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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE ARCHITECTS LICENSURE BOARD

TIME: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

July 14, 2022

State Architects Licensure Board
July 14, 2022

BOARD MEMBERS:

Jerry K. Roller, RA, President
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Darryl R. Hamm, Vice President, Public Member
William J. Bates, RA, Secretary
Jonathan Burns, Deputy Attorney General, Office of
Attorney General
Michael Johns, RA
Mary McClenaghan, RA
Aram Piligian Jr., RA

BUREAU PERSONNEL:

C. William Fritz II, Esquire, Board Counsel
Dean F. Picarella, Esquire, Senior Board Counsel
Tyesha C. Miley, Esquire, Board Counsel
Ray Michalowski, Esquire, Senior Board Prosecutor
Amanda Li, Board Administrator
Jessica Harris, Board Staff, Department of State
Marc Farrell, Deputy Policy Director, Department of
State
Andrew LaFratte, MPA, Executive Policy Specialist,
Department of State
Eli Yemzow, Legal Intern, Department of State

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director,
Senate
Consumer Protection & Professional Licensure
Committee
Stephen M. Swarney, J.D., Executive Director,
American
Institute of Architects Pennsylvania
Jamie Friling, Principal & Director of Operations,
Mulhern+Kulp
Richard Hubbert, President, SpectraCon
David Hoplamazian, Mayfield Site Contractors
Gene Grimaldi, OMNIA Group Architects

1 ***

2 State Architects Licensure Board

3 July 14, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:00 a.m. the Board entered into Executive Session
7 with C. William Fritz II, Esquire, Board Counsel, for
8 the purpose of conducting quasi-judicial
9 deliberations. The Board returned to open session at
10 10:30 a.m.]

11 ***

12 The regularly scheduled meeting of the State
13 Architects Licensure Board was held on Thursday, July
14 14, 2022. Jerry K. Roller, RA, President, called the
15 meeting to order at 10:30 a.m.

16 ***

17 [C. William Fritz II, Esquire, Board Counsel, noted
18 the Board met in Executive Session and conducted
19 quasi-judicial deliberations prior to open session.

20 Mr. Fritz also informed everyone that the meeting
21 was being recorded, and voluntary participation
22 constitutes consent to be recorded.]

23 ***

24 Introduction of Board Members/Attendees

25 [President Roller requested an introduction of

1 attendees.]

2

3 Approval of minutes of the May 12, 2022 meeting

4 PRESIDENT ROLLER:

5

Approval of the minutes. You should

6

have a copy of the minutes from May 12,

7

2022. Are there any additions or

8

corrections?

9

May I have a motion to approve the

10

minutes?

11 MS. MCCLENAGHAN:

12

So moved.

13 PRESIDENT ROLLER:

14

Do I have a second?

15 MR. BATES:

16

Second.

17 PRESIDENT ROLLER:

18

Mr. Hamm, would you call the roll,

19

please?

20

21

Mr. Roller, yes; Mr. Claggett, aye; Mr.

22

Hamm, yes; Mr. Bates, yes; Mr. Burns,

23

yes; Mr. Johns, aye; Ms. McClenaghan,

24

aye; Mr. Piligian, yes.

25

[The motion carried unanimously.]

1 ***

2 Report of Prosecutorial Division

3 [Ray Michalowski, Esquire, Senior Board Prosecution
4 Liaison, informed Board members that Angela Solomon
5 would be handling the hearing later in the meeting.
6 He noted this was her last meeting before maternity
7 leave and there would be a new attorney for the Board
8 starting August 8, 2022.

9 Mr. Michalowski mentioned prosecution would be
10 meeting with the American Institute of Architects
11 Pennsylvania (AIA PA) regarding providing a
12 presentation of the responsibilities of Board
13 prosecution.]

14 ***

15 Report of Board Counsel

16 [C. William Fritz II, Esquire, Board Counsel,
17 provided a Status of Cases Report as of July 1, 2022
18 for the Board's review. Mr. Fritz reminded Board
19 members to inform him of any cases where they would
20 need to recuse themselves. He noted the hearing
21 later in the meeting and informed Board members of
22 another hearing regarding an appeal of a provisional
23 denial scheduled for the next Board meeting as well.

24 Mr. Fritz stated the legislative initiative for
25 continuing education (CE) had been addressed and

1 reintroduced.

2 Mr. Fritz informed Board members that he is
3 working on general revisions, and the digital seals
4 regulation is his biggest priority. He noted the
5 architect and engineers' portions were completed, and
6 the landscape architect portion was sent to the
7 Office of General Counsel (OGC) for review. He
8 mentioned that once the landscape architect portion
9 is accepted, all three of those will go to
10 Independent Regulatory Review Commission (IRRC) for
11 approval, hopefully by the end of the year.

12 Mr. Fritz referred to Act 41, noting the Board
13 has been utilizing what has been available through
14 Act 41 as far as granting provisional licenses. He
15 stated he was working on the supporting regulations
16 as directed, and the proposed Act 41 regulations were
17 with regulatory counsel for review.

18 Mr. Fritz notified Board members of a current
19 scam concerning licensees. He stated persons
20 pretending to be from one of the health-related
21 licensing boards were contacting licensees regarding
22 the status of their license.

23 Mr. Fritz noted scammers are threatening license
24 suspension for failure to act and falsely claiming
25 involvement with the Federal Bureau of Investigation

1 (FBI) and the Drug Enforcement Administration (DEA).

2 Mr. Fritz provided reminders from the Bureau of
3 Professional and Occupational Affairs (BPOA)
4 concerning contact and personal information for
5 licensees.

6 Mr. Fritz mentioned that those who are the
7 subject of an investigation or disciplinary action
8 will receive notice by certified mail and/or personal
9 service and are provided with a contact name and
10 phone number. He informed everyone to contact their
11 local police department or the Pennsylvania State
12 Police if they have been a victim of the scam.

13 Stephen M. Swarney, JD, Executive Director,
14 American Institute of Architects Pennsylvania,
15 thanked Mr. Fritz for the information and asked
16 whether there was a statement or guidance that could
17 be emailed to all of their members.

18 Mr. Fritz would look into providing a statement
19 but also mentioned the Scam Alert is on the
20 Department of State's website.]

21

22 Appointment - American Institute of Architects

23 Pennsylvania Update

24 [Stephen M. Swarney, JD, Executive Director, American
25 Institute of Architects Pennsylvania, commented that

1 AIA is monitoring several things. He mentioned AIA
2 was involved in the Pennsylvania commercial property
3 assessed clean energy (C-PACE) that passed and the
4 whole-home repairs fund bills. He noted AIA is still
5 looking at legal reform on statute of repose but
6 believed it is going to get bumped to the next
7 session. He also reported AIA support for House Bill
8 2079.

9 Mr. Swarney provided an update on the interior
10 design bill concerning licensure and practice
11 encroachment. He mentioned not hearing anything back
12 after AIA offered a compromised bill that had been
13 approved by their Board. He reported that the group
14 representing them essentially changed things and
15 wanted something closer to Midwestern states that AIA
16 could not accept. He noted that AIA's goal is to
17 have something in front of their Board in two weeks
18 that would be accepted and presented as a response.

19 Mr. Swarney emphasized the point that AIA is in
20 close communications with other states, particularly
21 those in the Mid-Atlantic. He stated AIA National
22 will turn let the states make their own decisions and
23 looked at Pennsylvania mirroring more closely New
24 York and New Jersey.

25 Mr. Swarney noted feeling a renewed sense of

1 optimism for next session on continuing education.
2 He noted pushing their members and offering a
3 plethora of educational opportunities, including
4 meeting with the processes of the Board and how
5 prosecutorial staff works.

6 Mr. Swarney stated AIA was teaming up with
7 colleagues in New York and New Jersey to offer a
8 legal boot camp to talk about ethics, human resource
9 issues, and contracts. He explained that it would be
10 available to all members, along with marketing it to
11 nonmembers because those issues are vital to the
12 architectural community.

13 Mr. Swarney commented that AIA was still very
14 active with their DGS Task Force and continues to
15 reach out to the Pennsylvania Department of
16 Transportation (PennDOT) to have a strong dialog with
17 AIA about its decisions and where AIA can help. He
18 mentioned AIA has a strong disaster assistance
19 representation and wanted to enhance and continue
20 that.

21 President Roller commented that education always
22 seems to be stalled in conjunction with interior
23 design and asked whether it would be possible to
24 throw that into other legislation.

25 Mr. Swarney stated AIA would push for that as

1 part of compromised language and would be part of
2 some type of agreement. He noted AIA is going to
3 have to push for that in the new legislative session
4 beginning the first of next year if no agreement is
5 made.

6 President Roller thanked Mr. Swarney for the
7 presentation.]

8 ***

9 [A Formal Hearing was held from 10:58 a.m. until
10 12:22 p.m. in the Matter of the Appeal of the
11 Provisional Denial of the Application for Architect
12 Licensure of Brian E. Mann, Case No. 22-41-007731.]

13 ***

14 [Pursuant to Section 708(a)(5) of the Sunshine Act,
15 at 12:22 p.m. the Board entered into Executive
16 Session with C. William Fritz II, Esquire, Board
17 Counsel, for the purpose of conducting quasi-judicial
18 deliberations. The Board returned to open session at
19 1:10 p.m.]

20 ***

21 [Arion R. Claggett, Acting Commissioner, Bureau of
22 Professional and Occupational Affairs, exited the
23 meeting at 1:10 p.m.]

24 ***

25 MOTIONS

1 MR. FRITZ:

2 Based on discussions held in Executive
3 Session, the Board would entertain a
4 motion to grant the Application of
5 Licensure by Reciprocity filed by Brian
6 Mann, Case No. 22-41-007731.

7 PRESIDENT ROLLER:

8 Do I have a motion?

9 MR. BATES:

10 So moved.

11 PRESIDENT ROLLER:

12 Do I have a second?

13 MR. PILIGIAN:

14 Second.

15 PRESIDENT ROLLER:

16 Mr. Hamm, would you call the roll,
17 please?

18

19 Mr. Roller, yes; Mr. Hamm, yes; Mr.
20 Bates, yes; Mr. Burns, yes; Mr. Johns,
21 yes; Ms. McClenaghan, no; Mr. Piligian,
22 yes.

23 [The motion carried. Mary McClenaghan opposed the
24 motion.]

25

1 Applications - Architect Registration Examination
2 Approval Application

3 MR. FRITZ:

4 The Board would entertain a motion to
5 approve the ARE Application filed by
6 Michael Kolb.

7 PRESIDENT ROLLER:

8 Motion?

9 MS. MCCLENAGHAN:

10 Motion.

11 PRESIDENT ROLLER:

12 Second?

13 MR. BATES:

14 Second.

15 PRESIDENT ROLLER:

16 Mr. Hamm, would you call the roll?

17

18 Mr. Roller, yes; Mr. Hamm, yes; Mr.
19 Bates, yes; Mr. Burns, yes; Mr. Johns,
20 aye; Ms. McClenaghan, yes; Mr.
21 Piligian, yes.

22 [The motion carried unanimously.]

23

24 Applications - Reciprocal Licensing Applications

25

1 MR. FRITZ:

2 The Board would entertain a motion to
3 grant the Reciprocal Licensing
4 Applications filed by William Langley
5 and Elizabeth Leeds.

6 MS. MCCLLENAGHAN:

7 Motion.

8 PRESIDENT ROLLER:

9 Second?

10 MR. BATES:

11 Second.

12 PRESIDENT ROLLER:

13 Mr. Hamm, would you call the roll?

14

15 Mr. Roller, yes; Mr. Hamm, yes; Mr.
16 Bates, yes; Mr. Burns, yes; Mr. Johns,
17 aye; Ms. McClenaghan, yes; Mr.
18 Piligian, yes.

19 [The motion carried unanimously.]

20

21 Report of Acting Commissioner - No Report

22

23 Report of Board President - Newsletter

24 [Jerry K. Roller, RA, President, commented that it
25 seemed like people read the newsletter, noting Ms. Li

1 received several comments regarding licensure.]

2 ***

3 Report of Board Administrator

4 PRESIDENT ROLLER:

5 Amanda is planning on leaving us and
6 taking a position with the Department
7 of State. I would like to offer a
8 motion of appreciation for her years of
9 service to this Board. She has been
10 extremely helpful in helping our lives
11 work much better.

12 Do I have a motion?

13 MR. BATES:

14 So moved.

15 PRESIDENT ROLLER:

16 Do I have a second?

17 MR. PILIGIAN:

18 Second.

19 PRESIDENT ROLLER:

20 Mr. Hamm, would you call the roll for
21 that vote?

22

23 Mr. Roller, yes; Mr. Hamm, yes; Mr.
24 Bates, yes; Mr. Burns, yes; Mr. Johns,
25 yes; Ms. McClenaghan, yes; Mr.

1 Piligian, yes.

2 [The motion carried unanimously.]

3 ***

4 Adjournment

5 PRESIDENT ROLLER:

6 We are adjourned until September 8.

7 ***

8 [There being no further business, the State

9 Architects Licensure Board Meeting adjourned at 1:16
10 p.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Architects Licensure Board meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Architects Licensure Board meeting.



Amber Garbinski,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX

July 14, 2022

	TIME	AGENDA
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3		
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5		
6		
7		
8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:30	Official Call to Order
13		
14	10:30	Introduction of Board Members/Attendees
15		
16	10:35	Approval of Minutes
17		
18	10:36	Report of Prosecutorial Division
19		
20	10:38	Report of Board Counsel
21		
22	10:46	Appointment - American Institute of
23		Architects Pennsylvania Update
24		
25	10:58	Formal Hearing - Brian E. Mann
26	12:22	
27		
28	12:22	Executive Session
29	1:10	Return to Open Session
30		
31	1:10	Motions
32		
33	1:11	Applications
34		
35	1:13	Report of Board President
36		
37	1:14	Report of Board Administrator
38		
39	1:16	Adjournment
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