

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

MINUTES OF THE JANUARY 24, 2018 OPEN PUBLIC MEETING

A regularly scheduled open public meeting of the Massachusetts Board of Registration of Architects (“the Board”) was held on January 24, 2018 at 1000 Washington Street, Room 1D, Boston, MA.

Board Members Present:

John Pesa, Member
Pip Lewis, Member
Rachael Pauze, Public Member
Suni Dillard, Member
Diane Georgopulos, Member (via telephone)

Members of the Public:

Board Members Absent:

DPL Staff Present at various times during the meeting:

Clinton Dick, Executive Director
Bruce Hopper, Chief Legal Counsel
Eric Funk, Licensure Specialist

1. Call to Order:

Meeting was called to order at 10:07 a.m. by J. Pesa.

2. Topic: Building Emergency Exit Procedures Announcement

J. Pesa advised all present of the procedures for exiting the building in the event of an emergency.

3. Topic: Board Review and Acceptance of the September 20, 2017 Open Public Session meeting minutes.

Discussion:

Draft Minutes of the September 20, 2017 Open Public Session meeting were reviewed.

Action:

A motion was made by P. Lewis, seconded by R. Pauze, to accept the meeting minutes for September 20, 2017. A roll call vote was taken. Roll call vote: Members in Favor: J. Pesa, P. Lewis, D. Georgopulos, and R. Pauze; Members opposed: None; Members abstaining: S. Dillard. The motion passed with a vote of 4-0.

4. Topic: Board Review and Acceptance of the September 20, 2017 Executive Session meeting minutes.

Discussion:

Draft Minutes of the September 20, 2017 Executive Session meeting were reviewed.

Action:

A motion was made by R. Pauze, seconded by P. Lewis, to accept the meeting minutes for September 20, 2017. A roll call vote was taken. Roll call vote: Members in Favor: J. Pesa, P. Lewis, D. Georgopulos, and R. Pauze; Members opposed: None; Members abstaining: S. Dillard. The motion passed with a vote of 4-0.

5. Topic: Board Review and Acceptance of the November 15, 2017 Open Public Session meeting minutes.

Discussion:

Draft Minutes of the November 15, 2017 Open Public Session meeting were reviewed.

Action:

A motion was made by R. Pauze, seconded by P. Lewis, to accept the meeting minutes for November 15, 2017. A roll call vote was taken. Roll call vote: Members in Favor: J. Pesa, P. Lewis, D. Georgopulos, and R. Pauze; Members opposed: None; Members abstaining: S. Dillard. The motion passed with a vote of 4-0.

6. Topic: Request to Approve CEUs

Discussion:

William M. Simmers, License No. 3767-AR-AR, submitted a letter to the Board asking that it accept as 12 hours of continuing education a Net Zero residential project in Cambridge, Massachusetts.

Action:

A motion was made by D. Georgopulos, seconded by P. Lewis, to have the Executive Director ask Mr. Simmers for more information as to how his work on the Net Zero project contributed to best practices in the profession and at that time the Board would consider his request. Roll call vote: Members in Favor: J. Pesa, D. Georgopulos, P. Lewis, S. Dillard, and R. Pauze; Members opposed: None; The motion passed with a vote of 5-0.

Reza Hadaegh, License No. 31663-AR-R, submitted a request to the Board that it accept as health, safety, and welfare continuing education the 5-hour California Disabled Access Course.

Action:

A motion was made by P. Lewis, seconded by S. Dillard, to accept the 5-hour California Disabled Access Course as five hours of continuing education in health, safety, and

welfare. Roll call vote: Members in Favor: J. Pesa, D. Georgopoulos, P. Lewis, S. Dillard, and R. Pauze; Members opposed: None; The motion passed with a vote of 5-0.

7. Topic: Report of Licensee Discipline in Other Jurisdictions for Reciprocity Applicant 2017-503-AR-AAPP

Discussion:

C. Dick advised all present that the matter could be discussed in open session as it was administrative in nature, not executive action.

C. Dick provided the Board with a copy of J.B., Application No. 2017-503-AR-AAPP

A motion was made by J. Pesa to take no action in the matter. R. Pauze seconded the motion. A roll call vote was taken. Roll call vote: Members in Favor: J. Pesa, D. Georgopoulos, P. Lewis, S. Dillard, and R. Pauze; Members opposed: None; The motion passed with a vote of 5-0.

C. Dick also informed the Board that the other items under "Self-Report of Discipline" on the agenda were added by mistake.

8. Topic: Executive Session pursuant to G.L. c. 30A, §21(a) (1) to discuss character, rather than competency of Applicant Z.S. and N.C.

At 10:34 a.m., J. Pesa moved, seconded by R. Pauze, to suspend the public meeting and enter into closed executive session under G.L. c. 30A, §21(a) (1) to discuss the character, rather than the competency of licensees Z.S. and N.C., and pursuant to G.L. c. 30A, § 21(a)(7) for the purpose of complying with or exercising the Board's authority under G.L. C. 66, § 10; G.L. c. 4 § 7 para. 26(a) & (c) and G.L. c. 6, s. 172. A roll call vote was taken. Roll call vote: Members in Favor: P. Lewis, R. Pauze, D. Georgopoulos, S. Dillard, and J. Pesa; Members opposed: None. Motion passed with a vote of 5-0. The Chair stated that he expected to be in Executive Session for approximately five minutes.

Open Session resumed at 10:39 a.m.

9. Topic: Closed Quasi-Judicial session pursuant to G.L. c. 30A, §18 to discuss Final Decision and Order in AR-16-020 and AR-16-008

Action:

At 10:40 a.m., J. Pesa moved, seconded by P. Lewis, to suspend the public meeting and enter into closed quasi-judicial session under G.L. c. 30A, §18 to discuss the final decision and order in AR-16-020 and AR-16-008. A roll call vote was taken. Roll call vote: Members in Favor: J. Pesa, R. Pauze, S. Dillard, P. Lewis, and D. Georgopoulos; Members opposed: None; The motion passed with a vote of 5-0.

10. Topic: Reinstatement Applications

Discussion:

Applications reviewed by the Board:

- David E. Gamble, License No. 20385-AR-AR
- Michael B. Reith, License No. 20439-AR-R
- Lan Ying Ip, License No. 20111-AR-AR
- Theodore Hammer, License No. 8717-AR-R
- Tae-Yeon Kim, License No. 20556-AR-AR

Action:

A motion was made by R. Pauze, seconded by J. Pesa to table the application for Gamble and to open an investigation to collect more information. A roll call vote was taken. Roll call vote: Members in Favor: D. Georgopulos, J. Pesa, P. Lewis, R. Pauze, and S. Dillard; Members opposed: None. The motion passed with a vote of 5-0.

A motion was made by S. Dillard, seconded by P. Lewis, to accept the application for Reith. A roll call vote was taken. Roll call vote: Members in Favor: S. Dillard, D. Georgopulos, J. Pesa, R. Pauze, and P. Lewis; Members opposed: None. The motion passed with a vote of 5-0.

A motion was made by P. Lewis, seconded by R. Pauze, to table the application for Ip and to open an investigation to collect more information. A roll call vote was taken. Roll call vote: Members in Favor: J. Pesa, D. Georgopulos, P. Lewis, R. Pauze, and S. Dillard; Members opposed: None. The motion passed with a vote of 5-0.

A motion was made by J. Pesa, seconded by P. Lewis, to accept the application for Kim. A roll call vote was taken. Roll call vote: Members in Favor: S. Dillard, J. Pesa, R. Pauze, P. Lewis and D. Georgopulos; Members opposed: None. The motion passed with a vote of 5-0.

11. Topic: Architectural Access Board

Clinton Dick informed the Board that the Architectural Access Board (AAB) was now a part of the Division of Professional Licensure and the Executive Director, Thomas Hopkins, would be attending a future Board meeting.

Bruce Hopper added that he and C. Dick had the opportunity to meet with T. Hopkins who appreciated their willingness to work in conjunction on topics that are of importance to both Boards.

D. Georgopulos stated that she has experience with the AAB and is concerned that they have a separate code from the International Building Code (IBC) which could pose issue as their code has not adopted the IBC with MA amendments.

P. Lewis recommended adding this topic as a discussion item on the March 2018 agenda.

12. Topic: Correspondence

Discussion:

Clinton Dick provided the Board with a copy of a letter from James Plouffe, Building Inspector for the Town of Brockton, dated July 7, 2017, regarding the reactivation of a building permit in which the Board of Architects is copied.

Action:

J. Pesa requested that the Board acknowledge receipt of the letter from Mr. Plouffe.

Discussion:

Clinton Dick provided the Board with a copy of an email from Henry Bobek (License No. 10359-AR-AR), dated September 12, 2017, inquiring whether it is permissible for architects to stamp supporting beam engineering documents.

Action:

J. Pesa requested that the Board inform Mr. Bobek that the practice of architecture is defined in the regulations.

Discussion:

Clinton Dick provided the Board with a copy of an email from Gregory L. Erny, President/Chair of the National Council of Architectural Registration Boards, dated September 25, 2017, on the findings from the Annual Business Meeting workshop and Board discussions on the future directions for the NCARB Certificate and the Member Board role regarding testing registration.

Action:

Clinton Dick stated that he would distribute the email from Mr. Erny to all Board members for further review.

Discussion:

Clinton Dick provided the Board with a copy of an email from David Levy (License No. 9655-AR-R), dated January 8, 2018, regarding sealing a form that he did not create.

Action:

J. Pesa requested that the Board inform Mr. Levy that 231 CMR 4.02 (3) outlines the Design and Use of Architect's Seal.

13. Topic: Items not Reasonably Anticipated by the Chair

Clinton Dick stated that on January 23, 2018 he was asked to discuss with the Board, holding one meeting at a location outside the City of Boston.

After discussion, the Board agreed that the May 2018 meeting could be held in the Milford, MA state office facility.

D. Georgopoulos informed the Board that this would be her last meeting as she was officially resigning from the Board. There was much praise for D. Georgopoulos.

14. Topic: Closed Investigative Conference

Action:

At 12:15 pm, R. Pauze moved, seconded by S. Dillard, to suspend the public meeting and enter into closed investigative session under G.L. c. 112, § 65C to discuss an investigative matter(s) with prosecuting counsel. A roll call vote was taken. Roll call vote: Members in Favor: J. Pesa, P. Lewis, S. Dillard, R. Pauze, and D. Georgopoulos; Members opposed: None; The motion passed with a vote of 5-0.

Report of actions taken in Investigative Conference:

- 2017-000423-IT-ENF: Dismiss without prejudice;
- 2017-000634-IT-ENF: Refer to the Office of Prosecutions;
- 2017-000635-IT-ENF: Refer to the Office of Prosecutions;
- 2017-000114-IT-ENF: Dismiss without prejudice;
- 2017-001235-IT-ENF: Refer to the Office of Prosecutions;
- 2017-000886-IT-ENF: Dismiss without prejudice; and,
- 2017-001089-IT-ENF: Refer to the Office of Prosecutions.

15. Adjournment

A motion was made by R. Pauze, seconded by S. Dillard to adjourn. A roll call vote was taken. Roll call vote: Members in Favor: J. Pesa, P. Lewis, S. Dillard, R. Pauze, and D. Georgopoulos; Members opposed: None; The motion passed with a vote of 5-0. Meeting was adjourned at 1:40 p.m.

Respectfully submitted,



Eric Funk
Licensure Specialist

Documents used:

- September 20, 2017 Public Section Draft Minutes
- September 20, 2017 Executive Session Draft Minutes
- November 15, 2017 Public Section Draft Minutes

- Letter from William M. Simmers, License No. 3767-AR-AR, dated August 30, 2017
- Email on behalf of Reza Hadaegh, License No. 31663, dated November 9, 2017
- Reinstatement Applications:
 - David E. Gamble – License No. 20385 (exp. 2013)
 - Michael B. Reith – License No. 20439 (exp. 2011)
 - Lan Ying Ip – License No. 20111 (exp. 2014)
- Letter from James Plouffe, Building Inspector for the Town of Brockton, dated July 7, 2017, regarding the reactivation of a building permit in which the Board of Architects is copied.
- Email from Henry Bobek (License No. 10359-AR-AR), dated September 12, 2017, inquiring whether it is permissible for architects to stamp supporting beam engineering documents.
- Email from Gregory L. Erny, President/Chair of the National Council of Architectural Registration Boards, dated September 25, 2017, on the findings from the Annual Business Meeting workshop and Board discussions on the future directions for the NCARB Certificate and the Member Board role regarding testing registration.
- Email from David Levy (License No. 9655-AR-R), dated January 8, 2018, regarding sealing a form that he did not create.