

**STATE BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
Minutes of February 7, 2008
Public Session**

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by President Michael T. Angeline 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 Angeline 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.

Present: Michael Angeline Robert Marshall
James Cleary James Purcell
Richard Frantz Perry Schwartz
Lawrence Koo James Valenti
Absent: Edward Vernick and Barry Jones

Others: Arthur Russo, Executive Director, Michelle Albertson, Deputy Attorney General, Joseph Grabowy, Assistant to the Executive Director, staff members Martha Richardson and Yolanda Winston, and one member of the public.

REVIEW OF MINUTES

September 20, 2007
October 4, 2007
October 18, 2007
November 1, 2007
December 6, 2007

The Board reviewed the September 20, 2008, October 4, 2008, November 1, 2008, and December 6, 2008 minutes and on a motion by BM Frantz, second by BM Cleary, unanimously voted to accept the minutes as amended. On a motion by BM Frantz, second by BM Cleary, the Board voted unanimously to accept the minutes of October 18, 2007 as submitted.

**APPEARANCE BY TIERA BESINGER, ASSOCIATE DIRECTOR FOR CORPORATE RELATIONS,
JOSEF SILNY & ASSOCIATES, INC., INTERNATIONAL EDUCATION CONSULTANTS**

Ms. Besinger appeared before the Board to discuss the education evaluation services provided by Josef Silny & Associates. The Board voted to include Josef Silny & Associates on its approved list.

COMMITTEE REPORTS

Legislation/Regulations

The Board noticed that the following bills were introduced in the Legislature: A1824/S136, which revise the qualifications for licensure for land surveyors and for certificates of registration for surveyors-in-training, and A2059 which clarifies the functions of a land surveyor as distinguished from the functions of a licensed

professional engineer.

Joint Committee

VP Valenti stated that the Joint Committee meeting was cancelled due to a lack of agenda items.

Licensure Promotion

The Board discussed the revised dates of February 27 and 28, 2008 to visit Rutgers' University. It will check the dates with the Committee members.

Education

BM Frantz spoke about the Mayan calendar which ends in the year 2012. He further discussed the need to maintain high education standards.

Continuing Education

On a motion by BM Cleary, second by BM Purcell, the Board voted to approve the following continuing education courses:

SPONSOR COURSE PDHS

PDHonline.org, Inc./PDH Center Introduction to GPS Surveying 4

PDHonline.org, Inc./PDH Center Construction Layout - In-Depth Discussion 8

Lorman Business Center, Inc. Eminent Domain 7

SPONSOR COURSE PDHS

NBI, Inc. National Business Institute Land Use Law: Current Issues in Subdivision Annexation and Zoning 7

University of Maine GPS 441 3-D Geodetic Model 1

National Geodetic Survey GPS Baseline Processing using Pages 1

Garden State Land Surveyors Alliance, Inc. Land Surveys & Improvements to Real Property 2

Garden State Land Surveyors Alliance, Inc. Internet Resources for the Land Surveyor 2

Garden State Land Surveyors Alliance, Inc. Underground Utilities & the New Jersey Prof. Land Surveyor 2

Garden State Land Surveyors Alliance, Inc. US Copyright Protection and the Land Surveyor 2

Garden State Land Surveyors Alliance, Inc. The N.J. L.S. & ALTA/ACSM Land Title Survey Standards 2

Garden State Land Surveyors Alliance, Inc. Terms & Definitions Used in Land Surveying 24

Garden State Land Surveyors Alliance, Inc. Land Ownership for Surveyors 20

Garden State Land Surveyors Alliance, Inc. Land Boundary Retracement Practice & Procedure For Land Surveyors 8

Garden State Land Surveyors Alliance, Inc. Professional Ethics & Licensing Board Actions For Land Surveyors 8

Garden State Land Surveyors Alliance, Inc. The Land Surveyor's Role As An Expert Witness in Civil Litigation

Garden State Land Surveyors Alliance, Inc. Professional Responsibility, Contracts And Liability for Land Surveyors 8

Garden State Land Surveyors Alliance, Inc. The Liability Environment for Land Surveyors 8

Garden State Land Surveyors Alliance, Inc. The Land Surveyors and the Construction Of Professional Contracts: Responsibility and Liability 8

Garden State Land Surveyors Alliance, Inc. Fundamentals of Real Property Boundary Law for Land Surveyors 8

Garden State Land Surveyors Alliance, Inc. Ethics for Land Surveyors 8

Garden State Land Surveyors Alliance, Inc. Insurance Principles and Professional Practice Standards 2

Garden State Land Surveyors Alliance, Inc. Organizing and Scheduling Property Survey Requests 2

Garden State Land Surveyors Alliance, Inc. The Professional Land Surveyor and the Division of Responsibility in Submission Of Site Plans & Subdivision Plats 2

Garden State Land Surveyors Alliance, Inc. Title Blocks and Seals for Professional Engineers & Land Surveyors 2

Garden State Land Surveyors Alliance, Inc. Preparation of General Property Parcel Maps for Filing 2

Garden State Land Surveyors Alliance, Inc. Preparation of Minor Subdivision Maps Maps for Filing 2

Garden State Land Surveyors Alliance, Inc. Preparation of Major Subdivision Maps Maps for Filing 2

Garden State Land Surveyors Alliance, Inc. Understanding How to Prepare the FEMA Elevation Certificate 2

The Board voted to deny the following continuing education courses:

SPONSOR COURSE PDHS

NJ Association for FloodPlain Management CFM Review 12

GITA - NY/NJ Chapter & MTA NY Transit Applying GIS & Spatial Data Technologies To Transportation (NHI Course) 16

Petition for Rulemaking Committee

VP Valenti advised that a committee meeting has been scheduled for February 13, 2008.

Contract Renewal Committee

The Board requested that specifications for its examination administration be finalized by March 2008 and be sent to the Purchase and Property Unit of the Division of Consumer Affairs.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

Executive Director Russo stated that the Board's website postings are current.

ED Russo advised that the next NJSPE meeting is scheduled for February 13, 2008.

The Board reviewed and noted for the record a memo from Jerry Carter, Executive Director of NCEES, regarding the inclusion of a design squad category on the popular television show, Jeopardy.

ED Russo spoke about an upcoming meeting between the American Congress on Surveying and Mapping and the National Society of Professional Surveyors to be held in Spokane, Washington on March 5-9, 2008.

ED Russo discussed a invoice from NCEES in the amount of \$6,500.00 for its member board annual fees. On a motion by BM Schwartz, second by BM Purcell, the Board unanimously voted to approve the voucher for payment.

Incoming Correspondence

James H. Waltz

Re: 13:40-5.1, Land Surveyors; preparation of land surveys (d)1. and 3
January 16, 2008

Mr. Waltz requests clarification regarding boundary markers that are not actual corners of the survey and those markers that are corner markers.

After reviewing this matter, the Board, on a motion by VP Valenti, second by BM Purcell, voted to inform Mr. Waltz that there was insufficient information to provide an answer and, therefore, he must provide more specific examples and the survey for further review.

Bernard R. Berson, PE, LS, NSPE President

Re: Request for NCEES to Develop a PE Exam for Software Engineering
January 2, 2008

Mr. Berson is requesting the Board's support in the development of an exam for software engineering.

After reviewing this matter the Board, on a motion by BM Purcell, second by BM Schwartz, voted to table this matter until the next meeting.

Kelly A. Giblin, PE

Re: Records Retention Question - PE Design Documents
January 18, 2008

Ms. Giblin requests clarification of the retention period for engineering design documents.

After reviewing this matter the Board, on a motion by VP Valenti, second by BM Purcell, voted to send a letter to Ms. Giblin and refer her to N.J.A.C. 13:40-9.1.

Steven Slusher

Re: Land Surveying Educational Requirements
January 22, 2008

Mr. Slusher requests information regarding the education requirements to obtain a land surveying license.

After reviewing this matter the Board, on a motion by BM Cleary, second by BM Schwartz, voted to refer Mr. Slusher to the Board's regulations.

Edward De Paula, Chief, Office of Public Housing

Re: Prohibition of Unlicensed Practice of Architecture and Professional Engineers in State Public Housing
Projects

Mr. De Paula provides a copy of the memorandum sent to all Public Housing Agencies.

After reviewing this matter the Board on a motion by VP Valenti, second by BM Purcell, voted to note this correspondence for the record. VP Valenti further noted that this correspondence was inconsistent with the letter which was to be sent out through the Joint Committee.

Tina M. DiNicola, Attorney
Re: Professional Engineers/Billing Practices and Project Delays
January 28, 2008

Ms. DiNicola requests guidance in determining whether there are any rules or standards that govern the billing practices of professional engineers in New Jersey.

After reviewing this matter the Board on a motion by BM Purcell, second by BM Cleary, voted to advise Ms. DiNicola that it does not specifically regulate billing practices, but that she may wish to file a complaint.

OUTGOING CORRESPONDENCE

John Rhodes, PE
Re: New Jersey Society of Professional Engineers
January 24, 2008

The Board noted this for the record.

Donald C. Pennel
Re: New Jersey Society of Professional Land Surveyors
January 24, 2008

The Board noted this for the record.

George Lucas
Re: Garden State Land Surveyors Alliance
January 24, 2008

The Board noted this for the record

K. Anderson, NCEES
Re: Number of Licensees in Jurisdiction
January 15, 2008

The Board noted this for the record

REINSTATEMENT APPLICATION

Andrew J. Desiderio, Jr.

On a motion by BM Purcell, second by VP Schwartz, the Board voted to request additional information to demonstrate his proficiency. The Board office will confirm the status of his Connecticut and New York licenses.

Xavier F. Gonzalez

On a motion by BM Schwartz, second by BM Purcell, the Board voted to request additional information to demonstrate his proficiency. Additionally, the Board Office shall determine to what address his biennial renewal forms were sent.

REVIEW OF APPLICATIONS

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

NAME APPLICATION # PE\COMITY DECISION

D. RODRIGUEZ 1298500 PE/EXAM TAKE P
S. BENJAMIN 1269651 PE/EXAM TAKE P
M. LAW 1297392 PE/EXAM TAKE P
G. SAUM 1260647 PE/EXAM TAKE P
N. GERMANA 1296156 PE/EXAM TAKE P
K. DUNN 1113393 PE/EXAM TAKE P
G. FORYSTH 1297809 PE/EXAM TAKE P
S. JUSTIS 1296905 PE/EXAM TAKE P
J. KENNY 1258172 PE/EXAM TAKE P
A. LAZAR 1276035 PE/EXAM TAKE P
D. LEE 1258229 PE/EXAM TAKE P
K. LEVINS 1297820 PE/EXAM TAKE P
C. MARX 1297307 PE/EXAM TAKE P
J. YU 1294083 PE/EXAM TAKE P
J. HONG 1287899 PE/EXAM TAKE P
J. ERAZO 1226799 PE/EXAM TAKE F & P
D. TILTON 1297558 PE/EXAM TAKE F & P
J. PRESTON 1282843 LS TAKE PLS
L. LAWYER 1284128 LS TAKE FLS & PLS
J. BARNANIEWICZ 1214664 LS TAKE FLS & PLS
R. WILSON 1287883 LS GRANT
T. BOWE 1231094 COMITY GRANT
V. DEFLAVIA 1282731 COMITY GRANT
R. ERRICSON 1258233 COMITY GRANT
S. HAGMAN 1282736 COMITY GRANT
P. COLLEY 595646 COMITY GRANT
J. YANG 1259936 COMITY GRANT
J. WALTON 1276079 COMITY GRANT
V. DARAGJATI 1231808 COMITY GRANT
J. SEPICH 1272623 COMITY GRANT
R. PAVLAK 518906 COMITY GRANT
C. HURST 1219536 COMITY GRANT
J. RAI 1282831 COMITY GRANT
G. XIKES 1287896 COMITY GRANT
J. TIBBITS 1253522 COMITY GRANT
R. HADIDI 1206209 COMITY GRANT
J. KIMBLE 1286056 COMITY GRANT
R. AWN 1284151 COMITY GRANT
A. BUCKNER 1272529 COMITY GRANT
R. KRAHN 1296903 COMITY GRANT
J. KREWSON 1280495 COMITY GRANT
S. COLLINS 1296941 COMITY GRANT
M. BIGBIE 1232603 COMITY GRANT

The Board, on a motion by BM Schwartz, second by BM Marshall, voted unanimously to request additional information for the following applications

NAME APPLICATION # PE\COMITY DECISION

MJ. GREENBERG 1160534 COMITY AIN
F. BAUTISTA 1146700 PE/EXAM AIN
D. CABALLERO 1214771 COMITY AIN
R. BARBERA 1241549 COMITY AIN
T. HONG 1298645 PE/EXAM AIN
J. TERMAN 1262580 PE/EXAM AIN
D. DEVENDRA 1192293 PE/EXAM AIN
MD. HUQ 1185420 PE/EXAM AIN
J. WHITACRE 1264164 PE/EXAM AIN
P. FITZGERALD 1296068 PE/EXAM AIN
E. LEISTER 1148682 PE/EXAM AIN
A. KEMP 890494 COMITY AIN
W. DASHIELL 1282787 COMITY AIN
M. LABOS 1298419 PE/EXAM AIN
J. BETANCES 1297557 PE/EXAM AIN
F. OLIVERI 1270252 COMITY AIN
A. ZUENDT 1258313 PE/EXAM AIN
K. ABT 1296877 PE/EXAM AIN
S. GYORY 1294387 COMITY AIN
R. BETHKE 1260768 PE/EXAM AIN
B. FALKENSTEIN 1270218 COMITY AIN
M. AUB 1270218 COMITY AIN

A.I.N. = Additional Information Needed

CERTIFICATES OF AUTHORIZATION

The Board, on a motion by BM Purcell, second by BM Frantz, voted to approve a Certificate of Authorization for PMK Environmental Services, Inc. In connection with professional engineering and land surveying services, but not building design services as this entity does not meet the requirements.

On a motion by BM Purcell, second by BM Frantz, the Board voted to approve the following Certificates of Authorization:

BROSTROM ENGINEERING, LLC
922 ½ Washington St, #6
Port Townsend, WA 98368
Application # 1311436

VALORE, LLC
7 Gilbert Stuart Way
Marlton, NJ 08057
Application #1313824

P6 ENGINEERING, LLC
500 Sugar Mill Road, Ste. 105A
Atlanta, GA 30350
Application #1313885

SMITHCO ENGINEERING GROUP, INC.
950 N. Kings Highway, Ste. 301
Cherry Hill, NJ 08034
Application # 1301582

KRECK, WOOD & HALLOWELL ASSOCIATES, INC.

1 Cherry Lane
Woodbury, NJ 08096
Application # 1310675

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FULL BOARD REVIEW OF APPLICATIONS

Samir Bougacha, #1286091

After discussing this application the Board, on a motion by BM Marshall, second by BM Schwartz, denied Mr. Bougacha's request for a waiver of the fundamentals of engineering examination.

INFORMATIONAL/DISCUSSION ITEMS

NCEES Announces Changes to Civil Engineering Examination

This correspondence was noted for the record.

32 Annual NU State Transportation Conference and Expo.

This correspondence was noted for the record.

PUBLIC COMMENTS

Charles Blumeling, PE, PLS, spoke about the telecommunications exemption issues.

MOVE TO EXECUTIVE SESSION

On a motion by VP Valenti, second by BM Vernick, 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 Purcell, the Board unanimously voted to adjourn the meeting at 3:00pm.

APPROVED BY:

Michael T. Angeline, PLS Arthur Russo
President Executive Director