

MINUTES  
NEW JERSEY STATE BOARD OF ARCHITECTS  
January 11, 2007  
Public Session

**I CALL TO ORDER**

The regularly scheduled meeting of the Board was called to order at 9:28 am in the Union Conference Room on the third (3rd) floor at 124 Halsey Street, Newark, New Jersey.

PARTICIPANTS	PRESENT	ABSENT	EXCUSED
President Albert Zaccone, RA	(X)	( )	( )
Vice President Janice M. Mintz	(X)	( )	( )
Public Member			
Board Member Paul DeMassi, RA	(X)	( )	( )
Board Member Alex Garcia, RA	(X)	( )	( )
Board Member Diane Goté, CID	(X)	( )	( )
Board Member Howard Horii, RA	(X)	( )	( )
Board Member Bernard Kellenyi, RA	(X)	( )	( )
Board Member Frederick Kniesler, CLA	(X)	( )	( )
Board Member Vacant - Architect Member			
Board Member Vacant - Government Member			
Board Member Vacant - Public Member			

**OTHERS PRESENT:** Michelle Albertson, Deputy Attorney General; James S. Hsu, Executive Director; Margaret Hinkley, Secretary to Executive Director and staff members Jacquiline Folkes and Joseph Abello of the Board of Architects.

**II OPEN PUBLIC MEETINGS ACT**

The statement required by Chapter 231, public laws of 1975, the "Open Public Meetings Act," was read and it was announced that notice of this meeting was prepared in the office of the Board of Architects and mailed to the Secretary of State, the Newark Star-Ledger, the Trenton Times, the Camden Courier-Post, the Record and the Atlantic City Press.

**III APPROVAL OF MINUTES**

December 14, 2006

Corrections: Page 3 - remove wording (check rules).

**ACTION:** Mr. Kniesler motioned to approve the minutes as corrected. Mr. Horii seconded the motion. It passed unanimously.

**IV ANNOUNCEMENTS**

Executive Director announced the following:

– The inquiry scheduled for today with the complainant has been canceled, inasmuch as the complainant telephoned the board office advising that he could not attend the inquiry. This is the second time he has canceled on the board at the last minute. The Board decided to discuss this matter further in Executive

Session. – Information pertaining to license by credential process was misinterpreted by staff which prompted a meeting to clarify that for licensure by credential the NCARB Certification record ( Blue cover) is not the mandatory document required by the Board for licensure by credential process. Licensees in other jurisdictions may be granted a N.J. license by credential process, if the applicant meets the requirements of N.J.A.C. 13:27-4.5. Information accompanying applications will be corrected to reflect same.

Mr. DeMassi announced he was appointed as Trustee to the Deborah Hospital Center Board.

Mr. Zaccone announced the following:

- There was no Joint Committee meeting this month as the gubernatorial member could not attend, thereby creating no quorum and no business can be conducted.
- That he will be attending the NCARB Regional Conference on March 23 & 24, 2007.

Ms. Goté announced that the Interior Design Committee added two additional meetings to its schedule in order to review the applications. The additional meetings are Wednesday, January 31st and Wednesday, March 28th.

#### **V OLD BUSINESS** Exam candidate #1174332

Summary: Exam candidate #1174332 who has been approved by Board to take the ARE, has requested some special accommodations due to her disability. NCARB has granted her request for additional time, but has denied her request for a reader. On September 14th, DAG Albertson was requested to review the additional material sent in by Exam candidate #1174332 pertaining to her disability to determine if there is enough information. On September 28, 2006 DAG Albertson reported that Exam candidate #1174332 wants a reader and two test booklets as aids for the exam. Ms. Albertson then spoke with NCARB and it was determined that ‘test booklets’ as Exam candidate #1174332 refers to them are really ‘scratch books’. Candidates can have unlimited amount of scratch booklets, however, the candidate can only have one scratch booklet at one time and all scratch booklets are turned into the moderator at the exam. DAG Albertson will assist in the language for this letter to Exam candidate #1174332 advising that she must provide independent evaluation of her medical condition for NCARB to further consider her request for a reader. Also she must be notified that if the Board overrules NCARB’s decision and grants a reader that she may not be eligible for NCARB Certification.

1/11/07 Copy of a letter dated December 20, 2006 addressed to Michael Yates, Asst. Director, NCARB, from Hillary D. Freeman, attorney for Exam candidate #1174332 , is attached for board information.

**ACTION:** After reviewing the letter to NCARB and some discussion, it was the consensus of the Board to wait for NCARB to reach a decision in this matter.

#### **VI NEW BUSINESS**

##### **A. Correspondence**

1 Copy of an undated letter from Kurt Johnson, contractor, along with an article pertaining to the postponement of dissolution of the Joint Construction Office of the Wildwoods (JCOW) until March 31st to allow time to weigh their options for replacing the embattled construction office is attached for Board review.

**ACTION:** Duly noted.

2 Letter dated December 11, 2006 from Harold Sterling, Esq., for Fletcher Thompson regarding an interpretation of N.J.A.C. 13:27-3.1 and 3.2 Scope of Architectural Services; Advertising is attached for Board review.

ACTION: Board staff has standard letter responding to advertising questions which should be sent to Harold Sterling.

Mr. Zaccone raised a concern that other professions within the Division has the same advertising regulation for that particular profession.

#### B Landscape Architect Evaluation and Examination Committee

September 20, 2006 minutes

ACTION: Mr. DeMassi motioned to accept the Landscape Architect Committee minutes as presented. Ms. Mintz seconded the motion. It passed unanimously.

#### C Information

Copy of an e-mail from NCARB pertaining to the Mid Term Report to the Membership from President Robert E. Luke, AIA is attached for Board review.

ACTION: Duly noted.

#### D Interior Design Examination and Evaluation Committee

November 29, 2006 minutes

Ms. Goté reported that the Board office received 440 grandfather applications and 74 initial applications. To date 82 applicants have become Certified Interior Designers (79 through grandfather and 3 through initial). At the last meeting of the Committee, the Committee approved an additional 35 applications for certification. The last date to submit a grandfather application is April 27, 2007.

ACTION: Mr. DeMassi motioned to accept the Interior Design Committee minutes as presented. Mr. Horii seconded the motion. It passed unanimously.

#### E Legislation

A-3213 - Affords homeowners impartial inspections and assistance when repairs are made to new homes.

ACTION: After much discussion, Ms. Mintz motioned to support the bill with amendments to add Architect as an independent inspector in addition to the engineer. Also provide a copy of the Building Design Services Act (BDSA). Mr. Kniesler seconded the motion. After further discussion, instead of including architect as independent inspector, Mr. DeMassi motioned to amend the motion to advise Burt Liebman that the independent inspector could be an architect or engineer as designated and consistent with the Building Design Services Act N.J.S.A. 45:4B-1 et.seq.

## **VII REVIEW OF APPLICATIONS**

### A. Applications for Licensure by Credentials

The following individuals have applied for licensure by credentials, have met board requirements and are recommended for licensure:

- NCARB Council Record Holder

Adams, Bryan S. Best, James T.\* Castillo, Victor M.\*  
Ellis, Lewis A.\* Fey, Cornel D.\* Fitz-Gibbon, Gerardo\*  
Franck, Michael M.\* Frisch, Mark J.\* Gagliardi, George\*  
Howard, James W.P.\* Laudano, Mercedes M.\* Lohsen, Arthur C\*

Meachem, John M Pogacnik, Leon B.

ACTION: Mr. DeMassi motioned to approve the above individuals for licensure through credentials. Mr. Horii seconded the motion. It passed unanimously.

#### B. Applications for Examination

The following applicant/s applied for admission to the Architectural Registration Examination and are recommended by staff:

Ryan A. Fennell Austin J. Gerber III April M. Horvath  
Jia Hua Rachel J. Tiedemann Ronald Viola

ACTION: Mr. DeMassi motioned to approve the above individuals to take the ARE . Mr. Horii seconded the motion. It passed unanimously.

#### C Licensure by Examination

The following applicant/s have completed all Divisions of the Architectural Registration Examination and are submitted to the Board for licensure:

Domenic W. D'Alonzo Luciano G. Paone Matthew F. Schappert  
Steven G. Taylor

ACTION: Mr. DeMassi motioned to approve the above individuals for licensure as they have completed the ARE process.. Mr. Horii seconded the motion. It passed unanimously.

#### D Certificate/s of Authorization

1 TN DESIGN AND ENGINEERING, INC. Architecture+  
5105 Maryland Way - Ste 200  
Brentwood TN 37027

Responsible Architect: Colleen W. Atwood - License #AI013689

Summary: This application for a Certificate of Authorization to offer architectural and engineering services is submitted by a New Jersey architect who owns 30% of the shares and an engineer who owns 40% of the shares in business with two unlicensed individuals who own 30% of the shares. This application appears to comply with statutory requirements.

ACTION: Mr. Garcia motioned to issue a Certificate of Authorization to TN Design and Engineering, Inc. Mr. DeMassi seconded the motion. It passed unanimously.

### **VIII PUBLIC COMMENTS**

Seeing no one from the public present, Mr. Zaccone proceeded to the next item on the agenda.

### **IX CLOSED CASES**

The Board closed the following case at today's meeting:

1 ITEM NO. 47842

Respondent/s: MUSGNUG, Robert - AI012612

ACTION: Mr. Horii motioned to find insufficient cause for action against the architect in this matter. Mr.

DeMassi seconded the motion. It passed unanimously. CASE CLOSED.

2 ITEM NO. 48138

Respondent/s: SCHWARTZ, Stephen - AI066400

**ACTION:** Mr. Garcia outlined the complaint for the Board as follows: Appears to be a fee dispute; appears the contract was not executed; appears client changed design from 1-story to 2story colonial. Mr. Garcia motioned to find insufficient cause for action against the architect in this matter. Mr. DeMassi seconded the motion. It passed unanimously. CASE CLOSED

3 ITEM NO. 47841

Respondent/s: EISENSTEIN, Merle (RA & PP) - AI004037

**ACTION:** After reviewing the additional information received, Mr. DeMassi motioned to find no cause for action against the architect inasmuch as the architect provided services within the contract. Mr. Horii seconded the motion. It passed unanimously. CASE CLOSED.

## **X EXECUTIVE SESSION**

At 9:35am Mr. DeMassi motioned to go into Executive session for the purposes of discussing the matter scheduled for inquiries today. Mr. Kniesler seconded the motioned. It passed unanimously.

At 10:45am Mr. DeMassi motioned to go into Executive session for the purposes of discussing the remaining items on the agenda today. Mr. Kniesler seconded the motioned. It passed unanimously.

## **XI NEXT MEETINGS**

January 25, 2007 Regular Meeting  
Union Room - 3rd Floor

Investigative inquiry pertaining to ITEM No. 45577 - 10:30am

February 8, 2007 Regular Meeting  
Union Room - 3rd Floor

Investigative inquiry pertaining to ITEM No. 47921 - 10:30am

## **XII ADJOURNMENT**

At 2pm Ms. Mintz motioned to adjourn the meeting. Ms. Goté seconded the motioned. It passed unanimously.