

MINUTES

NEW JERSEY STATE BOARD OF ARCHITECTS

April 8, 2004

Public Session

I CALL TO ORDER

The regularly scheduled meeting of the Board was called to order at 9:35 am in the Union Conference Room on the third (3rd) floor at 124 Halsey Street, Newark, New Jersey.

| PARTICIPANTS PRESENT | ABSENT | EXCUSED |
|---|--------|---------|
| President Kyu-Jung Whang, RA | (X) | () () |
| Vice President Paul DeMassi, RA | (X) | () () |
| Board Member Alex Garcia, RA | (X) | () () |
| Board Member Diane Gote` | (X) | () () |
| Board Member Howard Horii, RA | () | () (X) |
| Board Member Bernard Kellenyi, RA | (X) | () () |
| Board Member Frederick Kniesler, CLA | (X) | () () |
| Board Member Janice M. Mintz | () | () (X) |
| Public Member | | |
| Board Member Albert Zaccone, RA | (X) | () () |
| 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 the Executive Director, and staff members Jacquiline Folkes and Joseph Abello of the Board of Architects.

ALSO PRESENT: Lazhar D. Jilani visitor from Algeria and a guest of Kyu-Jung Whang; and Devon Graf, 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

March 25, 2004

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

IV ANNOUNCEMENTS

The Board members welcomed Lazhar D. Jiliani, who is a guest of Kyu-Jung Whang. Mr. Jiliani is an Architect and Urban Planner and President of the National Order of Architects in Algeria. The National Order of Architects is a national organization in Algeria and functions similarly to both the state board and NCARB. Mr. Jiliani is here on a fellowship with the School of Planning and as a requirement (of the fellowship) he must experience a professional setting and so he is spending 30 days in Mr. Whang's office to learn how large facilities function.

Executive Director Hsu announced the following:

- Ms. Mintz and Mr. Horii were not present today due to other commitments.
- NCARB Annual meeting to be held on June 23, 24, 25 and 26, 2004. Mr. Whang, Mr. DeMassi, Mr. Kellenyi and Mr. Zaccone expressed interest in attending the meeting with Executive Director Hsu.

Mr. DeMassi reported on the NCARB Regional Spring Meeting which was held in New York City on April 1, 2, and 3, 2004. He announced that he nominated Kyu-Jung Whang for Secretary of the Region, however, when the other states in the region voted it ended in a tie vote. In the end, no one was elected secretary.

Mr. Whang thanked the board members, who attended the Regional meeting, for their support for the office of Secretary. He stated he spoke with representatives from the Delaware, New York and Washington DC Boards, who vowed to support Mr. Whang for Secretary in the future election. He also asked that if any board member had any contacts with members from the other states in our region, to reach out and seek their support for Mr. Whang in the office of Secretary.

Also, Mr. Whang announced that NCARB is in the process of updating the Strategic Plan. Bob Boynton, of NCARB, requested that the other member board members review five questions on how NCARB can improve its services. Mr. Whang requested the questions be placed on the next meetings agenda.

V OLD BUSINESS

No business was discussed

VI NEW BUSINESS

A. Correspondence

1 Memo dated March 5, 2004, from Douglas K. Engebretson, NCARB Secretary, regarding the 2004 NCARB Annual Meeting and Conference to be held on June 23, 24, 25 and 26, 2004 at the Portland Hilton and Executive Tower in Portland, Oregon. A preliminary agenda is attached.

ACTION: Mr. Whang, Mr. DeMassi, Mr. Kellenyi and Mr. Zaccone expressed interest in attending the meeting with Executive Director Hsu.

2 Inquiry received via e-mail from Emile Kolick, RA, Supervisor, Bureau of Construction Project Review, Dept. of Community Affairs, pertaining to electronic signatures. Attached are the following: A copy of a letter sent to Faridy Veisz & Frytak, dated January 30, 2002, which advised electronic signatures are acceptable; copy of page 2 from the January 24, 2002, minutes; Copy of a letter dated September 15, 2003, to GLP Architects, PC, which advised electronic signatures are not acceptable; copy of page 3 from the September 11, 2003 minutes, for board review.

ACTION: After some discussion, Mr. Zaccone motioned to advise Mr. Kolick that the Board revisited the Faridy Veisz & Frytak letter and after reviewing the regulations and prior correspondence on this issue, the Board concluded that the signature needs to be handwritten, under current regulations. Also advised that this issue has been referred to the regulation subcommittee for review. Mr. Kellenyi seconded the motion. The motion passed unanimously.

B Information

An article titled, "New Code for Home Repairs wins OK" from the North Jersey.com website, pertaining to The Contractors' Registration Act, which would require all contractors to register annually with Consumer Affairs and provide proof that they carry general liability insurance of at least \$500,000 per occurrence.

ACTION: Duly noted.

C. 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.

S-309 which proscribes liability of architects in certain circumstances is attached for board review and discussion with Devon Graf, Regulatory Analyst. Also attached (blue paper) is past action taken by the board pertaining to this bill.

ACTION: Devon Graf, Regulatory Analyst, Division of Consumer Affairs was present for the discussion of this Bill. After some discussion, Mr. Zaccone motioned to support the Bill with the following changes:

Under 1b replace "the representative of" with "contracted with"; add "as construction manager" after "the project owner". 1b now reads: "In a multi-prime project, the architect or firm is contracted with the project owner as construction manager and no contractor has been designated to be responsible for site safety; or"

Under 1c(1) - change the word "engineer" to "architect"

Under 1c (2) remove the word "site"; add "at the project or site" after the word "conditions"; and change the word "alleged" to "determined". 1c(2) now reads: "The architect or firm, including its employees or representatives, had actual knowledge of the conditions at the project or site which are determined to be a cause of an imminent danger; and"

Under 1c(3) add the words, "project owner" after the word "notify"; change the word "alleged" to "determined" and delete the last sentence. 1c(3) now reads: "The architect or firm, including its employees or representatives, had the opportunity to notify the project owner, the responsible contractor and worker of the presence of the site conditions which are determined to be a cause of an imminent danger, and failed to do so within a reasonable period of time."

Mr. Garcia seconded the motion. The motion passed unanimously.

VII REVIEW OF APPLICATIONS

A. Direct Applications for Reciprocal Licensure

The following individual/s applied for reciprocity based on a license held in another state and are recommended for licensure:

Schendel, Mark P. Angevine, Margo Kelly, Scott D.

ACTION: Mr. DeMassi motioned to license the above individuals through reciprocity. Mr. Kniesler seconded

the motion. The motion passed unanimously.

The following individual/s applied for reciprocity based on a license held in another state and submits construction documents to document five years of responsible practice of architecture.

Everett, Richard A. Stead, Timothy

ACTION: Subsequent to reviewing the drawings, Mr. Zaccone motioned to license the above individuals through reciprocity. Mr. DeMassi seconded the motion. The motion passed unanimously.

B. Applications for Reciprocal Licensure / NCARB

The following individual/s applied for reciprocity based on a license held in another state and certification by the National Council of Architectural Registration Boards and are recommended for licensure:

| | | |
|-------------------------|------------------------|------------------------|
| Bachman, Merle S. | Armstrong, Lawrence R. | Shepherd, James W. |
| Gyory, Jonathan | Ruptash, Susan M. | Brandfonbrener, Joshua |
| Harding, Andrew J. | Tippet, Donald N. | Kahn, Steven H. |
| Ritter, Jerome A. | Jolly, Thomas G. | Donovan, Michael R. |
| Whitefield, Kay G. | Sullivan, Gail M. | McClelland, Duncan P. |
| Dempsey, Michelle B. | Williams, James B. Jr. | Ionescu, Alexandru F. |
| Strekalovsky, Vevold O. | Nealy, Craig | Wink, Kenneth A. |
| Milhoan, Gene R. | Robertson, Nicole A. | |

ACTION: Mr. DeMassi motioned to license the above individuals through reciprocity. Mr. Zaccone seconded the motion. The motion passed unanimously.

C. Applications for Examination

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

| | | |
|--------------------|------------------------|-----------------------|
| Salvatore C. Alini | Pasquale F. Avallon | James H. Cornell Jr. |
| Domenic D'Alonzo | Oliveiros Ferreira Jr. | Kenneth R. Kraus, Jr. |
| Jennifer A. Marks | Marcelo C. Mendez | Jose P. Riestra |
| Sara K. Sarkisian | Ronald Seder | |

ACTION: Mr. DeMassi motioned to admit the above individuals to the ARE process. Mr. Kellenyi seconded the motion. The motion passed unanimously.

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

| | | |
|----------------------|------------------|------------|
| Jennifer A. Giuliano | Rupesh K. Gulati | Todd Hause |
|----------------------|------------------|------------|

Kimberly I. McCarron David A. Persson Quinn J. Schweneker

Mariana C. Cully Tierney

ACTION: Mr. DeMassi motioned to license the above individuals inasmuch as they have completed the ARE process. Mr. Kellenyi seconded the motion. The motion passed unanimously.

Gregory Blasi Ward K. Welch

ACTION: Mr. DeMassi motioned to license the above individuals inasmuch as they have completed the ARE process and provided the Board with updated applications. Mr. Zacone seconded the motion. The motion passed unanimously.

D. Certificate/s of Authorization

1 REES ASSOCIATES, INC. Architecture
3102 Oak Lawn - Ste 200
Dallas TX 75219

Responsible Architect: Frank W. Rees, Jr. - License #AI 09491

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by two New Jersey licensed architects who own more than two-thirds of the shares in business with 36 non-licensed individuals, who own the rest of the shares. This application appears to comply with all statutory requirements.

ACTION: Mr. Zacone motioned to hold this application until the application is corrected to reflect the correct number of outstanding shares. Mr. Kniesler seconded the motion. The motion passed unanimously.

2 DONALD WIRT ARCHITECT LLC Architecture
16 North Centre St - 2nd Flr.
Merchantville NJ 08109

Responsible Architect: Donald S. Wirt - License #AI 011272

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by a New Jersey licensed architect who owns more than two-thirds of the shares in business with 2 non-licensed individuals, who own 16 - shares each. This application appears to comply with all statutory requirements.

ACTION: Mr. Zacone motioned to issue a certificate of authorization to Donald Wirt Architect LLC. Mr. Kniesler seconded the motion. The motion passed unanimously.

3 WILLIAM FIGDOR, ART + ARCHITECTURE, LLC Architecture
53 South Mountain Avenue
Maplewood NJ 07040

Responsible Architect: William Miles Figdor - License #AI 015348

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by a New Jersey licensed architect who owns 100% of the shares. This application appears to comply with all statutory requirements.

ACTION: Mr. Zacone motioned to issue a certificate of authorization to William Figdor, Art + Architecture, LLC. Mr. Kniesler seconded the motion. The motion passed unanimously.

4 VINCENTSEN ASSOCIATES, LLC Architecture
238 St. Paul Street
Westfield NJ 07090

Responsible Architect: Barbara E. Vincentsen - License #AI 09186

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by five New Jersey licensed architects. Ms. Vincentsen owns 100% of the shares. This application appears to comply with all statutory requirements.

ACTION: Mr. Zaccone motioned to issue a certificate of authorization to Vincentsen Associates, LLC. However, request that they correct the application with the total shares. Mr. Kniesler seconded the motion. The motion passed unanimously.

5 JAI ARCHITECT, LLC Architecture
207 60th Street
West New York NJ 07093

Responsible Architect: Jose A. Izquierdo - License #AI 09143

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by one New Jersey licensed architect who owns 100% of the shares. This application appears to comply with all statutory requirements.

ACTION: Mr. Zaccone motioned to issue a certificate of authorization to JAI Architect, LLC. Mr. Kniesler seconded the motion. The motion passed unanimously.

6 BACH + CLARK LLC Architecture
42 East Street
Freehold NJ 07728

Responsible Architect: Daniel L. Bach - License #AI 05210

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by two New Jersey licensed architects, who own 100% of the shares. This application appears to comply with all statutory requirements.

ACTION: Mr. Zaccone motioned to issue a certificate of authorization to Bach + Clark LLC. Mr. Garcia seconded the motion. The motion passed unanimously.

7 DRA ARCHITECTS INC. Architecture
141 Herrick Road
Newton Centre MA 02459

Responsible Architect: Carl R. Franceschi - License #AI 013599

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by two New Jersey licensed architects who own more than two-thirds of the shares in business with a non-licensed individual, who owns 33 - of the shares. This application appears to comply with all statutory requirements.

ACTION: Mr. Zaccone motioned to issue a certificate of authorization to DRA Architects Inc. Mr. Kniesler seconded the motion. The motion passed unanimously.

8 ROBERT N. GARRISON ASSOCIATES Architecture
14000 F Commerce Parkway

Mount Laurel NJ 08054

Responsible Architect: Robert N. Garrison - License #AI 05898

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by two New Jersey licensed architects of which only one owns 100% of the shares in business with two non-licensed individuals. This application appears to comply with all statutory requirements.

ACTION: Mr. Zacone motioned to issue a certificate of authorization to Robert N. Garrison Associates. However, request that they correct the application with the total shares. Mr. Kniesler seconded the motion. The motion passed unanimously.

9 NETTA ARCHITECTS, LLC Architecture 25 Route 22 East - Ste 290 Springfield NJ 07081

Responsible Architect: Nicholas J. Netta - License #AI 012541

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by a New Jersey licensed architect who owns 100% of the shares. This application appears to comply with all statutory requirements.

ACTION: Mr. Zacone motioned to issue a certificate of authorization to Netta Architects, LLC. However, request that they correct the application with the total shares. Mr. Kniesler seconded the motion. The motion passed unanimously.

10 QUALITY ALTERNATIVES ARCHITECTURE & ENGINEERING LLC Architecture+ 3 Werner Way - Ste 200 Lebanon NJ 08833

Responsible Architect: Antonette Mitterando - License #AI016264

Summary: This application for a Certificate of Authorization to offer architectural and engineering services is submitted by an individual licensed in both disciplines. She owns two-thirds of the corporation and he is in business with Corona Associates that owns one-third of the corporation. This application appears to comply with all statutory requirements. On February 5, 2004, after some discussion, this matter was tabled until the issue of whether a foreign corporation holding shares in a firm applying for a certificate of authorization, needs to be registered to do business in New Jersey. On March 11, 2004, After much discussion, the Board voted to table this matter and request the name of the person in responsible charge for Corona Associates. Mr. Horii opposed the motion. The motion passed.

4/8/04 Letter dated March 27, 2004, from Antonette Mitterando clarifying of the signature for Corona Associates as well as a revised application.

ACTION: Mr. Zacone motioned to issue a certificate of authorization to Quality Alternatives Architecture & Engineering LLC. Mr. Kniesler seconded the motion. The motion passed unanimously.

VIII CLOSED CASES

1 ITEM NO. 27882

**Respondent/s: PATETE, Christopher - Unlicensed
Sturdy Built Manufacturer
Carmen J. Patete, AI012947 - deceased
Complaint: Alleged use of architects seal**

Summary: Information received from the Washington Police Department in regards to a possible fraud complaint whereby someone was utilizing the seal Carmen Patete who is deceased. In December 2003, the Board sent a letter to Sturdy Built Manufacturer advising that it has come to the Board's attention that a seal press may have been utilized in connection with plans by Sturdy Built. In February 2004, the Board reviewed a January 2004 response letter from Christopher Patete advising that the generic details were stamped by Carmen Patete and he has no idea the location of the seal press. The Board obtained the plans and construction permit file from the Washington Township Construction Official. In February 2004, the Board determined to send a letter to the Department of Community Affairs and request notification be sent to all construction officials of the use of deceased architect Carmen Patete's seal press - they should contact the Board of Architects immediately. In April 2004, the Board unanimously voted to close out this case. CASE CLOSED.

IX PUBLIC COMMENTS

Lazhar D. Jilani visitor from Algeria, told the board he was glad to be at the meeting. It was very interesting to see how New Jersey handles the applications and regulations.

X EXECUTIVE SESSION

At 1:55pm, Mr. Zaccone motioned to go into Executive session for the purposes of reviewing the minutes and other disciplinary matters on the agenda today. Ms. Gote' seconded the motion. The motion passed unanimously.

XI NEXT MEETINGS

April 22, 2004 Regular Meeting Hudson Room - 6th Flr.
Investigative Inquiry scheduled ITEM NO. 25141

May 13, 2004 Regular Meeting Union Room - 3rd Flr

XII ADJOURNMENT

At 3pm, Mr. Zaccone motioned to adjourn the meeting inasmuch as all business has been discussed. Mr. Kellenyi seconded the motion. The motion passed unanimously.