

Minutes

New Jersey State Board of Architects

October 24, 2002

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 Howard Horii, RA	(X)	()	()
Vice President Jeanne Perantoni, RA	()	()	(X)
Board Member Paul DeMassi, 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 Vacant - Government Member			
Board Member Vacant - Public Member			

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

ALSO PRESENT: Jake Gertsman, Legislative Liaison, Division of Consumer Affairs, and Joseph Abello, recent Rutgers University graduate observing the Board's meeting today.

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

October 10, 2002

ACTION: Mr. DeMassi motioned to accept the minutes as presented. Ms. Mintz seconded the motion. The motion passed unanimously.

IV ANNOUNCEMENTS

The Investigative Inquiry scheduled for today at 11 am has been canceled.

Executive Director Hsu announced the following:

- Joseph Abello, recent Rutgers University graduate observing the Board's meeting today.
- Jeanne Perantoni has been replaced by Alex Garcia as Board member. Mr. Garcia will attend the next board meeting of November 14, 2002.
- The Governor signed the Interior Designer Certification Act on October 22, 2002.

Mr. Horii announced that he recently attended the NCARB Regional Meeting in Washington, DC. The next meeting is scheduled for March 2003 in Columbus, Ohio, with Region IV.

Mr. Kniesler announced that he attended a conference on the rebuilding of Lower Manhattan. A book on the Principles for the Rebuilding of Lower Manhattan outlining the specifications for rebuilding on the former World Trade Center site as well as maps for any member interested in browsing the information.

Mr. Whang announced on May 9, 2002, that the NCARB ARE Subcommittee is considering changes to the graphic section of the ARE by merging four vignettes into a two-vignette exam. Mr. Whang advised the Board that some complications had arisen and only two of the four vignettes will be combined into one section.

V OLD BUSINESS

No business was discussed

VI NEW BUSINESS

A. Legislation

1 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-651 - Proscribes liability of architects in certain circumstances

10/24/02 Jake Gertsman, Legislative Liaison, will be present for discussion of this bill.

ACTION: Subsequent to discussion, Ms. Mintz motioned that the Board sustain its original position of opposing this bill for the following reasons:

1. This bill creates a statutory line of default liability for the architect when no other profession is contracted.
2. The bill is poorly drafted. The Bill fails to take into consideration varying contract situations and unreasonably expands the legal vulnerability of architects, converging them into defendants of last resort.
3. There appears to be a typographical error in (1)(c)(1) which states: "The architect or firm, including its employees or representatives, was present at the portion of the project site for which the engineer had provided services..." Since this is the first mention of engineers in the bill, the Board assumes this is an error. A similar inclusion of the word engineer also appears in (1)(c)(3).

B Information

Notice of Proposal from the Division of Consumer Affairs pertaining to the proposed re-adoption of N.J.A.C. 13:44B, Per Diem Compensation for Members of Professional and Occupational Licensing Boards.

ACTION: Duly noted.

C Reorganization of Board of Architect Officers

Due to the replacement of Jeanne Perantoni as a board member, by the Governor, and after some discussion, Mr. Horii nominated Kyu-Jung Whang as Vice President of the Board. Mr. Kellenyi seconded the motion. It passed unanimously. The Board congratulated Mr. Whang.

VII REVIEW OF APPLICATIONS

No business was discussed

VIII PUBLIC COMMENTS

Joseph Abello, recent Rutgers University graduate observing the Board's meeting today, made some comments on the legislation reviewed by the Board today.

IX EXECUTIVE SESSION

At 10:30 am, Mr. DeMassi motioned that the Board go into Executive Session for the purposes of reviewing the minutes and disciplinary matters before the Board today. Mr. Kellenyi seconded the motion. It passed unanimously.

X NEXT MEETINGS

November 14, 2002 Regular Meeting Union Conference Room

December 12, 2002 Regular Meeting Union Conference Room

XI ADJOURNMENT

At 2 pm, Mr. DeMassi motioned that the Board adjourn the meeting, inasmuch as all business has been discussed. Mr. Kellenyi seconded the motion. It passed unanimously.

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