

**COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION OF ARCHITECTS**

**MINUTES OF THE SEPTEMBER 21, 2016 OPEN PUBLIC MEETING**

**A regularly scheduled open public meeting of the Massachusetts Board of Registration of Architects (“the Board”) was held on September 21, 2016 at 1000 Washington Street, Room 1G, Boston, MA.**

**Board Members Present:**

John Pesa, Member  
Stephen Schreiber, Chair  
Gail Sullivan, Member  
Diane Georgopoulos, Member  
Carl M. Sapers, Public Member (via telephone)

**Members of the Public:**

John Nunnari, AIA/MA  
Abbie Goodman, ACEC/MA  
Joseph Gesker, Donovan Hatem  
Daniel Tenney, Weston & Sampson  
Cynthia Carleo, HDR  
Jack Sullivan, Commonwealth Magazine  
Glen LeRoy, BAC  
Diana Ramirez-Jasso, BAC  
Karen L. Nelson, BAC  
Len Charney, BAC  
Beth Lundell Garver, BAC  
Chris Baker-Albertz, BAC  
Scott Miller, Haley & Ward  
Nick Ferzacca, ACEC/MA

**DPL Staff Present at various times during the meeting:**

Clinton Dick, Executive Director  
Charles Kilb, Legal Counsel  
Eric Funk, Licensure Specialist  
Doris Lugo, Investigator

**1. Call to Order:**

Meeting was called to order at 10:03 a.m. by S. Schreiber. C. Sapers joined the meeting via telephone.

**2. Topic: Building Emergency Exit Procedures Announcement**

C. Dick advised all present of the procedures for exiting the building in the event of an emergency.

### **3. Topic: Discussion of Public Hearing Comments**

S. Schreiber mentioned that NCARB's recent transition from the use of Intern Development Program (IDP) to Architect Experience Program (AXP) may need to be addressed in the proposed regulations as the term IDP appears in the current version.

C. Kilb indicated that should such a change be made it should not cause an issue with the approval.

G. Sullivan inquired as to why the Board's license expiration date is different than that of the AIA. C. Kilb stated that Massachusetts law dictates the registration periods for Boards.

D. Georgopoulos commented that the point raised during the public comment hearing regarding the definition of incidental is interesting, but she does not feel that it should hold up the approval. She further commented that should it prove to be problematic it can be changed at a later date. She further stated that 231 CMR 3.05 (6)(2) goes to the heart of what the Board cares about and that standard of disclosure is important.

S. Schreiber stated that both the Architect Board and Engineer Board regulations do not define incidental and the language related to Responsible / Supervisory Control simply states the law and should be understood by all.

G. Sullivan stated that she is in agreement with all comments.

#### **Action:**

A motion was made by D. Georgopoulos to accept both 231 CMR 2.00 and 3.00 as presented. The motion was seconded by J. Pesa. A roll call vote was taken. Roll call vote: Members in Favor: S. Schreiber, C. Sapers, D. Georgopoulos, G. Sullivan, J. Pesa; Members opposed: None. The motion passed with a vote of 5-0.

C. Kilb anticipated that the regulations should be in place in the near future.

### **4. Topic: Board Review and Acceptance of the May 18, 2016 and July 20, 2016 Open Public Session meeting minutes.**

#### **Discussion:**

Draft Minutes of the May 18, 2016 and July 20, 2016 Open Public Session meetings were reviewed.

#### **Action:**

A motion was made by D. Georgopoulos, seconded by S. Schreiber, to accept the meeting minutes for May 18, 2016. A roll call vote was taken. Roll call vote: Members in Favor: S. Schreiber, C. Sapers, D. Georgopoulos; Members opposed: None. The

motion passed with a vote of 3-0 with two abstentions as only C. Sapers, S. Schreiber and D. Georgopoulos were present at the May 18, 2016 meeting.

A motion was made by G. Sullivan, seconded by J. Pesa, to accept the meeting minutes for July 20, 2016. A roll call vote was taken. Roll call vote: Members in Favor: S. Schreiber, C. Sapers, D. Georgopoulos, G. Sullivan, J. Pesa; Members opposed: None. The motion passed with a vote of 5-0.

#### **5. Topic: Review of NCARB's New Architectural Experience Program (AXP) and Board Reciprocity Requirements**

##### **Discussion:**

S. Schreiber stated that per the new NCARB requirements, Massachusetts (MA) will be required to accept NCARB certificates even if the applicant does not have a NAAB degree. This new requirement takes effect in January 2017. S. Schreiber further stated MA has for years required that applicants seeking reciprocal licensure have a NAAB degree or have completed the EESA or BEA program through NCARB or have a current NCARB certificate demonstrating current licensure in another member jurisdiction.

S. Schreiber stated that the proposed regulatory change to 231 CMR 3.03 (8)(b) allows those applying for reciprocal registration in MA to provide such information satisfactory to the Board to determine acceptance of licensure application.

S. Schreiber stated that it seems unfair to require MA license applicants to have a NAAB degree and not require the same for all other applicants. He that no guidance was provided by NCARB. He also stated that many states / jurisdictions do not require a NAAB degree, including large states such as NY and CA.

D. Georgopoulos asked if the Board has confidence to accept applicants who demonstrate work experience but do not possess the education required for licensure. She further stated that she does not believe that empirical data exists to make such a determination.

S. Schreiber asked if the Board should consider a policy change at the November Board meeting to address this topic.

G. Sullivan asked if the Board believes that the AXP is a sufficient gatekeeper.

G. Sullivan stated that currently the Board requires a certain level of education; ability to take and pass the required exams; and sufficient practice or work experience when considering licensure and to reduce that by a factor of one is a concern.

D. Georgopoulos stated that she is in agreement with G. Sullivan in that the requirements should not be lessened.

J. Pesa stated that regulating professional practice is necessary; however, he does not believe that diluting the standard is the answer and feels that to do so could prove dangerous. He further stated that he has heard no compelling reason to do so nor has he seen any data or evidence to support the change.

J. Nunnari stated that the reality is that students are not following through with licensure after school and testing. He stated that this reality is apparent to both the AIA and NCARB.

D. Georgopoulos stated that she supports a two tier format for licensure: Architect and Para-Architect. She further stated that the bar should not be lowered for everyone to address a perceived issue for some.

J. Nunnari stated that he is in agreement with this and believes that many other in the profession may as well.

S. Schreiber recommended that the Board draft language addressing this for the next Board meeting in November.

J. Pesa stated that each state / jurisdiction should have a say in their licensure standards and should not be compelled to comply with NCARB.

S. Schreiber stated that the Board needs to have a say here in MA and he will work with C. Dick and C. Kilb to draft language for the next meeting.

J. Nunnari stated that he will speak with the AIA to address the concerns.

#### **6. Topic: Attendance at Region 1 Meeting in Exeter, New Hampshire**

##### **Discussion:**

S. Schreiber, G. Sullivan, D. Georgopoulos and C. Dick indicated that they will be attending the meeting.

#### **7. Topic: Attendance at NCARB Chairs/Execs Meeting in Columbus, Ohio**

##### **Discussion:**

S. Schreiber stated that he has been invited to attend this meeting and asked if any other Board members would be available to join him. C. Dick stated that he would attend. G. Sullivan stated that due to a scheduling conflict, she would not be able to attend. J. Pesa stated that he would review his calendar and would attend if able. D. Georgopoulos stated that if J. Pesa can attend she feels that he should.

#### **8. Topic: Closed Investigative Conference**

**Action:**

At 11:00 AM, S. Schreiber moved, seconded by J. Pesa, to suspend the public meeting and enter into closed investigative session under G.L. c. 112, § 65C to discuss an investigative matter with prosecuting counsel. Motion passed.

D. Georgopoulos moved to return to Open Session at 11:10 AM. The motion was seconded by G. Sullivan. Public Session resumed at 11:10 AM.

Report of actions taken in Investigative Conference:

- AR-15-004: Guidance provided to Prosecuting Counsel

**9. Topic: 2016 NCARB Annual Business Meeting – Resolution 2016-01: Mutual Recognition Arrangement with Australia and New Zealand**

**Discussion:**

C. Dick provided an overview of the recognition arrangement between NCARB and Australia and New Zealand, Resolution 2016-01. C. Dick provided a handout which further described the arrangement and provided samples of the Letter of Good Standing and Declaration of Professional Experience, which are two documents that will be implemented if the arrangement is ratified.

D. Georgopoulos stated that she is frustrated with what she view as the continued reduction of standards for licensure by NCARB and she does not agree with the arrangement.

C. Dick stated that each applicant would essentially be attesting to meeting the standards for licensure.

G. Sullivan indicated that there may be an argument for not accepting based on the potential for uneven application of the standards.

J. Pesa stated that accepting the attestation or declaration on good faith would be difficult to agree to.

J. Pesa stated that while he is open to licensing talent from other jurisdictions, MA should not have to compromise their standards to do so.

C. Sapers stated that the Board should make a request to NCARB for additional information.

J. Pesa stated he was in agreement with C. Sapers with respect to requesting additional information.

S. Schreiber stated that C. Dick will request additional information from NCARB and that the matter would be placed on the November agenda for further discussion.

**10. Topic: 2017 NCARB Annual Business Meeting in Boston, MA.**

**Discussion:**

S. Schreiber stated that he is a member of the taskforce tasked with selecting sites and venues for the 2017 Annual Business Meeting in Boston.

S. Schreiber stated that there will be a meeting on September 28, 2016 that he will be attending.

**11. Topic: 2017 Board Meeting Dates**

**Discussion:**

C. Dick indicated that the November Board meeting date would need to be rescheduled as there is a conflict with the current date of November 16, 2016.

C. Dick stated that he would also email all Board members with tentative dates on the third Wednesday of every other month in 2017 for their review and the 2017 meeting calendar can be finalized at the next Board meeting.

**12. Topic: Closed Investigative Conference**

**Discussion:**

At 12:05 PM, S. Schreiber moved, seconded by J. Pesa, to suspend the public meeting and enter into closed investigative session under G.L. c. 112, § 65C to discuss an investigative matter with prosecuting counsel. Motion passed.

J. Pesa moved to return to Open Session at 12:55 PM. The motion was seconded by G. Sullivan. Public Session resumed at 12:55 PM.

Report of actions taken in Investigative Conference:

- AR-16-030: Refer to the Office of Prosecutions
- AR-16-031: Refer to the Office of Prosecutions
- AR-16-033: Refer to the Office of Prosecutions
- AR-16-034: Refer to the Office of Prosecutions

C. Sapers left the meeting at 12:30 PM.

**13. Topic: Reinstatement Applications**

Applications reviewed by the Board:

- Paul D. Remus, License #8268
- Mark W. Humphrys, License #9625
- Sharon L. Jacobson, License #10624
- Gretchen A. Meili, License #30820
- David G. Schatzle, License #30052

**Action:**

A motion was made by D. Georgopoulos to accept all the applications for reinstatement. G. Sullivan seconded the motion. A roll call vote was taken. Roll call vote: Members in Favor: S. Schreiber, D. Georgopoulos, G. Sullivan, J. Pesa; Members opposed: None. Motion passed with a vote of 4-0 as C. Sapers was no longer available via telephone at the time of the vote.

**14. Topic: Request for CEU Consideration**

**Discussion:**

The request for CEU consideration was approved by S. Schreiber as no Board vote was necessary.

**15. Topic: Items not Reasonably Anticipated by the Chair**

**Discussion:**

There were no items discussed.

**16. Topic: Board Staff Review the attached list of Applications for First Time Candidates:**

**Action:**

The Board was provided a list (attached as Item A) of applicants for 1<sup>st</sup> Time Licensure who received licenses. No formal action required by Board.

**17. Topic: Board Review the attached list of Applications for Reciprocity:**

**Action:**

The Board was provided a list (attached as Item B) of applicants for Reciprocity who received licenses. No formal action required by Board.

**18. Adjournment**

A motion was made by G. Sullivan, seconded by J. Pesa to adjourn. Motion passed. Meeting was adjourned at 12:58 PM.

**Respectfully submitted,**



**Eric Funk**

**Licensure Specialist**