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STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS Minutes of June 21, 2012 Public Session

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1. CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by Board President, Perry Schwartz, 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.

2. SUNSHINE LAW ANNOUNCEMENT

Board President Schwartz 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.

3. ROLL CALL

Present:	Perry Schwartz	Lawrence Koo
	James Purcell	Robert Marshall
	James Cleary	Richard Smith, Jr.
	Barry Jones	James Valenti
		Edward Vernick

Absent: Richard Frantz

Others: Paul Ray, Acting Executive Director, Michelle Albertson, Deputy Attorney General, staff members Joseph Grabowy, Martha Richardson, Yolanda Winston, and one member of the public; Peter Burgess, PE, PLS, President - Elect, NJSPLS.

4. ANNOUNCEMENTS

None

5. REVIEW OF THE MINUTES

April 19, 2012 - (For information purposes)

The Board noted the April 19, 2012 minutes for the record.

May 17, 2012 - (For review)

After reviewing the minutes of May 17, 2012, the Board on a motion by VP Purcell, second by BM Smith, voted to approve these minutes as amended.

6a. REPORT OF THE EXECUTIVE DIRECTOR

General Report

Acting Executive Director Ray spoke about the change to a computer based testing format, effective January 2014, for the fundamentals of engineering examination and the need to modify the contract with Professional Credentials Services thru an RFP. Pearson Vue will be the sole source provider to administer this examination.

6b. INCOMING CORRESPONDENCE

Vincent Zambetti, PE
May 14, 2012
Re: Operating within the scope of a professional engineer.

The Board reviewed this correspondence and will refer Mr. Zambetti to the Building Design Services Act and recommend that he seek legal advice from an attorney.

Gary W. Dean, PE
May 21, 2012
Re: Request for Interpretation of a Professional Misconduct or Conflict of Interest.

This matter was discussed in Executive Session.

Ragenia Thompson, NCEES
May 29, 2012
Re: CBT Survey

Acting E.D. Ray responded to this survey and the Board noted it for the record.

Rubin M. Zallen, PE
May 14, 2012
Re: Request for Medical Waiver of Continuing Education

The Board reviewed Mr. Zallen's response to the Board's request for proof of his medical condition in consideration for a waiver of his continuing professional competency credits (CPC) requirements.

As a result of its review the Board concluded to waive the CPC credit requirements for the current biennial renewal cycle only. However, Mr. Zallen will be informed that he will not be allowed to carry the eight (8) CPC credits forward and he will still need to complete twenty-four (24) CPC credits by April 30, 2014 to complete the requirements for the next biennial period.

Dr. Burton Z. Davidson, Ph.D., PE

June 1, 2012

Re: Renewal of PE License and Request for Extension of Time to Complete His Continuing Professional Competency Requirements

The Board reviewed Dr. Burton's request for a waiver of his CPC requirements for the 2012-2014 biennial renewal cycle and on a motion by VP Purcell, seconded by BM Smith, granted him an additional ninety (90) days to complete them.

James E. Kesler, PE

May 23, 2012

Re: Request for a Medical Waiver of Continuing Education

The Board reviewed Mr. Kesler's request for a medical waiver of his CPC requirements for the 2012-2014 biennial renewal cycle and on a motion by BM Jones, seconded by BM Valenti, denied his request for a medical waiver and granted him an additional ninety (90) days to complete them.

Satish K. Gupta, PE

May 31, 2012

Re: Request for Extension of Time to Complete Continuing Education.

The Board reviewed Mr. Gupta's request for an extension of time to complete his CPC requirements for the 2012-2014 biennial renewal cycle and on a motion by BM Smith, seconded by BM Jones, granted him an additional ninety (90) days to complete them

Craig L. Duy, PLS

June 7, 2012

Re: Clarification regarding the definition of Land Surveying.

The Board reviewed Mr. Duy's submission regarding clarification on the definition of land surveying.

After discussing this correspondence the Board will advise Mr. Duy that in New Jersey a professional land surveyor must perform the work as represented in his letter.

Joseph Lavetsky

June 12, 2012

Re: Lidar/remote sensing surveying

The Board reviewed Mr. Lavetsky's electronic mail message regarding the definition of land surveying and obtaining a temporary land surveyor's license. It concluded that what Mr. Lavetsky referenced in his letter is considered the practice of land surveying and can only be performed by a professional land surveyor. Additionally, the Board will advise that it does not issue temporary licenses and will recommend that Mr. Lavetsky apply for licensure as a professional land surveyor, by comity, in

order to practice land surveying in New Jersey, or utilize a NJ licensed land surveyor.

Joseph Schaffer, PE
May 25, 2012
Re: Question regarding the practice of engineering.

The Board reviewed Mr. Schaffer's electronic mail message regarding the practice of engineering and concluded that the work described is considered land surveying and must be performed by a professional land surveyor.

6c. OUTGOING CORRESPONDENCE

Arkady Kaner, PE Applicant
Manan Sheth, PE Applicant
George C. Cressman, PE
Timothy Lurie, PE
Nader Soliman, PE
Hayes A. Hewitt, PLS
Walter Gardiner, PE
Boggarm Setty, PE Applicant

The above correspondence were noted for the record.

7. COMMITTEE REPORTS

a. Standing Committees:

i Legislation:

Elizabeth Greenblatt - First Draft - Proposed Changes to rules regarding Standards of Practice; Misconduct.

The Board determined that a Sub-Committee will review this matter. Tabled.

ii Regulations Committee:

No report

iii Education Committee

No report

iv Joint Committee of Architects & Engineer

No report.

v Digital Signature Committee

A sub-committee meeting is scheduled for July 12, 2012 to discuss this matter. Members of the various professional societies will be invited.

vi NCEES

VP Purcell also requested that a letter be sent by the AED to the publisher of NJ Monthly magazine to request multiple copies of an article on Cape May for distribution at the 2012 NE Zone meeting for marketing purposes.

Continuing Education Courses:

None

Reinstatements:

Olav Pedersen, PE

The Board reviewed Mr. Pedersen's reinstatement application and on a motion by BM Vernick, second by BM Cleary, voted to request that he provide additional information regarding the specific projects he worked on and his duties/tasks that he performed since the lapse of his license in 1992.

Michael J. Kokayko, PE

The Board reviewed Mr. Kokayko's reinstatement application and on a motion by VP Purcell, second by BM Smith, voted to approve his request for reinstatement.

Raymond Angelino, PE

The Board reviewed Mr. Angelino's reinstatement application and on a motion by BM Vernick, second by VP Purcell, voted to approve his request for reinstatement.

REVIEW OF APPLICATIONS

Licensure:

The Board, on a motion by VP Purcell, second by BM Cleary, voted unanimously to approve the following applications as indicated:

<u>Name</u>	<u>Application #</u>	<u>Comity/Exam.</u>	<u>Decision</u>
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Albano, Anthony	1616122	Exam.	AIN
Antle, Darren	1635362	Comity	AIN
Antonov, Stanislav	1616094	Exam.	Take P
Azure, Mark	1622465	Comity	Grant License
Baker, David	1648936	Comity	Denied
Bash, Brian	1602808	Comity	AIN
Bassily, Hany	1641892	Exam.	Take F
Bastaja, James	1617159	Comity	AIN
Bean, Faron	1615017	Comity	Grant License
Blake, Jeffrey	1612810	Comity	AIN
Brockman, James	909337	Comity	AIN
Brooks, Jr., Thomas	1602133	Comity	Grant License
Burns, Steven	1611219	Comity	Grant License
Calhoun, David	1603649	Comity	Grant License
Canham, Robert	1591412	Comity	Grant License
Clements, Michael	1617177	Comity	Grant License
Cleverley, Bradley	1645547	Comity	Grant License
Conor, John	1636789	Comity	Grant License
Cornelius, Richard	1636452	Comity	AIN
Curtis, Christopher	1602746	Comity	Grant License
Denny, Kyle	1615939	Exam.	Take P
Diaz, Christian	1647112	Exam.	Take P
Dick, Jeff	1641095	Comity	Grant License
DiCostanzi, Darren	1619786	Exam.	Take P
Donoho, Arthur	1635041	Comity	AIN
Dryden, Burton	1638435	Comity	Grant License
Eksioglu, Bahadir	1641068	Comity	Grant License
Elmekati, Ahmed	1596480	Exam.	Take F
En-Huel Joe	1623120	Comity	Grant License
Farmand, Anthony	1632410	Comity	AIN
Farrar, Matthew	1622971	Comity	AIN
Fisher, Michael	1386418	Exam.	Take P
Fronapfel, Edward	1609435	Comity	Grant License
Gallagher, Timothy	1645409	Exam.	Take P
Gandhi, Bhavin	1627589	Comity	Grant License
Gao, Xiaojiang	1620655	Comity	Grant License
Gencorelli, Steven	1612128	Comity	Grant License
Hamilton, Louis	1635144	Comity	Grant License
Handojo, Titin	1630243	Comity	Grant License
Hanson, Richard	1636798	Comity	Grant License
Hazard, John	1625447	Comity	Grant License
Hedrick, Timohy	1641135	Comity	Grant License
Hervey, Michelle	1617657	Comity	Grant License
Hicks, William	1635326	Comity	Grant License
Huang, Elaine	1636793	Comity	Grant License
Jenkins, Kyle	1638403	Comity	Grant License
Jimenez, Javier	1612929	Comity	Grant License
Kaner, Arkady	1643465	Comity	AIN
Keko, Laura	1626995	Exam.	Take F
Khan, Mansoor	1081733	Comity	AIN
Khandakar, Mahmood	1626853	Exam.	Take F
Kin, Tsuyu, P.E.	1657907	Comity	Grant H.I. License
Knaster, Polina	1641156	Comity	Grant License
Kuhn, Brian	1600410	Comity	AIN

LaPerle, Jeffrey	1574423	Comity	AIN
Lehman, Joseph	1614666	Comity	AIN
Li, Wendy	1594479	Comity	Grant License
Lu, David	1562536	Comity	Grant License
Mallik, Ajay	1562752	Comity	AIN
Manjunath, Chaitra	1570684	Exam.	Take P
Marchiafava, John	1623291	Comity	Grant License
Marszalkowski, Robert	1647631	Comity	AIN
McVey, Jennifer	1614427	Comity	Grant License
Mendola, Thomas	1588217	Exam.	AIN
Miller, Scott	1604557	Comity	Grant License
Mitten, Benjamin	1612148	Comity	Grant License
Morin, Christopher	1213935	Comity	Grant License
Murphree-Roberts, Michael	1581172	Comity	Grant License
Nakhla, Michael	1580936	Comity	AIN
Nawrocki, Jeffrey	1629279	Comity	Grant License
Needham, Ernest	1612767	Comity	Grant License
Nimeth, Robert	1614934	Exam.	Take P
O'Connor, John	1615999	Exam.	Take P
O'Neill, Kevin	1638400	Comity	Grant License
Owad, Jeffrey	1622045	Exam.	Take P
Palermo, Robert	1633817	Comity	Waive F, Grant License
Patel, Aditya	1496767	Exam.	AIN
Patel, Mitesh	1568894	Comity	AIN
Petersen, James	1622291	Comity	Grant License
Pranke, Richard	1568935	Exam.	Take P
Reeves, Chad	1621979	Comity	Grant License
Rexford, Walter	1599819	Comity	Grant License
Reynold, Scott	1591426	Comity	Grant License
Roche, Christian	1627747	Comity	Grant License
Rush, Christopher	1618389	Exam.	AIN
Saez, Enrique	1611260	Comity	Grant License
Schutzer, Thomas	1630251	Comity	Grant License
Setzekorn, Matthew	1623202	Comity	Grant License
Sharma, Sachin	1618277	Comity	Take P
Sheta, Nasr	1621044	Exam.	Waive F & Grant License
Shults, Scott	1635262	Exam.	Take P
Siddiqui, Muhammad	1630478	Comity	Grant License
Straub, Chris	1276068	Comity	AIN
Tate, Dominic	1245881	Comity	Grant License
Toledo, Eduardo	1609065	Comity	AIN
Trinosky, Gonzalo	1649306	Exam.	Take P
Turner, Jeremy	1621937	Exam.	AIN
Tyer, Travis	1640224	Comity	Grant License
Villareal, Marsha	1628413	Comity	AIN
Wagner, Michael	1611294	Comity	AIN
Wells, Steven	1644970	Comity	Grant License
Wheeler, Dale	1600078	Comity	Grant License
Whiteaker, Michael	1623084	Comity	Grant License
Wilson, Chad	1618748	Comity	Grant License
Zou, Xueyan	1636873	Exam.	Take P
Zumbo, John	1623129	Comity	Grant License
Petre, John	1612124	Comity	Grant License

AIN: Additional Information Needed.

Full Board Review:

None

Certificates of Authorizations

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

<p>INSTRUMENTATION, CONTROL & ENERGY ENGINEERING, LLC 4092 Skippack, PA 19474 Skippack, PA 19474 Application # 1659961</p>	<p>SACRAMENTO ENGINEERING CONSULTANTS, INC. 10555 Old Placerville Road Sacramento, CA 95827 Application # 1667062</p>
<p>LOORAM SURVEYORS, LLC 421 Demarest Avenue Oradell, NJ 07649 Application # 1667047</p>	<p>TRUMBULL CORPORATION P.O. Box 6774 Pittsburgh, PA 15212 Application # 167056</p>
<p>3 D ENGINEERING & CONSTRUCTION CORP. 1670 Route 34 Wall, NJ 07727 Application # 1667030</p>	<p>McDONOUGH BOLYARD PECK INC. 3040 Williams Drive, Ste. 300 Fairfax, VA 22031 Application #1614547</p>
<p>B MITCHELL GROUP, LLC 7 Pleasant Hill Road Cranbury, NJ 08512 Application # 1666084</p>	<p>SINE WALL ENGINEERING, LLC 1788 Heritage Center Drive Wake Forest, NC 27587 Application # 1660536</p>
<p>CP ENGINEERS, LLC 115 Demarest Road, Ste. A Sparta, NJ 07871 Application # 1660483</p>	<p>DN TANKS, INC. 11 Teal Road Wakefield, MA 01880 Application #1654674</p>
<p>VITETTA ARCHITECTS AND ENGINEERS LLC 2 International Plaza, Ste. 340 Philadelphia, PA 19113 Application # 1660453</p>	

COMPLAINTS:

John P. McMonagle, PE, #85506

The Board reviewed this matter in executive session and concluded there was insufficient cause for action.

Luis R. Perez, PE, #86075

The Board reviewed this matter in executive session and determined not to take any further action in this matter.

Richard Ramirez, PE, #86009

The Board reviewed this matter in executive session and concluded there was insufficient cause for action.

Steven Fiegles, UL, Long Engineering & Land Surveying, #84632

The Board reviewed this matter in executive session and concluded there was insufficient cause for action against both Steven Fiegles and Mr. McKenna.

INFORMATIONAL/DISCUSSION ITEMS

“ABET Accreditation Yearbook”

The Board noted that hard copies of its ABET accreditation yearbook will no longer be available and that all information regarding the accreditation of schools and curriculums will be available on the ABET website free of charge.

John F. Mann, PE

“Re: Problems with Design & Construction of Basement Foundations Walls”

The Board noted this article for the record.

PUBLIC COMMENTS

None

MOVE TO EXECUTIVE SESSION

The Board, on a motion by BM Vernick, second by BM Marshall, 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 Jones, second by BM Vernick, the Board unanimously voted to adjourn the meeting at 2:30 pm.

APPROVED BY:

Perry Schwartz
President

Paul Ray
Acting Executive Director