

MINUTES

NEW JERSEY STATE BOARD OF ARCHITECTS

September 12, 2013

Public Session

I CALL TO ORDER

The regularly scheduled meeting of the Board was called to order at 9:22 am in the Union Conference Room on the third (3rd) floor at 124 Halsey Street, Newark, New Jersey.

PARTICIPANTS		PRESENT	ABSENT	EXCUSED	
President	Arthur F Margiotta, RA	(X)	()	()	
Vice President	Nicholas J. Netta, 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	Richard Picatagi, LLA	(X)	()	()	
Board Member	Michael G. Soriano, RA	()	()	(X)	
Board Member	Albert Zaccone, 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; and Martha Richardson staff member of the Board of Professional Engineers and Land Surveyors.

ALSO PRESENT: Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs and Justin Mihalik, on behalf of AIA Legislature and Governmental Affairs Committee

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

July 11, 2013

Editorial changes were made to pages 2, 8, 9 and 10

ACTION: Mr. Joshi motioned to approve of the minutes as amended. Ms. Goté seconded the motion. Mr. Zaccone abstained. Motion carried.

IV ANNOUNCEMENTS

Mr. Margiotta announced the following:

- The Division of Consumer Affairs Director Eric Kanefsky and Mary Ann Sheehan, Deputy Director visit with the Board has been postponed until the October meeting.
- Investigative inquiry with the respondent pertaining to ITEM No. 89275 is scheduled for 11 am.

Mr. Kirk announced that Martha Richardson, staff member of the Board of Professional Engineers and Land Surveyors is attending the Board's meetings as part of cross training with Peggy Hinkley from the Board of Architects staff, as a result of the merging of the office personnel at the Division's request. Likewise Peggy will be attending the Board of Professional Engineers and Land Surveyors meetings.

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 11th, 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 9th, 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. On June 13th, 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. On July 11th, Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs, was present and informed the Board of where the process stands as of today. The Board of Professional Engineers and Land Surveyors and the Board of Professional Planners are scheduled to meet within the next two weeks to review the draft proposal of the changes

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to the Site Plan Rule. Subsequent to the discussion, the Board unanimously voted to grant the petition. Subsequent to reviewing the draft proposal, the Board unanimously voted to approve the proposed regulations.

ACTION: Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs, was present to give the Board a status update on the petition. The petition was filed August 20th in Trenton and is currently on the Governor's desk for review and signature.

- 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 9th, 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. On June 13th, Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs, informed the Board that she has done some research into the matter. The sub-committee decided to hold a conference call to discuss this matter further. On July 11th, Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs, was present and informed the Board that concerns were raised during the conference call and upon speaking with DAG Albertson, she also had some concerns. Ms. Greenblatt has drafted a proposal based on the discussion of the conference call. A second conference call with the sub-committee plus DAG Albertson and Ms. Greenblatt will be scheduled.

9/12/13 Report from sub-committee.

ACTION: Elizabeth Greenblatt, Regulatory Analyst, Division of Consumer Affairs, was present. DAG Albertson informed the Board that a sub-committee was formed to consider unbundling the education, experience and examination requirement. Upon doing research for this matter, it was noted that some of the reference materials did not contain the full statute which states in part "Applicants for the exam shall present to the Board a written application form together with proof...has fulfilled the education and experience requirements..." Therefore, it was determined that the Board cannot consider early eligibility to the ARE for its applicants because it is prohibited by the statute. The Board determined to send a letter to Jason Piest, who initiated the request for the board to consider early eligibility, a letter advising that it is prohibited by the statute.

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VI NEW BUSINESS

A Landscape Architect Continuing Education Course review report

APPROVE

- 1 “Where feet meet the street: Innovative Public/Private Placemaking Projects” for 6 hours
- 2 2013 Mid-Atlantic (2-day) Conference of the American Water Resources Association for 6 hours / 12 hrs total

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

B Information - September agenda

- 1 Copy of July 2013 Member Board E-News from CLARB is attached for Board information.

ACTION: Duly noted

- 2 Copy of NCARB News Clips pertaining to a Summary Report of Vote on Resolutions at NCARB’s Annual Meeting held in San Diego, California 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

Thompson, Michael J*
Dechen, Kimberly A*
Hanson, Leslie L
Tymoff, John S*
Ryan III, Richard J*
Scotto Jr, Thomas P*
Sclarow, Steven E*
Paul, Gerard P
Katz, Lester J
Feng, Zhi*

Ahmed, Tania*
Smith, Thomas F*
Singer, William M
Fuquay, Jeffrey J*
Townsend, Todd S*
Murphy, Robin A*
Culver, John H*
Barker, Elliot S*
Booher, Pierson W*

Ganopolskiy, Vitaly
Falstad, Michael A*
Yen, Anthony T
Gilliland, James R*
Weinberg, David L*
Giresi, Brad A*
Poisson, Todd R
Huang, George Y*
Schlaen, Silvia R*

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

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BOARD REVIEWED
Melton, Thomas L*+

ACTION: Subsequent to reviewing the information, Mr. Netta motioned to approve Mr. Melton for licensure by credentials. Mr. Joshi seconded the motion. It passed unanimously.

Siano, Michael J*+

ACTION: Subsequent to reviewing the information, Mr. Netta motioned to approve Mr. Siano for licensure by credentials. Mr. Joshi seconded the motion. It passed unanimously.

B. Applications for Examination

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

Gary C Bielick Jr	James M Lopes	E r i k a Steinmann
Orachut Leoviriyakit, PE	James B Mastronardy PE	Rodolf o V Vazqu ez PE
Shen Jian Tung - PE	Tina M Graffeo	Marc J SoHayda

ACTION: Mr. Netta motioned to approve of the above individuals to take the Architectural Registration Examination. Mr. Zacccone 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:

Daniel E Bakogiannis	Brian Berzinskis	Leanne Bridge
Lennox F Brown	Peter P Ibrahim	Fernando Ventura
Christopher M Wolverton	Timothy H Haahs - PE	

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

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D Certificate/s of Authorization

- 1 DURDEN-FRIZZELL DESIGN LLC** **Architecture**
1605 Bay Avenue
Pt Pleasant NJ 08724

Responsible Architect: Verity L. Frizzell - License #AI013780

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 ND ARCHITECTURE LLC** **Architecture**
100 Canal Point Blvd
Princeton NJ 08540

Responsible Architect: Peter Lagomarsino - License #AI019417

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.

- 3 3 NORTH, LLC** **Architecture**
201 W. 7th Street
Richmond VA 23224

Responsible Architect: David W Rau - License #AI016019

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

ACTION: Mr. Netta motioned to issue a Certificates of Authorization to the above three firms. Mr. Zaccone seconded the motion. It passed unanimously.

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- 4 STUDIO 200 ARCHITECTURE LLC** **Architecture+**
2399 Hwy 34 - Bldg D-3
Manasquan NJ 08736

Responsible Architect: John Burgdofer - License #AI012599

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

ACTION: Mr. Netta is recused from this application inasmuch as he is friends with the noted architect. Mr. Zaccone motioned to issue a Certificates of Authorization to Studio 200 Architecture LLC. Mr. Joshi seconded the motion. Motion carried

- 5 STUDIOHILLIER, LLC** **Architecture**
190 Witherspoon Street
Princeton NJ 08542-3221

Responsible Architect: Barbara A Hillier - License #AI019093

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.

- 6 SANDER/WISEMAN, LLC** **Architecture+**
659 Van Meter Street
Cincinnati OH 45202

Responsible Architect: William H Sander - License #AI009482

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 owns 67% of the shares in business with an unlicensed individual who owns 33% of the shares. This application appears to comply with statutory requirements.

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- 7 K & A ARCHITECTURE INC** **Architecture**
1204 E Dorothy Lane
Kettering OH 45419

Responsible Architect: Donald P Kiley - License #AI019363

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.

- 8 LOLIO ARCHITECTS, LLC** **Architecture**
299 White Horse Pike
Atco NJ 08004

Responsible Architect: Robert J Lolio - License #AI019353

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.

- 9 KLEIN AND HOFFMAN, INC** **Architecture+**
150 S. Wacker Drive - Ste 1900
Chicago IL 60606

Responsible Architect: Jon M. Boyd - License #AI017084

Summary: This application for a Certificate of Authorization to offer architectural and closely allied professional services is submitted by three New Jersey licensed architects and two professional engineers who own 68.76% of the shares in business with three unlicensed individuals who own 31.24% of the shares. This application appears to comply with statutory requirements. On July 11th, subsequent to reviewing the application, the Board unanimously voted to put this application on hold and send a letter requesting a clarification of what they intend to do with the outstanding shares.

9/12/13 Copy of a letter dated July 23, 2013, is attached along with the application for Board review.

ACTION: Mr. Netta motioned to issue a Certificates of Authorization to the above five firms. Mr. Zaccone seconded the motion. It passed unanimously.

VIII LANDSCAPE ARCHITECT APPLICATION REVIEW

A Licensure without examination:

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

Jones, Mary Margaret*

ACTION: Mr. Picatagi motioned to license the above individual inasmuch as she 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 VAN CLEEF ENGINEERING ASSOCIATES LLC** **Landscape Architecture**
339 Amwell Road
Hillsborough NJ 08844
Responsible Landscape Architect: Kevin A Kester - License #AS000540
- 2 DLANDSTUDIO LLC LIMITED LIABILITY COMPANY** **Landscape Architecture**
137 Clinton Street
Brooklyn NY 11201
Responsible Landscape Architect: Susannah C Drake - License #AS001102
- 3 CREST ENGINEERING ASSOCIATES INC.** **Landscape Architecture**
100 Rike Drive
Millstone NJ 08535
Responsible Landscape Architect: Richard P Wiener - License #AS000464
- 4 CDM SMITH INC.** **Landscape Architecture**
50 Hampshire Street
Cambridge MA 02139
Responsible Landscape Architect: Michael A Dodson - License #AS001159
- 5 DW SMITH ASSOCIATES LLC** **Landscape Architecture**
149 Yellowbrook Road - Ste 101
Farmingdale NJ 07727
Responsible Landscape Architect: Nicholas Ginther - License #AS0011454

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6 SITE RESOURCES INC.

14315 Jarrettsville Pike
Phoenix MD 21131-0249

Responsible Landscape Architect:

Kevin P. Riley - License #AS000906

Landscape Architecture

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

IX CLOSED CASES sample only

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

1 ITEM NO. 89929 - ARJANI, Jasvinder - AI007960

X PUBLIC COMMENTS

Justin Mihalik, on behalf of AIA Legislature and Governmental Affairs Committee, was present and informed the Board that the AIA committee will be discussing digital signatures. He inquired about the early eligibility to take the ARE issue and was informed that the Board is prohibited from doing this based on the statute. Mr. Mihalik informed the Board that the Good Samaritan Legislation is expected to be passed and AIA will be holding a press conference on the anniversary of Hurricane Sandy to make the announcement. He also inquired about NCARB's Mutual Recognition Agreement with Canada and the Board's position. The Board informed him that the letter has been distributed to all of NCARB's Member Boards, however, New Jersey has not discussed this matter yet. Mr. Mihalik raised the issue of architects being employed by developers and whether that may or may not be illegal. AIA will be discussing this issue next year and may be making recommendations to the Board to change its regulations concerning this issue. He also inquired as to the audit of Certificate of Authorization firms. Mr. Kirk informed him that the staff will begin working on the audit in the coming months.

XI EXECUTIVE SESSION

Mr. Picatagi motioned to go into executive session to review the minutes, hold the investigative inquiry and review other items on the executive session agenda. Ms. Goté seconded the motion. It passed unanimously.

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XII NEXT MEETINGS

October 10, 2013	Regular Meeting	Union Room - 3 rd Floor
	Investigative inquiry with the respondent pertaining to ITEM No. 91641 @ 11am	
November 14, 2013	Regular Meeting	Union Room - 3 rd Floor
December 12, 2013	Regular Meeting	Union Room - 3 rd Floor

XIII ADJOURNMENT

The meeting was adjourned at 2 pm.