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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
VIA VIDEOCONFERENCE

TIME: 9:01 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

January 7, 2021

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State Architects Licensure Board
January 7, 2021

BOARD MEMBERS:

- Philip M. Leinbach, RA, President
- K. Kalonji Johnson, Commissioner, Bureau of Professional and Occupational Affairs
- Darryl R. Hamm, Vice President, Public Member
- William J. Bates, RA
- Adam Hough, Office of Attorney General, Bureau of Consumer Protection
- Mary E. McClenaghan, RA
- Aram Piligian Jr., RA
- Jerry K. Roller, RA, Secretary

BUREAU PERSONNEL:

- Ariel O'Malley, Esquire, Board Counsel
- Tiffany A. Raker, Esquire, Board Prosecution Liaison
- Amanda Li, Board Administrator
- Carolyn DeLaurentis, Esquire, Deputy Chief Counsel, Prosecution Division
- Kimberly Adams, Chief of Fiscal Management, Bureau of Finance and Operations
- Marc Farrell, Deputy Policy Director, Pennsylvania Department of State
- Theodore Stauffer, Executive Secretary, Bureau of Professional and Occupational Affairs

ALSO PRESENT:

- Amal Mahrouki, Director of Legislative Affairs, American Institute of Architects Pennsylvania
- Jen Smeltz, Executive Director, Senate Consumer Protection Professional Licensure Committee
- Jonathan Kuntz, Applicant
- Shannon Snell, Research Analyst, Pennsylvania House Democratic Caucus
- Catherine Rowe, Esquire, Counsel for Respondent
- Suzanne Sowinski, Sowinski Sullivan Architects

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State Architects Licensure Board

January 7, 2021

The regularly scheduled meeting of the State Architects Licensure Board was held on Thursday, January 7, 2021. Philip M. Leinbach, RA, President, called the meeting to order at 9:01 a.m.

K. Kalonji Johnson, Commissioner, was not present at the commencement of the meeting.

Roll Call

[Darryl Hamm, Vice President, Public Member, called roll. A quorum was noted to be present.]

Approval of minutes of the November 12, 2020 meeting [The Board discussed an amendment to the Minutes.]

PRESIDENT LEINBACH:

With that amendment, can we have a motion to approve the Minutes as issued and amended?

MS. MCCLLENAGHAN:

Motion.

MR. BATES:

Second.

PRESIDENT LEINBACH:

1 Mr. Hamm, would you call the roll to
2 vote on approval of the Minutes?

3
4 Mr. Leinbach, yes; Mr. Stauffer, yes;
5 Mr. Hamm, yes; Mr. Bates, yes; Mr.
6 Hough, yes; Ms. McClenaghan, yes; Mr.
7 Piligian, yes; and Mr. Roller, yes.

8 [The motion carried unanimously.]

9 ***

10 Introduction of Audience Members

11 [President Leinbach requested that audience members
12 be identified.]

13 ***

14 Report of Prosecutorial Division

15 [Tiffany A. Raker, Esquire, Board Prosecution
16 Liaison, had nothing to report but offered to answer
17 questions from Board members.]

18 ***

19 Report of Board Counsel

20 [Ariel O'Malley, Esquire, Board Counsel, on behalf of
21 William Fritz, Esquire, had no report but offered to
22 answer questions with regard to the Status of Cases.

23 Ms. O'Malley was asked for the status of the
24 regulations and Act 41 discussed at the last meeting,
25 which were to be reviewed at this meeting. She

1 indicated that Mr. Fritz will present general
2 revisions at the Board's next meeting in March.]

3 ***

4 Applications

5 [Chair Leinbach indicated applications would be
6 discussed during Executive Session.]

7 ***

8 Report of Commissioner

9 [Philip M. Leinbach, RA, President, noted for the
10 record some matters for discussion with the
11 Commissioner, including an open seat for a public
12 member on the Board. Mr. Roller and Ms. McClenaghan
13 were both in the process of seeking to be re-
14 nominated and requested the Commissioner's support in
15 that regard. An issue of some open per diems from
16 the 2020 year also needed to be reviewed with the
17 Commissioner.

18 Mr. Stauffer will bring these issues to the
19 attention of Commissioner Johnson in the event he is
20 unable to join the meeting.

21 Mr. Hamm discussed being paid in a timely manner
22 and requested information from Ms. Li as to a contact
23 in HR. Mr. Stauffer noted that the Bureau of Finance
24 and Operations and HR are separate bureaus. Ms. Li
25 would not have any further information to offer. He

1 will set up a meeting with Commissioner Johnson and
2 President Leinbach for further discussion regarding
3 the matter.]

4 ***

5 Report of Board President

6 NCARB BOD Activity Update

7 [Philip M. Leinbach, RA, President, noted, per an
8 email from Mike Armstrong, an AXP supervisor training
9 CE course was now live and available on NCARB's
10 continuing education portal.

11 He noted a Committee Summit was held virtually
12 the first weekend in December and anticipated an
13 update will soon be provided at the Board of
14 Directors meeting.

15 There is a Board of Directors Call with Region
16 Two scheduled for January 13, 2021, at noon. Members
17 were urged to bring any matters that needed to be
18 addressed to the call.

19 President Leinbach indicated that Cut scores
20 would be reviewed at the NCARB Board of Directors
21 meeting, which is scheduled to be held virtually
22 January 21 to 23, 2021. President Leinbach indicated
23 that Region Two had also issued its call for
24 nominations for regional director, chair, vice chair,
25 treasurer, and secretary. The regional meeting is

1 scheduled virtually for March 4-6, 2021. A voting
2 delegate from the region would need to be nominated.]

3 PRESIDENT LEINBACH:

4 Could I have a motion to approve the
5 attendance at the NCARB regional
6 meeting scheduled virtually for March 4-
7 6, 2021?

8 MR. HAMM:

9 I make a motion to approve attendance
10 at the NCARB Regional Summit on March
11 4- 6, 2021 for the following members:
12 Myself, Mr. Piligian, Mr. Roller, Ms.
13 McClenaghan, Mr. Leinbach and Mr.
14 Bates.

15 MS. MCCLENAGHAN:

16 I'll second it.

17 PRESIDENT LEINBACH:

18 Any further discussion? Hearing none,
19 Mr. Hamm would you please call the
20 roll?

21

22 Mr. Leinbach, yes; Mr. Stauffer, yes;
23 Mr. Hamm, yes; Mr. Bates, yes; Mr.
24 Hough, yes; Ms. McClenaghan, yes; Mr.
25 Piligian, yes; and Mr. Roller, yes.

1 [The motion carried unanimously.]

2 ***

3 PRESIDENT LEINBACH:

4 Can we have a motion to nominate a
5 delegate to vote on matters of the
6 region for the Pennsylvania Board?
7 First a nomination.

8 MR. ROLLER:

9 I nominate Phil Leinbach to be the
10 voting member for this Board.

11 PRESIDENT LEINBACH:

12 Any other nominations? Hearing none,
13 Mr. Roller has made a nomination.
14 Would you turn that into a motion
15 please?

16 MR. ROLLER:

17 So moved.

18 MR. HAMM:

19 Second.

20 PRESIDENT LEINBACH:

21 Mr. Hamm, would you again call the
22 roll?

23

24 Mr. Leinbach, yes; Mr. Stauffer, yes;

25 Mr. Hamm, yes; Mr. Bates, yes; Mr.

1 Hough, yes; Ms. McClenaghan, yes; Mr.
2 Piligian, yes; and Mr. Roller, yes.

3 [The motion carried unanimously.]

4 ***

5 [President Leinbach indicated the online proctored
6 exam launched in mid-December.]

7 ***

8 Appointment - Carolyn DeLaurentis

9 [Carolyn DeLaurentis, Esquire, Deputy Chief Counsel,
10 Prosecution Division, highlighted the work of the
11 Prosecution Division, starting with March 16, 2020,
12 when staff all received phone calls informing them to
13 be prepared to work at home due to COVID. She
14 indicated that the Boards and Board staff have
15 adapted to virtual meetings. Prosecution will
16 continue working with everyone to insure efficient
17 and effective presentation and resolution of cases.

18 Ms. DeLaurentis presented information specific to
19 the Board, including prosecution division data. She
20 indicated that in 2020, there were a total of 109
21 cases opened, up from 2019; a total of 119 closed
22 cases in 2020. As of January 1, 2021, there were 48
23 open cases, 2 cases resulting in discipline, 2 Act 48
24 citation fines and 37 warning letters were sent out.
25 She will research the reasons for the warning

1 letters and provide that information to Board
2 Counsel.

3 Mr. Roller requested an annual tally of this case
4 information for the newsletter. Ms. Raker commented
5 unofficially that the topic she had seen the most in
6 terms of warning letters was practicing on a lapsed
7 license.

8 Ms. DeLaurentis continued with her prosecution
9 overview with regard to immediate temporary
10 suspensions. She noted the total number of cases
11 opened as of January 1, 2021, was 1,223. She was
12 happy to report that none of those were for this
13 Board. The total number of cases opened in 2020 was
14 13,394, down from 16,295 in 2019. The total number
15 of files closed was 13,274.]

16 ***

17 Report of Board President (Continued)

18 Discussion Regarding Virtual Hearings

19 [President Leinbach had a concern with regard to the
20 number of hearings on the agenda. He suggested a
21 break in between the hearings or a limit to the
22 number of hearings conducted at one meeting. He
23 urged Board members to provide input with regard to
24 this matter. Ms. McClenaghan commented that it was
25 "imperative to have a break." Mr. Roller, during his

1 time on the Board, did not recall more than two
2 hearings at one meeting but would vote for a break if
3 there were four hearings scheduled. Mr. Piligian
4 commented that he was "open" to having a meeting
5 specifically for hearings. Mr. Hamm agreed that two
6 hearings was enough for one meeting and would "never
7 want to give the applicant or appellant the idea that
8 the Board was rushing them due to an aggressive
9 meeting schedule wherein the individual felt they
10 were cheated on their due process."

11 Ms. O'Malley opined the option of breaks should
12 be possible. She discussed alternatives to the
13 problem, including the delegation of some hearings,
14 providing an advanced focus for the hearings and
15 having the parties agree to a shortened or abridged
16 hearing.]

17 ***

18 [K. Kalonji Johnson, Commissioner, entered the
19 meeting at 10:02 a.m.]

20 ***

21 Appointment - Budget Presentation with the Bureau of
22 Finance and Operations

23 [Kimberly Adams, Chief of Fiscal Management, Bureau
24 of Finance and Operations, referred members to the
25 Board's budget for further discussion of licensee

1 population, revenue by source, cost category,
2 financial status and Board member expenses. Ms.
3 Adams and Commissioner Johnson answered questions
4 from Board members with regard to the budget.

5 President Leinbach suggested that scholarships be
6 offered to architectural schools to help spend down
7 the available funds. Mr. Bates was in agreement and
8 also proposed that a report be available as to how
9 the Board is permitted to use the funds and
10 recommended helping those who may have difficulty
11 pursuing the profession and becoming licensed.

12 Commissioner Johnson explained there is much more
13 specific language with regard to the utilization of
14 funding, but nothing would stop members of the Board
15 from reaching out to schools and holding symposiums.
16 Commissioner Johnson would review the matter further
17 and provide a report at the next meeting.]

18 ***

19 Report of Commissioner

20 [K. Kalonji Johnson, Commissioner, extended best
21 wishes for a Happy New Year to all members.

22 Commissioner Johnson indicated he would have further
23 discussion with regard to per diems during Executive
24 Session. He noted that infrastructure with regard to
25 Board logistics would be updated, including an

1 upgrade to the Board management system to improve the
2 efficiency of Board-related tasks. Discussions
3 regarding framing the infrastructure resumed with
4 DGS, including the return of wall certificates.

5 President Leinbach reiterated information
6 regarding an open public member seat and the re-
7 nomination of two current Board members.]

8 ***

9 [Mr. Piligian put the following statement on the
10 record regarding the event that took place at the
11 Capitol yesterday: We must not forget the events of
12 yesterday. Our Democracy was under attack. It is up
13 to all Americans to stand for the rule of law and the
14 truth and it is up to every one of us, especially
15 those in power, from local officials to this Board,
16 to those above us, to stand for the ideals that the
17 United States of America was founded upon. We must
18 all work hard to protect democracy. I know that we
19 will not only survive this attack but we will come
20 back even stronger because we are Americans.

21 Commissioner Johnson added that a way to combat
22 incivility is with civility. The way to do that is
23 to continue to treat each other with common decency
24 and common respect as he witnessed with this Board
25 and all of the other Boards many times over.]

1

2 [The Board recessed from 10:33 a.m. to 10:42 a.m.]

3

4 [A Formal Hearing was held from 10:45 a.m. until
5 11:50 a.m. in the matter of the Application for
6 Licensure by Reciprocity of Daniel Hogan, Case No.
7 20-41-010840.]

8

9 [A Formal Hearing was held from 11:55 a.m. until
10 1:25 p.m. in the matter of the Application for
11 Architect Registration Examination of Michael D.
12 Hartley, Case No. 20-41-010836.]

13

14 [The Board recessed from 1:26 p.m. until 1:44 p.m.]

15

16 [The Formal Hearing in the matter of the Application
17 for Architect Registration Examination of Michael E.
18 Hartley, Case No. 20-41-010836 resumed from 1:45 p.m.
19 until 2:03 p.m.]

20

21 [Aram Piligian exited the meeting t 2:03 p.m.]

22

23 [K. Kalonji Johnson, Commissioner, exited the meeting
24 at 2:10 p.m.]

25

1 [A Formal Hearing was held from 2:10 p.m. until 2:38
2 p.m. in the matter of the Application for Architect
3 Registration Examination of Justyn Myers, Case No.
4 20-41-010834.]

5 ***

6 [A Formal Hearing in the matter of the Application
7 for Architect Registration Examination of Glenn
8 Mancini, Case No. 20-41-000691 was not held.]

9 ***

10 Report of Board President (Continued)

11 NCARB Correspondence

12 [President Leinbach referred members to this
13 correspondence for further review.]

14 ***

15 PA Board Initiatives

16 Newsletter

17 [President Leinbach asked Mr. Roller to spearhead
18 this effort again.]

19 ***

20 Report of Board Administrator

21 [Amanda Li, Board Administrator, note she would soon
22 be sending an email with information regarding the
23 Statement of Financial Interest.]

24 ***

25 [President Leinbach read the following portions of an

1 email into the record from Amal Mahrouki, Director of
2 Legislative Affairs, American Institute of Architects
3 Pennsylvania, who had to exit the meeting: We are
4 reviewing the results of the legislative survey and
5 will be presenting an executive summary in 2021-2022
6 legislative priorities to the membership soon. We
7 are at the beginning of the new legislative session,
8 so any of our priorities that were not implemented in
9 the last session will need to be reintroduced. We
10 have added two new committees to our organization
11 structure this year, a housing subcommittee that will
12 focus on multi and single-family housing issues,
13 zoning and affordable housing and our equity,
14 diversity and inclusion committee that is working on
15 identifying barriers for EDI in ways that the AIAPA
16 can assist with creating pathways for students who
17 venture the profession of architecture. We have sent
18 out a call for citizen architects to show their
19 interest in filling some of the vacant appointments
20 on the various boards, commissions and committees in
21 the upcoming months. We are welcoming eight new
22 board members to AIAPA Board and will hold our first
23 meeting later this month where it will be focused on
24 implementing and fulfilling the 2021 to 2025
25 strategic plan. We plan to notify members of the

1 renewal deadline of the 6/30/21 date in multiple
2 communications throughout the year. Thank you for
3 reaching out.

4 President Leinbach will email this information to
5 all members.]

6

7 [Pursuant to Section 708(a)(5) of the Sunshine Act,
8 at 2:45 p.m. the Board entered into Executive Session
9 with Ariel O'Malley, Esquire, Board Counsel, for the
10 purpose of conducting quasi-judicial deliberations on
11 a number of matters currently pending before the
12 Board and to receive the advice of counsel. The
13 Board returned to open session at 3:47 p.m.]

14

15 [Jerry Roller exited the meeting during Executive
16 Session.]

17

18 MOTIONS:

19 MS. O'MALLEY:

20 I believe the Board is prepared to
21 proceed with motions. The first motion
22 is to provisionally deny the Application
23 of Murali Ramaswami, William Starr and
24 Jonathan Kuntz, Item Nos. 3, 4 and 6 on
25 the agenda.

1 PRESIDENT LEINBACH:

2 Do we have a motion?

3 MR. BATES:

4 So moved.

5 MS. MCCLENAGHAN:

6 Second.

7 PRESIDENT LEINBACH:

8 Mr. Hamm, would you please call the
9 roll?

10

11 Mr. Leinbach, yes; Mr. Stauffer, yes;
12 Mr. Hamm, yes; Mr. Bates, yes; Mr.
13 Hough, yes; and Ms. McClenaghan, yes.

14 [The motion carried unanimously.]

15

16 MS. O'MALLEY:

17 Next I believe the Board would entertain
18 a motion to approve the ARE Application
19 of Mr. John Kowalski, noting that Board
20 Member Phillip Leinbach is recused from
21 the matter.

22 MR. MCCLENAGHAN:

23 So moved.

24 MR. BATES:

25 Second.

1 PRESIDENT LEINBACH:

2 We have a motion and second. Any
3 discussion? Hearing none, Mr. Hamm,
4 would you please call the roll?

5

6 Mr. Stauffer, yes; Mr. Hamm, yes; Mr.
7 Bates, yes; Mr. Hough, yes; and Ms.
8 McClenaghan, yes.

9 [The motion carried. President Leinbach recused from
10 deliberations and voting on the motion.]

11

12 MS. O'MALLEY:

13 I believe the Board would entertain a
14 motion to approve the ARE Testing
15 Accommodation Request of Margherita
16 Borgesi.

17 PRESIDENT LEINBACH:

18 Is there a motion?

19 MS. MCCLENAGHAN:

20 So moved.

21 MR. HAMM:

22 Second.

23 PRESIDENT LEINBACH:

24 Any discussion? Hearing none, Mr. Hamm,
25 would you please call the roll?

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Mr. Leinbach, yes; Mr. Stauffer, yes; Mr. Hamm, yes; Mr. Bates, yes; Mr. Hough, yes; and Ms. McClenaghan, yes.

[The motion carried unanimously.]

MS. O'MALLEY:

Moving on to the hearings for today, I believe after having a hearing in the matter of Daniel Hogan at Item No. 14, the Board would entertain a motion to approve Mr. Hogan's application.

PRESIDENT LEINBACH:

Do we have a motion?

MR. BATES:

So moved.

PRESIDENT LEINBACH:

Second?

MR. HAMM:

Second.

PRESIDENT LEINBACH:

We have a motion and a second. Any discussion? Hearing none, Mr. Hamm, would you please call the roll?

1 Mr. Leinbach, yes; Mr. Stauffer, yes; Mr.
2 Hamm, yes; Mr. Bates, yes; Mr. Hough,
3 yes; and Ms. McClenaghan, no.

4 [The motion carried. Ms. McClenaghan opposed the
5 motion.]

6 ***

7 PRESIDENT LEINBACH:

8 MS. O'MALLEY:

9 I believe after the hearing in the case
10 of Justin Myers, I believe the Board
11 would entertain a motion to approve his
12 application.

13 MS. MCCLENAGHAN:

14 Motion.

15 MR. BATES:

16 Second.

17 PRESIDENT LEINBACH:

18 Any discussion? Hearing none, Mr. Hamm,
19 would you please call the roll?

20
21 Mr. Leinbach, yes; Mr. Stauffer, yes; Mr.
22 Hamm, yes; Mr. Bates, yes; Mr. Hough,
23 yes; and Ms. McClenaghan, yes.

24 [The motion carried unanimously.]

25 ***

1 [Ms. O'Malley noted for the record that the Michael
2 D. Hartley matter was continued for additional
3 information. The Glenn Mancini matter was tabled for
4 Board Counsel to address.]

5 ***

6 Adjournment

7 PRESIDENT LEINBACH:

8 I would entertain a motion to adjourn?

9 MR. BATES:

10 So moved.

11 PRESIDENT LEINBACH:

12 Mr. Bates moves. Second?

13 MS. MCCLENAGHAN:

14 Second.

15 [The motion carried unanimously.]

16 ***

17 [There being no further business, the State
18 Architects Licensure Board Meeting adjourned at 3:53
19 p.m.]

20 ***

21

22 CERTIFICATE

23

24 I hereby certify that the foregoing summary
25 minutes of the State Architects Licensure Board

1 meeting, was reduced to writing by me or under my
2 supervision, and that the minutes accurately
3 summarize the substance of the State Architects
4 Licensure Board meeting.

5

6

Morgan McKendrick,

7

Minute Clerk

8

Sargent's Court Reporting

9

Service, Inc.

10

STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX

January 7, 2021

	TIME	AGENDA
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8		
9	9:01	Official Call to Order
10		
11	9:01	Roll Call
12		
13	9:02	Approval of Minutes
14		
15	9:03	Introduction of Audience Members
16		
17	9:06	Report of Prosecutorial Division
18		
19	9:06	Report of Board Counsel
20		
21	9:07	Report of Commissioner
22		
23	9:14	Report of Board President
24		
25	9:25	Appointment - Carolyn DeLaurentis
26		
27	9:40	Report of Board President (Continued)
28		
29	10:03	Appointment - Kimberly Adams
30		
31	10:23	Report of Commissioner (Continued)
32		
33	10:33	Recess
34	10:42	Return to Open Session
35		
36	10:45	Formal Hearing - Daniel Hogan
37		
38	11:55	Formal Hearing - Michael D. Hartley
39		
40	1:26	Recess
41	1:44	Return to Open Session
42		
43	1:45	Formal Hearing - Michael D. Hartley
44		(Continued)
45		
46	2:10	Formal Hearing - Justyn Myers
47		
48	2:40	Report of Board President (Continued)
49		
50	2:43	Report of Board Administrator

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STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX

January 7, 2021
(cont.)

2:45 Executive Session
3:47 Return to Open Session
3:47 Motions
3:53 Adjournment