeting of JULY 9, 2012

SOLE PROPRIETORSHIPS

WAYNE P. YOUNG, AIA -0- FL APPROVED – 07/09/12

LIMITED LIABILITY COMPANIES

**COMPASS GROUP ARCHITECTS, LLC - 0 - MA CONTINUE-PENDING
COMPLIANCE WITH**

FIRM NAME – 07/09/12

**HERBST-MUSCIANO, LLC \$100. MA CONTINUE FOUR (4) MONTHS –
02/13/12**

**No record on file with this Board or the RI Sec. of State. NO
RESPONSE – CONTINUE – 03/12/12**

**03/15/12 - INITIAL APPL REC'D. CONTINUE – REFERRED TO LEGAL
COUNSEL FOR OPINION – 04/09/12**

PENDING LEGAL OPINION – 05/14/12

**06/11/12 – LEGAL OPINION REC'D. LEGAL OPINION REC'D –
06/11/12**

CONTINUE – 06/11/12

CONTINUE – 07/09/12

CORPORATIONS

**CRABTREE, ROHRBAUGH & ASSOCIATES, INC. - 0 - PA APPROVED
- 07/09/12**

**FINEGOLD ALEXANDER + ASSOCIATES INC. \$100. MA APPROVED
UPON RECEIPT OF BACK
#A-14,103 - Expired 12/31/02 (Back Fees Due?) FEES DUE PER
BOARD'S LEGAL COUNSEL -**

05/14/12

CONTINUE FOR PAYMENT - 06/11/12

PAYMENT REC'D - APPROVED - 07/09/12

**MACK SCOGIN MERRILL ELAM ARCHITECTS - 0 - GA APPROVED -
07/09/12**

**PFEIFFER PARTNERS ARCHITECTS INC. - 0 - CA CONTINUE -
EXPLAIN ANSWERING "NO"**

INSTEAD OF "YES" TO THE QUESTION

**OF OFFERING WITHOUT BEING
REGISTERED – 07/09/12**

URS CORPORATION AES APPROVED – 07/09/12

#A-14,375 – Change in Responsible Control

Removed: Ronald R. Henry (3883)

**INDEPENDENCE ENERGY HOMES DBA - 0 - MA APPROVED –
07/09/12**

ZEROENERGY HOMES

07/09/12

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