

**STATE BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
Minutes of April 2, 2009
Public Session**

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by Board President James Valenti at 9:00 a.m. at 124 Halsey Street, 3rd Floor, Union Conference Room, Newark, New Jersey. All parties were duly notified of the time, date and place, with all pertinent material being provided.

SUNSHINE LAW ANNOUNCEMENT

Board President Valenti read the statement required by Chapter 231, Laws of 1975 known as the Open Public Meetings Act, and announced that notice of this meeting was prepared in the office of the Board and mailed to the Secretary of State, the Newark Star-Ledger, Trenton Times, the Camden Courier Post, Bergen Record, and the Atlantic City Press.

Present: James Valenti Barry Jones
James Purcell Lawrence Koo
Michael Angeline Robert Marshall
James Cleary Edward Vernick
Richard Frantz Perry Schwartz

Absent: None

Others: Arthur Russo, Executive Director, Michelle Albertson, Deputy Attorney General, Joseph Grabowy, Assistant to the Executive Director, staff members Martha Richardson, Yolanda Winston, and two members of the public.

APPEARANCE BY PATRICIA SCHIRIPO, REGULATORY ANALYST

Ms. Schiripo appeared before the Board to discuss the proposed changes to the Home Inspection Advisory Committee's regulations.

The Board on a motion by VP Purcell, second by BM Schwartz, voted to accept the changes as presented by the Home Inspection Advisory Committee.

REVIEW OF THE MINUTES

January 15, 2009

After reviewing the minutes of January 15, 2009 and on a motion by BM Vernick, seconded by BM Frantz, the Board voted to accept the minutes as amended.

February 5, 2009

After reviewing the minutes of February 5, 2009 and on a motion by BM Schwartz, seconded by BM Angeline, the Board voted to accept the minutes as amended.

March 5, 2009

After reviewing the minutes of March 5, 2009 and on a motion by BM Cleary, seconded by BM Schwartz, the Board voted to accept the minutes as amended.

COMMITTEE REPORTS

Legislation

Senate Bill # 1805 - Permits the removal of a state board, commission or independent authority member for their failure to attend three consecutive meetings thereof without good cause.

The Board generally supports this bill, but believes it is intended for those members highly paid (over \$100,000 annually).

Senate Bill # A2962/S1987 - Establishes licensing program for site remediation professionals: changes laws concerning site remediation.

BM Vernick informed the Board that this bill passed both houses on March 16, 2009 and will most likely be signed by the Governor.

Assembly Bill # A3835 - Requires professional engineers to complete 24 hours of continuing professional competency during each biennial licensure period.

This matter will be tabled to the next meeting.

Joint Committee

BM Schwartz informed the Board that the April 7, 2009 Joint Committee meeting was cancelled due to a lack of agenda items.

Education

BM Schwartz presented to the Board a draft letter to the NJ Department of Education informing them that the Board supports their efforts to promote science and technical career in grades K thru 12 via the STEM (Science, Technology, Engineering & Mathematics) program.

The Board on a motion by BM Frantz, second by BM Jones, voted to approve the draft letter with amendments. It will be sent to Deputy Director Lawrence DeMarzo for final approval and release.

Licensure Promotion

Staff member Martha Richardson stated that scheduling is under way to attend Rowan University. In addition, the Board is scheduled to attend Fairleigh Dickinson University, Teaneck, NJ, on either May 6, or May 8, 2009.

BP Purcell will be added and BM Schwartz will be removed from this Sub-Committee.

Contract Renewal Committee

BP Valenti informed the Board that after he and the other Sub-Committee members met with Kenneth Dietel, Division of Purchase and Property, Purchase Bureau, that perhaps by the May Board meeting the final contract for the administration of its professional examinations will be in place.

BP Valenti also stated that the administrative fees charged by Professional Credentials Services (PCS) in other States are in line with those charged to New Jersey applicants.

Continuing Education

On a motion by BM Angeline, second by BM Cleary, the Board voted to approve the following continuing

education courses:

SPONSOR COURSE PDH

McKissock 100% Education Creating & Transferring Rights in Real Property 5

McKissock 100% Education Evidence, Exhibits, and Testimony 8

McKissock 100% Education PLSS: The Basics 10

McKissock 100% Education PLSS: Applications 5

McKissock 100% Education Coastal Water Boundaries 12

McKissock 100% Education Fundamentals of Boundary Control 8

McKissock 100% Education Advanced Land Descriptions 14

McKissock 100% Education Floods Happen: Where and Why 1

McKissock 100% Education What Can GIS Do for You? A Look at Case Studies 3

McKissock 100% Education Rights and Responsibilities in the Lands of Others 3

McKissock 100% Education Water Rights 3

McKissock 100% Education Documentation: Self Defense for Professionals 3

Traverse PC Inc. On line Drafting Tutor 1

National Geodetic Survey & N.C. Precise Leveling 15

John T. White (Leica Geosystems Inc.) Practical RTK Basics 16

John T. White (Leica Geosystems Inc.) Basic GPS Course 24

John T. White (Leica Geosystems Inc.) Coordinate Systems & Transportation 8

In GPS Surveying

John T. White (Leica Geosystems Inc.) Robotic Surveying 16

John T. White (Leica Geosystems Inc.) GPS Data Processing w/LGO 8

REPORT OF THE EXECUTIVE DIRECTOR

General Report

Executive Director Russo informed the Board that based on its nomination, former BM Louis Raimondi, PE, PLS, was awarded the NCEES - Engineer Achievement Award BP Valenti will attend the 2009 NCEES Northeast Zone Interim Meeting on April 16 - 18, 2009 in Norfolk, VA.

ED Russo informed the Board that PCS has received the Land Surveyors Data Bank questions and the review process is now complete.

Executive Director Russo mentioned he received an inquiry from the Executive Director of the Delaware State Board of Professional Engineers and Land Surveyors regarding the processing of its verifications. The

Executive Director was asked by BP Valenti to provide a report in the future.

ED Russo distributed a proclamation from the NJSPLS recognizing the contributions of professional land surveyors.

- NCEES October 2008 Examination Pass Rates

This correspondence was noted for the record.

- NCEES Examination reminders for 2009

This correspondence was noted for the record.

INCOMING CORRESPONDENCE

Jerry Carter, Dir., NCEES
Re: Computer Based Testing (CBT)
March 20, 2009

Mr. Carter is gathering information regarding the conversion of examinations to a computer based testing format. This survey was reviewed by the Board and will be responded to by Executive Director Russo.

James Hsu, Exec. Dir., Board of Architects
Re: Permissible Division of Responsibility in submission of site plans and/or subdivision plans
March 13, 2009

Dr. Hsu is requesting the presence of members at an April 7, 2009 dated meeting, regarding the above regulation which involves professional practices. The Board was informed that this meeting was adjourned.

On a motion by BM Cleary, second by BM Jones voted to create the Site Plan Committee, for the purpose of addressing site plans and or subdivision plans.

Lawrence Gonnello
Re: Permissible Division of Responsibility
March 13, 2009

Mr. Gonnello is requesting advice from the Board regarding the design of a building.

The Board discussed this correspondence and determined that it lacked sufficient information to render a proper response. Thus, on a motion by BM Vernick, second by BM Schwartz, the Board voted to refer Mr. Gonnello to the regulations regarding the Building Design Services Act and to forward any additional questions to the Joint Committee.

Marita Quinn
Re: Request for Interpretation of N.J.A.C. 13:40-3.5(a)4i
March 18, 2009

Ms. Quinn is requesting an interpretation of the regulations regarding the enumeration of prohibited acts.

The Board reviewed this correspondence and on a motion by BM Cleary, second by BM Angeline, voted to inform Ms. Quinn that based upon the facts presented her scenario may require disclosure, and that she also seek legal counsel.

James Rongoe, PE
Re: Revisions on Drawings
March 11, 2009

Mr. Rongoe is requesting clarification whether revisions can be made to an existing drawing.

The Board discussed this matter and on a motion by VP Purcell, second by BM Angeline, voted to inform Mr. Rongoe that based upon the facts presented in his correspondence, his proposed option involving a business practice issue is acceptable. Also, Mr. Rongoe will be informed to seek legal counsel and to obtain a Certificate of Authorization if his company is offering engineering services in New Jersey.

George E. Logothetis
Re: Questions for the Board of Engineers
March 4, 2009

Mr. Logothetis has various questions for the Board regarding an engineers' scope of practice.

After reviewing this matter the Board will refer Mr. Logothetis to its statutes and regulations on this issue and advise him to seek legal counsel.

OUTGOING CORRESPONDENCE

This correspondence was noted for the record.

REVIEW OF APPLICATIONS

The Board, on a motion by BM Marshall, second by BM Schwartz, voted unanimously to approve the following applications as indicated:

APPROVED APPLICATIONS FOR APRIL. 2, 2009

NAME APPLICATION # PE/EIT DECISION

Anthony Devizio 1384992 Exam Take LSIT

Andrew Kubiak 1371260 Exam Take LSIT

Brian Starrett 1342660 Comity Grant License

Chad Wisler 1353351 Comity Grant License

Basem Mounas 1359686 Comity Grant License

David Tootle 1381436 Comity Grant License

James Kane 1371577 Comity Grant License

Justin Majzel 1393579 Comity Grant License

Donovan Fairclough 1387882 Exam Take F & AIN

Rainer Niederoest 1272638 Exam Take P

Justin Hardy 1337674 Comity Grant License

Richard Grow 1354435 Comity Grant License

Karla Ritter 1367700 Comity Grant License

Alberto Quiroz 1367754 Exam Take F & P

Brian Freber 1375611 Comity Grant License

Erik Vieira 1370737 Exam Take P

Joseph Bambara 1366649 Comity Grant License

Mitchell Weaver 1361588 Comity Grant License

Scott Davis 1381597 Comity Grant License

Edward Brown 1381446 Comity Grant License

William Bennett 1025079 Comity Grant License

Scott Walsh 1369353 Comity Grant License

Ronald Schneider 1359961 Comity Grant License

Mark Brown 1366714 Comity Grant License

Christopher Shaffer 1370468 Comity Grant License

Robert Anderson 1381476 Comity Grant License

Nalini Chandran 1381580 Comity Grant License

George Korley 976583 Comity Grant License

Randall Harris 1374706 Comity Grant License

Eileen Feldman 1318947 Comity Grant License

Adrian Powell 1029304 Comity Grant License

Kunjan Shukla 1381483 Exam Take P

The Board, on a motion by BM Marshall, second by BM Schwartz, voted unanimously to request additional information from the following applicants for licensure:

Randall Bagwell 1388988 Comity AIN

Arthur Fernandez 1371054 Exam AIN

Gilbert Brindley 1385323 Comity AIN

Richard Halteman 1354285 Comity AIN

Jerod Faris 1369364 Comity AIN

John Mitchell 1381453 Comity AIN

Randall Harris 1374706 Comity AIN

John Carey 1370471 Comity AIN

Mehmet Ozyemisci 1358763 Exam AIN

Andre Rodumus 1331372 Exam AIN

Sammy Ip 1355147 Comity AIN

Richard Long Jr. 1361630 Comity AIN

Maqbool Mohammed 1370771 Exam AIN

Richard Adams 1391298 Comity AIN

David Kimas 1393531 Comity AIN

Jonathan Greenberg 1355199 Exam AIN

Jere Murdoch 1320237 Exam AIN

A.I.N. = Additional Information Needed

CERTIFICATES OF AUTHORIZATION

The Board on a motion by BM Frantz, second by BM Angeline, voted to approve the following companies for a Certificate of Authorization:

MARCH ADAMS & ASSOCIATES, INC.

310 Dodds Avenue
P.O. Box 3689
Chattanooga, TN 37404
Application # 1403039

BIPIN ASSOCIATES, LLC

2 Saylor Court
Plainsboro, NJ 08536
Application #1399709

AREA SURVEYING, LLC

63 Western Avenue
Jersey City, NJ 07307
Application # 1406881

SEI ENGINEERS, INC.

65 Hidden Ravines Dr.
Powell, OH 43065
Application #1399962

BERKEL & COMPANY CONTRACTORS, INC.

2649 s. 142ND Street
Bonner Spring, KS 66012
Application # 1406920

GHAFAARI ASSOCIATES, LLC

17101 Michigan AvenueB Dearborn, MI 48126
Application #1406875

RUDELL AND ASSOCIATES, INC.

11-11 40TH Avenue
Long Island City, NY 11101
Application #1408167

HARRIS CONSULTING ENGINEERS, LLC
6630 Surrey St., #100
Las Vegas, NV 89119
Application # 1408165
SCHWEITZER ENGINEERING LABORATORIES, INC.
2350 NE Hopkins Court
Pullman, WA 99163
Application # 1409723

BOHLER ENGINEERING NJ, LLC
35 Technology Drive
Warren, NJ 07059
Application # 1408165

FULL BOARD REVIEW

KunJan Shukla, Application #1381483

The Board on a motion by BM Marshall, second by BM Schwartz, voted to allow Mr. Shukla to sit for the principles and practices portion of the engineering examinations.

Vijay Puppala, Application #1333457

The Board on a motion by VP Purcell, second by BM Vernick, voted to approve his education and to allow Mr. Puppala to sit for the principles and practices portion of the engineering examinations.

Jonathan Greenberg, Application #1355199 (Recused BM Vernick)

After reviewing this application the Board on a motion by VP Purcell, second by BM Cleary, voted to request that Mr. Greenberg provide an additional reference from a direct supervisor.

Jere Murdoch, Application # 1320237

The Board on a motion by BM Vernick, second by BM Schwartz, voted to request additional PE references and updated detailed statement of experience from Mr. Murdoch when he attains four years of experience from the date of his graduation (January 2006).

Stephen Yuan, Application # 940716

The Board on a motion by BM Cleary, second by BM Frantz, voted to request additional references from Mr. Yuan.

Thomas Patterson, Application # 1375620

The Board on a motion by BM Cleary, second by BM Marshall, voted to advise Mr. Patterson to obtain an evaluation of his degree from the University of Bridgeport since it is not ABET accredited.

Charles Besjak, Application # 1361586

After reviewing this application the Board on a motion by BM Cleary, second by BM Frantz, voted to request that Mr. Besjak provide an evaluation of his education.

REINSTATEMENT APPLICATIONS

Lulsinh A. Yadav, PE

The Board reviewed the reinstatement application for Mr. Yadav and on a motion by VP Purcell, second by BM Marshall, voted to reinstate his license upon receipt of an affidavit from Mr. Yadav stating whether his license(s) in other state(s) are active or not, and upon his submission of his updated experience on the Board's forms.

Salvatore Scardigno, PE

The Board reviewed Mr. Scardigno's application for reinstatement and on a motion by VP Purcell, second by BM Marshall, requested that he demonstrate proficiency by providing a more detailed explanation of his work performed using the Board's detailed statement of experience form. Additionally, Mr. Scardigno must state whether he holds a license(s) in any other state and whether they are in good standing or not.

MISCELLANEOUS

The Executive Director was instructed by the Board to, henceforth, have all incoming correspondence from incorporated businesses, regardless of the subject matter, checked for certificate of authorization registration.

NOMINATION OF OFFICERS

The Board, on a motion by BM Frantz, second by BM Vernick, unanimously voted to close the nominations for President by nominating James Purcell, P.E.

The Board, on a motion by BM Frantz, second by BM Vernick, unanimously voted to close the nominations for Vice-President by nominating Barry Jones, PLS.

ELECTION OF OFFICERS

The Board, on a motion by BM Frantz, second by BM Vernick, unanimously voted to accept the nominations of James Purcell, PE, as President and Barry Jones, PLS, as Vice-President.

The newly elected officers will assume their responsibilities commencing May 1, 2009.

INFORMATIONAL/DISCUSSION ITEMS

Washington Accord

The Board reviewed a memorandum regarding the provisions of the Washington Accord which indicated that these agreements among Nations are not binding on licensing agencies. The Board noted that applicants applying to the Board are required to obtain an evaluation of their foreign degrees from a Board-approved education evaluation service provider.

PUBLIC COMMENTS

Charles Blumeling, PE, PLS, indicated he will be meeting with municipal engineers as it relates to the site plan rule.

Patrick Faton, Vice-President, NJSPLS, stated that the NJDOT requires a traffic permit for its projects. Otherwise land surveyors are being told to leave their work sites by the State Police.

MOVE TO EXECUTIVE SESSION

The Board, on a motion by VP Purcell, second by BM Schwartz unanimously voted to enter into Executive Session to review disciplinary matters.

RETURN TO PUBLIC

On a motion contained within the Executive Session minutes, the Board re-entered into Public Session to adjourn.

ADJOURNMENT

Board President Valenti thanked the Board staff, Ed Russo, DAG Albertson and all BM's for their service and assistance in the past year.

On motion by BM Frantz, second by BM Jones the Board unanimously voted to adjourn the meeting at 3:00pm.

APPROVED BY:

James K. Valenti, P.E.

Arthur Russo
Executive Director