

# MINUTES

## NEW JERSEY STATE BOARD OF ARCHITECTS

June 13, 2013

Public Session

### I CALL TO ORDER

The regularly scheduled meeting of the Board was called to order at 9:17 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	Michael G. Soriano, RA	(X)	( )	( )	
Vice President	Arthur F Margiotta, RA	(X)	( )	( )	
Board Member	Obiora Agudosi, RA	(X)	( )	( )	
Board Member	Diane Goté, CID	(X)	( )	( )	
Board Member	Kishor Y Joshi, 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	Albert Zacccone, RA	(X)	( )	( )	
Board Member	Architect Member				
Board Member	Landscape 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 the Board of Architects; Margaret Hinkley, Secretary to Executive Director of the Board of Architects; Joseph Abello III and Beverly Rankin of the Board of Architects.

**ALSO PRESENT:** Justin Mihalik, AIA; Jason Piest and Elizabeth Greenblatt, 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*.

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**III APPROVAL OF MINUTES**

*May 9, 2013*

**ACTION:** Mr. Zaccone motioned to approve of the minutes as presented. Mr. Joshi seconded the motion. It passed unanimously.

**IV ANNOUNCEMENTS**

Mr. Soriano announced the following:

- The investigative inquiry with the respondent pertaining to ITEM No. 65129 has been re-scheduled for the September meeting.
- That he and Messrs. Margiotta and Zaccone along with Acting Executive Director Charles Kirk will be attending the NCARB National meeting in San Diego, California, June 17

**V OLD BUSINESS**

**1 Petition for Rulemaking - Site Plan Rule**

Copy of a letter dated April 3, 2013, from Richard W. Gaeckle of Hoagland Longo filed a Petition for Rulemaking to N.J.A.C. 13:27-7.3 on behalf of their client, the petitioner, NJ Chapter of the American Society of Landscape Architects, concerning the Site Plan Rule. On April 11<sup>th</sup>, Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs, met with the Board to discuss the Petition for Rulemaking. Copies of the acknowledgment letter and notice of receipt filed with the Office of Administrative Law were distributed to all board members present. The Board determined to form a committee to review the petition and will further discuss the matter. On May 9<sup>th</sup>, the full Board was informed that the sub-committee held a conference call to discuss the petition as well as the recommendations of rule change made by the petitioner. Mr. Picatagi thanked the Board for their support on this issue. Mr. Zaccone motioned to refer the petition at this time.

**ACTION:** The Board was informed that the petition is within the 90 day period and is still under delineation by all boards involved in the site plan rule.

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- 2 Early Eligibility for admission to take the ARE  
On April 11, 2013, the Board reviewed a copy of an e-mail dated April 8, 2013, from Jason Peist, concerning Early Eligibility for admission to take the Architectural Registration Examination. Mr. Piest was also present at the meeting and made an oral presentation to the Board pertaining to his letter concerning early eligibility for admission to take the ARE. The Board thanked Mr. Piest for his additional comments and informed him that they would review this matter further. On May 9<sup>th</sup>, the Board reviewed a copy of a letter dated April 11, 2013, from Jason Peist thanking the Board President for letting him present his idea for the “Initiative for Early Eligibility for the Architect Registration Examination (ARE) in New Jersey” to the Board and offered to provide more information to the Board on this subject. A sub-committee of the Board was established to research and discuss this matter. The sub-committee will work with DAG B Michelle Albertson and Regulatory Analyst Elizabeth Greenblatt to determine if the Board’s statutes would permit the Board to offer this opportunity to ARE candidates.

**ACTION:** Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs, informed the Board that she has done some research into the matter. The sub-committee will hold a conference call to discuss this matter further.

**VI NEW BUSINESS**

- A Meeting dates for 2014 Calendar year

January 9, 2014	July 10, 2014
February 13, 2014	No August Meeting
March 13, 2014	September 11, 2014
April 10, 2014	October 9, 2014
May 8, 2014	November 13, 2014
June 12, 2014	December 11, 2014

**ACTION:** Mr. Zacccone motioned to approve the above meeting dates. Mr. Agudosi seconded the motion. It passed unanimously.

- B Legislation

S-2727 - Establishes “Study Commission on E-Licensing” is attached for Board review and discussion.

**ACTION:** Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs, informed the Board that the legislation establishes a commission to study the e-licensing process for New Jersey. The Board expressed its concern with the application requiring a notary, submission of reference form which contain a professional’s seal, the submission of original transcripts (landscape architects) that do not have a CLARB council record.

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C Landscape Architect Continuing Education Course review report

APPROVE

- 1 Woody Plant Conference - July 19, 2013 – 8 hrs
- 2 2013 ASLA Annual Meeting and Expo - Nov 15-18, 2013 - 11/15/13 - 8 hrs (am & pm workshops) OR 6 hrs (field or education) 11/16/13 - 4 hrs (General + education sessions) 11/17/13 - 4 hrs (General + education sessions) 11/18/13 - 6 hrs (education sessions)

**ACTION:** Mr. Picatagi motioned to approve the above courses as noted. Mr. Joshi seconded the motion. It passed unanimously.

D Correspondence

- 1 NCARB Resolutions that will be voted upon at the NCARB Annual Meeting:
  - I Resolution 2013-01 - *Model Law and Regulations* Amendment - Use of Electronic Seals and Signatures
  - ii Resolution 2013-02 - *Certification Guidelines* Amendment - Alternative to Education Requirement
  - iii Resolution 2013-03 - *Certification Guidelines* Amendment - Modifications to Broadly Experienced Architect Terminology (section 2.2)
  - iv Resolution 2013-04 - *Certification Guidelines* Amendment - Modification to Broadly Experienced Foreign Architect Terminology (section 5.4)
  - v Resolution 2013-05 - *Bylaws* Amendment - Eligibility for the Public Director Position
  - vi Resolution 2013-06 - *Inter-Recognition Agreement with Canada* - Update and Conforming Changes to *Certification Guidelines*

**ACTION:** Mr. Zaccone motioned to to authorize the delegates to vote on the resolutions based on information discussed at the meeting. Mr. Picatagi seconded the motion. It passed unanimously.

E Interior Design Examination and Evaluation Committee

March 4, 2013 minutes

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

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F Information

- 1 Copy of NCARB News Clips pertaining to Reduced Fees for BEA Program is attached for Board information.

**ACTION:** Duly noted.

- 2 Copy of May 2013 CLARB Member Board E-News is attached for Board information.

**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

Bejarano, Enrique A\*  
Vedelago, Todd J\*  
Gallagher, Daniel G\*  
Mroz, Derrick J\*  
Baker, George R III\*

Hugo, John A\*  
Mistretta, John A\*  
Marsh, George E\*  
Faulkner, Katherine W\*  
Ebbrecht, Bogue L\*

Myers, Richard L\*  
Barry, Donald F\*  
Avazier, Paul J\*  
Seger, James D  
Laroia, Anjali K\*

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

**BOARD REVIEWED**

Korman, Clifford\*

**ACTION:** The Board requested staff check with NCARB to see if the exam Mr. Korman took is substantially equivalent to the ARE exam.

Melton, Thomas L\*

**ACTION:** Subsequent to reviewing the information in executive session, Mr. Margiotta motioned to hold this application and request additional information from Mr. Melton. Mr. Picatagi seconded the motion. It passed unanimously.

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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:

Jonathan Kuybida  
Tamia Patrick

Joshua Lindemans

Caitlin L Olivo

**ACTION:** Mr. Margiotta motioned to approve of the above individuals to take the Architectural Registration Examination. Mr. Netta seconded the motion. It passed unanimously.

Christopher M Sullivan -

On May 9<sup>th</sup>, the Board unanimously voted to table his application and seek additional information from NCARB regarding the type of experience obtained from one of Mr. Sullivan's employers and the correct category in the IDP program.

6/13/13 Attached is the response from NCARB concerning Mr. Sullivan's experience in the IDP program for board review.

**ACTION:** Subsequent to reviewing the additional information and some discussion, Mr. Agudosi motioned to approve Mr. Sullivan to take the Architectural Registration Examination. Mr. Netta seconded the motion. It passed by a vote of five to four in favor. Motion carried.

**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:

Jaime A Capron

Severine M Rennie

Victoria M Vinci LaRosa

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

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**D Certificate/s of Authorization**

- 1 BNIM ARCHITECTURE, LLC** **Architecture**  
106 W 14<sup>th</sup> Street - Ste 200  
Kansas City MO 64105

Responsible Architect: Charles S Cassias - License #AI019190

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 in business with an unlicensed individual who owns 0% of the shares. This application appears to comply with statutory requirements.

- 2 NEW ROAD CONSTRUCTION MANAGEMENT, INC.** **Architecture**  
1876 Greentree Road  
Cherry Hill NJ 08003

Responsible Architect: G Scott Weitz - License #AI008645

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by three New Jersey licensed architect who own 100% of the shares in business with two unlicensed individuals who own 0% of the shares. This application appears to comply with statutory requirements.

- 3 THE PETTIT GROUP, INC** **Architecture+**  
497 Center Street  
Sewell NJ 08080

Responsible Architect: David J Markowski - License #AI017935

Summary: This application for a Certificate of Authorization to offer architectural and closely allied professional services is submitted by a New Jersey licensed architect and a professional engineer who own 100% of the shares. This application appears to comply with statutory requirements.

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- 4 HLW INTERNATIONAL ARCHITECTURE AND ENGINEERING LLC Architecture+**  
115 Fifth Avenue  
New York NY 10003

Responsible Architect: John P Gering - License #AI014960

Summary: This application for a Certificate of Authorization to offer architectural and closely allied professional services only is submitted by a New Jersey licensed architect and a professional engineer who own 67% of the shares in business with an unlicensed individual who owns 33% of the shares. This application appears to comply with statutory requirements.

- 5 PRDG, LLC Architecture**  
748 Madison Street  
Coppell TX 75019

Responsible Architect: Paul Donaldson - License #AI018479

Summary: This application for a Certificate of Authorization to offer architectural services only is submitted by a New Jersey licensed architect who owns 67% of the shares in business with two unlicensed individuals who owns 33% of the shares. This application appears to comply with statutory requirements.

- 6 MPC ARCHITECT, LLC Architecture**  
3 Warrior Way  
Trenton NJ 08690

Responsible Architect: Maria S Polar-Cummings - License #AI019075

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.

- 7 GARY R O'CONNOR-ARCHITECT, LLC Architecture**  
102 No. Union Street  
Lambertville NJ 08530

Responsible Architect: Gary R O'Connor - License #AI011652

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. Margiotta motioned to issue a Certificates of Authorization to the above seven firms. Mr. Mraw seconded the motion. It passed unanimously.

**VIII LANDSCAPE ARCHITECT APPLICATION REVIEW**

**A Licensure without examination:**

The following individual submitted a completed application for licensure without examination and are recommended for licensure. \* - CLARB Council Record Holder

Hunton, Michael A\*

**ACTION:** Mr. Picatagi motioned to license the above individual inasmuch as he has complied with the requirements for licensure without examination. Mr. Joshi seconded the motion. It passed unanimously.

**B Certificate/s of Authorization**

The following firms have submitted completed applications for a Certificate of Authorization and are recommended for approval.

- 1 BARRY ISETT AND ASSOCIATES** **Landscape Architecture**  
85 So. Route 100  
Allentown PA 18106  
Responsible Landscape Architect: Bryan N Smith - License #AS001021
- 2 HART HOWERTON INC.** **Landscape Architecture**  
10 East 40<sup>th</sup> Street  
New York NY 10016  
Responsible Landscape Architect: Anne H Howerton - License #AS001014
- 3 MAHAN RYKIEL ASSOCIATES INC** **Landscape Architecture**  
800 Wyman Park Drive - Ste 100  
Baltimore MD 21211  
Responsible Landscape Architect: Lydia Kimball - License #AS001151
- 4 ENVIRONMENTAL RESOLUTIONS INC** **Landscape Architecture**  
525 Fellowship Road - Ste 300  
Mt Laurel NJ 08054  
Responsible Landscape Architect: Timothy G Kaluhiokalani - License #AS000288

**ACTION:** Mr. Picatagi motioned to recommend issuing Certificates of Authorization to the above four firms. Mr. Zaccone seconded the motion. It passed unanimously.

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**IX PUBLIC COMMENTS**

Jason Piest was present and addressed the early eligibility to take the ARE and offered his recommendation of the Board or sub-committee consider allowing candidates take all sections of the exam instead of limiting the number of exam sections with a minimum of six months to one year in the IDP program before taking the ARE.

Justin Mihalik, AIA, was present and addressed the following:

- The NCARB resolution pertaining to the Mutual Recognition Agreement between NCARB and the Canadian Architectural Licensing Authorities.
- That AIA will be having a meeting with the Department of Community Affairs (DCA) to discuss the policies and where the Architect fits in with the Rehabilitation program by DCA.
- “Good Samaritan Law” in New Jersey for Architects and Engineers which the trial lawyers are dragging their feet on the issue and that Senator Greenwald has called for a meeting between the lawyers and AIA. AIA will proceed with legislation if no meeting is held to discuss the matter.
- Disciplinary actions taken by the Board that are older than 10 years are on the Board’s website. Mr. Mihalik requested if the Board considered expunging the matters that are older than 10 years. The Board was informed that disciplinary matters cannot be removed from the website once before when the request for removing them was presented.
- Thanked the Board for a recent action taken on a complaint.

**X CLOSED CASES**

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

- 1 ITEM NO. 90254 - VANDERHOOF, Wayne W - AI007960
- 2 ITEM NO. 88843 - BREZINSKI, Douglas - AI011608
- 3 ITEM NO. 90778 - COANE, Robert P - AI010593
- 4 ITEM NO. 86890 - BEN-GUY, David - Unlicensed
- 5 ITEM NO. 88654 - PIMPAO, Edmund J. - AI011401

**XI EXECUTIVE SESSION**

Mr. Picatagi motioned to go into executive session to review the minutes and other items on the executive session agenda. Mr. Joshi seconded the motion. It passed unanimously.

