

**STATE BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
Minutes of January 20, 2005
Public Session**

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by President James Kelly 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

President Kelly 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 Camden Press, and the Courier Post.

Present:

James Kelly
Richard Frantz
James Valenti
Lawrence Koo (9:30 a.m.)
Edward Vernick
Robert Marshall
Michael Angeline
Louis Raimondi
James Cleary

Absent: Pravin Patel

Others: Arthur Russo, Executive Director, Michelle Albertson, Deputy Attorney General, and staff members Joseph Grabow, Ernest Gonzalez, Robert Welsh, and Yolanda Winston.

APPEARANCES

William Seaton, Vice-President & Provost, and Dr. Marcus Tillery, Dean of the School of Applied Science & Technology/ Thomas Edison State College

Mr. Seaton and Dr. Tillery appeared before the Board to discuss the mission and function of Thomas Edison State College and the various degree programs it offers. They informed the Board that the programs offered by Thomas Edison State College are provided in various formats, including correspondence courses and online courses. It was noted that Thomas Edison only offers a technology degree in engineering and that the school is in the process of applying for ABET accreditation which it hopes to achieve in the Fall of 2006.

COMMITTEE REPORTS

Legislation

DEP Certification program for septic systems - The Board discussed this certification program and requested that Barry Chalofsky, Director of the Department of Environmental Protection, appear to discuss this matter. This matter will be carried over to its next scheduled meeting.

Administration

No report.

Examinations

No report.

Education

No report.

Regulations

President Kelly stated that the Committee is continuing to work on the regulations for the sunset.

Finance

No report.

NCEES Zone Update

BM Raimondi informed the Board that there are currently two open positions on the national council, President-Elect and Treasurer. He also stated that nominations for these positions must be made by the time of its annual meeting.

The Board, on a motion by BM Frantz, second by BM Vernick, unanimously nominated Louis Raimondi as President-Elect. It will advise its New Jersey representative to place this name in nomination.

Additionally, the Board, on a motion by BM Vernick, second by BM Raimondi, unanimously voted to nominate Pravin H. Patel as a recipient of a special NCEES award.

Special Committee Reports Newsletter

VP Valenti informed the Board that the most current newsletter is almost complete.

Joint Committee

No report.

Website

Robert Welsh indicated that a meeting is scheduled to discuss updating the website. He indicated that the Print Production Unit requires at least 8 business days prior to a Board meeting to post an agenda.

Licensure Promotion Committee

BM Vernick informed the Board that he, along with VP Valenti, will attend a Rutgers University gathering of engineering students on February 9, 2005. President Kelly will speak to the freshman class at Stevens Institute of Technology on the importance of licensure.

Disciplinary Action Committee

No report.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

ED Russo advised the Board that the April 2005 examinations cannot be conducted at Rowan University due to a scheduling conflict. Therefore, the Board is pursuing the use of the Holiday Inn in Runnemeade, NJ. He will keep the Board informed on this matter.

ED Russo read a listing of Board's previously approved emeritus members who the Board unanimously approved to be listed within NCEES.

The Board, on a motion by BM Vernick, second by BM Angeline, unanimously voted to approve the release of the October 2004 examination grades.

Lynn Craddock, Board staff, informed the Board that an audit was conducted with regard to continuing education for licensed land surveyors. A second notice shall be sent to those individuals who have not yet responded.

ED Russo stated that Jim Pearsel will be the new representative of the New Jersey Society of Professional Engineers, with Charles Beck as an alternate. Barry Jones will be the representative of the New Jersey Society of Professional Land Surveyors.

The Board nominated BM Angeline to organize the Board's annual meeting, which will be held on May 6, 2005.

The Board approved payment for services rendered by the Division of Law.

The Board approved the payment of the annual NCEES membership fee.

Incoming Correspondence

Manuel Ponte, PE, Vice-President/ Jacobs-BBL
RE: NJ Water Environment Association Annual Conference
(December 16, 2004)

Mr. Ponte wrote to the Board thanking it for allowing President Kelly and BMs Valenti & Vernick to speak at the conference. He also provided an outline of the topics to be discussed.

The Board noted this correspondence for the record.

Craig L. Savage, President/ National society of Professional Surveyors
RE: Registration Boards Forum
(January 3, 2005)

Mr. Savage wrote to the Board to request if any of its members or staff will attend the forum, which will be held on March 19, 2005 at the Riviera Hotel & Casino in Las Vegas, NV.

BM Raimondi will be in attendance as a representative for NCEES, which shall be reviewed by Robert Campanelli, Ethics Officer.

Brian Gomez, President/ Nu Wave Pools
RE: Legality & responsibility of plotting a proposed pool structure on a survey
(January 6, 2005)

Mr. Gomez requests the Board's determination on whether a professional land surveyor can show a proposed pool on a survey.

The Board will direct Mr. Gomez to the site plan rule, N.J.A.C. 13:40-7.3(a). Further, the Board shall advise him that a land surveyor is responsible for showing existing conditions pursuant to N.J.A.C. 13:40-

7.2(a).

Brad L. Crane, PE/ SCA Consulting Engineers
RE: Sealing of documents by a professional engineer
(January 3, 2005)

Mr. Crane asks questions related to the signing of truss construction documents.

The Board will advise Mr. Crane that pursuant to N.J.A.C. 13:40-1.1, all maps, plats, reports, descriptions, plans, design specifications, certifications or similar documents must be signed and sealed. Mr. Crane will also be advised that the Board is unable to interpret the guidelines of the World Truss Council and the IBC.

Joseph J. Schiavo, PE, CME
RE: Conflict of interest
(January 5, 2005)

Mr. Schiavo wrote to the Board for guidance in connection with a situation which might be considered a conflict of interest.

The Board will inform Mr. Schiavo that, based on the facts presented, there does not appear to be a conflict of interest.

Rosemary Brister, Mississippi Board
RE: Examinee ID#
(December 20, 2004)

Ms. Bister wrote to all the Boards requesting input on a proposed change by NCEES in identifying future examinees by identification numbers.

The Board will advise Ms. Bister that it supports this effort.

Betsy Browne, Executive Director/ NCEES
RE: Licensure Exchange Reader Poll
(December 16, 2004)

Ms. Browne writes to all readers of the Licensure Exchange to determine what can be done to improve the newsletter.

President Kelly requested that the Board review the newsletter and provide ED Russo with any suggestions.

Steven Frank, Department Head/ New Mexico State University
RE: Survey Ethics Course
(December 20, 2004)

Mr. Frank wrote to advise the Board that there has been a change in the survey ethics course.

The Board noted this correspondence for the record.

Muriel M. Zhou, Director/ ECEI
RE: Change to evaluation summary statement
(December 15, 2004)

Ms. Zhou advises the Board of changes made to the ECEI evaluation summary statement for foreign degree evaluations.

The Board noted this correspondence for the record.

Michael Stossel
RE: On-line course
(December 2, 2004)

Mr. Stossel requests that the Board review a course offered by Kennedy-Western University via the Internet.

The Board tabled this matter until the next meeting.

Michael Zukauskas, PE, Vice President/ URS
RE: Use of the word "Engineer" in an employee's title
(October 27, 2004)

Mr. Zukauskas requests the Board's interpretation of the use of the title "engineer" in employee titles at his firm.

The Board shall refer Mr. Zukauskas to N.J.S.A. 45:8-27 regarding the use of the word "engineer".

Dincer Egin
RE: Professional Engineer Application - #1073416
(December 14, 2004)

Mr. Egin requests a clarification of the TOEFL/TSE rule as it applies to him. He is a graduate of the University of Durham in Britain.

The Board, on a motion by BM Vernick, second by BM Frantz, unanimously voted to waive the TOEFL/TSE requirements in this matter.

Dr. Richard L. Elgin, PE, PLS, Exam Consultant to Missouri & Kansas Boards/ Missouri Division of Professional Registration
RE: State-Specific Land Surveyor Examination
(December 15, 2004)

Mr. Elgin requests that the Board complete a survey based upon its examination.

The Board nominated a sub-committee comprised of BMs Raimondi, Angeline and Cleary to review the survey.

Richard Conroy, President/ Pier Con Solutions
RE: Telecommunications industry exemption
(December 15, 2004)

Mr. Conroy requested clarification regarding professional service contracts with municipal governments, specifically in the area of telecommunications.

The Board will advise Mr. Conroy to review the telecommunications exception in the statute.

Dr. Holly Crawford/ Rutgers University
RE: Invitation
(January 10, 2005)

Dr. Crawford invites VP Valenti to speak to the Rutgers freshmen class on the importance of licensure.

The Board noted this correspondence for the record.

Michael J. Mc Gurl, PLS
RE: Map Filing Law

Mr. Mc Gurl requests clarification on the term "outbound corners."

After discussing this matter the Board determined that any changes to a line of the tract boundaries such as one resulting from a point of tangency or curvature represents an outbound corner and must be monumented. The Board will also request from Mr. Mc Gurl a copy of an unmarked map.

Professor Margaret Bailey
RE: Reinstatement - Waiver of the 5 year requirement

Prof. Bailey wishes to reinstate her license. She let her license lapse for a period of more than five years and does not hold a license in any other state. Based on the statute, she is required to re-take the initial examination. She is requesting a waiver of this statute stating that she was unaware that her license lapsed during the pursuit of her doctorate degree.

The Board voted to deny her request of a waiver of the statute and will advise her that she cannot utilize the term "professional engineer".

REVIEW OF APPLICATIONS

Licensure

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

PELS APPLICATIONS REVIEWED ON JANUARY 20, 2005

NAME	APPLICATION #	PE/EIT	DECISION
C. OLSON	1069898	PE\EIT	TAKE P
P. HARRISON	1078915	COMITY	GRANT
R. SIDDIQUE	961708	COMITY	DENIED
S. AHMED	1088531	COMITY	DENIED
I. ENIZHNIK	1079287	COMITY	DENIED
P. KAMIS	1037295	COMITY	DENIED
D. CHETKOWSKI	1037326	COMITY	GRANT
D. FOWLER	1074915	PE\EIT	TAKE P
M. DESHPANDE	1010506	PE\EIT	TAKE P
C.URBIOLA	10/73202	PE\EIT	TAKE P
T. MOLNAR	1013949	PE\EIT	DENIED
M. MULLINS	1090707	COMITY	DENIED
B. HUGHES	1077915	PE\EIT	TAKE P

C. CLARK	1078503	COMITY	GRANT
A. STELLATO	1091379	COMITY	GRANT
J, HOLT	1085574	COMITY	GRANT
T. DUTTING	1094426	COMITY	GRANT
J. CALCARA	1086493	COMITY	GRANT
L. HORTON	1032663	COMITY	GRANT
D. BATTEN	1080653	COMITY	GRANT
A. ERDMANN	1094424	COMITY	DENIED
B. HELLMER	1093769	COMITY	DENIED
J. DE-GREGORIA	1081512	PE\ EIT	DENIED
A. SHERMAN	1076474	PE\ EIT	DENIED
JIANG YU	987767	COMITY	GRANT
D. UDOVIC	1078641	PE\ EIT	TAKE PWAIVE F
C. WAY	979573	PE\ EIT	TAKE P
T. ANSARI	898261	COMITY	DENIED
G. WATSON	50955	PE\ EIT	TAKE P
S. DAIUTE	1087987	COMITY	GRANT
A. GIPSON	1092223	COMITY	GRANT
A.BRAUM	52075	COMITY	DENIED
H. JACKSON	1009771	PE\ EIT	DENIED
A. IHARRATANE	1026003	COMITY	DENIED
D. JAKIEL	1017374	COMITY	DENIED
D. DILLION	1031630	COMITY	DENIED
FEI LI	1071551	PE\ EIT	DENIED
S. GUPTA	994335	PE\ EIT	DENIED

Certificates of Authorization

The Board, on a motion by BM Frantz, second by BM Vernick, unanimously voted to approve the following Certificates of Authorization:

Northern Power Systems, Inc.
1219 Park Avenue
Hoboken, NJ 07030

Degrace and Associates, LLC
1440 Hamburg Turnpike
Wayne, NJ 07470

Schaffer Nassar Scheidegg Consulting Engineers, LLC
1425 Cantillion Boulevard
Mays Landing, NJ 08330

Basharkhah Engineering, Inc.
2520 Fairmount Street
Dallas, TX 75201

Booth Engineering
2530 Lafayette Drive
Davis, CA 95616

KPN Engineering, LLC
5447 S. Valdai Street
Aurora, CO 80015

Barkley Engineering, LLC
163 Burlington Path
Cream Ridge, NJ 08514

Roberts & Reymann, LLC
1670 Whitehorse-Hamilton Square Rd.
Hamilton, NJ 08690

Northeast Remsco Construction, Inc.
1433 Hooper Avenue
Toms River, NJ 08753

Ambitech Engineering Corp.
1333 Butterfield Road
Downers Grove, IL 60515

Bodnar Environmental, LLC
246 Broad Street
Manasquan, NJ 08736

Survet Land Surveyors, LLC
523 Holmes Avenue
Forked River, NJ 08731

Licensure as a Home Inspector

The Board, on a motion by BM Frantz, second by BM Vernick, unanimously voted to approve the application of Michael Orror for licensure as a home inspector.

Full Board Review

Patricia Smith - #943894

The Board, after meeting with the representatives of Thomas Edison College, re-reviewed Ms. Smith's application for examination.

On a motion by BM Marshall, second by BM Vernick, the Board unanimously denied her application on the basis that Thomas Edison State College is not ABET accredited.

Ed Mahor - #966680

Upon review of Mr. Mahor's application, the Board noted that he received his undergraduate degree from the University of Delaware in engineering technology and is applying via comity by virtue of his license in Delaware.

After a review, the Board, on a motion by BM Raimondi, second by BM Vernick, unanimously voted to deny him licensure on the basis that his undergraduate degree is not ABET accredited.

Bruce Tolbert - #970364

Mr. Tolbert is licensed in Pennsylvania. However, the Pennsylvania verification states that he took all necessary examinations in Texas and received a Texas license. Mr. Tolbert states that he sat for the examinations in Pennsylvania and received his initial licensure in that state.

The Board will request additional information supporting his position.

Arthur Shelton - #1004954

After reviewing Mr. Shelton's application, the Board noted that disciplinary action was taken against him in California for providing an inaccurate answer in his renewal application. Based on this disciplinary action, Minnesota and Tennessee took disciplinary action.

The Board will request documentation from the states of California, Minnesota and Tennessee regarding this matter.

DISCUSSION & INFORMATIONAL ITEMS

The Board reviewed and noted the following for the record:

- * PCS acceptance letter to administer future examinations
- * NCEES News release
- * "Does it take an engineer to install hardware? - Florida debate on licensing is raising concerns in boatyards there and in other states" by: Dale K. DuPont Trade Only: December 2004
- * NCEES nomination of President Elect
- * ECEI - Letter of appreciation to the Board
- * New travel policy
- * Home inspection statistics
- * Certificate of Authorization Report
- * December 2004 PE/LS Statistical Report
- * Licensing Statistics

PUBLIC COMMENTS

Charles Blumeling, PE, PLS

Mr. Blumeling, representing the GSLSA, informed the Board that it has filed an application with the Division of Community Affairs for modification with construction surveys.

MOVE TO EXECUTIVE SESSION

On a motion by BM Vernick, second by VP Valenti, the Board unanimously voted to enter into Executive

Session to review disciplinary matters.

RETURN TO PUBLIC

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

ADJOURNMENT

On motion by BM Frantz, second by BM Vernick, the Board unanimously voted to adjourn the meeting at 2:00pm.

APPROVED BY:

James D. Kelly, PE
President

Arthur Russo
Executive Director