

# **BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS**

## **MINUTES OF THE MEETING OF THE BOARD**

**DATE 23 February 2011**

**PLACE 1511 Pontiac Avenue, Building 69-1 Conference Room,  
Cranston, RI**

**MEMBERS PRESENT Chairman John Carter, Vice Chair Sara  
Bradford, Secretary Steven Pilz, Board**

**Members Michael Dowhan and Scott Millar**

**MEMBERS ABSENT None**

**OTHERS PRESENT Ms. Christina M. Styron, Administrative  
Assistant**

**Mr. Brian J. Riggs, DBR Department Budget Administrator (Present  
2:11 to 2:45)**

**Mrs. Lois A. Marshall, Administrative Assistant**

**AGENDA ITEM 1 Chairman Carter called the meeting to order at 2:14  
PM.**

**Call to Order**

**AGENDA ITEM 2 Vice Chair Bradford made a motion, seconded by Vice Chair Bradford, to approve Approval of Minutes the Regular and Executive Session minutes of the 8 December 2010 meeting. The motion was passed unanimously; five in favor. Voting in favor were Chairman**

**Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

**AGENDA ITEM 3 Because of the nature of the following items, Secretary Pilz made a Executive Session motion, seconded by Mr. Dowhan, to hold an Executive Session**

**according to Section 42-46-5a of the Rhode Island General Laws, for**

**sessions or work sessions pertaining to collective bargaining or litigation**

**under Section 42-46-5(a)(2) and for investigative proceedings regarding**

**allegations of civil or criminal misconduct under Section 42-46-5(a)(4) and**

**the motion was passed unanimously at 2:16 PM; five in favor. Voting in favor were**

**Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

**Secretary Pilz made a motion, seconded by Chairman Carter, to seal the executive session and record the votes taken in executive session pursuant to RIGL §42-46-4 and §42-46-5. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

**Secretary Pilz made a motion, seconded by Chairman Carter, 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). The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

### **Record of Votes Taken in Executive Session**

**Executive Agenda Item #s 3.1. – Disclosure deferred.**

**Adjournment - Secretary Pilz made a motion, seconded by Chairman Carter, to come out of Executive Session and reconvene to an open meeting pursuant to RIGL §42-46-4. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar at 2:40 PM.**

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**In Executive Session open matters (1), the vote was five in favor.**

**End of record of votes taken in Executive Session**

**AGENDA ITEM 4 1. CLARB's January and February 2011 Member Board E-News was received.**

**Correspondence**

**AGENDA ITEM 5 a. Rules & Regulations**

**Old Business**

**We will schedule a regular meeting with the rules and regulations as the only agenda item for 16 March 2011.**

**b. Legislation**

**1. S007 – Landscape Gardeners**

**The Board discussed recently introduced legislation S0007 – entitled “Landscape Gardeners” which would require landscape gardeners to register and be licensed by this Board.**

**Vice Chair Bradford made a motion, seconded by Secretary Pilz, that this Board opposes this legislation based on the fact that landscape gardeners are not within the purview of this Board. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

### **c. Miscellaneous**

#### **1. Clark Farms**

**The Board reviewed a response from Richard Clark of Clark Farms, Inc..**

**Secretary Pilz made a motion, seconded Vice Chair Bradford, to accept the explanation and to close this matter. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

#### **2. New England Landscape**

**A response was due by 18 October 2010. We have not received one. Ms. Styron has made numerous phone calls to no avail.**

**Secretary Pilz made a motion, seconded by Mr. Dowhan, to send New England Landscape a letter stating that since previous requests for a response have been ignored, the Board is requesting that they appear for an informal conference to discuss this matter and that if they do not appear, the Board can take further action including penalty fines for unlicensed activity up to \$2500 ..**

**A discussion of the motion followed.**

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**Secretary Pilz then amended his motion, seconded by Mr. Dowhan, to send New England Landscape a letter stating that since previous**

requests for a response have been ignored, the Board is requesting that they either respond in writing or appear for an informal conference to discuss this matter and that if they do not appear, the Board can take further action including penalty fines for unlicensed activity up to \$2500. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.

## **AGENDA ITEM 6 a. Miscellaneous**

### **New Business**

- 1. The Board will draft a new Informational Bulletin to Cities and Towns.**
- 2. Secretary Pilz brought an article to the Board's attention about a memorial to firefighters planned in Smithfield.**

Chairman Carter made a motion, seconded by Mr. Dowhan, to have Secretary Pilz draft a letter to the Smithfield Town Council President informing them that a Landscape Architect will be required on this project. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.

- 3. There was a brief discussion regarding RIDEM's new storm water regulations.**

**b. The next Board meeting is scheduled for 23 March 2011.**

**AGENDA ITEM 7 LA applications**

**Applications–LA & COA**

**Richard Sheridan – applying for reciprocity with Arkansas.**

**Secretary Pilz made a motion, seconded Mr. Millar, to ask Attorney DeQuattro for a legal opinion on Mr. Sheridan’s application. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

**Kyle S. Zick – applying for reciprocity with Massachusetts.**

**Secretary Pilz made a motion, seconded by Mr. Dowhan, to require Mr. Zick to take the RI State examination. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

**COA applications**

**The Board reviewed the following initial Corporation/LLC COA applications:**

**Millstone Engineering, Inc.. listing Richard J. Bourbonnais, II in responsible charge**

**Vice Chair Bradford made a motion, seconded by Secretary Pilz, to approve the above listed COA application pending them amending their purpose to include landscape architecture and receipt of a Certificate of Good Standing from the RI Secretary of State. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

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**The Board reviewed the following Initial sole proprietorship COA applications:**

**Ashley Iannuccilli listing herself in responsible charge**

**Robyn L. Reed listing herself in responsible charge**

**Vice Chair Bradford made a motion, seconded by Secretary Pilz, to approve the above listed COA applications. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter,**

**Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

**The Board reviewed the following reinstatement COA application:**

**BL Companies New England listing James W. Fielding in responsible charge – changing from Dennis J. Dale**

**Vice Chair Bradford made a motion, seconded by Secretary Pilz, to approve the above listed COA application. The motion was passed unanimously; five in favor. Voting in favor were Chairman Carter, Vice Chair Bradford, Secretary Pilz, Mr. Dowhan and Mr. Millar.**

**AGENDA ITEM 8 Chairman Carter made a motion, seconded by Mr. Dowhan, to adjourn at 4:09 Adjournalment PM. The motion was passed; three in favor. Voting in favor were Chairman Carter, Vice Chair Bradford and Mr. Dowhan.**

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