1	COMMONWEALTH OF PENNSYLVANIA
2	DEPARTMENT OF STATE
3	BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
4	
5	FINAL MINUTES
6	
7	MEETING OF:
8	
9	STATE ARCHITECTS LICENSURE BOARD
10	
11	TIME: 10:31 A.M.
12	
13	Held at
14	PENNSYLVANIA DEPARTMENT OF STATE
15	2601 North Third Street
16	One Penn Center, Board Room C
17	Harrisburg, Pennsylvania 17110
18	as well as
19	VIA MICROSOFT TEAMS
20	
21	May 10, 2023
22	
23	
24	
25	

	2
1 2 3	State Architects Licensure Board May 10, 2023
45	BOARD MEMBERS:
6 7 9 10 11 12 14 15 16	Jerry K. Roller, RA, President Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs William J. Bates, RA, Secretary Jonathan Burns, Esquire, Deputy Attorney General, Office of Attorney General - Absent Michael Johns, RA Mary E. McClenaghan, RA, Vice President Aram Piligian Jr., RA
17 18	BUREAU PERSONNEL:
19 20 21 22 23 24 25	<pre>Ariel E. O'Malley, Esquire, Board Counsel Ray Michalowski, Esquire, Senior Board Prosecutor and Prosecution Liaison Angela L. Solomon, Esquire, Board Prosecution Liaison Jessica Harris, Board Administrator</pre>
26 27	ALSO PRESENT:
223333333334423445678901 23333333334423445678901 51	<pre>Amal Mahrouki, Director of Legislative Affairs, American Institute of Architects of Pennsylvania Stephen M. Swarney, JD, Executive Director, American Institute of Architects Pennsylvania Kristen Boyer, Architectural Intern, 100 Fold Studio Danielle Rhoades, Architectural Intern, Michael Grab Architect Jonathan Kuntz</pre>

3 * * * 1 2 State Architects Licensure Board 3 May 10, 2023 * * * 4 5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at 9:30 a.m. the Board entered into Executive Session 6 7 with Ariel E. O'Malley, Esquire, Board Counsel, for 8 the purpose of conducting guasi-judicial 9 deliberations and to receive advice of counsel. The 10 Board returned to open session at 10:30 a.m.] * * * 11 12 The regularly scheduled meeting of the State 13 Architects Licensure Board was held on Wednesday, May Jerry K. Roller, RA, President, called the 14 10, 2023. 15 meeting to order at 10:31 a.m. * * * 16 17 Roll Call/Introduction of Attendees 18 [President Roller requested a roll call of Board 19 members and introduction of attendees.] * * * 20 21 [Ariel E. O'Malley, Esquire, Board Counsel, noted 22 that the meeting was being recorded, and voluntary 23 participation constituted consent to be recorded.] * * * 24 25 Approval of minutes of the March 28, 2023 meeting

4 PRESIDENT ROLLER: 1 2 Could I have a motion to approve the 3 minutes? 4 MS. MCCLENAGHAN: 5 I'll make a motion to approve the minutes. 6 7 MR. BATES: 8 Second. 9 PRESIDENT ROLLER: 10 Any comments on the minutes? 11 [The Board discussed corrections to the minutes.] PRESIDENT ROLLER: 12 13 All right, anything else? We have a 14 motion to approve the minutes as 15 amended. Ms. McClenaghan, would you call the roll, please? 16 17 18 Mr. Roller, yes; Mr. Claggett, abstain; 19 Mr. Bates, yes; Mr. Johns, yes; Ms. 20 McClenaghan, yes; Mr. Piligian, yes. 21 [The motion carried. Arion Claggett abstained from 22 voting on the motion.] 23 * * * 24 Report of Prosecutorial Division 25 [Angela L. Solomon, Esquire, Board Prosecution

1 Liaison, presented the Consent Agreement at Case No. 2 21 - 41 - 010527.13 MS. O'MALLEY: At this time, I believe the Board would 4 5 be prepared to make a motion to accept 6 the Consent Agreement at Case No. 21-7 41-010527. 8 MS. MCCLENAGHAN: 9 I'll make the motion. 10 MR. BATES: I'll second. 11 PRESIDENT ROLLER: 12 13 Ms. McClenaghan, please call the roll. 14 15 Mr. Roller, yes; Mr. Claggett, aye; Mr. 16 Bates, yes; Mr. Johns, yes; Ms. McClenaghan, yes; Mr. Piligian, yes. 17 18 [The motion carried unanimously. The Respondent's 19 name is Morris Hills Consulting Engineers and 20 Architectural Agency.] * * * 21 22 Report of Board Counsel - General Revisions 23 [Ariel E. O'Malley, Esquire, Board Counsel, referred 24 to the proposed annex for general revisions, noting 25 that all of the changes from the prior meeting have

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been implemented. She addressed suggestions from 1 2 President Roller and referred to page 3 at subsection 3 (b), has completed at least 3 years of practical 4 experience in the practice of architecture in 5 addition to the time required to complete AXP 6 training obtained in the employ of or under the 7 direct supervision of a registered architect for a 8 minimum of 6 years, which is inconsistent because AXP 9 is no longer 3 years.

President Roller suggested deleting "for a minimum of 6 years" and to read, "completed 3 years in addition to the Architectural Experience Program (AXP)," along with changing that in other sections of the document to make it consistent. He stated somebody would need 3 years of additional practice once the AXP is deemed to be completed.

Ms. O'Malley noted page 4 has a similar comment at subsection (3), for a minimum total of 9 years and asked whether they would also want to remove "for a minimum of 9 years."

21 President Roller stated it should read,
22 "completed 6 years of practical experience in a
23 practice in addition to the time required.
24 Ms. O'Malley referred to page 5 and noted

25 subsection (a) and (b) are being removed. She noted

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1	a typographical issue at subsection (c)(4), where
2	President Roller suggested changing the part where it
3	reads, prevented from continuing toward completion of
4	the ARE until all requirements under either § 9.46(a)
5	and (b) be adjusted to change "and" to "or."
6	Ms. O'Malley noted subsection (a) on page 7 to be
7	a conflict with § 9.41, and President Roller noted it
8	should read, "must complete additional practical
9	experience beyond AXP as set forth in § 9.41" to be
10	consistent.
11	Mr. Piligian commented that the word "employee"
12	is misspelled on page 9, and Ms. O'Malley mentioned
13	that the word is spelled that way in some of the
14	regulations but would check for the spelling.
15	Ms. O'Malley noted the Board would continue the
16	general revisions discussion later in the meeting.]
17	* * *
18	Miscellaneous - Appointment - American Institute of
19	Architects (AIA) Pennsylvania Update
20	[Stephen M. Swarney, JD, Executive Director, American
21	Institute of Architects Pennsylvania, informed Board
22	members that AIA is preparing for their annual
23	convention in San Francisco next month.
24	Mr. Swarney mentioned AIA would also be hosting
25	an AIA Tri-States Reception, where new fellows are

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honored and dignitaries from all of the states are 1 2 welcomed. He mentioned that AIA would be honoring 3 Maureen Guttman from Pennsylvania, as well as some of 4 the members from New York. He reported seeing Mr. 5 Piligian's name on the list of attendees and informed him that he would be receiving an invite with details 6 7 and offered to provide an invite to anyone else who 8 is planning on attending.

9 Mr. Swarney thanked Ms. Harris for her assistance 10 last week concerning a member issue.

11 Mr. Swarney provided an update on the interior 12 design issue, noting there has been positive feedback 13 from both sides and AIA have all three of their 14 attorneys across the state reviewing language.

15 Mr. Swarney stated AIA is dealing with more 16 legislation now that the House and Senate are both in 17 session and also continues to build relationships 18 with new legislators.

19 Mr. Swarney informed everyone of a federal tax 20 credit called the Research and Development Tax Credit 21 (R&D). He noted that AIA has been active on the state level and AIA National has taken the lead and 22 23 would be providing some information to fix the tax 24 credit impacting some members negatively. 25

Mr. Swarney announced and congratulated Amal

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Mahrouki for being named by the Central Penn Business
 Journal as one of the women of influence to watch.
 He mentioned that she was also nominated by one of
 their members on the Department of General Services
 (DGS) Task Force for the state.

Amal Mahrouki, Director of Legislative Affairs,
American Institute of Architects Pennsylvania,
informed Board members that the AIA Pennsylvania
Board and Government Affairs Committee had a targeted
lobby day on April 25.

Ms. Mahrouki addressed discussions with 11 12 legislators and staff concerning the reduction in the 13 statute of repose from 12 years to 6 years and 14 solidifying the adoption process for the 15 accessibility provisions in Chapter 11 of the 16 International Building Code (IBC) and Chapter 3 of the International Exiting Building Code (IEBC) to 17 18 make sure accessibility provisions are able to be 19 adopted in a legal manner.

20 Ms. Mahrouki also noted discussions with 21 legislators regarding the lack of mandatory 22 continuing education in Pennsylvania and the hopes of 23 seeing a bill introduced later in the session. 24 Ms. Mahrouki mentioned other issues left behind,

25 including school construction funding and PlanCon

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1 funding for full construction and high-performance 2 building. She also announced another advocacy event 3 in August that would be district-based, so members 4 could be engaged with legislators to develop more 5 relationships at a local level.

6 Ms. Mahrouki thanked Board members for their7 action on the rolling clock.

8 President Roller informed Mr. Swarney that the 9 R&D issue has large negative tax implications for 10 most firms and anything that could be done to promote 11 a resolution would be greatly appreciated.

12 Mr. Swarney explained that AIA National is going 13 to be in the lead and AIA Pennsylvania would follow 14 their lead, noting AIA National have been aware and 15 on top of the issue since 2017. He reassured 16 President Roller that AIA Pennsylvania would do everything they can to contact federal 17 18 representatives in Pennsylvania to inform them of 19 wanting this changed.

20 Ms. Mahrouki informed Board members of a National 21 Action Alert going out for anyone to weigh in on the 22 issue and AIA Pennsylvania would be sending a letter 23 to PA delegation.

24 Mr. Swarney encouraged everyone to respond to the 25 National Action Alert and provide information to

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Congress because they want to hear from constituents. 1 2 Mr. Piligian commented that the state of 3 Pennsylvania has 12 when it comes to the statute of 4 repose and New York does not have any and asked 5 whether they were working on it. 6 Mr. Swarney stated New York is not actively 7 pursuing that at the current time but believed the 8 lessons learned in Pennsylvania could be used in New 9 York.] * * * 10 11 [A Formal Hearing was held from 11:07 a.m. until 12 11:59 a.m. in the Matter of the Provisional Denial of 13 the Application for Licensure by Reciprocity of 14 Joseph Senchak, Case No. 22-41-016972.] 15 * * * 16 [Pursuant to Section 708(a)(5) of the Sunshine Act, 17 at 11:59 a.m. the Board entered into Executive 18 Session with Ariel E. O'Malley, Esquire, Board 19 Counsel, for the purpose of conducting quasi-judicial 20 deliberations and to receive advice of counsel. The 21 Board returned to open session at 12:12 p.m.] 22 MS. O'MALLEY: 23 In accordance with discussions in 24 Executive Session, I believe the Board 25 would entertain a motion to grant the

12 1 Reciprocal Licensure Application of 2 Joseph Senchak at Case No. 22-41-3 016972. PRESIDENT ROLLER: 4 5 Do I have a motion? 6 MR. BATES: 7 I will so move. 8 PRESIDENT ROLLER: 9 Do I have a second? 10 MR. JOHNS: 11 Second. PRESIDENT ROLLER: 12 13 Ms. McClenaghan would you please call 14 the roll? 15 16 Mr. Roller, yes; Mr. Claggett, aye; Mr. 17 Bates, yes; Mr. Johns, yes; Ms. 18 McClenaghan, nay; Mr. Piligian, yes. 19 [The motion carried. Mary McClenaghan opposed the 20 motion.] * * * 21 22 Report of Board Counsel - General Revisions (cont.) 23 [Ariel E. O'Malley, Esquire, Board Counsel, referred 24 to page 9 and 10 of the regulations but received no Board member comments. 25

Ms. O'Malley referred to page 11, and Mr. 1 2 Piligian asked how someone would verify they are not 3 working where it reads that a registered architect 4 unable to verify they did not practice, the 5 registered architect shall submit a written statement 6 in lieu of verification. He suggested the architect 7 language should read, "submit a written statement" because there is no difference between verification 8 9 and the written statement. 10 Ms. O'Malley suggested removing the last 11 sentence, and the Board agreed. 12 Ms. O'Malley informed Board members that she 13 would insert the general reactivation language but 14 the Board would be able to vote to do an exposure 15 draft. 16 Ms. O'Malley referred to page 13 and received no 17 Board member comments.] 18 MS. O'MALLEY: I believe the Board would entertain a 19 20 motion to release an exposure draft of 21 the general revisions with the noted 22 amendments from today's meeting. 23 PRESIDENT ROLLER: 24 Do I have a motion? 25 MS. MCCLENAGHAN:

14 1 I'll make a motion. 2 MR. BATES: 3 I will second. 4 PRESIDENT ROLLER: 5 Would you please call the roll? 6 7 Mr. Roller, yes; Mr. Claggett, aye; Mr. 8 Bates, yes; Mr. Johns, aye; Ms. 9 McClenaghan, yes; Mr. Piligian, yes. 10 [The motion carried unanimously.] * * * 11 [Ariel E. O'Malley, Esquire, Board Counsel, informed 12 13 Board members that the rolling clock annex was sent 14 out and would present any comments received at the 15 next meeting. She also mentioned that the annex and preamble would be ready for the Board to send out as 16 proposed after the next meeting.] 17 * * * 18 19 Report of Acting Commissioner - No Report * * * 20 21 Report of Board President - NCARB Annual Business 22 Meeting - June 15-17, 2023 - Tampa, FL (hybrid) 23 [Jerry K. Roller, RA, President, mentioned that the 24 Board does not have final drafts of any of the 25 resolutions. He referred to the specific change to

1 the model law but that the Board does not use model 2 law. He noted the other housekeeping resolutions 3 sunsetting all the items.

President Roller addressed the board governance 4 5 change draft that include nominees for a secretarytreasurer who would then move up to vice president, 6 7 president, and past president. He noted it maintains 8 six regional directors and adds two at-large 9 directors who would be self-nominated or nominated by 10 others. He stated the Board would vote in favor of 11 the changes.

President Roller informed Board members that Kenneth Van Tine for first vice president/president elect and Ed Marley for second vice president are unopposed.

President Roller mentioned that Richard McNeel 16 17 and John Rademacher are contested elections, noting 18 John Rademacher is the current secretary and running 19 for treasurer and is being opposed by Richard McNeel. He mentioned that Mr. Rademacher is from Ohio and Mr. 20 21 McNeel is from Mississippi and provided feedback from 22 George Miller, NCARB's Region 2 Director, who 23 believed they are both knowledgeable people but would 24 advance Mr. Rademacher, and the Board concurred. 25 President Roller noted Lenora Isom and Sylvia

Kwan are running for secretary. He noted Ms. Isom is 1 2 from Nebraska and Ms. Kwan is from California, again 3 noting Mr. Miller suggested the Board support Ms. 4 Kwan, and the Board agreed.] * * * 5 Report of Board President - NCARB Correspondence 6 7 [Jerry K. Roller, RA, President, asked whether any 8 Board members had questions regarding the 9 correspondence, and the Board had no comments.] * * * 10 Report of Board Administrator 11 12 [Jessica Harris, Board Administrator, provided an 13 update regarding the status of renewals, noting 27.81 14 percent of architects have renewed and processed and 15 3.8 percent are still waiting, most likely linked 16 with sole proprietorship firms. She explained that 17 firms and sole proprietorships must be reviewed by 18 staff and 28.33 percent of firms have submitted with 19 24.39 percent of sole proprietorships. She reported 20 more than a quarter of licensees have renewed in less 21 than 2 weeks. 22 Ms. Harris presented questions to the Board 23 regarding NCARB's Licensing Requirements 24 Tool concerning experience for different license 25 types. She asked whether the Board would accept

1 candidates who pass any divisions of the Architect 2 Registration Examination (ARE) or pass the entire ARE 3 prior to graduation through the Integrated Path to 4 Architectural Licensure (IPAL) program.

5 President Roller explained that the Board has 6 been supportive of IPAL and at least approved a 7 license from somebody who completed IPAL. He noted 8 the individual still needs to complete their AXP, but 9 the Board would admit somebody to take the test 10 through an IPAL program and accept the sections 11 someone passed.

Ms. Harris commented that question 13 and 14 should be corrected to say the Board would accept someone if they have taken sections or all of the ARE prior to graduation and have NCARB update that on the record.

Ms. Harris noted question 7 is the exact opposite as what the Board was saying in the initial because it clarifies why if they are switching that answer.

Ms. McClenaghan referred back to question 14 and whether the jurisdiction would accept candidates who have completed the ARE prior to graduation and noted that they would not because they need the education requirement.

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Ms. Harris stated going to an IPAL program allows

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1 somebody to begin their experience and exam prior to 2 graduation, and it is not that they do not have to 3 complete the experience at all but would be allowed 4 to sit for sections or all of the exam prior to 5 graduating and would the Board take it when they 6 apply after they met all of the requirements, where 7 the NCARB Tool was saying the Board would not.

8 President Roller stated they would have to 9 complete the ARE and the AXP once they graduate from 10 the IPAL program.

Ms. Harris noted reading the question as, will the Board accept the sections or all of the exam if they pass them prior to graduation, not will they issue the license prior to graduation.

Ms. McClenaghan commented that the Board would accept the ARE but the candidate cannot get their license until after they graduate.

18 President Roller suggested Ms. Harris contact NCARB for clarification because it should be clear 19 20 that the Board does not care when they take the exam 21 under an IPAL program but does require someone to 22 complete the exam, education, and experience prior to 23 licensure to make sure that is what NCARB means. 24 Ms. Harris referred to question 6 regarding 25 retroactive documentation of experience for people

1 who did not complete the AXP/Intern Development 2 Program (IDP), where architects with 10 years of 3 licensed practice are exempt, but the jurisdiction 4 will accept the 5 years of licensed practice with 5 attestation of meeting the intent of AXP.

6 President Roller explained that somebody who has 7 10 years of experience does not have to go back for 8 anything else.

9 Ms. Harris noted that she would eliminate that 10 because the Board is looking for 10 years of licensed 11 experience.

12 Ms. Harris referred to question 14, noting it is related to questions 12 and 13 and are all Mutual 13 14 Recognition Agreements (MRAs) approved by NCARB, 15 where someone is granted certification through the 16 MRA, they have NCARB certification and apply and 17 would be under Section 9(a) and would be accepted. 18 She stated question 14 is saying there is 1 MRA that 19 NCARB has approved but Pennsylvania will not accept, 20 which is the Tri-National Mutual Recognition 21 Agreement with Canada and Mexico.

Ms. Harris mentioned that there is a separate one for just Canada from 2013 that the Board accepts and the one from Australia and New Zealand they accept from 2016 but is specifically stating that

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1 Pennsylvania will not accept the Tri-National MRA 2 through NCARB. 3 Mr. Piligian suggested the Board accept NCARB's 4 agreement to grant a certificate, and President 5 Roller asked whether Board members are okay with all MRAs and granting an NCARB certificate. 6 7 Ms. McClenaghan requested Ms. Harris provide more information concerning the Tri-National Mutual 8 9 Recognition Agreement, and Ms. Harris offered to 10 reach out to NCARB for specific information concerning the Tri-National MRA. 11 12 President Roller requested the matter be placed 13 on the agenda for further discussion at the July 14 meeting. 15 Ms. Harris provided 2024 meeting dates for the 16 Board's review and approval.] PRESIDENT ROLLER: 17 18 Could I have a motion to approve the dates? 19 MS. MCCLENAGHAN: 20 21 Motion to approve the dates. 22 MR. BATES: 23 Second. 24 PRESIDENT ROLLER: 25 Please call the roll.

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1 2 Mr. Roller, yes; Mr. Claggett, aye; Mr. 3 Bates, yes; Mr. Johns, yes; Ms. 4 McClenaghan, yes; Mr. Piligian, yes. 5 [The motion carried unanimously.] * * * 6 7 Applications - ARE Approval Applications 8 MS. O'MALLEY: 9 In accordance with discussions in Executive Session, I believe the Board 10 11 would entertain a motion to grant the Application of Kristen Boyer. 12 13 MS. MCCLENAGHAN: 14 I'll make a motion. 15 PRESIDENT ROLLER: 16 Do we have a second? 17 MR. BATES: 18 I will second. PRESIDENT ROLLER: 19 20 Ms. McClenaghan, please call the roll. 21 22 Mr. Roller, yes; Mr. Claggett, aye; Mr. 23 Bates, yes; Mr. Johns, abstain; Ms. 24 McClenaghan, yes; Mr. Piligian, yes. 25 [The motion carried. Michael Johns abstained from

1 voting on the motion.] * * * 2 3 MS. O'MALLEY: 4 Moving on to items 11 and 12. Based on 5 discussions in Executive Session, I 6 believe the Board would entertain a 7 motion to grant the Applications of 8 Sanjin Mujan and Danielle Rhoades. 9 MS. MCCLENAGHAN: 10 I'll make a motion. MR. BATES: 11 I will second. 12 13 PRESIDENT ROLLER: 14 Ms. McClenaghan, please call the roll. 15 Mr. Roller, yes; Mr. Claggett, aye; Mr. 16 Bates, yes; Mr. Johns, aye; Ms. 17 18 McClenaghan, yes; Mr. Piligian, yes. 19 [The motion carried unanimously.] * * * 20 21 Applications - Reciprocal Licensing Applications 22 MS. O'MALLEY: 23 I believe, based on discussions in 24 Executive Session, that the Board would 25 entertain a motion to grant the

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23 1 Application of Jerry Tipps. 2 PRESIDENT ROLLER: 3 Do we have a motion? 4 MS. MCCLENAGHAN: 5 I'll make a motion. 6 MR. BATES: 7 I will second that. 8 PRESIDENT ROLLER: 9 Please call the roll. 10 11 Mr. Roller, yes; Mr. Claggett, aye; Mr. 12 Bates, yes; Mr. Johns, aye; Ms. 13 McClenaghan, yes; Mr. Piligian, yes. 14 [The motion carried unanimously.] 15 * * * 16 Miscellaneous [Jerry K. Roller, RA, President, offered the services 17 18 of his graphic design department for the Board newsletter and asked Mr. Bates to take on the 19 20 compilation of materials. He also offered to write a 21 president's message. 22 Ms. O'Malley mentioned that the public likes to 23 hear information about Board members and suggested 24 including some of the AIA topics for informational 25 purposes.

President Roller encouraged Board members to look at some of the prior versions of newsletters for input. He suggested including a list of licensees and requirements for notifying the Board of a change in ownership.] * * * Adjournment PRESIDENT ROLLER: This meeting is adjourned. * * * [There being no further business, the State Architects Licensure Board Meeting adjourned at 12:56 p.m.] * * *

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1		
2	CERTIFICATE	
3		
4	I hereby certify that the foregoing summary	
5	minutes of the State Architects Licensure Board	
6	meeting, was reduced to writing by me or under my	
7	supervision, and that the minutes accurately	
8	summarize the substance of the State Architects	
9	Licensure Board meeting.	
10		
11	D. H	
12	Val Ma	
13	Derek Richmond,	
14	Minute Clerk	
15	Sargent's Court Reporting	
16	Service, Inc.	
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1 2 3		STATE ARCHITECTS LICENSURE BOARD REFERENCE INDEX
4 5		May 10, 2023
6 7 8	TIME	AGENDA
9 10 11	9:30 10:30	Executive Session Return to Open Session
12 13	10:31	Official Call to Order
13 14 15	10:32	Roll Call/Introduction of Attendees
16 17	10:34	Approval of Minutes
17 18 19	10:34	Report of Prosecutorial Division
20 21	10:38	Report of Board Counsel
22 23 24	10:50	Miscellaneous - Appointment - AIA Pennsylvania Update
25 26 27	11:07 11:59	Formal Hearing - Joseph Senchak
28 29 30	11:59 12:12	Executive Session Return to Open Session
31 32	12:12	Motion
33 34	12:24	Report of Board President
35 36	12:32	Report of Board Administrator
37 38	12:50	Applications
39 40	12:52	Miscellaneous
40 41 42 43 44 45 46 47 48	12:56	Adjournment
49 50		

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