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STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS Minutes of July 19, 2012 Public Session

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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.

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.

ROLL CALL

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

Absent: None

Others: Michelle Albertson, Deputy Attorney General, staff members Joseph Grabowy, Martha Richardson, Yolanda Winston, and three members of the public; William McGrath, PLS, Vice President, NJSPLS, Ajay Mallik, PE Applicant and John Fearheller, Jr., PLS Applicant.

APPEARANCES

Elizabeth Greenblatt, Regulatory Analyst

Re: Approval of Proposed Regulation regarding the Continuing Education Requirements for the Home Inspection Advisory Committee (HIAC)

Ms. Greenblatt advised the Board of the HIAC's proposed regulation change which would increase the number of allowable continuing education units to be taken from ten (10) to twenty (20), for distance learning and Internet courses. On a motion by BM Vernick, second by BM Valenti, the Board voted to approve the proposed regulation change.

REVIEW OF THE MINUTES

May 17, 2012 - (For information purposes)

The Board noted the May 17, 2012 minutes for the record as amended. However, additional changes are necessary to accurately reflect the activities from the May 17, 2012 meeting.

June 21, 2012 - (For review)

After reviewing the minutes of June 21, 2012, the Board on a motion by VP Purcell, second by BM Cleary voted to approve these minutes as amended.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

Manager, Joseph Grabowy informed the Board that Acting Executive Director, Paul Ray, was away in Fort Dix, NJ for two weeks, serving his military obligation.

Manager, Joseph Grabowy provided the following examination statistics from the April 2012 examinations summarized by Professional Credentials Services (PCS) which was noted for the record:

- 1,050 applications were received by PCS as follows:
 - 501 for the fundamentals of engineering examination;
 - 264 for the principles and practices of engineering examination;
 - 9 for the fundamentals of land surveying examination;
 - 8 for the principles and practices of land surveying examination;
 - 5 for the NJ state specific land surveyor examination;
 - 250 for the law examination; and
 - 13 for the structural engineering examination.

The Board requested that PCS be asked to provide an explanation as to the process by which an examinee was allowed to take the Structural Engineering exam.

BM Valenti suggested that letters of congratulations be sent to all of the individuals who passed the exams. On a motion by BM Valenti, second by BM Frantz, the Board voted to approve this recommendation.

The adopted amendments to the Board's CPC regulation were posted in the July 2, 2012 NJ register without change, and are now in effect. Vice President Purcell informed the Board that the CPC Approval form needs additional enhancements and requested it be linked to the final regulations on the Boards' web page

Staff Manager, Grabowy informed the Board that PCS, in its administration of the April 2012 professional examinations, used the Element Ewing Hotel in Ewing, NJ, as the overflow site for the West Trenton firehouse. The October 2012 examinations will be held on October 26 and 27, 2012.

BM Jones requested that the title on the heading of the "Map Filing Law" currently on the Board's website be changed to the "Title Recordation Act".

1. PCS April 2012 Board Report

This report was noted for the record.

2. License Self-Reporting of Convictions

The Board reiterated its delegation of authority to the Board staff to address the responses from licensees of their self reporting of convictions up to the level of a misdemeanor. Responses at or below the level of a misdemeanor would be listed on the agenda with a recommendation for no action to be taken. Misdemeanors with extenuating circumstances will be presented for full Board review.

3. Approval of CPC Providers

Staff Manager, Joseph Grabowy informed the Board that a standard letter will be sent to exempt organizations that attempt to apply for CPC provider status. The following are examples of exempt organizations:

- The Society of American Military Engineers New Jersey Post
- Philadelphia Chapter - PA Society of Professional Engineers
- NJ Dept. Of Community Affairs

Courses from non-exempt organizations will be presented to the Board for review and approval.

INCOMING CORRESPONDENCE

Bruce R. McKenna, PE/PLS

June 29, 2012

Re: Recordation, Maps & General and Transitional NJSA 46:26A,B,C

The Board reviewed this correspondence and on a motion by VP Purcell, second by BM Valenti, the Board voted to inform Mr. McKenna, that in regarding the issue raised in his letter, he should seek the advice of an attorney.

Neal Barton

July 2, 2012

Re: Map Filing Law's requirement of minor subdivision maps.

The Board reviewed this correspondence and on a motion by VP Purcell, second by BM Valenti, the Board voted to inform Mr. Barton, that regarding the issue raised in his letter, he should seek the advice of an attorney.

Thomas Devine, PhD, Actg. Dean, Thomas Edison State College

June 18, 2012

Re: Thomas Edison College response regarding their current ABET accreditation status.

The Board reviewed this correspondence from Dr. Devine about the possible future accreditation by TAC-ABET, of Thomas Edison's nuclear energy engineering technology

program, and requested that he continue to advise the Board as to its accreditation status. This correspondence was noted for the record.

OUTGOING CORRESPONDENCE

Ahsen Jalali, PE Applicant
James E. Kesler, PE
Satish K. Gupta, PE
Rubin M. Zallen,
Burton Z. Davidson, PE
Craig L. Duy
Joseph Lavetsky
Joseph Schaffer
Vincent Zambetti

The above correspondence were noted for the record, excluding Mr. Zallen who 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.

7. COMMITTEE REPORTS

a. Standing Committees:

i Legislation:

A1138 - Exempts individuals with certain types of military service from certain fees and continuing education or professional competency requirements. This matter was tabled for the next meeting.

A1545 - Revises the law concerning certain professional and occupational licenses. Revises law addressing validity of license during 30 day period after the renewal period.

ii Regulations Committee:

No report

iii Education Committee

No report

iv Joint Committee of Architects & Engineer

No report.

v Digital Signature Committee

BM Vernick, briefed the Board of the sub-committee meeting with the Societies on July 12, 2012. The Board also discussed the need to invite 3 software vendors to attend a future sub-committee meeting, to demonstrate and give examples of their software which would allow digital signatures and seals.

vi NCEES

The Board voted on a motion by VP Purcell, second by BM Jones to approve BM

Smith to have the authority to vote on behalf of the Board at the 2012 NCEES annual Meeting in St. Louis, MO on August 22-25, 2012.

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>
Anand, Mohit	1461796	Comity	AIN
Baird, Elmer	1580955	Exam.	Take FE
Bhavsar, Amit	1632444	Exam.	Take P
Broad, Tad	1138898	Comity	Grant License
Castillo, Eric	1640242	Exam.	Take P
Chambers, Michael	1639809	Comity	Grant License
Conlon, Patrick	1627734	Comity	Grant License
Cote, Jr., Guy	1630954	Comity	Grant License
Crang, Steven	1622518	Comity	Grant License
Crawford, Jonathan	1643429	Comity	Grant License
Criso, Louis	1628380	Comity	AIN
Davis, Stephen	1599852	Comity	Grant License
Dela Cruz, Conrado	16444975	Comity	Grant License
DeWitt, Matthew	1615272	Exam.	Take P
Dhungel, Mahesh	1643527	Exam.	Take P
Downey, Edward	1596950	Comity	Grant License
Duff, Jr., Kenneth	1598317	Exam.	Take P
Flagg, Edwin	1619129	Comity	Grant License
Fuad, Dahan	1479426	Comity	Grant License
Gadre, Umesh	1643308	Comity	Grant License
Gandhi, Kavin	1540280	Exam.	Take P
German, Heather	1651784	Exam.	Take P
Goodfellow, Robert	1638389	Comity	Grant License
Goodrich, Warren	1621985	Comity	Grant License
Hamdallah, Murao	1470293	Comity	Grant License
Hendricks, Earl	1638541	Comity	AIN
Kamens, Brian	1638330	Comity	Grant License
Kavita, David	1611296	Comity	Grant License
Keshavarzi, Firooz	1612831	Comity	Grant License
Krimersmoys, Volf	1599880	Comity	AIN
Ledyard, James	1640227	Comity	Grant License
Leung, Thomas	1614521	Comity	Grant License
Lipton, Sheri	1653628	Exam.	Take P
Martinez, Esteban	1641041	Comity	Grant License
Mc Gill, Keri	1654465	Comity	Grant License
McNicholas, Michael	1618371	Exam.	Take P
Miller, Michael	1627668	Comity	Grant License
Minnicks, Omar	1619635	Exam.	Take P
Misch, Paul	1641057	Comity	Grant License
Moench, Brian	1624846	Comity	Grant License

Molina, Michael	1627654	Exam.	Take FE
Neupane, Pankaj	1646021	Comity	AIN
Odiale, Ogbitse	1590202	Exam.	Take FE
Pace, Michael	1623351	Comity	Grant License
Paine, Michael	1638522	Comity	Grant License
Parker, Richard	1630242	Exam.	AIN
Patel, Aditya A.	1496767	Exam.	Take P
Peterson, David	1599800	Comity	Grant License
Petre, John	1612124	Comity	Grant License
Pocius, Richard	1614849	Comity	Grant License
Porcello, Christopher	917955	Comity	Grant License
Rankin, Kyle	1646037	Comity	Grant License
Ruchala, Kurt	1621508	Comity	Grant License
Ryan, Thomas	1617813	Exam.	Take P
Shawkan, Hussein	1605676	Exam.	AIN
Sheta, Nasr	1621044	Comity	Grant License
Slane, Thomas	1638393	Comity	Grant License
Solano, Denis	1628004	Comity	AIN
Sreekumar, Anusree	1651911	Exam.	Take FE
Stevenson, John	1636835	Comity	Grant License
Straub, Christopher	1276068	Comity	Grant License
Todd, Richard	1645495	Exam.	Take P
Tuladhar, Usnik	1645437	Comity	Grant License
Wagner, Matthew	1600226	Comity	Grant License
Warrick, Lloyd	1630063	Comity	Grant License
Wasay, Abdul	1617921	Exam.	Take FE
Wirth, Edward	1636840	Comity	Grant License
Apte, Sachin	1654624	Comity	AIN
Liu, Bob	1634912	Comity	AIN
Harold, Andrew	1630949	Comity	AIN

AIN: Additional Information Needed.

Full Board Review:

The Board requested that the Board staff contact its three approved evaluation providers and advise them to prepare their evaluation summaries in a more conclusive manner which clearly identifies an applicant's educational deficiencies.

John Fearheller, Jr., P.E., P.P., PLS Application #1577000

The Board discussed this application and on a motion by BM Smith, seconded by BM Vernick, concluded that Mr. Fearheller's response was not sufficient to overturn its prior determination, and thus, voted to reaffirm its prior decision.

Continuing Education Courses:

On a motion by BM Smith, second by BM Cleary, the Board voted to approve the

following continuing education courses for Professional Land Surveyors:

<u>Sponsor</u>	<u>Courses</u>	<u>PDH</u>
NJ Municipal Institute of the NJ	Municipal Land Use Planning and Land Surveying	6
	Administrative Code Update	
McKissock 100% Education	Dispute Between Adjoining Landowners	1.5
McKissock 100% Education	Tracking the Railroad	2
McKissock 100% Education	Elevation Certificate	2
Garden State Land Surveyors Alliance	Internet Resources for the Land Surveyor	2
Garden State Land Surveyors Alliance	US Copyright Protection and the Land Surveyor	2
Garden State Land Surveyors Alliance	The NJ Land Surveyor and ALTA/ACSM Land Title Survey Standard	2
Garden State Land Surveyors Alliance	Understanding How to Prepare the FEMA Elevation Certificate	2
Garden State Land Surveyors Alliance	Preparation of Major Subdivision Maps for Filing	2
Garden State Land Surveyors Alliance	Preparation of Minor Subdivision Maps for Filing	2
Garden State Land Surveyors Alliance	Preparation of General Property Parcels Maps of Filing	2
Garden State Land Surveyors Alliance	Preparation of Condominium Maps for Filing	2
Garden State Land Surveyors Alliance	Preparation of Maintenance of Tax Maps	2
Garden State Land Surveyors Alliance	Title Blocks and Seals for PE's and PLS	2
Garden State Land Surveyors Alliance	The Professional Land Surveyor and the Division of Responsibility in Submission of Site Plans and Sub-Division Plats	2
Garden State Land Surveyors Alliance	Organizing/Scheduling Property Survey Requests	2
Garden State Land Surveyors Alliance	Insurance Principles and Professional Practice Standards	2
Garden State Land Surveyors Alliance	Fundamentals of Real Property Boundary Law for PLS's	8
Garden State Land Surveyors Alliance	The Land Surveyor and the Construction of Professional Contracts: Responsibility and Liability	8
Garden State Land Surveyors Alliance	The Liability Environment for Land Surveyors	8
Garden State Land Surveyors Alliance	Professional Responsibility, Contracts and Liability for PLS's	8
Garden State Land Surveyors Alliance	The Land Surveyors Role as an Expert Witness in Civil Litigation	8
Garden State Land Surveyors Alliance	Professional Ethics & Licensing Board Actions for PLS's	8
Garden State Land Surveyors Alliance	Land Boundary Retracement Practice & Procedure for PLS's	8

Reinstatements:

Mark Alan Cogley, PE

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

Konrad Kurt Mayer, PE - (Inactive status, review of CPC proficiency)

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

Certificates of Authorizations

The Board on a motion by BM Frantz, second by BM Jones, voted to approve the

following companies for a Certificate of Authorization:

THE JOHNSON COMPANY, INC. dba JOHNSON ENVIRONMENTAL COMPANY 100 State Street, Ste. 600 Montelior, VT 05602 Application # 1671170	GEOENGINEERRS, INC. 8410 154TH Avenue NE Redmond, WA 98052 Application # 1667062
TRANSPORTATION RESOURCE GROUP, INC. 204 N. George Street, Ste. 260 York, PA 17401 Application # 1671220	MLD ENGINEERING SOLUTIONS, INC. 2121 W. Airport Fwy, Ste. 220 Irving, TX 75062 Application # 1673030

CLOSED CASES:

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

Steven Hoffman, PE - 24GE0305900

INFORMATIONAL/DISCUSSION ITEMS

"NCEES - PS to become closed book exam in 2013"

The Board noted this article for the record.

PUBLIC COMMENTS

Ajay Mallik, PE Application #1562752

Mr. Mallik appeared before the Board to request a waiver of TOEFL/TSE as it relates to the processing of his PE application. The Board discussed Mr. Mallik's request and on a motion by VP Purcell, second by BM Jones, voted to deny his request.

John Fearheller, Jr., P.E., P.P., PLS Application #1577000

Mr. Fearheller appeared before the Board to request it reconsider its prior determination on his PLS application and his response thereto, when it credited him with 0.20 years of surveying experience.

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 Franz, second by BM Jones, the Board unanimously voted to adjourn the meeting at 2:30 pm.

APPROVED BY:

Perry Schwartz
President

Paul Ray
Acting Executive Director