



S T A T E O F C O N N E C T I C U T
D E P A R T M E N T O F C O N S U M E R P R O T E C T I O N

A R C H I T E C T U R A L L I C E N S I N G B O A R D
Tel. No. (860) 713-6145

October 30, 2009

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

The six hundred and eighty ninth meeting of the Architectural Licensing Board, held on September 18, 2009, was called to order by Chairman Mr. S. Edward Jeter at 8:39 AM in Room No. 121 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Board Members Present:	David H. Barkin Carole W. Briggs Robert B. Hurd S. Edward Jeter	Board Member Board Member Board Member Chairman/Board Member
Board Members Not Present:	Lucille Trzcinski	Board Member
Others Present:	Robert M. Kuzmich Steven J. Schwane Diane Harp Jones	License and Applications Specialist/Department of Consumer Protection Administrative Hearings Attorney/Department of Consumer Protection AIA/CT

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.

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1. Old Business

1A. Submission of the minutes of the July 17, 2009; for review and approval. *The Board voted, unanimously, to approve the minutes as submitted. (Hurd/Briggs)*

1B. Report from Mr. David Barkin regarding his review of Records for Mr. Michael J. Berger for admission to the Architect Registration Examination. Mr. Barkin stated he meet with the applicant and was impressed with his credentials and capabilities and that the same are well represented his supporting documentation. As such, Mr. Barkin recommended that Mr. Berger be allowed to sit for the *Architect Registration Examination*.

The Board voted, unanimously, to approve Mr. Berger to sit for the Architect Registration Examination. (Briggs/Hurd) It is noted that Mr. Barkin abstained from the vote.

1C. Continuation of discussion regarding the Draft concerning “The Practice of Architecture and the Use of the Term “Architect” and Similar Terms by Persons Not Licensed as Architects”. Mr. Schwane noted that this Draft reflects his recognition of the recent court decision regarding Interior Designers and the use and regulation of that title by the State. This court case repeatedly referenced that Connecticut does not regulate Interior Designers as they do Architects. Mr. Schwane stated that although there are many gray areas, he recommends that the Board approve this draft with the following change. After a second review, Mr. Schwane recommends that the word “construction” be deleted in the fifth line of the last paragraph.

Mr. Schwane recognizes that this draft does not answer every question nor does he believe that such a draft can exist and noted each case must be determined based upon the facts of the case and how the person is representing himself as an “architect”. Ms. Harp Jones noted that in the many cases she submitted to the Department, it was very clear that the respondent is representing himself as an architect offering architectural services and cited a specific example of a case she submitted. Based upon the details of this case, Mr. Barkin would keep the language of the draft exactly as written leaving the terms design and construction in place.

Ms. Briggs stated that there is architectural work that is exempt from the practice of architecture’s regulation and referenced a past Declaratory Ruling of the Board that she believes is wrong which prohibits someone from advertising a service that is legal for them to perform. Based upon her lengthy experience in the construction field as an attorney, the term “architect” has become an adjective so generic now that it has become a much grayer term than what it was when she first began practice in the eighties. The architectural adjective is extensively used on the Internet, as an example, and Ms. Briggs asks the Board if they need to adjust their thinking given that term has become more mainstream and in not the “regulated” term.

Mr. Schwane noted that his draft language was taken directly from the Architectural Statutes which prohibits use of the term architect or display and words or letters that indicate the same. To him, this means the use of other terms may be used and “architectural” may be one of those. This raises the discussion of what exactly this term means in addition to the practice of architecture. There may be other definitions. Public perception is a main issue. Mr. Jeter believes that that there is confusion between the fact that the exemption implies that a stamped document is needed for construction and not about the name. The name is getting mixed up with where one can build without a stamped document. As such, he noted that the term architect and architecture is relating to licensed architectural work and not work exempted by statute. In summary, Mr. Jeter believes the issue is not about the exemption but is about using the term “Architect”

Ms. Briggs went back to use of the term “construction” in the last paragraph of the draft under “Use of the Term “Architect” and Similar Terms”. Construction is not what the Board regulates and is her main issue because there are Trades that use that phrase.

After more extensive and significant discussion, the Board voted, unanimously, to approve Mr. Schwane’s Draft with the amendment of deleting the words “or construction” in line five and the words “building construction” in line seven of the third paragraph. This document is for use as a Public Service Announcement and the Board recognizes that it may be modified in the future based upon Public comment. (Briggs/Hurd)

1D. Report from Mr. Steven Schwane and Peter Huntsman regarding the extent of potential disciplinary action this Board can take against Direct Registration Examination Candidates still in the testing process with action(s) taken against them by the NCARB; for discussion by the Board. Mr. Schwane stated that Regulation Section 20-289-4a, Examination Procedures”, subsection C (5), may apply to his discussion. This regulation states that if an applicant violates any examination rules, the Board may, after a Hearing, void the results of such examination and prohibit the applicant from taking future examinations or any part thereof for specific period of time.

The focus of this discussion is that the Board wants to know about examination violations as they happen and not after the fact. This issue raised additional discussion of the Board’s role and jurisdiction in the *Direct Registration Process* and with *Direct Registration Candidates*.

It was decided that a written communication shall be sent to Mr. Stephen Nutt of the *National Council of Architectural Boards*. The communication shall ask the NCARB to detail their communication to them pertaining to any potential *Direct Registration Connecticut Examination Candidates* who are facing disciplinary actions resulting from violations of the *Architect Registration Examination* policies and procedures. In addition, the communication shall also express the fact that the Board, under their Regulation, wants to have the opportunity to impose any sanction(s) of their own at the time the

offense occurs and not subsequent to the violation(s) or at the time the individual is applying to Connecticut for their first license.

2. New Business

2A. 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. (Hurd/Briggs)

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| 1. Nabil Abdelsaid | 8. Christopher D. Hill |
| 2. Victor E. Agran | 9. Lewis D. Huffman |
| 3. Alexander T. Bellina | 10. Fawn W. Pellegrini |
| 4. Gregory Biancardi | 11. Jose M. Pezo |
| 5. Sara G. Dodson | 12. David J. Rodrigues |
| 6. Sean S. Donadio | 13. Anna M. Russell |
| 7. Pierre-Christian D. Frye | 14. Robert G. White, Jr. |

2B. 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/Hurd)

1.	Armstrong, Mark A.	Waiver of Examination; Massachusetts	(NCARB File No. 49980)
2.	Bauer-Nilson, Jr., Otto	Waiver of Examination; Ohio	(NCARB File No. 188274)
3.	Beeson, Robert M.	Waiver of Examination; Iowa	(NCARB File No. 60512)
4.	Carpenter, David G.	Waiver of Examination; New York	(NCARB File No. 142503)
5.	Costantini, Deborah J.	Waiver of Examination; New York	Direct
6.	Cummings, Michael A.	Waiver of Examination; Missouri	(NCARB File No. 74156)
7.	Dawkins, Errol A.	Waiver of Examination; New York	Direct
8.	DeReynier, Bryce	Waiver of Examination; Illinois	(NCARB File No. 81097)
9.	De Sapiro, Martin A.	Waiver of Examination; New Jersey	(NCARB File No. 44162)
10.	Dolsak, Adam N.	Waiver of Examination; Florida	(NCARB File No. 83986)
11.	Fiol-Silva, Antonio J.	Waiver of Examination; Massachusetts	(NCARB File No. 69487)
12.	Flickenschild, Stephen C.	Waiver of Examination; New York	(NCARB File No. 95196)
13.	Frank, Gary L.	Waiver of Examination; Indiana	(NCARB File No. 51820)
14.	Furnstahl, Stephen	Waiver of Examination; New York	(NCARB File No. 39084)

15.	Hocking, Douglas W.	Waiver of Examination; New York	(NCARB File No. 124447)
16.	Kamal, Leila R.	Waiver of Examination; Massachusetts	(NCARB File No. 54824)
17.	Langan, Mary	Waiver of Examination; New York	(NCARB File No. 95258)
18.	Leblanc, Michael S.	Waiver of Examination; Massachusetts	(NCARB File No. 139021)
19.	Mansen, Heidi S.	Waiver of Examination; District of Columbia	(NCARB File No. 57279)
20.	Martinez, Oscar R.	Waiver of Examination; Pennsylvania	(NCARB File No. 64650)
21.	McCarthy, Dennis J.	Waiver of Examination; Massachusetts	(NCARB File No. 55425)
22.	McCracken, Kenneth	Waiver of Examination; Washington	(NCARB File No. 140788)
23.	Meredith, Michael J.	Waiver of Examination; New York	(NCARB File No. 95013)
24.	Moga, Emil T.	Waiver of Examination; New York	Direct
25.	Nelson, Jeremy G.	Waiver of Examination; Minnesota	(NCARB File No. 107271)
26.	Ortiz, Jose A.	Waiver of Examination; New Jersey	(NCARB File No. 108929)
27.	Payette, Scott C.	Waiver of Examination; Massachusetts	(NCARB File No. 117967)
28.	Sandor, Peter	Waiver of Examination; California	Direct
29.	Senseny, Sylvia E.	Waiver of Examination; Pennsylvania	(NCARB File No. 59592)
30.	Shirley, Frank	Waiver of Examination; Massachusetts	(NCARB File No. 85005)
31.	Tayrien, Douglas S.	Waiver of Examination; Oklahoma	(NCARB File No. 235553)
32.	Thompson, Arthur P.	Waiver of Examination; Florida	(NCARB File No. 58450)
33.	Tilley, Douglas C.	Waiver of Examination; Maryland	(NCARB File No. 134399)
34.	Wilgus, David J.	Waiver of Examination; Arkansas	(NCARB File No. 81671)
35.	Waltz, Kirsten	Waiver of Examination; Massachusetts	(NCARB File No. 87651)

2C. 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/Hurd)*

FrancisCauffman, Inc.
2120 Arch Street
Philadelphia, Pennsylvania 19103

Anthony J. Colciaghi, CEO
Connecticut Lic. No. 11271

Guedes Associates, Inc.
1425 Noble Avenue
Bridgeport, Connecticut 06610

Adriano K. Guedes, CEO
Connecticut Lic. No. 11890

Pacheco Ross Architects, P.C.
72 Voorheesville Avenue
Voorheesville, New York 12186

Dennis A. Ross, CEO
Connecticut Lic. No. 6966

Partners In Design Architects, Inc.
600 52nd Street, Suite 220
Kenosha, Wisconsin 53140

Werner H. Brisske, CEO
Connecticut Lic. No. 11545

Phase Zero Design Corporation
2075 Silas Deane Highway
Rocky Hill, Connecticut 06067

James R. Kimball, Jr., CEO
Connecticut Lic. No. 10309

Vector Architecture & Design Services, P.C.
4210 Spring Rock Court
Winston Salem, North Carolina 27104

Mark W. Stettler, CEO
Connecticut Lic. No. 11290

2D. Update from the Trade Practices Division regarding Complaints; Department Investigator Robert Nakano is scheduled to address the Board. Mr. Kuzmich explained that Mr. Nakano was not able to be at today's meeting. It was noted that both Mr. Nakano and Mr. Maloney, Director of the Trade Practices Division, are willing to meet with anyone from the Board at anytime to discuss their concerns. The Board decided to postpone discussions on this agenda item until their November 20, 2009 Regular Board Meeting.

2E. Update from Mr. Steven Schwane from the Consumer Protection's Legal Division regarding any Board issues.

1. Mr. Schwane advised the Board that on September 8, 2009, the Chairpersons of the Professional Boards meet with Commissioner Farrell. The main topic of discussion was electronic signatures and seals. The Commissioner was asking that all Boards and Commissions deal with this topic and that there be consistency among them. Mr. Schwane prepared a Draft of an Amendment to Regulations Section .20-289-7 addressing this item incorporating language presently used by the Landscape Architects. Mr. Jeter cited what other State Agencies such as the Department of Transportation are requiring in terms of drawing submissions.

Mr. Schwane addressed the issues of digital signatures with the Board and noted that the draft before the Board today does not incorporate this area of technology. The definition of digital signatures was discussed, in particular, the significance of its authenticity and how the same is established and protected during transmission. It was established that many State Agencies currently accept digital signatures. The Board has asked what the Engineers are requiring in this area and asked Mr. Schwane to bring this information to the November 20, 2009 meeting of the Board in order to maintain consistency and uniformity.

2. Mr. Schwane updated the Board regarding the State Library Regulation for the filing of Maps and Town Records regarding modifications to the definitions of Maps and Plans and noted that a meeting is scheduled for October 14, 2009 on this topic. Mr. Jeter and Mr. Hurd are planning to attend.

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

1. Ms. Harp Jones asked the Board if the Department of Consumer Protection verifies Architect Corporation ownership requirements at their time of annual renewal. Mr. Kuzmich stated that the Department does not, at present, do this but will look into this for future renewals.

2. Mr. Kuzmich noted the increase in fees for architect licenses effective October 1, 2009 resulting from recently passed legislation which addresses the economic crisis the State is currently facing.

3. Mr. Barkin asked if the Board can discuss in the future what out-of State architects can call themselves in the State of Connecticut. The Board agreed that this topic shall be placed on the Board's November 20th meeting agenda for discussion.

The meeting adjourned at 9:56 AM. (Barkin/Hurd) The next regular meeting of the Architectural Licensing Board is scheduled for Friday, November 20, 2009 at 8:30 a.m.; State Office Building; Room 121; 165 Capitol Avenue, Hartford, Connecticut.

Respectfully Submitted,

Robert M. Kuzmich, R.A.
Board Administrator