

STATE OF CONNECTICUT

ARCHITECTURAL LICENSING BOARD

TEL. NO. (860) 713-6135

-MINUTES-

MARCH 16, 2012

The six hundred and seventy second meeting of the Architectural Licensing Board, held on March 16, 2012, was called to order by Mr. Robert B. Hurd at 8:39 AM in Room No. 121 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Board Members

Present:	David H. Barkin	Board Member
	Carole W. Briggs	Board Member
	Robert B. Hurd	Board Member
	S. Edward Jeter	Chairman/Board Member (participation by conference telephone call)
	Pauline S. Morales	Board Member

Board Members

Not Present: None

Vacancy: None

Others Present:	Robert M. Kuzmich	Department of Consumer Protection (DCP)
	Steven J. Schwane	Department of Consumer Protection (DCP)
	Richard E. Maloney	Director, Trade Practices Division, DCP
	Peter R. Huntsman	Attorney General's Office
	Diane Harp Jones	AIA/CT
	Bruce Spiewak	AIA/CT
	Benjamin J. Robinson	Prospective candidate for Architect Registration Examination

Note: The administrative functions of the Boards, Commissions, and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information, contact Richard M. Hurlburt, Director, at (860) 713-6135 or Fax (860)-706-1255.

Agency Website: www.ct.gov/dcp

Division E-Mail: occtrades@ct.gov

1. Old Business

1A. Submission of the minutes of the January 20, 2012 Architectural Licensing Board Meeting; for review and approval. Mr. Jeter noted that the next Board Meeting date shall be corrected to read "March 16, 2012". *As such, the Board voted unanimously to approve the minutes as corrected herein. (Jeter/Barkin)*

1B. Update regarding request from Mr. Ahmed Dadi for consideration to sit for the Architect Registration Examination. Mr. Kuzmich stated that Mr. Dadi contacted him and asked if the Board could postpone discussion on this matter until their next meeting tentatively scheduled for May 18, 2012. Mr. Dadi does not have the documentation ready that he wished to present to the Board. As such, the Board postponed their discussion until their next Regular Meeting.

1C. Draft letter concerning "Use Of The Term Architect"; update from Mr. Peter Huntsman Carole Briggs on the status of their re-draft of this letter. Mr. Huntsman noted that this document describes what the Board will do in the future and the Boards duties are to interpret the Statute and Regulations and to exercise its judgment in each case before them. Ms. Briggs suggested that the document state that improper use of the term architect is governed by the Connecticut General Statutes. After more extensive discussion, the Board voted unanimously to add the following language to the existing draft. (Briggs/Jeter)

In Connecticut, the practice of Architecture and the use of the term "Architect" is regulated by the Connecticut Architectural Licensing Board. The Statutes governing architects and the use of the term "architect" are found at Connecticut General Statutes Section 20-288 et seq. Penalties for conduct found to violate these Statutes include a civil penalty up to \$1,000.00, suspension of license, revocation of license and/or an Order of Immediate Discontinuance. More information regarding Architects and the practice of Architecture can be found at www.ct.gov/dcp.

1D. Update from Mr. Robert. B Hurd regarding his review of Mr. Benjamin J. Robinson's qualifications to sit for the Architect Registration Examination; for discussion by the Board.

Mr. Hurd presented the Board with his report and recommendation for Prospective Candidate for Licensure Mr. Benjamin Robinson from Wethersfield, Connecticut. The reports cites that the applicant holds a pre-professional degree in architecture which he completed in 2000 and has performed a comprehensive internship between June 2000 and January 2012 which is detailed in the report which includes all dates and duties of employment.

Mr. Robinson's has accumulated 22,784 training hours of progressively more responsible experience. His training hours exceed the minimum of 5,600 hours set by the National Council of Architectural Registration Boards (NCARB) by more than 17,000 hours. Mr. Hurd noted the applicant has met or exceeded the minimum requirement in all IDP Categories except Community Service. Mr. Robinson does not qualify automatically to sit for the Architect Registration Examination (A.R.E.) due to his lack of a professional degree and has not participated in NCARB's Intern Development Program (IDP).

Mr. Hurd's report cited the Board's Regulations which require an accredited professional degree or satisfaction of NCARB's education requirement. Section 20-289-3a (3) allows the Board to review an applicant's individual circumstances to determine whether said applicant possesses "sufficient credentials in the areas of education, training and experience" to warrant admission to the examination.

Mr. Hurd noted that Mr. Robinson has exceeded the minimum number of years required to qualify for an NCARB certificate under their Broadly Experienced Architect Program. The Candidate's work with three Connecticut architecture firms has given him a well-rounded view of the design and construction processes. Therefore, under Regulation 20-289-3a (3), Mr. Hurd recommends that the Architectural Licensing Board allow Mr. Robinson to take the Architect Registration Examination. *The Board voted to accept Mr. Hurd's recommendation and admit Mr. Robinson to the Architect Registration Examination. (Briggs/Jeter) It is noted that Mr. Hurd abstained from the vote.*

2. New Business

2A. Matter concerning Mr. Daniel Galindo and the NCARB Intern Development Program requirements; for discussion by the Board. Mr. Barkin noted that apparently Mr. Galindo had a misunderstanding of how his documentation was to be filed with the NCARB and he now stands to lose a significant amount of training due to the information being filed late due the individual's lack of understanding of the technical aspects of the filing procedures and deadlines for the same.

Mr. Hurd see two main issues; one being the individual did not understand the commands of the reporting system which caused him to lose 22 months of work experience that although was saved in the system was not submitted by the individual.

The second issue is why Mr. Galindo waited 22 months to submit this experience if he was already enrolled in IDP. Mr. Hurd noted that ironically, this matter represents the type of situation NCARB is trying to avoid by implementing their six month submission rule. Mr. Hurd is torn between being sympathetic towards the individual and being more hard-nosed by saying that Mr. Galindo should have been aware of this situation in the first place and not let this happen.

Mr. Barkin stated that he tends to lean towards being more lenient towards the candidate recalling how he himself has been caught up in similar type situations. Further, there is a significant amount of work experience time for Mr. Galindo to lose if NCARB doesn't accept his submission. Ms. Briggs agrees and also tends to be more lenient in this situation and in favor of trying to help the candidate.

After more extensive discussion, the Board voted unanimously in favor of trying to help Mr. Galindo. As such, they asked Mr. Jeter draft a letter asking NCARB to reconsider Mr. Galindo's situation. The Board also noted that they have the option of considering the candidate's credentials directly and admit him to the examination as a Connecticut candidate should the NCARB not act in his favor. This option also allows Mr. Galindo to continue to complete his formal Internship with the NCARB while continuing to take the examination as a Connecticut candidate. (Briggs/Barkin)

2B. The following candidates have passed the *Architect Registration Examination* and are recommended by the Department of Consumer Protection for licensing as Architects in the State of Connecticut; *the Board voted, unanimously, to approve the following individuals for licensing as architects in Connecticut.* (Briggs/Jeter)

- | | |
|---------------------------|------------------------|
| 1. Bestor, Timothy D. | 5. Mead, Marissa A. D. |
| 2. Brower, Matthew E. | 6. Montana, Matthew G |
| 3. Calememo, Christian L. | 7. Schuch, Brian T. A. |
| 4. Day, Ann M. | |

2C. Applications for licensing by waiver of examination; 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 Endorsement; *the Board voted, unanimously, to approve the following individuals for licensing as architects in the State of Connecticut.* (Briggs/Jeter)

1.	Baker, Melissa	Waiver of Examination; New York	(NCARB File No. 89008)
2.	Colwell, Jr., Dennis M.	Waiver of Examination; Massachusetts	(NCARB File No. 124289)
3.	Colwell, Joel S.	Waiver of Examination; Texas	(NCARB File No. 106652)
4.	Cook, Christopher M.	Waiver of Examination; Texas	(NCARB File No. 87313)

5.	Currence, Jerry E.	Waiver of Examination; Arkansas	(NCARB File No. 51976)
6.	Dunphy, Timothy	Waiver of Examination; New York	Direct
7.	Fennick, Deborah	Waiver of Examination; Massachusetts	(NCARB File No. 103049)
8.	Fitzgerald, Thomas P.	Waiver of Examination; New Jersey	(NCARB File No. 65475)
9.	Gilbert, Lisa P.	Waiver of Examination; New York	Direct
10.	Gray, George W.	Waiver of Examination; Arkansas	(NCARB File No. 562093)
11.	Lundell, Robert	Waiver of Examination; Colorado	(NCARB File No. 109372)
12.	McCredie, Jonathan	Waiver of Examination; Massachusetts	(NCARB File No. 68092)
13.	Meier, Steven R.	Waiver of Examination; Texas	(NCARB File No. 32789)
14.	Miller, Anthony	Waiver of Examination; Pennsylvania	(NCARB File No. 118268)
15.	Molzahn, Michael P.	Waiver of Examination; Virginia	(NCARB File No. 528373)
16.	Nixon, Jr., Clay B.	Waiver of Examination; Oklahoma	(NCARB File No. 38509)
17.	Park, Seunghee	Waiver of Examination; New York	Direct
18.	Pavoni, Mark D.	Waiver of Examination; Utah	(NCARB File No. 587993)
19.	Petersen, Thomas F.	Waiver of Examination; New Jersey	(NCARB File No. 32712)
20.	Pizzi, Richard R.	Waiver of Examination; New Hampshire	(NCARB File No. 66370)
21.	Satow, Leila	Waiver of Examination; New Jersey	(NCARB File No. 104881)
22.	Schwabenland, Wayne A.	Waiver of Examination; New York	(NCARB File No. 30334)
23.	Simeoforides, William	Waiver of Examination; New York	Direct
24.	Singer, Eric N.	Waiver of Examination; New York	Direct
25.	Spencer, Christopher W.	Waiver of Examination; New York	(NCARB File No. 309934)
26.	Smith, Lonnie G.	Waiver of Examination; Kentucky	(NCARB File No. 75742)
27.	Spinelli, Michael W.	Waiver of Examination; New York	Direct
28.	Szostkowski, Theodore	Waiver of Examination; Massachusetts	(NCARB File No. 140363)
29.	Tarczynska, Maria	Waiver of Examination; New Jersey	Direct
30.	Vacchione, Anthony	Waiver of Examination; New York	(NCARB File No. 341033)
31.	Van Winkle, Stephen G.	Waiver of Examination; Colorado	(NCARB File No. 30397)
32.	Winstanley, Michael	Waiver of Examination; New York	(NCARB File No. 51832)

2D. Application for the Corporate Practice of Architecture; the Department has reviewed and recommends for approval the following application; *the Board voted, unanimously, to approve the following application for the Corporate Practice of Architecture in Connecticut. (Briggs/Jeter)*

Dattner Architects P.C.
130 West 57th Street, Suite 3C
New York, New York 10019

Richard Dattner, CEO
Connecticut Lic. No. 12342

2E. Applications for the Joint Corporate Practice of Architecture and Professional Engineering; the Department has reviewed and recommends for approval the following application; *the Board voted, unanimously, to approve the following applications for the Joint Corporate Practice of Architecture in Connecticut. (Briggs/Jeter)*

Kajima Associates/Architects
& Engineers, A Professional Corporation
One Meadowlands Plaza, Suite 1401
East Rutherford, New Jersey 07073

Mohammad Rahimian, President
Connecticut Lic. No. 10551

Stantec Connecticut Inc.
400 Morgan Center
101 East Diamond Street
Butler, Pennsylvania 16001

Richard K. Allen, COO
Connecticut Lic. No. 12462

2F. Report from Trade Practices Division concerning Complaints associated with this Board; Mr. Richard Maloney, Director of the Trade Practice Division is scheduled to be at today's Board meeting.

Mr. Maloney addressed the Board regarding an overview of the closed complaints his Department investigated over the course of the last year. Most of the complaints basically involved the misuse of the term "architect" and one particular involving an architect practicing landscape architecture who has not responded to the Department's correspondence to him. At present, he noted that the Department has no open complaints.

Mr. Hurd asked if the Board can get reports in the future that give the Board basic information on the pending open complaints without disclosing information that would jeopardize the Board's ability to adjudicate the complaint should it come before them in the future. Mr. Hurd noted the Board is trying to ensure that their responsibility to the public at large is met by at least monitoring progress towards resolution on these complaints. Mr. Maloney agreed with the Board and will try to get more information to them in the future on pending (open) complaints.

2G. Update from the Department's Legal Staff regarding any Board issues or otherwise.

1.) Request for Interpretation of Certain Exemptions In C.G.S. Section 20-298 dated March 1, 2012 from Mr. Steven Schwane; for discussion by the Board. Mr. Schwane explained that he is asking the Board for their interpretations on this Section again for use on a case he is currently working on involving a residential project and an architect who has since moved out-of-State. Ms. Briggs stated she believes that the question raised today is whether or not the exemptions exclude an architect from competently

performing his/her duties on a project that is exempt from licensing. Mr. Huntsman stated that this issue involves “activities” versus the “person”. Ms. Briggs stated that the language addresses exempt activities which can be interpreted to include licensing, penalties, etc. It was noted that an interpretation of the law can be that if the project is exempt from the provisions of the licensing Chapter of the Statutes, then the individual(s) qualifications who are doing the work are irrelevant.

Ms. Briggs also stated the second scenario in that an Architect can still be held accountable for his/her duties as the design professional. Mr. Huntsman noted that the Statutes give the Board authority to act over the architects who perform these activities. Based upon this, Ms. Briggs then noted that architects “do not get a pass” on the performance of the duties as a design professional no matter what the activity is exempt or not. It was unanimously decided by the Board to accept this position as it is consistent with their past with their posture on past similar issues as is defensible in the opinion of their Counsel.

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

1. The Board discussed rescheduling their current May 18, 2012 meeting due to a conflict with the AIA National Convention and travel plans Ms. Briggs has in place. The new date was tentatively scheduled for May 10, 2012. Mr. Kuzmich will confirm this date with his schedule and get back to the Board.

The meeting adjourned at 9:55 AM. The next regular meeting of the Architectural Licensing Board is scheduled for Friday, June 1, 2012 at 8:30 a.m.; State Office Building; Room 121; 165 Capitol Avenue, Hartford, Connecticut.

Respectfully Submitted,

Robert M. Kuzmich, R.A.
Board Administrator