

State Board of Professional Engineers and Land Surveyors

Minutes of January 16, 2003

PUBLIC SESSION

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by President Pravin Patel at 9:00am 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

President Patel 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 Star-Ledger, the Courier Post and the Bergen Record.

ROLL CALL

BMs present:

Louis Raimondi	James Kelly
Albert Faraldi	James Valenti
Edward Vernick	Rishi Raj
Robert Marshall, Jr.	Pravin Patel
Richard Frantz	

BMs absent: Robert Bogart

Others present: Arthur Russo, Executive Director, Deputy Attorney General Michelle Albertson Joseph Grabowy, Ernest Gonzalez,, Yolanda Winston and Martha Richardson, members of the staff.

COMMITTEE REPORTS

Legislation

A190 - Concerns certain professional boards, councils and committees. Appears to impact medically related boards, etc., only. Enforcement powers. - This bill, formerly A2995, was reported out of the Assembly Regulated Professions and Independent Authorities Committee on November 7, 2002 and appeared on the Assembly floor on December 12, 2002 and passed with amendments.

A2908 - Permits property owners to waive requirements for certain land surveying work - This bill was

introduced on October 17, 2002 and passed the Assembly on November 18, 2002. It was reported out of the Senate Community and Urban Affairs Committee on January 9, 2003. The Board took a "not favorable" position on this bill.

S1685 - Revises "grandfathering" provisions for eligibility to be licensed as a home inspector - Passed the Senate on December 16, 2002 and was transferred to the Assembly Regulated and Independent Authority Committee on January 9, 2003.

A2949 - Requires release of bid list prior to bid date. Introduced on October 28, 2002, this bill was reported out of the Assembly Housing and Local Government Committee on January 9, 2003. The Board has taken no position on this bill.

A3060 - Required value engineering clause in specifications for certain construction contracts under Local Public Contracts Law. This bill was introduced on December 9, 2002 and referred to the Assembly Housing and Local Government Committee. The Board, after review of this bill, will advise the Division that it takes a "not favorable" position on this bill.

Watershed Management Rules (D.E.P. rules and regulations) - NJDEP has published its revised rules for comment in the January 6, 2003 edition of the New Jersey Register. NJDEP permits for storm water discharge will be required for most municipalities. Water quality requirements will be enhanced.

Administration

No report.

Examinations

No report.

Education

No report.

Regulations

No report.

Finance

No report.

Special Committee Reports

Newsletter

ED Russo informed the Board that the 5th edition of the newsletter is in the printing phase.

BM Raimondi stated that he is finalizing the 6th edition of the newsletter and awaiting a few articles from other Board members. He also stated that he will include an article regarding the nonacceptance of construction experience toward PE licensure and advise that a new examination, namely, architectural engineering, will be offered as a separate testing discipline in April 2003.

Joint Committee

BM Raimondi informed the Board that the next Joint Committee meeting is scheduled for February 4, 2003.

Website

The Board advised the staff that the website needs to be updated with current information.

Joseph Grabowy informed the Board that he will request that a notice be placed on the website informing the public of the availability of the architectural engineering examination. Also, a link to ECEI will be added for those applicants requiring evaluations of their foreign degrees.

ED Russo will request the printing of the Board's governing statute and regulation book.

2003 NE Zone Meeting

BM Raimondi mentioned that events are progressing smoothly with the preparations for this event to be held in Orlando, Florida on April 3, 4 and 5, 2003.

Applications: Revisions & Design Experience

The Board requested that ED Russo obtain the status of the application draft awaiting the Director's review.

Licensure Promotion Committee

No report.

Soil Conservation Committee

BM Valenti informed the Board that the Committee will next meet on February 18, 2003.

Disciplinary Action Committee

No report.

REVIEW OF APPLICATION

Kevin Russell - #886292

Mr. Russell appeared before the Board to discuss his application for PE licensure by examination. He presented various samples of his projects involving engineering design.

After reviewing the information presented, the Board unanimously voted to approve his application and to allow him to sit for the principles and practices examination.

APPEARANCE BY DEPUTY DIRECTOR ANTHONY MIRAGLIOTTA

Deputy Director Miragliotta informed the Board that the proposed changes to the the corner marker waiver regulation are scheduled to be published in the New Jersey Register on February 3, 2003.

This information shall be posted to the website and a mailing sent to the licensees.

CANCELLATION OF MEETING DATE

The Board unanimously voted to cancel its January 30, 2003 meeting. The Board staff will contact the pertinent agencies to advise them of this change.

APPROVAL OF APPLICATIONS

The Board, upon review of the list of applications, unanimously voted to approve the following applications:

Name	App #	Name	App #	Name	App #
D. SHEETS	910453	J. STEWART	918305	E. NOWEL	918648
T. RUGGIERO	917255	R. ROBINSON	917409	D. COSGROVE	90323
D. LEVINE	909733	R. LUCAS	894760	R. LUEBBE	894735
E. BURGER	887940	J. SMETTERS	879546	R. STANKO	883897
S. DELANY	918490	J. O'CONNOR	918277	Y. XIE	918408
T. PETERSON	918461	M. PARIKH	916835	G. EVANS	916896
T. SHROBA	918796	L. OZBUN	923663	J. COWELL	918466
D. MEIER	918772	P. CROW	918062	T. STEADMAN	049410
E. SARSHAD	918657	R. HAUPT	920307	B. FENNELLY	917946
J. BUCKLEY	052162	J. MCDEVITT	048935	G. AMEL	918083
J. CARATURA	920379	C. SABATINA	917421	S. MITCHELL	922577
M. MOSLEY	920256	J. ART	918763	J. PATTERSON	918327
M. BAALBAKI	920694	C. BARNES	921088	D. PURVIS	898244
Q. WU	598971	T. DIGGAN	917347	R. TOWERY	917926
J. HARTLEY	923439	B. PAPI	917408	J. PUGLISI	886972
C. DALY	916783	D. NELSON	917467	M. FRABIZZO	916772

MOVE TO EXECUTIVE SESSION

The Board motioned to enter into Executive Session for the purpose of reviewing the executive session agenda.

RETURN TO PUBLIC SESSION

The Board, as reflected in the Executive Session minutes, unanimously voted to return to Public Session to complete the Public Session agenda.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

The Board discussed the matter of expediting comity NCEES record booklet applications. The Board will advise NCEES that it is desirous of accomplishing this goal.

Incoming Correspondence

Lembaga Jurutera Malaysia

**RE: Visit to the Board
(January 10, 2003)**

The Malaysia Board of Engineers requests confirmation of the March 27, 2003 meeting date with the New Jersey Board.

The Board will confirm this date with the Malaysia Board.

**Lolly Merced, Administrative Assistant I / Division of Consumer Affairs
RE: Mailing List of Board's Published Proposed Regulations
(December 19, 2002)**

Ms. Merced requests that the Board advise her of updates to the mailing list of recipients for the proposed regulations.

The Board will advise her accordingly. However, the Board requests that the list be checked to determine if there is a continuing request to be left on the list or if a fee has been paid to be on the list before removing anyone from the list.

**Betsy Browne, Executive Director/ NCEES
RE: Appointment of Associate and Emeritus Members
(December 23, 2002)**

Ms. Browne informed each member Board that it may nominate as many Associate and Emeritus Members that it wishes.

The Board requested that ED Russo advise Betsy Browne of any additions or deletions as necessary.

**Tim Lowe/ Lowe Engineers
RE: Photogrammetry and GIS
(January 2002)**

Mr. Lowe requested the Board's position on the issue of photogrammetry and GIS as a form of registration.

The Board will inform Mr. Lowe that it has no position on these matters.

**Michelle McIntyre/Bernards Twp Health Dept.
RE: Certification of Septic Systems
(December 4, 2002)**

Ms. McIntyre requested the Board's position on an engineer's responsibility for certifications of septic systems. The Board shall refer her to N.J.A.C. 13:40-3.1(a)(5).

**Rocco Russomanno, Construction Official, PE/ The Town of Harrison
RE: Alterations of a basement
(December 19, 2002)**

Mr. Russomanno inquired if a professional engineer can prepare a plan for a residential basement alteration within the residential use portion under the building design services act.

After a review of this correspondence, the Board will advise him that, based on the facts presented, pursuant to N.J.S.A. 45:4B-7(a), alterations made to any residential building involving human occupancy must be made by an architect.

**Barnet M. Schmidt
RE: Unlicensed Person Advertising as an Engineer**

(December 21, 2002)

Mr. Schmidt informed the Board that he came across an advertisement by an individual who presented himself as a Microsoft Certified Systems Engineer and would like to know if the use of this title is a violation of the Board's statutes and regulations.

The Board will inform Mr. Schmidt that it has not taken a position on this issue, but will continue to monitor the matter.

Donald C. Meserlian, PE

RE: Appeal of 12/19/02 Decision

(December 30, 2002)

Mr. Meserlian, who was present at this meeting, has written to the Board to appeal its decision that professional engineers are not permitted to perform topographic surveys. He believes that a professional engineer is qualified through education and training to perform these surveys and requests the Board to change the statute.

After Mr. Meserlian expressed his opinion, the Board reaffirmed its previous decision.

Additionally, the Board requested that a letter be forwarded to the Township of Mannville and its municipal engineer informing them that professional engineers cannot perform topographic surveys.

M.M. Specter, PE, PLS, Executive Director/ National Academy of Forensic Engineers

RE: Expert Testimony

(December 30, 2002)

Mr. Sector requests the Board's advice as to its policies with regard to providing expert engineering and surveying testimony in New Jersey.

The Board will advise him that it has not taken a position on this issue, but continues to monitor the issue.

Robert W. Dahl/ Bureau of Land Management

RE: BLM Cadastral Press Release - Manual of Surveying Instructions

(January 6, 2003)

The Board noted this press release for the record.

George T. Lucas, II, PLS,

Executive Director/ Garden State Land Surveyors Alliance, Inc.

RE: FATIC "Express Map" Services

(January 2, 2003)

Mr. Lucas expresses the concerns of the GSLSA regarding the services rendered by Express Map. He feels that these services may be misleading to consumers. The Board is monitoring this situation.

The Board noted this correspondence for the record.

John Q. Adams, III, PE,

Director of Examinations Development Services/ NCEES

RE: National Pass Rates (Fundamentals of Engineering & Land Surveying) (December 17, 2002)

The Board noted these figures for the record. It will also forward a copy of these statistics to the New Jersey engineering colleges/universities.

John Q. Adams, III, PE,

Director of Examinations Development Services/ NCEES
RE: Notice of Future Changes to NCEES Examinations
(December 18, 2002)

All member boards are advised that a change in the PE examinations for Control Systems Engineering will impact on the October 2003 examination.

The Board noted this correspondence for the record.

Cheryl Jenkinson/ Print Production - Division of Consumer Affairs
RE: 2003 Meeting Dates
(January 2, 2003)

Ms. Jenkinson advises the Board that its meeting dates for the 2003 calendar year have been posted to its website.

This information was noted for the record.

Kimberly Adcock/ PCS
RE: Hand score Policy per NCEES
(January 15, 2003)

Ms. Adcock informed the Board that PCS will no longer be conducting hand scores as per NCEES.

The Board noted this correspondence for the record.

Edward Ransuska, Bergen County Engineer
RE: County Engineer's Position
(January 15, 2003)

Mr. Ransuska informed the Board that he will soon be retiring as Bergen County's municipal engineer. He stated that there are projects currently underway that have not reached the bidding process stage and will more than likely not reach that stage until after he officially retires. His inquiry of the Board is whether these documents should have his name on the title block or that of his successor.

The Board will send Mr. Ransuska a copy of its regulations and refer him to the regulation regarding the definition of "responsible charge". It will also inform him that the name of the person in responsible charge is required to be included in the title block once the plans are completed.

Outgoing Correspondence

Interim Dean James C. Sturm,
Ph.D./ Princeton University
RE: Promoting Professional Licensure
(December 18, 2002)

The Board noted this correspondence for the record.

Alan N. Walter
RE: Fundamentals of Engineering Examination
(December 26, 2002)

The Board advises Mr. Walter of the requirements needed to be considered eligible to sit for the Fundamentals of Engineering Examination.

The Board noted this correspondence for the record.

Jim Sadley/ NJ Department of Agriculture
RE: Restrictions on making copies of the Soil Conservation District
certified soil erosion and sediment control plans
(January 8, 2003)

The Board informed Mr. Sadley that plans are limited pursuant to N.J.A.C. 13:40-1.1 et seq. and the Map Filing Law. It also suggested that he consult with his counsel for legal advice on OPRA questions.

DISCUSSION ITEMS

The Board discussed the issue of allowing students in their junior year of college to be eligible to sit for the fundamentals of engineering examination. It will discuss this matter further with Jake Gertsman, Regulatory Analyst, for a possible change of the regulations. At that time, the Board will discuss the expert testimony issue with Jake Gertsman.

The Board unanimously voted to release the grades of the October 2002 examinations.

ADJOURNMENT

On a motion by BM Frantz, second by VP Vernick, the Board unanimously voted to adjourn at 2:30 p.m.

APPROVED BY:

_____	_____
Pravin H. Patel, PE	Arthur Russo
President	Executive Director

[Back To Minutes Archive Page](#)
