

ARCHITECTURAL LICENSING BOARD

Tel. No. (860) 713-6145

June 5, 2008

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

The six hundred and eighty first meeting of the Architectural Licensing Board, held on May 23, 2008, was called to order by Chairman Mr. S. Edward Jeter at 8:37 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 Joseph R. Russo	Board Member Board Member Board Member Chairman/Board Member Board Member
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Board Members Not Present:	None.
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Others Present:	Robert M. Kuzmich Steven J. Schwane Peter R. Huntsman Craig C. Chasse Diane Harp Jones Bruce Spiewak	License and Applications Specialist/Department of Consumer Protection Administrative Hearings Attorney/Department of Consumer Protection Attorney General's Office Examination Candidate AIA/CT AIA/CT
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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 March 12, 2008; for review and approval. *After a thorough review by all, the Board voted, unanimously, to accept the minutes as written. (Briggs/Hurd)*

1B. Request from AIA/CT for a review of Architecture Regulations pertaining to the Code of Ethics as stated in their E-mail dated February 27, 2008; continuation of discussion. Mr. Kuzmich addressed the Board in response to their request to him at their last meeting to inquire with neighboring State's on this matter. He reported that in New York State, fee splitting by an architect to fulfill a commission for a finders fee, per say, is strictly illegal. In New Jersey, their Board has no position on this matter because it falls outside the practice of architecture. Rhode Island's Board will discuss this matter shortly and Mr. Kuzmich will relay their findings as soon as he has them.

Ms. Jones noted that the is issue was originally brought to her attention by a New York AIA member and former Board Member there who had been approached on a commercial level by a referral service dealing with health care providers doing construction projects. This company will offer firm names of those companies deemed qualified by them and who have paid this company a commission to do so. Ms. Jones clarified that two fees are paid by architects using this service; one to register with the company and another if the firm is successful in getting the job.

Ms. Briggs noted that the real issue in this matter is the sharing of a fee with an unlicensed professional. It is a fine line between fee splitting and paying a fee for service; the answer to which is really outcome dependent and involves the difference between paying a flat fee versus paying a percentage of a design professional's fee. It was determined that current law really doesn't address this issue and to pursue it further may involve issuing a Declaratory Ruling by this Board. The question was asked is there really the need to do so? The Board asked if AIA/CT if they can provide the actual literature from the entity offering these services and provide this to them at their July Board meeting. *As such, the Board voted, unanimously, to table further discussion on this matter until their next regular meeting in July. (Briggs/Hurd)*

1C. Application of Mr. Craig C. Chasse for an Architect License in the State of Connecticut; Mr. Hurd distributed a written summary of his evaluation of this candidate to the Board for their information. He explained that the candidate is licensed in Vermont obtained June of 2006. His practice in Connecticut will not reach ten years until the year 2016. Mr. Hurd reviewed his educational credentials noting that essentially Mr. Chasse is a self-taught architect working under the supervision of very talented architects. His portfolio demonstrates a reasonably good understanding of design and the fact that he passed the Architect Registration Examination shows that he meets the primary criteria needed to practice. As such, Mr. Hurd recommended to the

Board that Mr. Chasse be allowed to sit for the examination as a Connecticut candidate pursuant to Section 20-289-3a (3) of the Regulation for the practice of Architecture. *As such, the Board voted in favor of allowing Mr. Chasse to sit for the Architect Registration Examination as a Connecticut candidate. (Briggs/Jeter) It is noted that Mr. Hurd abstained from the vote.*

1D. Application of Mr. Kevin A. Davignon for an architect's license in Connecticut by Written Examination; Mr. Hurd noted the candidates educational and professional background and that he received his license in the State of New York on October 26, 2006. His professional training has been essentially continuous from November of 1985. As such, Mr. Hurd recommended to the Board that Mr. Davignon be allowed to sit for the examination as a Connecticut candidate pursuant to Section 20-289-3a (3) of the Regulation for the practice of Architecture. *As such, the Board voted in favor of allowing Mr. Davignon to sit for the Architect Registration Examination as a Connecticut candidate. (Briggs/Jeter) It is noted that Mr. Hurd abstained from the vote.*

1E. Discussion concerning Continuing Education for Architects; as originally requested by Board Member Mr. David H. Barkin at the Board's January 18, 2008 meeting. Mr. Jeter presented to the Board a study the State of California completed relative to continuing education for architects. The study found that overall; there is little evidence of a post licensure competency problem for licensed architects in California. Mr. Barkin stated there is a difference in opinion between NCARB's view on this matter and that of California. NCARB addresses core competency and sustainability in their resolutions as an example of areas that are changing. Mr. Barkin believes that a way of achieving a base knowledge in these areas in a measurable way is continuing education. He also addressed the issue of staff resources required to promote a CE program and used New York State as an example. He asked that Mr. Kuzmich inquire with other States that have a CE program in place as to the extent of the administration necessary to implement the program.

Mr. Barkin noted that Connecticut could craft a program that parallels the AIA CE requirements so that the program is not onerous and does not create an administrative burden to the State. Ms. Jones noted that AIA/CT believes that CE for architects is beneficial to architects and would support the Board should they choose to implement a program. She cautioned the Board regarding creating a program that could be both a burden to the State as well as the licensed professional using New York State and Florida as examples.

Mr. Hurd asks what does the public think of this proposal and believes that the Board should summon their opinion. He acknowledges that the Board has dealt with architects that are not doing their best to enhance their competencies and perform their

services in the best interest of the public. Is that a universal problem? He is not sure and needs to be convinced.

Mr. Barkin believes just because the public may question an architect's competency doesn't mean that the Board doesn't have a responsibility to maintain a minimal level of standard. He noted that the profession continues to change and that there are ways to accrue CE credits without cost to the professional. It was noted that both AIA/CT and the Connecticut Department of Public Safety offers free continuing education courses.

Ms. Briggs noted that she is a regulated professional by two States; Minnesota which requires CE and Connecticut which does not. She cited seminars she has attended that were essentially a waste of her time and was far better off making up her hours elsewhere. She stated that unless the Board has a mechanism of validating that education is actually occurring, then all a CE program constitutes is perception. She noted that perhaps the California survey is saying is that unless you test participants to see what they have learned from their CE courses, then of what real value are the courses? Ms. Briggs further noted that good architects, regardless of a CEU mandate or not, are still going to be the good ones and the architects that are not good will either wind up before the Board or not hired in the first place. Without an assurance that the professional really learns something from CEU's, she does not believe in putting the burden of CE on them because it is a "fake approval".

In conclusion, Mr. Kuzmich was asked to inquire from other States such as Massachusetts, Rhode Island, New York, and Vermont, which have continuing education programs in place and ask those administrators the details of their program and the staff required to run the program and to get an opinion from AIA/CT on their feelings on this mater. *As such, the Board voted to postpone further discussion on this topic until their July Board meeting. (Hurd/Briggs)*

2. New Business

2A. Swearing of new Public Board Member Joseph R. Russo in succession to Mr. Christopher Mazza. Mr. Schwane swore-in new Public Board Member. He was introduced to all present by Mr. Kuzmich. The Board welcomed Mr. Russo and look forward to working with him in the future. Mr. Kuzmich noted that Mr. Russo is a licensed Professional Engineer and Land Surveyor in the State of Connecticut.

2B. Resolutions To Be Acted Upon at the 2008 NCARB Annual Meeting and Conference; for review and action. *The Board voted, as indicated below, on the following proposed resolutions to be acted upon at the 2008 NCARB Annual Meeting and Conference:*

Resolution 2008-1 – Handbook for Interns and Architects Amendment – Clarifying Training Setting for Earning Training Credit Under Non-U.S. and Non-Canadian Architect.
supported. (Briggs/Hurd)

Resolution 2008-2 – Model Law Amendment – Acceptance of the NCARB Certificate;
supported. (Briggs/Hurd)

Resolution 2008-3 – Bylaw Amendment – Clarifying the Roles of the Committee on the Intern Development Program and the Committee on Education; **supported. (Briggs/Jeter)**

Resolution 2008-4 – Handbook Amendment – Clarifying the Appeals Process Related to the Five-Year Rolling Clock and Adding Birth or Adoption of a Child as a Cause for Extending the Five-Year Period. **supported. (Briggs/Hurd)**

Resolution 2008-05 – Model Regulations and Rules of Conduct Amendment – Clarifying Knowledge and Skill; **supported. (Briggs/Barkin)**

Resolution 2008-06 – Handbook for Interns and Architects Amendment – Revising Equivalents for the ARE.; **supported. (Briggs/Jeter)**

Resolution 2008-07 – Handbook for Interns and Architects Amendment – Reporting Requirement for IDP Training Units; **supported. (Briggs/Hurd)**

Resolution 2008-08 – Handbook and Architects Amendment – Employment Duration Requirement for IDP Training Units; **supported. (Briggs/Hurd).**

Resolution 2008-09 – Handbook for Interns and Architects Amendment – Allowing Certain Minimum Training Units for Completion of Qualified Emerging Professional’s Companion Exercises; **supported. (Briggs/Jeter) It is noted that Mr. Barkin abstained from the vote.**

Resolution 2008-10 – Model Regulations Amendment – Including Sustainable Design Among Health, Safety, and Welfare Subjects for Purposes of Continuing Professional Development; **the Board took no position on this Resolution and will allow the Chairman to vote, as he sees appropriate, at the time this Resolution is discussed on the meeting floor.**

Resolution 2008-11 – Model Regulations and Rules of Conduct Amendment – Taking into Account Generally Established Sustainable Design Principles Within the Rules of Professional Conduct; **the Board took no position on this Resolution and will allow the Chairman to vote, as he sees appropriate, at the time this Resolution is discussed on the meeting floor. (Briggs/Hurd)**

Resolution 2008-12 – National Academy of Environmental Design; **the Board took no position on this resolution and will allow the Chairman to vote, as he sees**

*appropriate, at the time this Resolution is discussed on the meeting floor.
(Briggs/Barkin)*

2C. Delegate Credentials letter, dated April 24, 2008, from NCARB; for discussion by the Board. *The Board voted, unanimously, to appoint Mr. S. Edward Jeter, Chairman of the Board, as their official delegate at the 2008 NCARB Annual Meeting and Conference.
(Hurd/Barkin)*

2D. 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. (Barkin/Hurd)

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| 1. Virgilio J. Gonzales | 5. William L. Malmstedt |
| 2. Alexander Jermyn | 6. Daniel S. Shea |
| 3. Sangmok Kim | 7. Peter J. Wright |
| 4. Klara Kevane | |

2E. 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 with the exception of Applicant No. 22; Mr. Craig S. Konyk. (Hurd/Briggs)*

1.	Alfanore, Rick J.	Waiver of Examination; New York	(NCARB File No. 66628)
2.	Ammirato, Vincent J.	Waiver of Examination; California	Direct
3.	Bayus, Anthony J.	Waiver of Examination; Kentucky	(NCARB File No. 30659)
4.	Bers, David I.	Waiver of Examination; New York	Direct
5.	Byers, Cjristopher H.	Waiver of Examination; North Carolina	(NCARB File No. 53826)
6.	Castillo, Victor M.	Waiver of Examination; New York	(NCARB File No. 99712)
7.	Deflandre, Yves	Waiver of Examination; New York	Direct
8.	Dome, James L.	Waiver of Examination; Michigan	(NCARB File No. 12466)
9.	Dudley, Bradford J.	Waiver of Examination; California	(NCARB File No. 85219)
10.	Farzan, Mohamad	Waiver of Examination; Rhode Island	(NCARB File No. 44326)
11.	Fox, Robert D.	Waiver of Examination; District of Columbia	Direct
12.	Gardner, Garry W.	Waiver of Examination; Massachusetts	(NCARB File No. 130037)
13.	Gedney, Rex B.	Waiver of Examination; New York	Direct
14.	Grulich, August G.	Waiver of Examination; Washington	Direct
15.	Guzman, Jose A.	Waiver of Examination; Massachusetts	(NCARB File No. 130223)
16.	Hayek, K. Anthony	Waiver of Examination; Ohio	(NCARB File No. 18015)
17.	Held, Jonathan B.	Waiver of Examination; New York	Direct

18.	Jandura, Kenneth J.	Waiver of Examination; New Jersey	(NCARB File No. 83929)
19.	Keppler, Donald R.	Waiver of Examination; New York	(NCARB File No. 106554)
20.	Kim, Michael	Waiver of Examination; New York	(NCARB File No. 95956)
21.	Kinsley, Michael J.	Waiver of Examination; Pennsylvania	(NCARB File No. 87918)
22.	Konyk, Craig S.	Waiver of Examination; New York	(NCARB File No. 48751)
23.	Kuoppala, Ronald	Waiver of Examination; New York	(NCARB File No. 128444)
24.	Lane, Martha B.	Waiver of Examination; New York	(NCARB File No. 72122)
25.	MacKenzie, Kenneth J.	Waiver of Examination; New Jersey	(NCARB File No. 104470)
26.	Murrah, Bascom W.	Waiver of Examination; Florida	(NCARB File No. 51109)
27.	Nelson, Gary J.	Waiver of Examination; Arizona	(NCARB File No. 73143)
28.	O'Connell, Jr., Thomas J.	Waiver of Examination; Wisconsin	Direct
29.	Parks, Elizabeth A.	Waiver of Examination; New York	(NCARB File No. 79672)
30.	Piper, Roger	Waiver of Examination; Florida	(NCARB File No. 45101)
31.	Randall, Troy L.	Waiver of Examination; Massachusetts	(NCARB File No. 69263)
32.	Siegfried, Richard E.	Waiver of Examination; Ohio	(NCARB File No. 55223)
33.	Smiros, James	Waiver of Examination; New York	(NCARB File No. 70158)
34.	Sowers, Dennis F.	Waiver of Examination; Michigan	(NCARB File No. 47041)
35.	Swanson, Roger A.	Waiver of Examination; California	(NCARB File No. 96422)
36.	Teague, Walton R.	Waiver of Examination; North Carolina	(NCARB File No. 57748)
37.	Tierney, Todd A.	Waiver of Examination; California	(NCARB File No. 118895)
38.	Truilo, Frank M.	Waiver of Examination; New Jersey	Direct
39.	Tufaro, Mark E.	Waiver of Examination; Pennsylvania	Direct
40.	Vaci, John S.	Waiver of Examination;	(NCARB File No. 44297)
41.	Williams, Ronald D.	Waiver of Examination; Maine	(NCARB File No. 74081)
42.	Wing, Alexander K.	Waiver of Examination; Pennsylvania	(NCARB File No. 76124)

NOTE: Mr. Steven J. Schwane, Attorney for the Department of Consumer Protection, shall address the Board concerning application No. 22.

Mr. Schwane detailed Application No. 22 for Mr. Craig S. Konyk. He explained that Mr. Konyk entered into a Settlement Agreement with the State of Nevada in February 2002 which stated that he allegedly prepared and submitted conceptual drawings for a nationwide design competition for a Nevada State College without having a Certificate of Registration issued by the State of Nevada. Without an admission of guilt, Mr. Konyk paid a \$1,500.00 fine and promised not to do it again. It was also noted that NCARB decided that no further action was needed by them regarding this licensee's Certificate Record. *After brief discussion, the Board voted, unanimously, to approve Mr. Konyk's application. (Briggs/Hurd)*

2F. 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/Jeter)*

Arconics Architecture, P.C.
545 ½ Westchester Avenue

Gary Gianfrancesco, CEO
Connecticut Lic. No. 8073

Rye Brook, New York 10573

Rockwell Architecture Planning and Design, P.C. David Rockwell, CEO
5 Union Square West, 8th Floor Connecticut Lic. No. 9079
New York, New York 10003

WESTAR Architects – Patrick Klenk, P.C. Patrick J. Klenk, CEO
701 Bridger Avenue, Suite 400 Connecticut Lic. No. 11525
Las Vegas, Nevada 89101

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

BSA LifeStructures of Connecticut, LLC Keith H. Smith, Manager
9365 Counselors Row Connecticut Lic. No. 11507
Indianapolis, Indiana 46240

KCA Architecture and Engineering, P.C. David Bernhardt, Secretary
1804 Belmont Road NW Connecticut Lic. No. 11430
Washington, District of Columbia 20009

Sigma 7 Design Group Architects and Engineers Inc. Robert Rouleau, President
1250 Broadway, Suite 1900 Connecticut Lic. No. 10563
New York, New York 10001

2H. Update from Mr. Steven Schwane from the Consumer Protection’s Legal Division regarding Complaints and any other Board issues. Mr. Schwane addressed the Board asking them if the document included in the Board s package that he prepared concerning complaints under investigation is satisfactory to them. Ms. Briggs asked that a date column be included stating the date the complaint was filed. She also noted that the Board had asked for more of a chart in appearance. Mr. Jeter noted that the chart could also include a column noting whether or not the complaint was resolved.

Mr. Schwane noted one complaint, in particular, listed on his document concerning the business term “communication architects”. He explained some of the details of this matter noting that the Board may have ultimately decide on this issue once he has more information for them.

Regarding the State Library Regulations, Mr. Schwane advised that they are with the Attorney Generals' Office and will then go the Regulation Review Committee. The process should take several more months.

2I. "CHRO Reviews" CHRO CRITERIA PER SECTION 46a-80; it was noted by Mr. Jeter that there are none before the Board today.

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

1. Ms. Briggs questioned the legal qualifications of Mr. Russo sitting on this Board as a Public Member with a background as both a Connecticut licensed engineer and a land surveyor. She stressed that this is in no way any kind of personal remark and is strictly a matter concerning the definition of a public member. This matter came to light as the Board voted on the applications for joint corporate practice of architecture and engineering. Ms. Briggs noted problems the Board has experienced in the past with the appointment of interior designers as public members. Mr. Huntsman agreed with Ms. Briggs. The Department will look into this matter.

2. Ms. Briggs asked if the July 18, 2008 Board Meeting date could be changed because she will be on vacation. The Board decided on Tuesday, July 8, 2008.

The meeting adjourned at 10:47 AM. The next regular meeting of the Architectural Licensing Board is scheduled for Tuesday, July 8, 2008 at 8:30 a.m.; State Office Building; Room 121; 165 Capitol Avenue, Hartford, Connecticut.

Respectfully Submitted,

Robert M. Kuzmich, R.A.
Board Administrator

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