

**STATE BOARD OF PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS  
Minutes of July 16, 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 Purcell 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 Purcell 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 Purcell Lawrence Koo  
Barry Jones Robert Marshall  
Michael Angeline Perry Schwartz  
James Cleary Edward Vernick  
Richard Frantz

Absent: James Valenti

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

**REVIEW OF THE MINUTES**

June 4, 2009

After reviewing the minutes of June 4, 2009 the Board on a motion by BM Vernick, second by BM Jones, voted to approve the minutes as amended.

**COMMITTEE REPORTS**

**Legislation**

A3835/S2853 - Requires professional engineers to complete 24 hours of continuing professional competency during each biennial licensure period.

BM Vernick reported that this bill is moved quickly through the Assembly and passed on May 21, 2009. It was referred to the Senate Commerce Committee, but was not heard by the committee before the Legislature recessed. Further discussions by the Senate on this bill have been postponed until November 2009, when the Legislature reconvenes.

Assembly Bill #A4026 - Establishes additional investigative and enforcement powers in the Division of Consumer Affairs to deter individuals from engaging in the unauthorized practice of professions and occupations.

This bill was introduced on June 4, 2009. The Board discussed this bill and on a motion by BM Schwartz,

second by BM Vernick, voted to support it.

#### Joint Committee

This meeting was cancelled due to the lack of agenda items and the retirement of the State Board of Architects, Executive Director, James Hsu. All Board responsibilities have been temporarily assumed by Charles Kirk.

#### Licensure Promotion

BP Purcell informed the Board of the upcoming meetings with The College of New Jersey on July 21, and with the New Jersey Institute of Technology scheduled for August 19, 2009. He also stated that the Board will reschedule its meetings with Fairleigh Dickinson University and Rowan University to the early Fall.

#### Continuing Education

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

#### SPONSOR COURSE PDH

Professional Development Seminars, Inc. Acreage Boundary Surveys 8

Professional Development Seminars, Inc. Lot & Block Surveys 8

Professional Development Seminars, Inc. Starting & Operating A Surveying & Mapping Business 8

Professional Development Seminars, Inc. Land Planning for Surveyors and Mappers 4

Professional Development Seminars, Inc. Surveying Ethics 8

Professional Development Seminars, Inc. Surveying Water Bodies and MHWL 8

Professional Development Seminars, Inc. GIS for Land Surveyors 8

Professional Development Seminars, Inc. Legal Descriptions 8

Professional Development Seminars, Inc. GPS Projects 8

Professional Development Seminars, Inc. Occupational Safety & Health Concerns To the Profession of Surveying & Mapping 4

RedVector.com American Land Surveying : A History 2

RedVector.com Don Wilson's Court Decisions: Block 7 - 3  
Boundary Retracement 3

RedVector.com Ethics for Land Surveyors: Decision Making in Everyday Practice 1

#### Site-Plan Committee

At its June 2009 meeting the Board voted to discontinue this committee.

#### NCEES 2013 Planning Committee

NCEES's Northeast Zone meeting will be held in New Jersey in 2013. While this sub-committee has not

yet met, BP Purcell and VP Jones will head this effort which is in an advisory role only.

## REPORT OF THE EXECUTIVE DIRECTOR

### General Report

BP Purcell discussed the summary of motions to be presented at the NCEES' 2009 Annual Meeting in Louisville, KY on August 12-15, 2009. On a motion by BM Schwartz, second by BM Vernick, the Board voted to approve BP Purcell to be the voting delegate at the annual meeting.

BP Purcell informed the Board that he has been appointed to the Law Enforcement Committee at NCEES.

Executive Director Russo informed the Board of the tragic accident involving Alex Valenti, son of BM James Valenti. The Board expressed their concerns and wished BM Valenti and his family a quick recovery for their son.

ED Russo informed the Board that the PCS contract to administer the Board's examinations has been finalized. BP Purcell stated that the signed contract should be maintained in the Board office. PCS's proposed changes to the Board's existing application review process will be discussed at its September 2009 meeting.

Executive Director Russo stated that PCS has released the grades from the April 2009 professional examinations.

#### • Sub-Committees - Re-establishments

BP Purcell discussed with the Board the need to re-align and re-establish the standing committees. This matter is tabled until the next meeting.

? NCEES - Puerto Rican court awards damages to NCEES in exam theft case

This correspondence was noted for the record.

? N.J.A.C. 16:44A - Contracts for Architectural, Landscape Architectural, Engineering and Land Surveying Services

This correspondence was noted for the record.

? NCEES - Actions by NCEES Board of Directors (Proctored Candidates and Exam Administration Fees)

This correspondence was noted for the record but the Board will review any requests for proctored examinations based upon military and religious beliefs on a case by case basis.

? ABET Evaluation of the Chemical Engineering Program at NJIT

BM Koo volunteered to attend this accreditation review at NJIT on October 11 - 13, 2009 as an observer.

? The Maryland State Board of Engineers' announces the nomination of their Board Chairman Howard (Skip) Harclerode for the Treasurer of NCEES

This correspondence was noted for the record.

## INCOMING CORRESPONDENCE

Joanne Faber

Re: Definition of the Laws regarding "Shoreline" and "Mean High Water Line" June 15, 2009

Ms. Faber is requesting the Board to define “Shoreline” and “Mean High Water Line” in accordance with its laws.

The Board discussed this matter and on a motion by BM Jones, second by BM Vernick voted to inform Ms. Faber that these terms are not defined in the regulations of the State Board and that she should seek appropriate legal advice.

Richard Spafford  
Re: Site Plan Documents  
June 16, 2009

Mr. Spafford seeks the options for signing and sealing plans without the job being completed.

The Board discussed this matter and Mr. Spafford will be informed that he may have the work redone and take full responsibility, recheck the previous work and take full responsibility for it, or change the work and submit an original signed and sealed document along with a separate document showing the changes signed and sealed by him. He should also be informed that he must obtain a release from the original professional before using any of that professional's work.

Richard Doughty, PE  
Re: Possible 2009 ICC Code Updates  
June 10, 2009

Mr. Doughty is requesting information regarding new updates for the 2010 ICC Codes.

The Board discussed this matter and determined that ICC codes are outside the scope of the Board's jurisdiction. Mr. Doughty will be referred to the Department of Community Affairs, Building Codes.

Jonathan Gustafson, PLS  
Re: Laws and Rules Clarification regarding Laser Scanning  
June 10, 2009

Mr. Gustafson inquired as to whether 3D Laser Scanning requires licensure.

After discussing this matter, the Board voted on a motion by BM Angeline, second by BM Cleary, to inform Mr. Gustafson that based upon the facts presented, 3D Laser Scanning appears to be the practice of land surveying.

Nicholas Giella, PE  
Re: Adhering to Consent Order  
June 14, 2009

Mr. Giella requested the Board's approval of certain ethics courses, as a requirement previously mandated by its Consent Order.

The Board reviewed Mr. Giella's correspondence and on a motion by BM Schwartz, second by BM Angeline, voted to accept Mr. Giella's 4 PDH credits which will be considered one course. However, Mr. Giella must also take the additional two courses which will be accepted as one course.

## OUTGOING CORRESPONDENCE

This correspondence was noted for the record.

## REVIEW OF APPLICATIONS

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

NAME APPLICATION # PE/EIT DECISION

Jeffrey Patterson 1379271 Comity Take NJ State Specific  
Nicholas Cammarata 1353295 Exam Take P  
Mike Nelson 1366619 Comity Grant License  
Michael Dzubeck 1370519 Exam Take P  
Peter Garland 1400477 Comity Grant License  
Matthew Wavro 1407874 Comity Grant License  
Robert Payne 1411201 Exam Take P  
John P. Kenney 1398145 Comity Grant License  
Carroll Kirkpatrick 1370457 Comity Grant License  
Tejkiran Desai 1355196 Comity Grant License  
Aaron Hunt 141827 Comity Grant License  
Michael Pinske 1386043 Comity Grant License  
Curtis Shugars 1397916 Comity Grant License  
William Turner 1403161 Comity Grant License  
Mohammad Dasoqi 1413389 Comity Grant License  
Joseph Bracone 1415572 Comity Grant License  
Jan Raz 1379276 Comity Grant License  
Andre Rodums 1331372 Exam Take P  
Anthony Fontana 1376040 Exam Take P  
Sathya Easwaran 1371281 Exam Take F  
Pedro DaSilva 1396221 Exam Take F  
Kofi Krimpong 1396224 Exam Take F  
William Snook 1400497 Comity Grant License  
Frederick Scarcello 1394889 Comity Grant License  
Rena Torborg 1394837 Comity Grant License  
Danny Goad 1394305 Comity Grant License  
Paul Ricci 1391250 Comity Grant License  
Josef Villa 1388909 Comity Grant License  
Joseph Bellini 1388982 Comity Grant License  
Thomas Switzer 1297850 Exam Take P  
Kevin L. Terrell 1330310 Exam Take P  
Ahmed Hassan 1415683 Exam Take P  
Leman C. Aralp-Kaya 1416152 Exam Take F & P  
George Sholy 1368110 Exam F waived and Take P  
Bradley Koland 1394322 Comity Grant License  
William Curan 1403291 Exam Take P  
Martin Weber 1303262 Comity Grant License  
Herbert Clough 1331408 Comity Grant License  
John Mitchell 1381453 Comity Grant License  
Gheorghe Nicolescu 1375849 Comity Grant License  
Michael Villanueva 1333450 Exam Take P  
Jennifer Oltman 1403278 Exam Take P

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

Rajeev Raina 1333517 Exam AIN  
Jeffrey Gatlin 1356270 Comity AIN  
Robert Zaitooni 1358815 Comity AIN

David P. Holmes 1369348 Comity AIN  
Mark Licalzi 1404504 Comity AIN  
Declan Mulcahy 1400730 Exam AIN  
Albert Prescott 1407753 Exam AIN  
Gregory Fendler 1403259 Comity AIN  
Colin Ferguson 1355172 Comity AIN  
Cullen Flanders 1344086 Comity AIN  
Jian Oh-Gwang 1366653 Comity AIN  
Qamar Arsalan 1395799 Comity AIN  
Labib Elsayed 1400444 Exam AIN  
Priyan DeSilva 1353306 Comity AIN  
Naresh Ramsaran 1305688 Exam AIN  
Mohammed Ullah 1307259 Comity AIN  
Michael Ratlif 1370550 Comity AIN  
Nathan Turner 1403354 Exam AIN  
James Tavernelli 1379374 Exam AIN  
Ashor Chintakunta 1139796 Comity AIN  
Jerry Thompson 1415454 Comity AIN  
Darin D. Plitt 1411890 Comity AIN  
Christopher Clippinger 1356368 Comity AIN  
Manh Q. Van 1398078 Comity AIN  
Michael Fina 1297980 Exam AIN  
Michael Weland 1309104 Comity AIN  
Sophia Azam 1337685 Comity AIN  
Raphael Giordano 1403228 Exam AIN  
Ana Pinto 1367711 Exam AIN  
Steven Nagy 1373877 Exam AIN  
Byung Park 1371044 Exam AIN  
James Antonelli 995899 Comity AIN

A.I.N. = Additional Information Needed

#### CERTIFICATES OF AUTHORIZATION

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

UC SERVICE CORPORATION  
2100 Norman Drive West  
Waukegan, IL 60085  
Application # 1427672

SANBORN, HEAD & ASSOCIATES, INC.  
20 Foundry Street  
Concord, NH 03301  
Application #1440478

CATES ENGINEERING, LTD  
7500 Iron Bar Lane, Ste. 209  
Gainsville, GA 20155  
Application # 1441765

LACOTTA ENGINEERING, LLC  
128 Bates Drive

Chalfont, PA 1891114  
Application # 1441778

NOVA ENGINEERING AND ENVIRONMENTAL, LLC  
160 Greentree Drive, Ste. 101  
Dover, DE 19904  
Application # 1441804

SCHNEIDER & ASSOCIATES STRUCTURAL ENGINEERS, INC.  
1700 E. Ft. Lowell Road, St. 109  
Tucson, AZ 85719  
Application #1426737

ERIKSSON TECHNOLOGIES, INC.  
10730 N. 56th St., Ste. 204  
Tampa, FL 33617  
Application # 1434179

ANTHAN RESOURCES LLC  
57 Spring Hill Drive  
Swedesboro, NJ 08085  
Application # 14334164

TERRACON CONSULTANTS, INC.  
18001 W. 106th Str., Ste. 300  
Olathe, KS 66061  
Application # 1434219

EAST COAST SURVEYING, LLC  
5 Powder Horn dr., Ste. 4  
Warren, NJ 07059  
Application #1439437

WALDRON ENGINEERING & CONSTRUCTION, INC.  
37 Industrial Drive, Ste. G  
Exeter, NH 03833  
Application # 1439441

THE BYG GROUP, INC.  
3448 Progress Dr., Suite D  
Bensalem, PA 19020  
Application # 1440468

DASHIELL LLC  
12301 Kurland Dr., Ste. 400  
Houston, TX 77034  
Application # 1441813

ESINC, INC.  
8804 Windjammer Dr.  
Raleigh, NC 27615  
Application #1443046

THE CANTOR SEINUK GROUP, INC.  
228 East 45th St., 3rd. Fl.

New York, NY 10017  
Application # 1443049

PFISTER ENERGY, INC.  
80 E. Fifth Street  
Paterson, NJ 07524  
Application # 1443058

BRUNS-PAK DATA CENTER ENGINEERING, LLC  
999 New Durham Road  
Edison, NJ 08817  
Application # 1443050

WAYPOINT ENTERPRISES INCORPORATED  
1 Pavilion Avenue  
Riverside, NJ 08075  
Application #1443061

THETA CONSULTING, LLC  
60 Hillside Avenue  
Doylestown, PA 18901  
Application # 1426740

INGRAM ENGINEERING SERVICES  
19 South Darlington St.  
W. Chester, PA 19382  
Application # 1443961

JACKLES DEVELOPMENT LLC  
441 Tappan Road  
Norwood, NJ 07648  
Application # 1443975

FULL BOARD REVIEW

REINSTATEMENT APPLICATIONS

William J. Roundtree, PE

The Board reviewed Mr. Roundtree's reinstatement application and on a motion by BM Schwartz, second by BM Vernick, voted to reinstate his license.

Jei-Wei Chao, PE

The Board reviewed Mr. Chao's application for reinstatement and determined that he had not adequately demonstrated proficiency. Thus, on a motion by BM Schwartz, second by BM Angeline, the Board voted that Mr. Chao take the principles and practices portion of the engineering examination.

Carl Vincent Hauck, PE

The Board reviewed Mr. Hauck's application for reinstatement and on a motion by BM Schwartz, second by BM Vernick, requested that he demonstrate proficiency by providing a more detailed explanation of his work performed during the past seven (7) years, using the Board's detailed statement of experience form.

Joseph Lewis Leland, PE



The Board reviewed Mr. Leland's application for reinstatement and determined that he had not adequately demonstrated proficiency. Thus, on a motion by BM Schwartz, second by BM Angeline, the Board voted that Mr. Chao take the principles and practices portion of the engineering examination.

#### INFORMATIONAL/DISCUSSION ITEMS

- NJSME - E-News - June 3rd General Membership Meeting Summary

This correspondence was noted for the record

- NCEES Provides Funding for the National Museum of Surveying

This correspondence was noted for the record

- Michael Milligan Now Lead Accreditor ABET

This correspondence was noted for the record

- Bills would help Coordinate Federal STEM Efforts (Article)

BM Schwartz indicated that the federal funds are now available to aid in the STEM program efforts. He also requested the Board office to provide the status of a letter sent to the Office of the Director, and ultimately to the Commissioner of Education supporting this effort.

- Task Force Outlines Impact of Master's Degree Requirement (Article)

This correspondence was noted for the record

- Engineering Exams Expand to Egypt, South Korea (Article)

This correspondence was noted for the record

- NJ Society Protects PE Role in Site Remediation (Article)

This correspondence was noted for the record

#### PUBLIC COMMENTS

BM Schwartz briefly spoke about the professional liability of a professional engineer which is not necessarily limited to the contractual amount.

#### MOVE TO EXECUTIVE SESSION

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

#### RETURN TO PUBLIC

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

#### ADJOURNMENT

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

APPROVED BY:

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James J. Purcell, P.E.

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Arthur Russo  
Executive Director