

**MINUTES**  
**NEW JERSEY STATE BOARD OF ARCHITECTS**  
**April 7, 2005**  
**Public Session**

**I CALL TO ORDER**

The regularly scheduled meeting of the Board was called to order at 9:45 am in the Union Conference Room on the third (3rd) floor at 124 Halsey Street, Newark, New Jersey.

PARTICIPANTS	PRESENT	ABSENT	EXCUSED
President Paul DeMassi, RA	(X)	( )	( )
Vice President Alex Garcia, RA	(X)	( )	( )
Board Member Diane Goté	(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 Kyu-Jung Whang, RA	( )	( )	(X)
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 Joseph Abello, Jacqueline Folkes and Beverly Rankin 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**

March 24, 2005

ACTION: Mr. Zaccone motioned to approve the minutes as presented. Ms. Mintz seconded the motion. It passed unanimously.

**IV ANNOUNCEMENTS**

Mr. Garcia announced that the power-point presentation has been rescheduled for the May 26th meeting at 9:30 am.

Mr. Zaccone announced that at the Joint Committee of Architects & Engineers met earlier this week. The engineers raised the issue of Professional Engineers being able to contract directly with the owner to do the "engineering systems" instead of being a subcontractor to the Architect on the project. The Committee requested Devon Graf, Regulatory Analyst, to formulate proposed regulations, if applicable, to outline that

"engineering systems" can be designed by Professional Engineers directly as prime professional. Also review "incidental use" and propose regulations based on discussion by the Committee and for review at the next meeting.

Mr. Zaccone announced that on April 27th, a program on IDP and the requirements for IDP will be held, in the morning, at NJIT and in the afternoon at the Hillier Group. AIA is sponsoring this program and representatives from NCARB will be conducting the presentation.

Mr. DeMassi announced that the NCARB Annual meeting will be June 22 - 25, 2005 in Miami, Florida. As an established policy of the Board, the Executive Director and Board President will attend the meeting. Two newspaper articles pertaining to the recent report from the State Commission of Investigation (SCI) on new home construction in the state were distributed to board members.

Also a copy of the Contractors Registration Act with the Home Improvement Contractor regulations and frequently asked questions was distributed to board members. This item will be discussed further at the May meeting.

## **V NEW BUSINESS**

### **A. Correspondence**

1 Leon Clemmer - AI004129

On October 14, 2004, the Board unanimously voted to send a letter requesting Mr. Clemmer provide the Board with additional information as to his health issues for further consideration, otherwise he should complete the CE requirement and provide proof of same to the Board within six months. On March 10th, the board reviewed copies of Mr. Clemmer's July 6th letter, the Board's letter to Mr. Clemmer and an undated letter from Larry Keller D.O., Mr. Clemmer's physician. The Board determined to send a letter advising that Mr. Clemmer has been granted a medical waiver from obtaining continuing education credits for the 2001/03 period. Advise that he must document continuing education credits for the 2003/05 period in order to renew his license in July 2005. Also advise of inactive status and that if he selects inactive status he cannot practice architecture in New Jersey.

4/7/05 Letter dated March 20, 2005, from Leon Clemmer, who is now requesting a waiver from obtaining continuing education credits for 8/1/2003 to 7/31/2005 period.

**ACTION:** After reviewing the correspondence from Mr. Clemmer, it was motioned by Ms. Mintz to send a letter advising the Board will grant a six-month extension from July 2005 to obtain continuing education credits. Also advise that he can obtain continuing education through NCARB Monographs as well as AIA online courses. Mr. Zaccone seconded the motion. It passed unanimously.

### **B Information**

1 ARE Pass Rates by Division for the years 2000 through 2004 is attached for your information.

**ACTION:** Duly noted.

2 NCARB Fast Facts dated March 31, 2005 is attached for board member information.

**ACTION:** Duly noted.

### **C Interior Design Examination and Evaluation Committee**

Ms. Gote apprised the Board that the Committee reviewed the Contractors Registration Act and had some concerns for its potential certificate holders since it appears the Interior design regulations will not be

adopted by the time the Home Improvement Contractor regulations go into effect. The Committee drafted a letter to be sent to Anthony Miragliotta, Deputy Director, Division of Consumer Affairs, outlining its concerns and presenting a solution of possible exemption of individuals on a list compiled by the Board, who expressed interest in obtaining an interior design certification application.

The Board reviewed the draft letter and agreed with the Committee and included its support in the letter. In discussing the letter and reviewing the contractors registration act, the Board determined they should discuss this matter at a future meeting. Ms. Mintz motioned to accept the letter as amended during discussion. Mr. Garcia seconded the motion. It 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:

O'Donoghue, Margaret E.  
Hoffman, Richard

**ACTION:** Mr. Zaccone motioned to license the above individuals through reciprocity. Mr. Horii seconded the motion. It 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:

Kiiffner, Calvin A.  
Leonhardt, Stephen A.  
Moyta, Dorothy R.  
Andreone, James P.  
Wauford, James B.  
Popowych, Nester T.  
Drake, Mark D.  
Barr, Larry R.  
Besserud, Keith R.  
Bhatt, Nilkanth R.  
Bailey, Jennifer  
Rampy, Gilbert N.  
Mactavish, Cameron J.  
Tantillo, Christopher  
Rigsbee, John E.  
Dacruz, Joao F.  
Rectenwald, Daniel J.  
Widstrom, Dana B.  
Kuhn, Bjoern  
Zimmerman, Jon A.  
Fetz, Richard A.  
Smith, Keith H.  
Petrucci, Donald V.  
Wall, John M.

**ACTION:** Mr. Zaccone motioned to license the above individuals through reciprocity. Mr. Kellenyi seconded the motion. It passed unanimously.

### C. Applications for Examination

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

Adrian S. A. Allen  
James B. DeStefano - PE  
Brian M. Collis  
Salvatore C. Farruggia  
Anthony B. Horler  
Rudolf Q. Laze  
Stephanie N. Mylenski  
Donald R. Siglin Jr.  
Lisa A. Roldan  
Nicole L. Tallent  
James A. Wiebel  
Joel D. Dabrowski

ACTION: Mr. Zaccone motioned to admit the above individuals to the ARE process. Mr. Horii seconded the motion. It passed unanimously.

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

Charles E. Johnson  
Jacek Mus  
Geeta Shah  
Vatche Simonian  
Jensen Vasil  
Russell A. Dinardo

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

### D. Certificate/s of Authorization

1 STEIN WHITE NELLIGAN ARCHITECTS LLC  
Architecture  
20 w 20th Street - Ste 1100  
New York NY 10011

Responsible Architect: Bruce Nelligan - License #AI011913

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by two New Jersey licensed architects who own 66.66% of the shares in business with an unlicensed individual who owns 33.34% of the shares. This application appears to comply with statutory requirements. NOTE: Letter explaining who T. Michael White is, was submitted by the applicant.

ACTION: Mr. Garcia motioned to issue a Certificate of Authorization to Stein White Nelligan Architects LLC. Mr. Horii seconded the motion. It passed unanimously.

2 STUDIO G2 ARCHITECTS LLC  
Architecture  
88 Arrowgate Drive

Randolph NJ 07869

Responsible Architect: Keith Gianakopoulos - License #AI013732

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by two New Jersey licensed architects who own 99% of the shares in business with an unlicensed individual who owns 1% of the shares. This application appears to comply with statutory requirements.

ACTION: Mr. Garcia motioned to issue a Certificate of Authorization to Studio G2 Architects LLC. Mr. Zaccone seconded the motion. It passed unanimously.

### 3 WHITNEY ARCHITECTS INC.

Architecture

2215 S. York Road - Ste 200

Oak Brook IL 60523

Responsible Architect: Stephen G. Bures - License #AI014211

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 statutory requirements. NOTE: The name "Whitney" is a fictitious name and is not derived from any person in the company, a letter was submitted with the required information.

ACTION: Mr. Garcia motioned to issue a Certificate of Authorization to Whitney Architects Inc. Mr. Kellenyi seconded the motion. It passed unanimously.

### 4 CMW ARCHITECTURE AND ENGINEERING INC.

Architecture+

400 E. Vine Street - Ste 400

Lexington KY 40507

Responsible Architect: Joseph M. Martinolich - License #AI015515

Summary: This application for a Certificate of Authorization to offer architectural and professional services is submitted by three New Jersey licensed architects, one landscape architect and one professional engineer in the State of New Jersey who owns 70.73% of the shares in business with two unlicensed individuals who own 29.27% of the shares. This application appears to comply with statutory requirements. NOTE: COA is pending with the Board of Engineers (3/29/05).

ACTION: Mr. Garcia motioned to issue a Certificate of Authorization to CMW Architecture and Engineering Inc. Mr. Horii seconded the motion. It passed unanimously.

### 5 CRISTINA BUENDICHO ARCHITECT LLC

Architecture

6601 Ventnor Avenue - Ste 15

Ventnor NJ 08406

Responsible Architect: Maria Cristina Buendicho - License #AI012978

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 statutory requirements.

ACTION: Mr. Garcia motioned to issue a Certificate of Authorization to Cristina Buendicho Architect LLC, pending receipt of the corrected application. There are two places on the first page of the application

where the firm name appears. One indicates that there is one architect and the other indicates more than one architect works in the firm by the word "architects". Board needs clarification. Ms. Mintz seconded the motion. It passed unanimously.

## **VIII CLOSED CASES**

ITEM NO: 28913

Respondent: GARCIA, Luis - AI08422

Project: Commercial & Multi-family Dwelling

Summary: Consumer complaint was received alleging that the construction drawings were incomplete and inaccurate construction plans resulted in costly change order. In May 2004, board member requested staff obtain the contract from the complainant so the report can be made to the Board. In July 2004 subsequent to reviewing the board member report, the board unanimously voted to call in Luis Garcia for an investigative inquiry before the Board. Subsequent to the investigative inquiry held in January 2005, the Board unanimously voted to issue a Consent Order with a stayed suspension to Luis Garcia for one year to serve as probation and assess a penalty of \$5,000 for violating the professional conduct regulations. In March 2005, the Board unanimously voted to send the settlement letter to Luis Garcia. On April 7th, the Board reviewed a copy of a letter from C. Aaron Patel, attorney for Luis Garcia, along with the signed acknowledgment and check in the amount of \$5,000 is attached. The Board unanimously motioned to accept the signed acknowledgment and penalty check from Luis Garcia and close this case. CASE CLOSED.

## **VIII PUBLIC COMMENTS**

Charles Blumeling, Certified Municipal Engineer, was present for the public session. He apprised the board that RSIS has received an amendment to survey standards and the standard that would affect architects the most is the "height of the building". There is a proposal to create a uniform standard through the state so that all buildings will be measured the same way in height and that the side yard measurements would be measured to the foundation.

Mr. Blumeling's main purpose for appearing before the Board is to state that he was present at a Zoning Board of Adjustment meeting where an applicant wanted to extend the house on his property. There was no Land Surveyor present when the board posed questions. Then an architect stepped in and tried to explain. Mr. Blumeling feels that was inappropriate for the architect to make any determination on a survey.

## **IX EXECUTIVE SESSION**

At 11:25 am, Mr. Zacone motioned to go into Executive Session for the purposes of reviewing the minutes and any disciplinary matters before the Board. Ms. Gote seconded the motion. It passed unanimously.

## **X NEXT MEETINGS**

April 21, 2005 Regular Meeting  
Union Room - 3rd Floor

May 12, 2005 Regular Meeting  
Union Room - 3rd Floor

## **XI ADJOURNMENT**

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