

# State Board of Professional Engineers And Land Surveyors

Minutes of January 17, 2002

## Public Session

### CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by the Board President James Kelly at 9:30 am in the Union Conference Room, Third Floor, 124 Halsey Street, Newark, New Jersey. All parties were duly notified of the time, date and place, with all pertinent material being provided.

### SUNSHINE LAW ANNOUNCEMENT

President Kelly read the statement required by Chapter 231, Laws of 1975 known as the Open Public Meeting 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:

James Kelly	Pravin Patel
Robert Bogart	Albert Faraldi (9:45am)
Richard Frantz	Robert Marshall
Rishi Raj	Louis Raimondi
Edward Vernick	Theodore Cassera (9:55am)

**Others present:** William Mandeville, Program Development Assistant, Ernest Gonzalez, Senior Clerk Transcriber, Martha Richardson, Staff, Yolanda Winston, Staff, and Deputy Attorney General Michelle Albertson.

### APPROVAL OF MINUTES

#### December 6, 2001

The Board reviewed the minutes of December 6, 2001. The Board unanimously voted to approve the minutes of December 6, 2001 as amended.

#### December 20, 2001

The Board reviewed the minutes of December 20, 2001. The Board unanimously voted to approve the minutes of December 20, 2001 as amended.

## **REPORT OF THE EXECUTIVE DIRECTOR**

### **Incoming Correspondence**

**Michael Granit**

**RE: Fire Protection Engineer Licensing**

**December 2, 2001**

DAG Albertson advised the Board that this correspondence was submitted to a congressman and forwarded to the Division of Law for review. She requested the Board's input on this matter.

In his letter Mr. Granit states that New Jersey does not administer the Fire Protection Engineer examination and is detrimental to the consumer. Mr. Granit also states that contractors are designing sprinkler systems and hiring retired engineers, who have not supervised the work, to seal the plans. He also indicated that he has been trying to become licensed in New Jersey by taking the fire protection examination, which he has taken in Pennsylvania to become licensed. He claims that current business practices involving engineers signing designs to which they have no knowledge of will cause situations similar to that of the Seton Hall University dormitory fire.

The Board reviewed this correspondence and will inform Mr. Granit that engineering discipline specific licenses are not issued in New Jersey and that an applicant would need to meet the requisite requirements in compliance with the Board's regulations.

The Board will also inform Mr. Granit that the situation he mentioned involving disasters such as the Seton Hall fire are false because there are licensed professional engineers that can design fire protection systems. The Board is not comfortable with weakening their own regulations which clearly state the requirements to become licensed. Another point the Board will emphasize to Mr. Granit is that it does not encourage contractors to submit fire sprinkler designs.

The Board stated it would like to have Mr. Granit appear before it for further discussion on this matter.

## **APPLICATION - FULL BOARD REVIEW**

**Heinz J. Mayer - #49609**

President Kelly reported that Mr. Mayer received his degree from an institution in Austria. Upon an evaluation submitted by ECE, President Kelly stated that Mr. Mayer's degree was not equivalent to a bachelors in engineering. Mr. Mayer was notified of the Board's decision and requested an appeal.

Upon a review of this application, the Board will inform Mr. Mayer that a second evaluation may be submitted through ECEI for further review by the Board. If Mr. Mayer refuses to comply with the Board's suggestion, it reaffirms its original decision.

**Donald Chester - #52497**

VP Patel states that upon his initial review of this application, Mr. Chester graduated with a degree from Virginia Tech in 1974 and his experience, stated within the application, did not start until 1984. VP Patel's initial decision was to have Mr. Chester document 2 years of original design experience more explicitly. Upon further review of the application, the Board stated that Mr. Chester showed an adequate amount of design

experience between June 2000 and the present, amounting to 1.5 years of design. He also submitted a PE reference who supervised his work during that period.

The Board unanimously voted to inform Mr. Chester that he is lacking 6 months of original design experience and to submit a revised version of his detailed statement of experience once he has gained said experience.

## **APPROVAL/ DENIAL OF APPLICATION FOR LICENSURE**

The Board reviewed the January 3, 2002 Examination/Comity Applications Report and voted to approve 40 exam and 7comity applications, and to deny 12 exam and 1 comity applications (list attached).

On a motion by BM Vernick, second by BM Bogart, the Board unanimously voted to accept the January 3, 2002 list of approved/denied applications for licensure.

## **RELEASE OF GRADES**

William Mandeville informed the Board that Kim Adcock, PCS Representative, advised him that the grades for the October 2001 examinations are ready for dissemination. Another item of discussion was the issue of the law examination. It is now standard practice to have the law examination mailed by PCS to all examinees approximately 2 weeks prior to the examinations. Ms. Adcock indicated that a large number of examinees have taken the 8 hour examinations, but have not submitted the law examination. She requests from the Board a decision to either (1) release the grades upon receipt of individual law exams or (2) release the grades without the submission of the law exam.

Upon review of this situation, President Kelly made a suggestion to release the grades for the October 2001 examinations without submission of the law exam, but to make it standard practice, beginning with the April 2002 examinations, to release only the score of those examinees who have submitted their law examinations. On a motion by BM Raj, seconded by BM Faraldi, the Board unanimously voted to approve this suggestion.

## **ANNOUNCEMENT FROM DAG ALBERTSON**

DAG Albertson informed the Board that changes have been made within the assignment of Boards to DAGs. She was delighted to announce that she has been permanently assigned as the DAG for the Board of Professional Engineers & Land Surveyors.

The Board expressed their appreciation for all the work DAG Albertson has done and is confident that she will continue the task of being its DAG with the same productiveness and professionalism as she has during her tenure as interim DAG.

## **MOVE TO EXECUTIVE SESSION**

On a motion by BM Patel, second by BM Bogart, the Board unanimously voted to enter into Executive Session for the purpose of reviewing complaints.

## **RETURN TO PUBLIC SESSION**

On a motion contained in Executive Session, the Board unanimously approved to return to Public Session for the purpose of reviewing drafted applications.

## **REVIEW OF DRAFTED APPLICATIONS FOR PROFESSIONAL ENGINEERS SEEKING**

## LICENSURE AS HOME INSPECTORS

The Board reviewed the drafted applications for home inspection licensure for professional engineers. This item will be discussed further at the February 7, 2002 meeting.

## ADJOURNMENT

On a motion by BM Frantz, second by BM Raj, the Board unanimously voted to adjourn at 1:00 pm.

Approved by:

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James D. Kelly, P.E.

President

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William Mandeville

Program Development Assistant

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*Posted March 2002*