

NEW JERSEY STATE BOARD OF ACCOUNTANCY
PUBLIC SESSION MINUTES
FEBRUARY 15, 2007
HUDSON ROOM - 6TH FLOOR

A meeting of the New Jersey State Board of Accountancy was convened in accordance with the provisions of the Open Public Meetings Act. Pursuant to those provisions, the proper notifications were made to the Office of the Secretary of State, the Camden Courier-Post, the Trenton Times, the Asbury Park Press, the Record and the Star-Ledger. Keith Balla, Treasurer of the Board, called the meeting to order at 9:50 a.m. The following roll call was taken:

Keith Balla, CPA Present
Robert Cagnassola, CPA Late Arrival - 9:55 A.M.
John Dailey, Jr., CPA Present
Andrew DuBoff, CPA Present
Bennie Hadnott, CPA Present
Albertus Jenkins, Public Member Late Arrival - 10:05 A.M.
Donald Jump, CPA Excused
Aubrey Kosson, CPA Present
Margaret Shoe, Public Accountant Excused
Robert Sommer, Public Accountant Present
Peter Torok, Public Member Present
John Tully, CPA, Government Member Excused

Also present at the meeting were William Mandeville, Executive Director; Marianne Greenwald, Deputy Attorney General; Melba Perez, Assistant to the Executive Director; Marie Lisa, Board Staff; Jonathan Eisenmenger, Board Staff; David Plaskow, Editor, NJSCPA Magazine; Ralph Thomas, Executive Director, NJSCPA and Irene Douma, Professor, Montclair State University.

II Minutes of the Meeting of January 18, 2007

On a motion made by Peter Torok, seconded by Bennie Hadnott, the Board voted to accept the January 18, 2007 Public Session minutes with corrections. The vote of the Board was eight voting in favor with Andrew DuBoff abstaining.

III President's Remarks

No report was given.

IV Executive Director's Remarks

Executive Director Mandeville had no report for the Board.

V Request for Transfer of Grades

A Kimberly A. Johnson

Kimberly Johnson is requesting a transfer of grades from the State of Pennsylvania. Ms. Johnson is lacking three semester hours in Finance, three semester hours in Business Law and three semester hours in Accounting.

On a motion made by Bennie Hadnott, seconded by Robert Sommer, the Board voted to deny Ms. Johnson's request to transfer her grades to the State of New Jersey. Ms. Johnson did not take all exam parts in the same fashion. The vote of the Board was unanimous.

B Shaina B. Whiter

Shaina Whiter is requesting a transfer of grades from the State of New York. Ms. Whiter is lacking nine semester hours in Accounting.

On a motion made by Andrew DuBoff, seconded by Robert Sommer, the Board voted to deny Ms. Whiter's request because she does not fall under the 150 hour rule. The vote of the Board was unanimous.

C Surabhi Vittal

Surabhi Vittal is requesting a transfer of grades from the State of Colorado. Ms. Vittal is lacking 26 semester hours in Liberal Arts and four semester hours in Finance.

On a motion made by Andrew DuBoff, seconded by Bennie Hadnott, the Board voted to deny Ms. Vittal's request for transfer of grades from the State of Colorado. Ms. Vittal is to be informed that she must meet 150 credit hours that she is lacking. The vote of the Board was eight voting in favor with Robert Cagnassola opposing.

VI Legislative Matters

A Criteria for Continuing Profession Education Sponsors

This matter was accepted as informational.

B Fees; Public School Accountant's License; Renewal; Suspended License; Reinstatement; Inactive Status

This matter was accepted as informational.

C Senate Bill No. 2473

Authorizes court to waive license revocation process for certain child support obligors.

On a motion made by Robert Sommer, seconded by John Dailey, the Board voted to take no position on this bill. The vote of the Board was eight voting in favor with Bennie Hadnott abstaining.

D Assembly Bill No. 3899

Clarifies time by which public bodies are required to make minutes of meetings available to the public.

On a motion made by Robert Sommer, seconded by Andrew DuBoff, the Board voted to oppose this bill because it is impractical. All meeting dates have different cycles. The vote of the Board was eight voting in favor with Bennie Hadnott abstaining.

VII Focus Questions

The Focus Questions are to be placed on the March agenda. Any comments regarding answering the questions should be submitted to Andrew DuBoff. The answers will then be submitted to the NASBA.

VIII Miscellaneous

A Bill A. Quick, Agency Supervisory Officer, MassMutual Financial Group

Correspondence was received from Mr. Quick regarding whether or not New Jersey regulations specify how a CPA represents himself or herself, who is also an insurance agent and/or a registered representative selling investments.

On a motion made by John Dailey, seconded by Robert Sommer, the Board voted to send N.J.A.C. 13:29-3.8, 3.10 and 3.12. Mr. Quick is also to be informed that the advertisement must be truthful and not misrepresent his services as listed. The vote of the Board was unanimous.

B Ronald A. Shalhoub, CPA

Correspondence was received from Mr. Shalhoub wherein he requests guidance as to what the procedure is in order for an entity to become licensed and can they continue to maintain the PA entity concurrently while also operating the LLC.

On a motion made by Andrew DuBoff, seconded by Robert Sommer, the Board voted to advise Mr. Shalhoub that he should forward this matter to the Secretary of State and obtain outside counsel. The vote of the Board was unanimous.

C Andrew Benvenuti, CPA

Correspondence was received from Mr. Benvenuti regarding limitations, if any, on the continued inclusion of a retired partners name in the name of the firm.

On a motion made by John Dailey, seconded by Robert Sommer, the Board voted to inform Mr. Benvenuti that as long as there is written consent from Mr. Mincer to use his name it would be acceptable to leave in the name of the retired partner. Mr. Benvenuti is also to be informed that on the letterhead it should state that Mr. Mincer is a retired partner. The vote of the Board was unanimous.

IX Committee Reports

A CPA Examination Committee

Aubrey Kosson reported to the Board the performance on the CPA exam candidates.

B Ethics Committee

No report was given.

C CPE Committee

No report was given.

D RMA Committee

No report was given.

E QE Committee

No report was given.

F Education Committee

No report was given.

G Reciprocity Committee

Keith Balla provided all the Board members with a CD that contains the criteria for reciprocity for all the States.

H Nominating Committee

Andrew DuBoff informed the Board that May 1st the new officers will take office. A meeting needs to be scheduled by the March meeting to discuss the nominations.

I Statute/Rules/Regulations Committee

Andrew DuBoff informed the Board that Maryann Sheehan made some minor changes to the CPE regulations.

On a motion made by Andrew DuBoff, seconded by Robert Sommer, the Board vote inform Regulatory Analyst Sheehan to move the CPE regulation forward. The vote of the Board was unanimous.

J Planning Committee

No report was given.

K Monitoring Profession Committee

John Dailey informed the Board that the Monitoring Profession Committee has met twice and will continue to work diligently to get thru the CPE audits that were conducted.

Mr. Dailey also informed the Board that there is a formal report from the Committee that will be given in Executive Session.

Robert Cagnassola informed the Board that the Nomination Committee for NASBA will be meeting on March 19th in Nashville, TN to nominate a Chair for NASBA.

Andrew DuBoff has expressed interest but is not sure if he will submit his name.

On a motion made by Robert Sommer, seconded by John Dailey, the Board voted to authorize a letter to NASBA if Mr. DuBoff decides to submit his name for nomination. The vote of the Board was unanimous.

X Public Comments

Irene Douma, Professor, Montclair State University had a question for the Board regarding CPE. Ms Douma wanted to the know the rules on CPE correspondence courses and sponsor matters.

DAG Greenwald informed Ms. Douma that giving an answer to that question would be premature at this time. The Board would have to get together a rule and have it passed. The rule would first have to be published. Then there is a thirty day comment period. After the comment period the Board would take into consideration the points that have been made and then the rule gets adopted.

Ralph Thomas, Executive Director, NJSCPA, informed the Board that there will be an Education Committee meeting being held at Ernst and Young on the 6th Floor on February 16, 2007.

Mr. Thomas informed the Board that there will be a Scholarship Ceremony on April 19, 2007. There will be about eighty individuals receiving awards.

Mr. Thomas informed the Board that there was a meeting at the States Society meeting on January 23, 2007 to discuss the Uniform Accountancy Act, specifically Section 23.

Andrew DuBoff informed Mr. Thomas that there is an exposure draft regarding Section 23 that came out on December 11. The comment period ends May 15th. Reviews of the draft may be available by the end of February.

The Quality Enhancement Committee is at a standstill at the present time.

On a motion made by Robert Cagnassola, seconded by Albertus Jenkins, the Board voted to adjourn the Public Session meeting at 11:00 A.M. to reconvene in Executive Session to discuss the results of the Investigative Inquiry that was conducted on February 1, 2007, two matters of Old Business, one Enforcement Bureau report, one request for CPE waiver, two request for reinstatement, two miscellaneous matters and one Consumer Complaint. The vote of the Board was unanimous.

Respectfully submitted,

William Mandeville
Executive Director