

ARCHITECTURAL LICENSING BOARD

Tel. No. (860) 713-6145

February 18, 2004

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

The five hundred ninety second meeting of the Architectural Licensing Board, held on January 16, 2004, was called to order by Mr. Edward Jeter at 8:43 a.m. in Room No. 119 of the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Present:	S. Edward Jeter	Chairman/Board Member
	Robert B. Hurd	Board Member
	Carole W. Briggs	Board Member
	Paul H. Bartlett	Board Member
	Robert M. Kuzmich	License and Applications Specialist/Department Of Consumer Protection
	Steven J. Schwane	Administrative Hearings Attorney/Department of Consumer Protection
	Peter R. Huntsman	Attorney General's Office
	Bruce Bockstael	Department of Public Works/State of Connecticut
	Bruce Spiewak	AIA/CT
	Diane Harp Jones	AIA/CT

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 November 21, 2003 meeting of the Board; for review and approval. Mr. Jeter noted a correction on page 4, third paragraph, line four. After the word “*the*”, the minutes should read “*SPRB*”. ***The Board voted, unanimously, to approve the minutes as amended herein. (Briggs/Bartlett)***

1B. Continuation of discussion concerning the offering of services by out-of-state architects and/or architect corporations without first being registered and the policy of NCARB on this matter and E-Mail received from Bruce Bockstael, dated October 22, 2003, concerning this same issue. Mr. Jeter reviewed portions of the Department of Public Works (DPW) interview process with Mr. Bockstael. Mr. Bockstael stated that his Department has recently revised their interview process. He stressed that DPW does not make any offers to architects until they confirm that they are licensed in Connecticut. Mr. Bockstael noted that the recent changes in DPW’s interview process have resulted due to various investigations that have been undertaken. These changes ensure that anyone in reviewing their process could find a full level of documentation.

Mr. Bockstael noted that the changes involve detailed questions concerning the architect’s background such as insurance coverage, any past violations of any kind, the number of past projects done with the DPW, etc. and that if these questions are not answered in full, these architects will not “make the cut”. Architects are asked if they are NCARB certified and the DPW legal staff verifies that the applicants are able to get licensed in Connecticut if they are not already. Mr. Bartlett confirmed with Mr. Bockstael that in some cases, applicants that make the first cut find that they are unable to comply with the corporate licensing requirements needed to get their companies licensed and therefore cannot be considered any longer for the work.

Mr. Bockstael noted that a committee of five people reviews the eligible candidates. At this point, the agency dictates their project specifics and the committee generates the interview questions. These questions are given to the short listed candidates for their review. These candidates are permitted to visit the site with the agency but are otherwise discouraged from other contact with the same. Mr. Bockstael stated that this selection process represents a major change for his agency in that the interview process is now objective and not subjective.

Ms. Briggs asked if municipalities are following in the DPW footsteps regarding their interview process. He noted that his Department would be very willing to provide any information they can. Ms. Briggs questioned

whether the Board needs to pursue local municipalities for possible violations in their interview process? She cited examples of how this can happen with Towns and Cities. Ms. Jones noted that there been effort from the private sector in educating these agencies but problems arise when Building Committees change membership and that these bodies have no real professional staff to support their work. Ms. Briggs acknowledged that the DPW is definitely leading the way with their refined interview process.

Mr. Bockstael continued reviewing the remainder of the DPW interview process highlighting the effort made to maintain a fair voting process throughout. Voting results are reviewed by the Department Commissioner. He also stated that interview teams work in rotation and the project manager is always involved in the interview process.

Ms. Briggs noted a reinstatement application that came before the Board several years ago that involved work done on a State Courthouse Project by an unlicensed architect. She asked Mr. Bockstael how this happened in light of DPW's interview system. Mr. Bartlett noted that the license may have been in place at the time of the interview and may have lapsed since then. Mr. Bockstael was not aware of this situation and could not offer an explanation as to how this may have happened.

Mr. Spiewak confirmed with Mr. Bockstael that shortlist panels set the interview criteria that may vary from project to project and that there is are standard criteria. Mr. Bockstael noted that the mechanics of the selection criteria, such as the weight/importance of the questions, remains the same from project to project. Residency of the architect selected does factor in the selection process in terms of the availability of the design professional during the construction process.

Ms. Jones asked if other State Agencies have asked DPW for advice on their interview processes. Mr. Bockstael noted that they have received inquiries from other states and have had conversation with Connecticut's Department of Transportation (DOT). Mr. Huntsman explained, in more detail, some aspects of the interview process used by the DOT and noted that many aspects are very similar to the DPW interview process.

Mr. Huntsman stated to the Board that he has not completed the draft of a response/policy statement for the Board to review. ***As such, the Board voted, unanimously, to postpone further action on this item until the next regular meeting of the Board.*** Mr. Jeter displayed for the Board an NCARB document that among other criteria details individual state policy regarding out-of-state architects offering services in State without first being registered in this State. Mr. Jeter emphasized his position that out-of-state

architects and architectural firms should be allowed to compete for work in State without first being licensed in this State provided that they demonstrate that they have the ability to get licensed if they are awarded the work. The Board and their legal counsel again entered into considerable discussion on this matter. They noted the specifics of various examples of offerings of services by architects and architectural firms and evaluated these offerings of services relative to current law.

1C. Continuation of discussion on Board Policy regarding the approval process for reciprocal license applications. Ms. Briggs stated that the Board needs approval from their legal council on what method can be used. She prefers approval of these applications be done by electronic mail and to limit the applications to those by *reciprocity only*. She further suggested that the Board get an opinion from their legal council, Peter Huntsman, in writing, as to whether or not this can be done legally. Mr. Huntsman asked that this request be sent to his Department Chairperson Nancy Arnold. ***The Board voted, unanimously, to convey their questions in writing to Ms. Arnold and to request an opinion from her, in writing, on this matter. (Briggs/Bartlett)***

Ms. Briggs noted that until they hear from the Attorney General's Office, reciprocal applications will only be approved at Board meetings.

2. New Business

2A. 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 reciprocity 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: (Briggs/Bartlett)***

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| 1. | Appleton, Malcolm H. | Reciprocity w/Vermont | (NCARB File No. 14286) |
| 2. | Baumann, David R. | Reciprocity w/New York | (NCARB File No. 27001) |
| 3. | Bennett, Michael J. | Reciprocity w/Texas | (NCARB File No. 55958) |
| 4. | Blackman, Ralph S. | Reciprocity w/Texas | (NCARB File No. 33454) |
| 5. | Christie, John D. | Reciprocity/Florida | (NCARB File No. 42995) |
| 6. | Connell, John B. | Reciprocity w/Vermont | (NCARB File No. 100478) |
| 7. | Faber, Guy F. | Reciprocity w/Florida | (NCARB File No. 63673) |
| 8. | Garrison, John R. | Reciprocity w/Texas | (NCARB File No. 90023) |
| 9. | Howland, Mark R. | Reciprocity w/Massachusetts | Direct |
| 10. | Kaiser, Dennis L. | Reciprocity w/Virginia | (NCARB File No. 86806) |
| 11. | Khalsa, Jai S. | Reciprocity w/Massachusetts | (NCARB File No. 53375) |
| 12. | Kleinmann, Joseph J. | Reciprocity w/New York | Direct |
| 13. | Kurtz, John M. | Reciprocity w/New York | (NCARB File No. 23760) |

14.	Landry, John K.	Reciprocity w/Colorado	(NCARB File No. 70166)
15.	Lauber, Michael	Reciprocity w/Massachusetts	(NCARB File No. 52768)
16.	Lleicht, David	Reciprocity w/Pennsylvania	(NCARB File No. 70439)
17.	Loverud, Robert F.	Reciprocity w/Massachusetts	(NCARB File No. 16955)
18.	Milhoan, Gene R.	Reciprocity w/Ohio	(NCARB File No. 15734)
19.	O'Connor, Gregory J.	Reciprocity w/Massachusetts	(NCARB File No. 73212)
20.	Ostberg, Carl R.	Reciprocity w/Massachusetts	(NCARB File No. 55523)
21.	Rehm, Jr., Norman H.	Reciprocity w/Ohio	(NCARB File No. 21878)
22.	Riccardi, Russell	Reciprocity w/New York	Direct
23.	Rigsbee, John E.	Reciprocity w/Indiana	(NCARB File No. 54613)
24.	Schellinger, James A.	Reciprocity w/Indiana	(NCARB File No. 70754)
25.	Stahl, Robert J.	Reciprocity w/New York	Direct
26.	Stresemann, Andreas	Reciprocity w/New York	Direct
27.	Swaback, Vernon D.	Reciprocity w/Arizona	(NCARB File No. 11481)
28.	Terhune, Richard A.	Reciprocity w/Ohio	(NCARB File No. 25283)
29.	Tucker, Alan R.	Reciprocity w/Florida	(NCARB File No. 71455)
30.	Wallace, Kevin L.	Reciprocity w/Texas	(NCARB File No. 94645)
31.	Yarinsky, Adam	Reciprocity w/New York	Direct
32.	Ziolkowski, Frank S.	Reciprocity w/New York	(NCARB File No. 88724)

2B. 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)***

Bignell Watkins Hasser Architects, P.A.
2661 Riva Road, Suite 1030
Annapolis, MD 21401

Francis X. Watkins, CEO
Connecticut Lic. No. 8089

Gensler Architecture, Design
& Planning, P.C.
One Rockefeller Plaza, Suite 500
New York, NY 10020

M. Arthur Gensler, Jr., CEO
Connecticut Lic. No. 4653

Livermore Edwards and
Associates, Inc.
223 Crescent Street
Waltham, MA 02453

Robert Livermore, III, CEO
Connecticut Lic. No. 9819

2C. "CHRO Reviews" CHRO CRITERIA PER SECTION 46a-80; none before the Board. Mr. Jeter noted that there are no applications before the Board today.

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

1. Architect Registration by Jurisdiction chart from Ed Jeter; for the Board's information. The Board acknowledged receipt of this document for their information.

2. Mr. Jeter introduced a letter, dated December 31, 2003, from Mr. Robert A. Boyton, President of NCARB. The letter concerns Connecticut's requirement for an NAAB degree prior to 1984 for reciprocity for NCARB Certified Architects. This information was based upon our State's response to a questionnaire that was sent to our State last year from NCARB's Reciprocity Impediments Task Force. Ms. Briggs asked how our statutes are applied to what NCARB is asking. Mr. Jeter stated that all that is needed of reciprocity applicants is a valid NCARB Certificate Record no matter how the applicant qualified for it.

Mr. Bockstael noted that the significance of the 1984 date is that from that point forward, NCARB no longer certified applicants without a degree thereby eliminating "grandfathering". ***The Board asked Mr. Jeter to respond in writing to NCARB clarifying Connecticut's position on this matter.***

3. Ms. Diane Jones of AIA/CT asked the Board not to lose sight of the inquiry they but before the Board some ago regarding a firm in Bridgeport. She acknowledged that this matter has been on hold and asked the Board to please keep AIA/CT informed on any developments.

4. Ms. Jones, on behalf AIA/CT, formally invited all Board members and staff to the reception for newly licensed architects to be held on September 23, 2004 at 5:00 p.m. in New Haven, Connecticut at a location to be determined.

5. Ms. Jones asked if the State can amend their current roster format available on line so that a sort of licensees can be done by their last names. Currently, architect names are posted first name followed by last. Mr. Kuzmich will inquire with the License Services Division to see if her request can be accommodated.

6. Ms. Jones asked if the Department and Board are including in their legislative package for this year fining authority for the Architectural Licensing Board. She asked that fines be applicable to both licensed architects and non-licensed individuals offering architectural services.

Mr. Schwane acknowledged that this request has been included in the Department's package and that he been asked to participate in a meeting with the Governors Office to review the Department of Consumer Protection's

legislative proposals. He will have more information on the status of the fining authority proposal after this meeting. Ms. Briggs asked if the Board can be updated by e-mail on any information Mr. Schwane may have to present to them after this meeting.

7. Ms. Jones noted that the Attorney General's Office has mandated that before the State can enter into certain contracts, affidavits for the contractor or leaser must be signed. She stated that this affidavit requires disclosure for a period of ten prior years. AIA/CT has not thoroughly read this document but has several questions regarding it and asked that the Board read this material and offer their position on it. She noted that this mandate imposes more stringent requirements of individuals than other State and Federal documents do and provides the opportunity for individuals who sign this document to self-incriminate.

Mr. Huntsman noted that the Attorney General recently stated that his office will no longer approve contracts unless these affidavits are attached. This mandate applies to all contracts including those which have already been received but not yet reviewed. These affidavits are required of both by the contractor/consultant and anyone else involved in the selection process working for the State.

Ms. Briggs asked that AIA/CT formally submit their request to the Board, in writing, outlining the specifics of what they want the Board to review.

8. Mr. Bartlett asked if the Board needs to take any pro-active action regarding the current Public Board member vacancy. Ms. Jones acknowledged that AIA/CT may not have a roll in this process because the position is for a public member. She also noted that AIA/CT does forward names of interested licensed architects to the Governor's Office if the Board position to be filled is that of a professional member.

The meeting adjourned at 10:22 a.m. (Hurd/Bartlett) The next regular meeting of the Architectural Licensing Board is scheduled for Friday, March 19, 2003 at 8:30 a.m.; State Office Building; Room 121; 165 Capitol Avenue, Hartford, Connecticut.

Respectfully Submitted,

Robert M. Kuzmich, R.A.
Board Administrator