

MINUTES
NEW JERSEY STATE BOARD OF ARCHITECTS
January 25, 2007
Public Session

I CALL TO ORDER

The regularly scheduled meeting of the Board was called to order at 9:30 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; Margaret Hinkley, Secretary to Executive Director and staff member Joseph Abello of the Board of Architects.

ALSO PRESENT: Gary Mesz, Architect; and Patricia Schiripo, Regulatory Analyst, Division of Consumer Affairs.

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

January 11, 2007

ACTION: Mr. DeMassi motioned to approve the minutes as presented. Mr. Horii seconded the motion. It passed unanimously.

IV ANNOUNCEMENTS

Mr. Zaccone announced the following:

– The investigative inquiry scheduled for today has been canceled due to the respondent notifying the Board office he could not attend the inquiry.

– NCARB Regional Meeting is scheduled for March 22 thru 24, 2007

Mr. Kniesler announced that he will be attending the NJ ASLA Meeting this weekend in Atlantic City, New Jersey.

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 would not be eligible for NCARB Certification. On January 11th, the Board reviewed a 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. 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.

1/25/07 Letter dated January 9, 2007 from Michael Yates forwarding a December 20, 2006 letter from Hillary Freeman, attorney for Exam candidate #1174332, along with copies of a November 27th letter from Michael Gallaway, OD, PC; as well as a letter dated December 8th from Karen Wicks, PhD, Learning Specialist, President of Edvista Learning Centers

ACTION: DAG Albertson apprised the Board of her conversation with Executive Director Hsu regarding this matter. The Board staff will forward the new reports pertaining to Exam candidate's #1174332 disability to NCARB for re-consideration of her request for special accommodations in taking the ARE.

VI NEW BUSINESS

A. Correspondence

1 A letter dated January 5, 2007 from Charles Collins requesting a clarification of the Permissible Division of Responsibility in Submission of Site Plans and Major Subdivision Plats specifically, N.J.A.C.13:27-7.4(a) and the possible conflict with the engineers regulation N.J.A.C. 13:40-5.1(m) which is attached for Board review.

ACTION: Upon reviewing Mr. Collins' letter, the Board determined there was no conflict of interest based on the information in the letter. However, if Mr. Collins would provide the Board with additional information as to why he feels there may be a conflict he should submit the information prior to February 6th, in order for the Joint Committee to review at its next meeting.

2 A memo dated January 8, 2007 from Douglas Engebretson, President-elect NCARB regarding the NCARB Committee Application Form for fiscal year 2008. Individuals interested in serving on an NCARB Committee (or currently serving on an NCARB Committee) must complete an application form and submit to NCARB no later than February 15, 2007.

ACTION: Mr. DeMassi encouraged the Board members present to apply to serve on an NCARB

Committee.

3 A letter from Thomas D'Arrigo received January 17, 2007 requesting that the Board action status on the website listing for his license be removed inasmuch as the administrative action taken by the Board was done so before his licensure as an architect.

ACTION: Upon reviewing Mr. D'Arrigo's letter and after DAG Albertson's review of the consent order in connection with Mr. D'Arrigo's plan stamping and unlicensed practice which occurred prior to his licensure, but appears that it did not go into effect until after licensure, the Board determined to deny his request. The Board further considered the Division's policy on these matters.

B Legislation

It is requested by the Division Director's office that the Board review the following bill(s) and advise if a position is taken.

A-3855 - Abolishes Landscape Architect Examination and Evaluation Committee transfers powers to the NJ State Board of Architects.

DISCUSSION: Mr. Zaccone expressed his disappointment with the fact that the Board was under time constraints to review Bill A3247 and submit comments in addition to the Landscape Architect Committee's comments on the bill. The Board does not know if the comments were relayed to the proper individuals who drafted the legislation for consideration. Now there is a new bill, with little or no change due to the comments submitted. He questioned whether the Board's original comments were submitted by the Division.

Patricia Schiripo, Regulatory Analyst, met with the Board to review this bill.

The Board discussed the new bill and reviewed prior comments from the Landscape Architect Committee and made the following recommendations to the bill:

- 3.1 - Membership - Board noted previous comment not addressed in new bill, therefore the Board again recommends adding 1 additional landscape architect and 1 additional architect to the existing Board in order for Architects to remain the majority on the board.
- 3.1 last sentence concerning compensation – Board noted previous comment not addressed in new bill, therefore the Board again recommends the removal of language that states "members should serve without compensation"
- 3.2 remove the number seven (7) and add language that "the quorum is consistent with the UEA regulations comment not addressed - reiterate comment"
- 3A-1 (line 3) change first "and" to "or" so sentence reads - "... a person using the title "landscape architect" or engaging in the practice of landscape architecture in this State.."
- 3A-2 The Board acknowledged that the practice definition was changed.
- 3A-6 Change language pertaining to "place of residence" to reflect current address of record with the Board.
- 3A-7 paragraph c needs to be removed entirely as it does not apply to anything in current regulations.
- 3A-9 -The Board acknowledged that the refund language was not deleted or changed.
- 3A-15 - Continuing education - There was discussion for multiple disciplined individuals and the number of credits required. The recommends that any 12 hours of credits acceptable for landscape architecture

credits plus the required credits in health, safety and welfare issues for multi-disciplined individuals.

ACTION: Mr. Kniesler motioned to support the Bill with the above suggested amendments, some of which were originally submitted in July. Mr. DeMassi seconded the motion. It passed unanimously.

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

BOARD REVIEWED

Rumplick, Gerald S.

Summary: On December 14, 2006, the Board determined to send a letter to Mr. Rumplick advising that he must provide evidence that his degree is equivalent to a NAAB accredited degree.

ACTION: This application was pulled from the agenda prior to the meeting so Board staff could obtain the required document from NCARB concerning this applicant.

VIII PUBLIC COMMENTS

Gary Mesz, Architect, was present and addressed the Board with his concerns pertaining to the reinstatement of his license. Mr. Mesz apprised the Board that he has been informed by the Board staff that he needs to document continuing education credits prior to his New Jersey architectural license will be reinstated. Mr. Mesz met with the Board to discuss his concerns for hardship in obtaining the continuing education credits. The Board addressed Mr. Mesz's concerns and requested he contact Executive Director Hsu to resolve this matter.

IX CLOSED CASES

ITEM NO. 44503

PANDELO, Justin - (Unlicensed)

The complainant alleged that Mr. Pandelo promised architectural drawings with seal for presentation to the city Planning Board. The plans cost \$12,100 dollars of which only \$4,475 dollars was paid. The plans could not be used for submission. After three months of tracking Mr. Pandelo down to request additional work to be done on the plans, Mr. Pandelo said "the architect he had quit and he had to find someone else". He refused to provide any more service unless the complainant paid the full amount of \$12,100 due. The complainant went to another architect (no name given) who said that Mr. Pandelo is operating illegally and recommended that he file a complaint. **ACTION:** Upon reviewing Mr. Pandelo's letter, Mr. DeMassi motioned to accept his letter advising the Board that this was the first and only project he has done and close this case and advise Mr. Pandelo he should not practice architecture in the future. Mr. Horii seconded the motion. It passed unanimously.

IX EXECUTIVE SESSION

At 12:15pm Mr. Kniesler motioned to go into Executive Session for the purposes of reviewing agenda items for discussion. Mr. DeMassi seconded the motion. It passed unanimously.

X NEXT MEETINGS

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

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

February 22, 2007 Regular Meeting
Union Room - 3rd Floor

XI ADJOURNMENT

At 2pm, Mr. Kniesler motioned to adjourn the meeting. Ms. Goté seconded the motion. It passed unanimously.