

# MINUTES

## NEW JERSEY STATE BOARD OF ARCHITECTS

May 10, 2012

Public Session

### I CALL TO ORDER

The regularly scheduled meeting of the Board was called to order at 9:09 am in the Union Conference Room on the third (3<sup>rd</sup>) floor at 124 Halsey Street, Newark, New Jersey.

PARTICIPANTS		PRESENT	ABSENT	EXCUSED	
President	Albert Zaccone, RA	(X)	( )	( )	
Vice President	Michael G. Soriano, RA	(X)	( )	( )	
Board Member	Obiora Agudosi, RA	(X)	( )	( )	
Board Member	Diane Goté, CID	(X)	( )	( )	
Board Member	Kishor Y Joshi, RA	( )	( )	(X)	
Board Member	Arthur F Margiotta, RA	(X)	( )	( )	
Board Member	Louis J Mraw	( )	( )	(X)	
	Government Member				
Board Member	Nicholas J. Netta, RA		(X)	( )	( )
Board Member	Richard Picatagi, LLA	( )	( )	(X)	
Board Member	Anna C. Young, LLA	(X)	( )	( )	
Board Member	Architect Member				
Board Member	Vacant - Public Member				
Board Member	Vacant - Public Member				

**OTHERS PRESENT:** B. Michelle Albertson, Deputy Attorney General; Charles Kirk, Acting Executive Director of Board of Architects; Margaret Hinkley, Secretary to Executive Director of the Board of Architects; Joseph Abello III and Beverly Rankin both 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

April 12, 2012

**ACTION:** Mr. Soriano motioned to approve the minutes as presented. Ms. Goté seconded the motion. It passed unanimously.

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**IV ANNOUNCEMENTS**

Mr. Zaccone announced the following:

- Investigative inquiry with the respondent pertaining to ITEM No. 83922 will be held today.
- Formal Hearing with the respondent pertaining to ITEM No. 72609 has been canceled due to a proposed settlement in this matter
- NCARB Annual Meeting held in Minneapolis in June. Mr. Zaccone is attending as a representative of Region II, Mr. Soriano will be attending as a representative of the Board.

**V OLD BUSINESS**

ITEM NO. 72609

MODERSOHN, Samuel J - Unlicensed  
KJS Drafting and Design

**ACTION:** Subsequent to discussion of the proposed settlement in this matter, Mr. Netta motioned to accept the consent order imposing the following: Mr. Modersohn shall cease and desist from practicing architecture in New Jersey pursuant to N.J.S.A. 45:1-18.2(b)(1); eliminate the word “design” and any substantial equivalent of the word from his business title and the business’s website address in compliance with N.J.A.C. 13:27-3.3; assessed a penalty in the amount of \$5,000 pursuant to N.J.S.A. 45:1-18(b) (2) with Mr. Modersohn paying \$1,000 of the penalty and the remaining \$4,000 will be stayed for four years. If during the next four years, Mr. Modersohn is found liable for any other violation, then he would be required to pay the remaining \$4,000 plus any costs or penalties associated with the new violation. If Mr. Modersohn does not commit any other violation during the four year period, the remaining \$4,000 shall be discharged. The \$1,000 penalty shall be paid within 30 days following the entry of the order. Mr. Modersohn is permitted to make payments over the course of four months in equal installments. Full amount must be received by the Board within four months from the date of the filed order. Mr. Margiotta seconded the motion. It passed unanimously.

**VI NEW BUSINESS**

A Landscape Architect Continuing Education Course review report

**ACTION:** This item was tabled until the next meeting.

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**B Correspondence**

Attached for board review is a copy of a letter dated April 22, 2012 from John F. Mann, PE, pertaining to Senate Bill 121, which is also attached. Also attached is a copy of a letter dated April 19, 2012, regarding problems with design and construction of basement foundation walls.

**ACTION:** Messrs. Margiotta and Netta will review the bill and submit comments for the full board's consideration at the June meeting. Also the bill will be forwarded to Elizabeth Greenblatt, Regulatory Analyst, for review and invite her to the June meeting to discuss the board's comments.

**C Information**

Attached for board review is a copy of the April 2012 Member Board E-News from CLARB.

**ACTION:** Duly noted

**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

Hadaegh, Reza Ali*	Gribbin, Steven F*	McGoldrick, Thomas M*
McDonald, Gordon P*	Lytle, Matthew J*	Ruth, John R*
Pandya, Haril A*	Jerde, Jon A*	Tudryn, David B*
Polar-Cummings, Maria	Hooper, William D*	Shonaiya, Cynthia E*
Cahill, Timothy G*	Kacani, Edina*	Lynch, Kenneth P*
Barone, Mark	Kwong, Antonia	Hardy, Ryan L
Williams, Jeramy A*	Martin, Raymond W*	

**ACTION:** Mr. Margiotta motioned to approve of the above individuals for licensure by credentials. Mr. Netta seconded the motion. It passed unanimously.

**BOARD REVIEWED**  
Steiner, Brian K\*

**ACTION:** This application has been tabled until the next meeting.

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**B. Applications for Examination**

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

Victoria R Pivovaarnick  
Heather L Slayton

Alex Baffoe-Bonnie  
Andrew Markou

Al Paul Shissias

**ACTION:** Mr. Margiotta motioned to approve for the above individual to take the Architectural Registration Examination. Mr. Netta 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:

Joseph Guido

Samuel Martinez

**ACTION:** Mr. Margiotta motioned to license to the above individuals inasmuch as they have completed the Architectural Registration Examination. Mr. Netta seconded the motion. It passed unanimously.

**D Certificate/s of Authorization**

**1 CYNTERGY ARCHITECTURE, LLC**  
3205 S Boston Avenue - 12<sup>th</sup> Flr.  
Tulsa, OK 74103

**Architecture**

Responsible Architect: Gregory A Ward - License #AI015334

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.

**2 MAX ARCHITECTURE, LLC**  
425 Washington Avenue  
Cliffside Park NJ 07010

**Architecture**

Responsible Architect: Frank V Jakus - License #AI016097

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.

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- 3 PLAN ARCHITECTURE, LLC** **Architecture**  
15 Meadow Drive  
Little Falls NJ 07424

Responsible Architect: Daniel D'Agostino - License #AI018800

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

- 4 YING LI ARCHITECT, LLC** **Architecture**  
32 Bailey Road  
Millburn NJ 07041

Responsible Architect: Ying Li - License #AI018097

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

**ACTION:** Mr. Margiotta motioned to issue Certificates of Authorization to the above four firms. Mr. Soriano seconded the motion. It passed unanimously.

- 5 PIERCE GOODWIN ALEXANDER & LINVILLE, INC.** **Architecture**  
3131 Briarpark Drive  
Houston TX 77042

Responsible Architect: Jeffrey P. Gerber - License #AI014763

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by three New Jersey architects who own 81.30% of the shares in business with 26 unlicensed individuals who own 18.70% of the shares. This application appears to comply with statutory requirements. On April 12<sup>th</sup>, the Board unanimously voted to send a letter requesting the total number of shares this company has; the total number of shares issued and the breakdown for all members listed; and the total number of shares outstanding.

5/10/12 Attached is the response pertaining to the shares issued and breakdown for all members listed.

**ACTION:** Mr. Netta motioned to send a letter advising that it still appears that Pierce Goodwin Alexander & Linville, Inc has not complied with N.J.A.C. 13:27-4.8. Also request information as to what "treasury stock" indicates and the percentage owned by licensed individuals. Mr. Margiotta seconded the motion. It passed unanimously.

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**VIII LANDSCAPE ARCHITECT APPLICATION REVIEW**

**A Initial Licensure by examination: LARE taken**

The following individuals submit completed applications for licensure inasmuch he has already completed the Landscape Architect Registration Examination (LARE)\* - CLARB Council Record Holder

Megan R Robbins\*

**ACTION:** Ms. Young motioned to license Ms. Robbins who has complied with the requirements for licensure. Mr. Margiotta seconded the motion. It passed unanimously.

BOARD REVIEWED

Marc P Richardson\*+

**ACTION:** This application has been tabled until the next meeting.

**B Licensure without examination:**

The following individuals submit completed applications for licensure without examination and are recommended for licensure. \* - CLARB Council Record Holder

Mark C. Gionet\*

**ACTION:** Ms. Young motioned to license Mr. Gionet, who has complied with the requirements for licensure. Mr. Margiotta seconded the motion. It passed unanimously.

**IX CLOSED CASES**

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

- 1 ITEM NO. 78902 - PAULDING, Robert - Unlicensed

**X PUBLIC COMMENTS**

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

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**XI EXECUTIVE SESSION**

Ms. Goté motioned to go into executive session to review the minutes and other matters on the executive session agenda. Mr. Soriano seconded the motion. It passed unanimously.

Mr. Soriano motioned to go back into executive session to discuss settlement proposal pertaining to ITEM NO. 72609. Ms. Goté seconded the motion. It passed unanimously.

**XII NEXT MEETINGS**

June 14, 2012	Regular Meeting	Union Room - 3 <sup>rd</sup> Floor
July 12, 2012	Regular Meeting	Union Room - 3 <sup>rd</sup> Floor

**XIII ADJOURNMENT**

The meeting adjourned at 2pm.