

ARCHITECTURAL LICENSING BOARD

Tel. No. (860) 713-6145

April 11, 2007

State of Connecticut
Department of Consumer Protection
Occupational & Professional Licensing Division
165 Capitol Avenue
Hartford, Connecticut 06106

The six hundred and seventy fourth meeting of the Architectural Licensing Board, held on March 23, 2007, was called to order by Acting Chairman Mr. Robert B. Hurd at 8:34 AM in Room No. 126 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Board Members Present:	Paul H. Bartlett Carole W. Briggs Robert B. Hurd	Board Member Board Member Board Member
Board Members Not Present:	S. Edward Jeter Christopher Mazza	Chairman/Board Member Board Member
Others Present	Robert M. Kuzmich Steven J. Schwane Peter R. Huntsman Diane Harp Jones	License and Applications Specialist/Department of Consumer Protection Administrative Hearings Attorney/Department of Consumer Protection Attorney General's Office AIA/Connecticut

Note: The administrative functions of this Board are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, call Richard M. Hurlburt, Director, at (860) 713-6135.

1. Old Business

1A. Submission of the minutes of the January 19, 2007; for review and approval. After a thorough review, the Board voted, unanimously, to approve the minutes of the January 19, 2007 meeting as written. (Briggs/Bartlett)

1B. Continuation of discussion concerning electronic format and transmission of architectural drawings, seals, signatures, and other related items. Mr. Schwane presented a draft of proposed changes to both the statutes and regulations. Limited Liability Companies are addressed in this draft although they are currently not addressed in the present regulation. This opened a discussion as to the current lack of statutory guidance to provide registration to these entities. The Board agreed that the statutes should be changed to include these companies. Registration of these companies will allow this Board to take action against this entity in addition to the individual architect(s).

Proposed statutory changes include the requirement for a signature in addition to the seal. Computer generated seals are permitted but not allowed to be electronically transferred in this proposal. Mr. Bartlett suggested that contract documents may be ancient language and perhaps should be changes to all “instruments of service” issued by the architect. It was suggested that this new term may be too broad and may mean that every piece of paper issued by the architect’s office be sealed which is not the intent. Mr. Hurd suggested that the Board look at NCARB’s Model Law for suggestions. Mr. Schwane will present he Board with a new draft at their next regular meeting scheduled for May 11, 2007.

1C. Update from Mr. Robert B. Hurd, concerning his review of application from Mr. Kenneth E. Cleveland to sit for the Architect Registration Examination. Mr. Hurd noted that Mr. Cleveland encountered difficulty with some employment verification and the Board is still waiting for his NCARB file. Therefore, the Board took no further action on this item today and will address it again at their May meeting.

1D. Update regarding database fields for Architect Rosters and Credential Status of professional licenses during renewal periods. Mr. Kuzmich noted that the database fields for architect rosters, specifically the first and last name fields have now been separated by the Department. Therefore, architect rosters can now be alphabetized by last name. He also noted that the credential status of architect licenses during the renewal period now remain “active” in the Department’s licensing database until the day after their expiration date at which point they become “lapsed”.

2. New Business

2A. E-Mail correspondence from Mr. Robert Benedict, RA, regarding use of modular plans. The Board gave Mr. Benedict credit for using caution and not obliging his clients wishes by, in essence, plan stamping. The Board asked if this architect wants to file a complaint against his former client. Mr. Kuzmich offered Mr. Benedict this opportunity but, to date, has not heard back from him. It was noted that the Board has no jurisdiction over his clients because they are not practicing architecture. Mr. Kuzmich noted that it appears that Mr. Benedict just wanted to make the Board aware of his former situation.

The Board entered into a tangential discussion on the plan stamping issue, again, reviewing where they last left off with their discussions on this matter. The intermingling of proto-typical buildings relative to plan stamping is where this issue becomes very murky and complex. Mr. Bartlett noted that individual architects interpretation of the current regulation relating to this subject may vary greatly from architect to architect. Mr. Bartlett recalls that his concern over this matter, when discussion left off over one year ago, was to have the regulations and the interpretations catch-up to what is actually done by architects in the profession. He noted this subject really has no middle ground and that it is either taken on very rigorously, logically, and thoughtfully or do nothing at all.

The Board asked that Mr. Kuzmich assemble the existing paperwork that relates to this discussion and then distribute this to all concerned and establish and common starting point for new discussions.

In conclusion of the Board's original discussion on this agenda item, they acknowledged Mr. Benedict's information and thanked him for his concern and understanding of the law relative to plan stamping and related issues. It was determined that no further action from them is required.

2B. Correspondence from Mr. Glenn T. Setzler, dated January 18, 2007, concerning his request to sit for the Architect Registration Examination. It was noted that this applicant has approximately 12 years experience under the supervision of licensed architects. In addition, he has no undergraduate or graduate education and has a Certificate from *Porter and Chester Institute* and training as a Code Official.

Because of the lack of a degree, Mr. Hurd noted that the evaluation of his on-the-job training must be especially intensive to assure that his work experience substitutes for his lack of formal education. The Board will require an NCARB File and a portfolio of his work experience as a designer. Mr. Hurd volunteered to review this material once received by the Department. Mr. Kuzmich will send this candidate the Board's "standard" practice alternate letter conveying the above requirements.

Mr. Hurd suggested that Mr. Jeter be asked how the NCARB structures their interview checklist for their *Broadly Experienced Architect* evaluations as an aid to Mr. Hurd and the rest of the Board in their evaluation of this applicant's credentials.

2C. The following candidate has passed the *Architect Registration Examination* and is recommended by the Department of Consumer Protection for licensing as an architect in the State of Connecticut; **the Board voted, unanimously, to approve the following individual for licensing as an architect in Connecticut: (Briggs/Bartlett)**

1. Zainab Faisal

2D. Applications for reciprocal licensing; the following individuals are recommended by the Department of Consumer Protection for licensing as architects in the State of Connecticut on the basis of waiver of examination with an NCARB Certificate Record or by Direct Reciprocity; **the Board voted, unanimously, to approve the following individuals for licensing as architects in the State of Connecticut. (Bartlett/Briggs)**

1.	Agoos, Edward E.	Waiver of Examination; Pennsylvania	(NCARB File No. 35320)
2.	Bonura, Frank	Waiver of Examination; New York	(NCARB File No. 90020)
3.	Chrobak, Kevin J.	Waiver of Examination; Massachusetts	(NCARB File No. 96306)
4.	Davidson, Robert	Waiver of Examination; New York	(NCARB File No. 46444)
5.	DeLuca, Joseph A.	Waiver of Examination; Massachusetts	(NCARB File No. 73360)
6.	Demasi, Luigi	Waiver of Examination; New York	(NCARB File No. 12259)
7.	Eggington, Geoffrey T.	Waiver of Examination; New York	(NCARB File No. 14896)
8.	Ferrantello, Anthony J.	Waiver of Examination; Florida	(NCARB File No. 68054)
9.	Frisch, Mark J.	Waiver of Examination; Illinois	(NCARB File No. 45935)
10.	Halpern, Robert B.	Waiver of Examination; New York	Direct
11.	Henkels, Francis H.	Waiver of Examination; Pennsylvania	Direct
12.	Hofmann, David E.	Waiver of Examination; New York	(NCARB File No. 88928)
13.	Jaffe, Matthew S.	Waiver of Examination; Pennsylvania	(NCARB File No. 49272)
14.	Keenan, III, Charles J.	Waiver of Examination; New York	Direct
15.	Lahey, John C.	Waiver of Examination; Illinois	(NCARB File No. 51554)
16.	Legardeur, Armand	Waiver of Examination; New York	(NCARB File No. 114648)
17.	Maloney, Scott C.	Waiver of Examination; Ohio	(NCARB File No. 77109)
18.	Marin, Walter	Waiver of Examination; New York	(NCARB File No. 105786)
19.	McMillan, Joel D.	Waiver of Examination; Florida	(NCARB File No. 97785)
20.	Morecraft, Christopher W.	Waiver of Examination; Illinois	(NCARB File No. 67813)
21.	Mulford, Craig D.	Waiver of Examination; South Dakota	(NCARB File No. 35385)
22.	Muse, Stephen	Waiver of Examination; Maryland	Direct
23.	Roarty, Daniel J.	Waiver of Examination; Wisconsin	(NCARB File No. 44571)
24.	Scott, Michael C.	Waiver of Examination; Pennsylvania	(NCARB File No. 85940)
25.	Siris, Jane	Waiver of Examination; New York	Direct
26.	Trocchia, Jr., Vincent J.	Waiver of Examination; New York	Direct
27.	Walters, James F.	Waiver of Examination; Kansas	(NCARB File No. 48408)
28.	Whipple, John W.	Waiver of Examination; Maine	Direct

2E. Applications for the Corporate Practice of Architecture; the Department has reviewed and recommends for approval the following applications; ***the Board voted, unanimously, to approve the following applications for the corporate practice of architecture in Connecticut: (Briggs/Bartlett)***

Baskervill Architecture Inc.
101 S. 15th Street, Suite 200
Richmond, Virginia 23219

Brent G. Farmer, CEO
Connecticut Lic. No. 11253

Gould Turner Group, P.C.
4400 Harding Road, Suite 1000
Nashville, Tennessee 37205

Linda A.S. Marzialo, CEO
Connecticut Lic. No. 10427

2F. Letter from Mr. Steven Schwane, dated March 5, 2007, concerning File No. 2006-6357. Mr. Schwane noted that the complaint involves an architect and plans prepared for a home addition and asked that an architect Board member assist the Department. Mr. Bartlett volunteered to assist the Department with this matter.

2G. Letter from Mr. Steven Schwane, dated March 5, 2007, concerning File No. 2006-7326. This complaint involves a home improvement contractor operating as Architectural Exteriors, LLC. The Board discussed the interpretation of possible implied services coming from the company name. Mr. Schwane is asking the Board if they want the Department to continue to try and get this individual to change the name of the company and if he doesn't, authorize the Department to take formal action. Mr. Schwane gave the Board past examples of Declaratory Rulings relating to similar cases for the Board's assistance. Ms. Briggs raised the issue of whether this name is a term of art or not, otherwise, this Board has been clear about the misuse of the term "architectural".

Mr. Bartlett suggested that the Department determine what the scope of his services is. Reference to the respondent's website was discussed noting the services he offers listed on the same. It was acknowledged that from the description of his services on the website, he is clearly not trying to mislead the public. Mr. Huntsman stated that not only is the respondent not misleading the public, he is also not actually doing anything. After some brief discussion, the Board asked that the respondent submit a notarized letter on his letterhead stating that he has not nor will in the future offer architectural design services. As such, the Board postponed further action on this file pending receipt of this documentation from the respondent. Mr. Schwane will report back to the Board on this matter at their May 11, 2007 regular meeting.

2H. "CHRO Reviews" CHRO CRITERIA PER SECTION 46a-80;

1. File No. 2007-1382 as presented by Mr. Steven Schwane. Mr. Schwane explained that the Board can take action against this architect who was convicted of a felony. Although the nature of his crime is disturbing, it is not connected with the practice of architecture. Actions taken by the State of New York were explained by Mr. Schwane. He asked the Board for direction in this matter noting their various options. Governing Statutes require three basic criteria be addressed; the nature of the crime and its relationship to the job, information pertaining to the degree of rehabilitation, and the time elapsed since the conviction or release.

Mr. Bartlett raised the issue of due process. Ms. Briggs explained that the due process this Board has to give this person is determining compliance with the CHRO criteria for purpose of taking further action and the Board does not yet have this information. It was noted that the Board's job is to protect the public and is putting this individual on probation or suspending his license going to really do that? Both Ms. Briggs and Mr. Bartlett noted that making this connection between their possible actions and protecting the public is very sketchy at this point.

Ms. Briggs suggested that the Department confirm that there have been no further convictions, no violations of his probation, and that he has fully complied with all the penalties assigned to him by the New York State Board. She further stated that if this architect has full complied in all aspects, then this Board need not take any further action and that the public is fully protected to the best of their abilities. The Board agreed with Ms. Briggs suggestion and asked the Department to act on this request.

The Board now discussed what mechanism they have in place to notify them if his license gets revoked. This question now opened a discussion, in general terms, of notifications processes in cases similar to this case. The lack thereof, appears to be a serious weak link. Mr. Kuzmich will confirm with NCARB of their notifications processes. It was noted that in cases where individuals are not NCARB certified, reporting mechanisms are unknown at this time. At this time, it appears that our Board is relying on other States to notify our Board of sanctions taken against their licensees who are also licensed in Connecticut. Mr. Hurd will raise this issue at the upcoming Spring Regional Meeting of NECARB in Newport, Rhode Island.

2I. Update from Mr. Steven Schwane from the Consumer Protection's Legal Division regarding any Board issues. Mr. Schwane updated the Board on the proposed regulations by the State Library and that they are moving rather slowly, due in part, to their lack of experience in this area. Their draft has been sent to the Attorney General's Office for their review since they lack their own counsel. In addition, their proposal must be approved by the State Library Board scheduled to meet on March 26, 2007. It is expected to be approved and then go to the Governor's Office.

2J. Any correspondence and/or business received in the interim.

No items were discussed.

The meeting adjourned at 9:59 a.m. (Briggs/Bartlett) The next regular meeting of the Architectural Licensing Board is scheduled for Friday, May 11, 2007 at 8:30 a.m.; State Office Building; Room 121; 165 Capitol Avenue, Hartford, Connecticut.

Respectfully Submitted,

Robert M. Kuzmich, R.A.
Board Administrator