

ARCHITECTURAL LICENSING BOARD

Tel. No. (860) 713-6145

December 17, 2007

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

The six hundred and seventy eighth meeting of the Architectural Licensing Board, held on November 16, 2007, was called to order by Chairman Mr. S. Edward Jeter at 8:38 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
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Board Members Not Present:	Christopher Mazza	Board Member
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Others Present	Robert M. Kuzmich	License and Applications Specialist/Department of Consumer Protection
	Steven J. Schwane	Administrative Hearings Attorney/Department of Consumer Protection
	Jerry P. Padula	Legislative and Administrative Advisor/Department of Consumer Protection
	Peter R. Huntsman	Attorney General's Office
	Diane Harp Jones	AIA/CT
	Bruce Spiewak	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 September 21, 2007; for review and approval.
After a thorough review, the Board voted, unanimously, to approve the minutes of the September 21, 2007 meeting as submitted. (Briggs/Hurd)

2. New Business

2A. Letter from State Building Inspector Christopher R. Laux, A.I.A. dated September 7, 2007 concerning sealing of drawings by Architects; for discussion and response by the Board. The Board reviewed, in detail, questions asked by Mr. Laux. The possibility of issuing a Declaratory Ruling, in response, was considered in light of the fact that some answers may be more "Board policy" rather than strict statutory directive. It was also brought to the Board's attention by Ms. Jones that Mr. Laux will be leaving State service in the near future and this document would be very beneficial to his successor. After extensive discussion and taking into consideration the Board's proposed legislation, they arrived at the following responses.

Question 1: When submitting a bound set of construction drawings for building permit application, must the architect apply a live seal to each drawing within the set?

Answer: Yes.

Question 2: When submitting a bound set of construction drawings for building permit application, is the intent of the statute met when the architect applies a live seal to the first sheet only? **Answer:** No.

If not, would the intent of the statute be met by applying a live seal to the first sheet in the set accompanied by a written statement indicating which drawings in the set were covered by such seal? **Answer:** No.

Question 3: When submitting a bound set of construction specifications for building permit application, must the architect apply a live seal to each page within the set?

Answer: No.

Question 4: When submitting a bound set of construction specifications for building permit application, is the intent of the statute met when the architect applies a live seal to the first page only?

Answer: Yes, the seal should be applied to the cover page.

If not, would the intent of the statute be met by applying a live seal to the first page in the set accompanied by a written statement indicating which pages in the set were covered by such seal?

Answer: Because the first part of the question was answered in the affirmative, this question need not be answered.

Question 5: The statutes covering the practice of engineering are specific to require the engineer's signature in addition to the seal. Likewise, the statutes covering the practice of architecture by corporation (20-298b) require the signature of the architect on documents depicting services rendered by the corporation. The statute regarding architectural seals (20-293) does not, however, specifically require the signature of the architect on working drawings or specifications. In addition to a live seal, do the laws regarding architectural licensing require an architect not practicing under a corporate seal to sign construction documents (including drawings and specifications)?

Answer: Not at present, but legislation proposed by the Department of Consumer Protection and the PELS Board, if passed, will require a signature in addition to a seal.

Question 6: If the response to Question 5 is in the affirmative, must such signature appear in the vicinity of each application of the seal as determined by the responses to Questions 1 through 4?

Answer: Because the first part of the question was answered in the negative, this question need not be answered.

The Board voted, unanimously, to have Mr. Schwane to draft a letter on their behalf responsive to the questions asked in Mr. Laux's letter following the answers summarized by Mr. Jeter for questions one through six. This letter will be sent by Mr. Kuzmich with his signature on behalf of the Board and acting as their administrator. (Briggs/Hurd) The letter will also note that the Board is looking at amendments to the seal and signature process and that the Board will be working with the other disciplines to reach a consensus approach on the matter.

2B. Letter from Mr. David Cornell, RA, dated October 23, 2007, concerning consideration for a Connecticut Architect license by waiver of examination; for discussion by the Board. After an extensive review of Mr. Cornell's situation and the statutory limitations of Section 20-291, the Board arrived at the following procedure.

The Board voted, unanimously, to approve Mr. Cornell to take the Architect Registration Examination and asked that he be enrolled as a Connecticut candidate with Thompson Prometric, NCARB's Test Vendor. (Briggs/Jeter) The Department will forward an application form to him to be completed and returned to the Department along with his application fee of \$36.00.

Upon receipt of his application and fee, Mr. Kuzmich will enroll him in NCARB's test database and have his *Architect Registration Examination* scores, obtained when he was a candidate of the State of New York, transferred to his newly established electronic file with Thompson Prometric which will then list him as a Connecticut test candidate. Thompson will then mail new hard copies of his test scores to the Department showing

Connecticut as his new base State. At their next meeting, scheduled for January 18, 2008, the Department will present his application as a Connecticut Examination Candidate and explain that his scores have now been transferred to his Connecticut file.

At this point, the Board may then approve him for licensing on the basis of successful completion of the written examination. This two step process defines a clear path to his licensure in Connecticut; first by being accepted as a candidate to take the A.R.E. and then, the transfer and acceptance of his scores from New York. The Board emphasized the importance of their process by which he will become licensed and wanted well documented evidence of the same.

2C. 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/Hurd)

1. Nicholas J. Braca
2. Scott Michael Mitchell
3. Miguel A. Sostre, Jr.

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 (except for Application Nos. 17 and 26) for licensing as architects in the State of Connecticut. (Briggs/Barkin)

1.	Avramides, Michael	Waiver of Examination; New York	Direct
2.	Baker, Stephen E.	Waiver of Examination; Massachusetts	(NCARB File No. 72941)
3.	Barnes, Anthony S.	Waiver of Examination; District of Columbia	Direct
4.	Barone, Augusta	Waiver of Examination; New York	Direct
5.	Berstein, Robert A.	Waiver of Examination; Wisconsin	(NCARB File No. 118141)
6.	Coba, Richard	Waiver of Examination; Illinois	Direct
7.	Cruse, Andrew L.	Waiver of Examination; Massachusetts	(NCARB File No. 94529)
8..	Cuevas, Jr., Adolfo	Waiver of Examination; .Massachusetts	(NCARB File No 106314)
9.	Czarnowski, Thomas V.	Waiver of Examination; New York	Direct
10.	Davis, Jr., Harold E.	Waiver of Examination; Pennsylvania	(NCARB File No. 15707)
11.	Deeley, Jr., Paul M.	Waiver of Examination; Texas	(NCARB File No. 19487)
12.	Figdor, William M.	Waiver of Examination; New York	Direct
13.	Gonzalez, Jose	Waiver of Examination; Georgia	(NCARB File No. 71909)
14.	Gore, Matthew L.	Waiver of Examination; Florida	(NCARB File No. 33095)
15.	Griffin, Charles H.	Waiver of Examination; Texas	(NCARB File No. 87245)
16.	Hamlin, Russell B	Waiver of Examination; New York	Direct
17.	Howell, Thomas W.	Waiver of Examination; Illinois	(NCARB File No. 41830)

18.	Hrejanovic, Darko	Waiver of Examination; New York	Direct
19.	Lapointe, Mark	Waiver of Examination; Maryland	(NCARB File No. 61249)
20.	Lowe, Jeffrey K.	Waiver of Examination; Massachusetts	(NCARB File No. 55788)
21.	Ng, Paul C.	Waiver of Examination; Massachusetts	(NCARB File No. 123454)
22.	Rockstroth, Kurt A.	Waiver of Examination; Massachusetts	(NCARB File No. 45576)
23.	Singer, William M.	Waiver of Examination; New York	Direct
24.	Varenhorst, Stephen G.	Waiver of Examination; Pennsylvania	(NCARB File No. 51217)
25.	Warasila, John	Waiver of Examination; Maryland	(NCARB File No. 50791)
26.	Wells, Douglas A.	Waiver of Examination; Iowa	(NCARB File No. 26952)
27.	Wince, Jr., Philip O.	Waiver of Examination; Ohio	Direct

NOTE: Mr. Steven J. Schwane, Attorney for the Department of Consumer Protection, shall address the Board concerning application Nos. 17 & 26.

Mr. Schwane detailed applications 17 and 26 for the Board. He noted that Mr. Howell in Illinois in 1991 received a one year probation, \$1,000.00 fine, and a requirement for 15 hours of continuing education because he worked with a lapsed license. *The Board voted, unanimously, to approve Mr. Howell's application. (Briggs/Hurd)*

Mr. Schwane stated that Mr. Wells in 1993 in Iowa received a letter of reprimand for signing and sealing documents not prepared by him but prepared by a construction company which Mr. Wells had used for construction of projects in the past. Mr. Wells had made design revisions, completed a building code compliance review, and personally ensured that modifications that he recommended were implemented in the final set of construction documents. These actions were considered violations of the Iowa Statutes for which he received a Letter of Reprimand. *The Board voted, unanimously, to approve Mr. Howell's application. (Briggs/Hurd)*

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: (Hurd/Briggs)*

Richard Dattner & Partners Architects PC .
130 West 57th Street
New York, New York 10019

Richard Dattner, CEO
Connecticut Lic. No. 8094

FS Architecture, P.C.
830 Bear Tavern Road
West Trenton, New Jersey 08628

Christopher Cedergreen, CEO
Connecticut Lic. No. 9874

J. Stewart Roberts Associates, Inc.
48 Grove Street
Somerville, Massachusetts 02144

J. Stewart Roberts, CEO
Connecticut Lic. No. 9615

Looney Ricks Kiss Architects, Inc.
175 Toyota Plaza, Suite 600
Memphis, Tennessee 38103

H. Frank Ricks, CEO
Connecticut Lic. No. 11347

Smook Architecture & Urban Design, Inc.
186 South Street
Boston, Massachusetts 02111

Clay Benjamin Smook, CEO
Connecticut Lic. No. 9634

2F. Applications for Joint Corporate Practice of Architecture & Professional Engineering and Architecture, Professional Engineering, & Land Surveying; the Department has reviewed and recommends for approval the application of *LiRo Architects + Engineers, P.C.* and asks for further discussion on the application for *Haks Engineers, P.C.*;

LiRo Architects + Engineers, P.C.
One North Main Street
Georgetown, Connecticut 06829

Rocco L. Trotta, Chairman
Connecticut License No. 0013333

Regarding the application for LiRo Architects and Engineers, P.C., after a thorough review, ***the Board voted unanimously to approve their application. (Briggs/Hurd)***

*****Haks Engineers, P.C.***
32 Washington Street - Suite C
Middletown, Connecticut 06457

Husam Ahmad, Chairman
Connecticut Lic. No. 18265

**** Application to be discussed further with Mr. Peter Huntsman**

Regarding the application for Haks Engineers, P.C., the Board decided the following.

In reviewing their application, the Board noted that they propose to set up a Professional Corporation ("PC") for the practice of three professions: Architecture, Professional Engineering, and Land Surveying. That portion of Connecticut's Statutes which governs the formation of PCs, *Connecticut General Statutes Chapter 594a*, does not, however, permit the formation of such an entity.

Each of the three professions may form a PC for the practice of that profession, and Architects and Professional Engineers are expressly permitted to form a joint PC, but the statute does not expressly permit Land Surveyors to join them. Further, the statutes also restrict the ownership of any interest in a PC to persons licensed to render those specific professional services. As an example, only Architects may own a PC formed to render Architectural services. Therefore, a Land Surveyor is prohibited from owning

part of a PC formed to practice Architecture and Professional Engineering and further, that PC would be prohibited from practicing Land Surveying.

As such, the Board voted unanimously, to not approve their application based upon this statutory prohibition. (Briggs/Hurd)

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

1.) 2008 Proposed Legislation; Mr. Schwane noted that the Department submitted their package to the Governor's Office which is where it is now. He further explained that the Department decided to group the architect, engineer, and landscape architect packages together into one bill which may good or bad. Mr. Schwane stated that to his knowledge, the Department has not received any comment or questions on the package to date. Mr. Padula stated the upcoming Legislative Session begins in February 2008 and that the Department should have a response from the Governor's Office by early December of this year. When asked by the Board, Mr. Padula stated that he believes there is a good chance their legislation will pass. Because it has been combined with other professions, Mr. Hurd asked if the Board could have a chance to review their package one more time, perhaps in January 2008, so it doesn't offend any of the other professions and that they get parallel structure between them such as in the areas of seals and their use, for example.

As an aside, AIA/CT expressed concern over opening the Statutes for revision and urged the support of this Board through public hearings and at all levels to ensure that amendments are not added that are not in the best interest of the public. The Board noted that Ms. Jones' comment was well taken and the Board agreed that they need to "baby sit" the entire process.

2.) State Library Proposed Regulation; Mr. Schwane noted that the Library published their proposal in the Connecticut Law Journal on September 25, 2007. Mistakes were made by the Library in their publication concerning errors in punctuation and format, in general. They will be republished in the November 27, 2007 Connecticut Law Journal

3.) AIA/CT Complaints against unlicensed individuals; Mr. Schwane has spoken with Keith Lombardi, the investigator for the Board, who stated to him that he has a total of ten cases; nine of which are still open. These numbers are not in agreement with AIA/CT's figures. At the suggestion of Mr. Schwane, Ms. Harp Jones will send a list of all their complaints to him highlighting the more egregious cases and if need be, he will try and assist her.

Mr. Jeter suggested that Mr. Schwane present to the Board on a regular basis an overview of the number of Department complaints and the overall status of their

disposition. This will give the Board a better understanding on which complaints need more pressure on them to be completed.

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

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

1. It was suggested by AIA/CT that renewal notices for architect corporations have a provision on them for the licensee to provide an update on their corporate structure in terms of ownership and related holdings of voting stock. Mr. Kuzmich suggested that Ms. Jones e-mail the Department with her suggestion.

The meeting adjourned at 10:08 AM. The next regular meeting of the Architectural Licensing Board is scheduled for Friday, January 18, 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

