



**CHRIS CHRISTIE**  
Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Professional Engineers and Land Surveyors  
124 Halsey Street, 3<sup>rd</sup> Floor, Newark, NJ 07102  
[www.njconsumeraffairs.gov](http://www.njconsumeraffairs.gov)



**PAULA T. DOW**  
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**KIM GUADAGNO**  
Lt. Governor

# STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS Minutes of February 18, 2010

**THOMAS R. CALCAGNI**  
Acting Director

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### Public Session

#### CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by Board President James Purcell 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 Purcell 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:	James Purcell	Lawrence Koo
	Barry Jones	Robert Marshall
	Michael Angeline	Perry Schwartz
	James Cleary	James Valenti
	Richard Frantz	Edward Vernick

Absent: None

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

#### REVIEW OF THE MINUTES

January 14, 2010

After reviewing the minutes of January 14, 2010, the Board on a motion by VP Jones, second by BM Cleary, voted to approve them as amended.

## **REPORT OF THE EXECUTIVE DIRECTOR**

### **General Report**

- Executive Director Russo stated that A3835/S2853 became law in January 2010, and now requires continuing education for professional engineers effective in early 2011. After a brief discussion on this matter, the Board requested that Deborah Shane-Held, Regulatory Analyst, attend the next scheduled Board meeting to discuss a regulation addressing this matter.
- Executive Director Russo spoke about Professional Credential Services (PCS) assuming more administrative work from the Board. Since the additional services proposed by PCS are not in its present scope of services, the current Board contract will need to be amended. ED Russo will discuss amending the current PCS contract with June Levy and Hiram Patel of the Fiscal Department. On a motion by BM Schwartz, second by BM Vernick, the Board voted to amend its current contract with PCS to also include all amendments offered by PCS.
- BP Purcell attended the NCEES' Law Enforcement Committee meeting, held in Nashville, TN on January 30, 2010. He informed the Board that the discussions focused on the current model law and corresponding rules, and updating the NCEES Enforcement Exchange postings for disciplinary actions.
- BP Purcell informed the Board that he and BM Schwartz will be attending the 2010 Joint NE/SE Zone Interim Meeting in Tampa, FL, on April 8-10. BP Purcell will be representing the Law Enforcement Committee.

### **APPEARANCE - Anthony M. DeVizio, PLS Exam Applicant # 1467561**

Mr. DeVizio, appeared before the Board to discuss his application for licensure as a professional land surveyor. Upon further review of his application the Board determined that additional information is needed from Mr. DeVizio regarding his work experience as well as additional references from professional land surveyors.

### **INCOMING CORRESPONDENCE**

James A. Koppenhaver, PE  
January 7, 2010  
Re: Identifying an Architect or Engineer as the Design Professional.

After discussing this correspondence the Board on a motion by BM Valenti, second by BM Angeline, voted to inform Mr. Koppenhaver that he needs to work with the architect of record in obtaining a building permit and to refer to the Building Design Services Act, a copy of which will be enclosed. In addition, Mr. Koppenhaver will be advised to send a letter to the Joint Committee with any additional questions.

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David C. Coleman, PLS  
January 19, 2010

Re: Request for clarification on signature requirements when submitting plans to NJ Board of Public Utilities.

The Board reviewed Mr. Coleman's letter and voted to inform him that the "Telecommunications Exemption" (N.J.S.A. 45:8-43) may apply, but he should seek the advice of his legal counsel. Further, all licensees should comply with the "Site Plan Rule" (N.J.A.C. 13:40-7.1 et seq).

John J. Gallagher, PE  
January 12, 2010

Re: Question regarding his PE license and work assignment creating unsafe conditions.

After reviewing this matter, the Board on a motion by BM Schwartz, second by VP Jones, voted to inform Mr. Gallagher that it appears this matter falls within the jurisdiction of the Pennsylvania Board. If disciplinary action is taken by the Pennsylvania Board, it may be grounds for a disciplinary action in New Jersey.

Darlene Human  
January 21, 2010

Re: Clarification of the Professional Engineering law, after signing drawings and documents, can signatures be digitally copied.

The Board discussed this matter and will inform Ms. Human that pursuant to N.J.A.C. 13:40-8.1 and 8.3, electronic seals and signatures are not permitted, and that all official documents need to be manually signed and sealed.

## **OUTGOING CORRESPONDENCE**

James B. McGrath, Jr.,  
January 25, 2010

Re: Reinstatement application # GE32064

This correspondence was noted for the record.

Lennart Rustam  
January 25, 2010

Re: Reinstatement application # GE30220

This correspondence was noted for the record.

## **COMMITTEE REPORTS**

### **a. Standing Committees:**

#### **Applications:**

No report.

**Legislation & Regulations Committee:**

**A3835/S2853** - Requires professional engineers to complete 24 hours of continuing professional competency during each biennial licensure period.

BM Vernick stated that this bill was signed by the Governor in January 2010 and that the Board has one year to implement these new procedures.

**A4026/S2944** - Establishes additional investigative and enforcement powers in the Division of Consumer Affairs to deter individuals from engaging in the unauthorized practice of professions and occupations.

**S936** - Requires consumer complaints to licensing boards of regulated professions to be resolved within 120 days.

**Education Committee:**

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

<u>SPONSOR</u>	<u>COURSE</u>	<u>PDH</u>
Lorman Business Center, Inc.	Current Issues in Riparian and Littoral Rights	1
Harken-Reidar, Inc.	SurvCE	13
McKissock 100% Education	Advanced Land Descriptions	14
McKissock 100% Education	Boundaries and Monuments	3
McKissock 100% Education	Coastal Water Boundaries	12
McKissock 100% Education	Creating & Transferring Rights in Real Property	5
McKissock 100% Education	Documentation: Self Defense for Professionals	3
McKissock 100% Education	Evidence, Exhibits and Testimony	8
McKissock 100% Education	Floods Happen: Where and Why	1
McKissock 100% Education	Fundamentals of Boundary Control	8
McKissock 100% Education	Mapping Floodplains: A Legal and Scientific Process	4
McKissock 100% Education	Rights and Responsibilities in the Lands of Others The Effect of Easements on Surveyors	3
McKissock 100% Education	Water Rights	3

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McKissock 100% Education	What Can GIS Do for You? A Look at Case Studies	3
RedVector.com	Stefanic et al - A Dave Gibson Metes & Bounds Case	2
RedVector.com	The Real Deal on Marketing Land Surveying Services	2
RedVector.com	The Theory of Measurement	1
RedVector.com	Understanding Foundation Flood Vents: Liability	1
RedVector.com	Statistical Analysis of Random Errors	2
RedVector.com	Subsurface Utility Engineering - Part 1: Understanding SUE	2
RedVector.com	Sequential vs. Simultaneous Conveyancing	4
RedVector.com	Significant Figures & Round-Off Errors By Ben Buckner	1
RedVector.com	Simple 300x100 Parcel A Dave Gibson Metes & Bounds Case	2
RedVector.com	Palm Harbor - A Dave Gibson Lot & Block Case	2
RedVector.com	Propagation of Random Errors in Measurements	1
RedVector.com	Lot21 - A Dave Gibson Lot & Block Case	2
RedVector.com	Palm Court - A Dave Gibson Lot & Block Case	2
RedVector.com	Henderson et al - A Dave Gibson Metes & Bounds Case	2
RedVector.com	Introduction to FEMA Flood Maps & Flood Studies	3
RedVector.com	Geotechnology: Cartography Mapping and Map Serving	3
RedVector.com	Geotechnology: Geographic Information System	5
RedVector.com	GIS: The Very Basics	1
RedVector.com	Giving a Deposition	1
RedVector.com	Geotechnology: Global Positioning System (GPS)	2
RedVector.com	FEMA Letters of Map Amendment/Revision	4

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RedVector.com	Frost's Survey - A Dave Gibson Metes & Bounds Case	2
RedVector.com	General Property Surveys and Real Property Law	4
RedVector.com	Easements: Part 3 Reversion Rights	3
RedVector.com	Ethics for Land Surveyors: Decision-Making In Everyday	1
RedVector.com	Ethics for Surveyors & Mappers	1
RedVector.com	Easements: Part 1 Basic Elements	3
RedVector.com	Easements : Part 2 Roads & Highways	2
RedVector.com	Court Decisions Every Surveyor Should Know About - Block 2	2
RedVector.com	Court Decisions Every Surveyor Should Know About - Block 3	2
RedVector.com	Court Decisions Every Surveyor Should Know About - Block 4	2
RedVector.com	Court Decisions Every Surveyor Should Know About - Block 5	3
RedVector.com	Court Decisions Every Surveyor Should Know About - Block 6	3
RedVector.com	Don Wilson's Court Decisions: Block 7 - Boundary Retracement 3	3
RedVector.com	Dave Gibson's All Star Lot & Block Boundary Case	6
RedVector.com	Dave Gibson's All Star Metes & Bounds Boundary Case	6
RedVector.com	Court Decision Every Surveyor Should Know About - Block 1	2
RedVector.com	Boundary Agreements	4
RedVector.com	Business Rules for Land Surveyors: The Gospel According to Dan	2
RedVector.com	Basic Concepts of Photogrammetry	3
RedVector.com	Basic Financials for Land Surveyors: The Bottom Line	1
RedVector.com	Analyzing Costs and Determining Fees for Land Surveyors	1

RedVector.com	Adverse Possession - An Advanced Course	2
RedVector.com	American Land Surveying : A History	2
RedVector.com	Akin V. Godwin - A Dave Gibson Lot & Block Case	2

**Meetings Committee**

No report.

**Joint Committee of Architects & Engineers:**

BM Schwartz informed the Board that there was not any Joint Committee meeting scheduled for the month of February 2010.

**b. Ad Hoc Committees:**

**Sunset Regulations:**

The Board will request a scheduled meeting with Deborah Shane-Held, Regulatory Analyst, which may occur at the end of regularly scheduled Board meetings. The committee reviewed the minutes of prior meetings and provided comments.

**NCEES 2013 NE Zone Meeting**

The Board is still awaiting a response from NCEES regarding its acceptance to host the future N.E. Zone Meeting.

**REVIEW OF APPLICATIONS**

a. Licensure

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

<u>NAME</u>	<u>APPLICATION #</u>	<u>PE/EIT</u>	<u>DECISION</u>
Azimijrsarai, Ali	1463889	Comity	AIN
Gaffney, Gregg A.	1467569	Comity	AIN
Stuhl, Jonathan	1465665	Exam.	AIN
Swanson, David	1467558	Exam.	Take FLS & PLS
Bolton, William	1465833	Comity	Grant License
Caufield, Jr., Michael	1467925	Exam.	Take P
Cavota, Paul L.	1394872	Comity	AIN
DeVito, Joseph	1370544	Exam.	AIN
DiGirolamo, Joseph M.	1468680	Exam.	Take P
Hatcher, Keith	1467906	Exam.	Take P

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Kornick, John W.	1461753	Exam.	AIN
Leland, Simon	1414272	Comity	Grant License
Maltese, Anthony	1442449	Exam.	AIN
Mazzei, Darren	1468741	Exam.	Take P
Mueller, Adam	1468809	Exam.	Take P
Onello, III, Angelo	1468763	Exam.	AIN
Patel, Mitul D.	1448429	Comity	AIN
Pershouse, John	1467089	Exam.	Take P
Rusciano, Gregory	1468721	Exam.	AIN
Saunders, Colm R.	1356402	Comity	Grant License
Soderberg, Erik G.	1470063	Comity	Grant License
Wagster, Way	1454774	Exam.	AIN
Bair, Alan L.	1469367	Exam.	AIN
Begley, James	1270394	Comity	AIN
Billingsley, David	1415350	Comity	Grant License
Calpin, Cillian	1473255	Exam.	AIN
Casabona, Gary	1391016	Exam.	AIN
Devine, Brian J.	1463807	Comity	Grant License
DiRuggiero, Anthony V.	1468801	Exam.	Take P
Downs, Jr., Martin	1464475	Exam.	Take P
Garzon, Leonardo	1146358	Exam.	Take F & P
Gastwirth, Henry	1463008	Exam.	Take P, Waive F
Graham, Eric T.	1452088	Comity	Grant License
Haley, David J.	1470087	Comity	Grant License
Hickel, Brian	1451131	Exam.	Take P
Jakah Mark	1415412	Exam.	Take P
Kelman, Andrea	1467645	Exam.	Take P
Krier, Stephan	1415580	Exam.	Take P
Luck, Anni	1468692	Exam.	Take P
Myers, James	1473266	Exam.	Take P
Parikh, Saumil	1453542	Comity	Take P
Patel, Anand	1465629	Comity	AIN
Prus, Gary	1340683	Comity	Grant License
Rahbari, Sheila	1270456	Comity	Grant License
Sharif, Mohammad	1434808	Comity	Grant License
Trybulski, Mark	1467640	Exam.	Take P
Wishine, Alex	1467986	Exam.	Take P
Yousef, Adel F.	1469373	Exam.	Take P
Bacon, Nathaniel	1434979	Comity	Grant License
Boris, Joseph	1339039	Exam.	AIN
Civelli, Mark S.	1467941	Exam.	AIN
Conger, III, Donald R.	1414129	Exam.	AIN
Frey, Karl	1459608	Comity	AIN
Hayslip, Jon R.	1415547	Comity	Grant License
Li, Lisa Huijuan	1407298	Comity	AIN
Mazzolla, Michael A.	1464717	Exam.	AIN
Nakhoda, Zak	1320567	Comity	AIN
Piccirillo, Brian S.	1375853	Exam.	AIN
Samulis, Patrick M.	1467644	Exam.	AIN
Shah, Jignesh	1371029	Exam.	AIN
Tho, Soon-Lee	1420358	Comity	AIN
Vucich, Robert T.	1467123	Comity	AIN
Zhang, Peihong	1442690	Comity	Grant License
Glismann, Peter	1432138	Comity	Grant License
Alley, David E.	1463871	Comity	AIN



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Buddhani, kunpol	1442685	Exam.	AIN
Clippinger, Christopher	1356368	Comity	AIN
Cosma, Roxana L.	1467636	Comity	Take F & P
Del Pozzo, Joseph	1457910	Comity	Grant License
Dias, Antonio T.	1469387	Exam.	Take F & P
Farrell, Timothy P.	1467629	Exam.	AIN
Ghosh, Sidhartha	1415514	Exam.	Take P
Grabowski, Christopher	1468813	Exam.	Take P
Hosier, Eric S.	1459684	Comity	AIN
Lakip, Jr., Romulo	1313526	Comity	AIN
Leon, Jorge	1467099	Comity	AIN
Matuso, Allen	1464520	Comity	AIN
Ng, Nai C.	1461778	Exam.	Take P
Skrelja, George	1464492	Comity	AIN
Youtsey, Jack D.	1463880	Comity	AIN
Abshagen, Timothy	1420184	Comity	Grant License
Chatterjee, Sabyasachi	1455199	Exam.	AIN
Compter, Elena	1467917	Exam.	Take P
Erfert, Kurt W.	1467624	Exam.	AIN
Favilla, Daniel M.	1464719	Exam.	Take P
Graverholt, Robert D.	1450263	Comity	Grant License
Grunau, Andrea	1465839	Exam.	AIN
Gulotta, Charles	1470105	Exam.	Take P
Harvey, Caitlin E.	1468785	Exam.	AIN
Henry, Paul R.	1468814	Exam.	AIN
Hinchliffe, Jessica S.	1468731	Exam.	AIN
Markland, Jonathan P.	1453530	Comity	Grant License
Mason, Charles	1457904	Comity	Grant License
Merchant, Edward A.	1467038	Exam.	Take P
Mingle, Joseph M.	1414842	Exam.	Take F
Olson, Stephen A.	1467167	Exam.	Take P
Oppel, Jeanne N.	1467171	Exam.	AIN
Phillips, Adrienne	1465672	Exam.	AIN
Rice, Colin C.	1462990	Exam.	AIN
Salib, Masoud	1025858	Comity	Grant License
Simsek, Nil	1468823	Exam.	AIN
Swiker, Evan	1460419	Exam.	AIN
Tyson, Elizabeth	1464414	Exam.	Take P
Upadhyaya, Kirit	1477199	Exam.	Take F
Van Liew, Matthew	1465606	Exam.	Take P
Vatovec, Milan	1199609	Comity	AIN
Wall, Dave	1463597	Comity	Grant License
Weves, John S.	1452098	Comity	Grant License
DePippa, Robert P.	1332388	Exam.	Take P
George, Sudip	1399499	Exam.	Take P
Gortian, Nicole M.	1413395	Exam.	Take P
Li, Kun	1407304	Exam.	Take P
Murdoch, Jere	1320237	Exam.	AIN
Sunil Saigal	1457908	Comity	Grant License
Tarchala, Ivona	1443847	Exam.	EIT - Denied

A.I.N. = Additional Information Needed

**FULL BOARD REVIEW**

**Neil O' Connor, PE Comity Applicant # 1256690**

This matter was moved to the Executive Session.

**REINSTATEMENT APPLICATIONS**

**Louis Michael Cherwa, PE**

The Board reviewed Mr. Cherwa's reinstatement application and on a motion by BM Schwartz, second by BM Marshall, voted to approve his request for reinstatement.

**Francis M. Gallo, PE**

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

**Donald T. Edwards, PE**

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

**CERTIFICATES OF AUTHORIZATION**

The Board on a motion by BM Frantz, second by BM Marshall, voted to approve the following companies for a Certificate of Authorization, as amended:

**Stormwater Facilities Management, LLC**, Application # 1480283 - Tabled until next meeting.

<b>MAITRA ASSOCIATES ENGINEERING, INC.</b> 27 World Fair Drive Somerset, NJ 08873 Application #1485233	<b>SUSTAINABLE ENGINEERING SERVICES, LLC</b> 5429 Harding Highway, Bldg. 500 Mays Landing, NJ 08330 Application #1484314
<b>VOLLERS EXCAVATING &amp; CONSTRUCTION, INC.</b> 3311 US Highway 22 North Branch, NJ 08879 Application # 1480298	<b>TOCHI CONSULTING ENGINEERS, LLC</b> 17 Double Woods Road Sicklerville, NJ 08081 Application # 1484261

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<p><b>AMAS, LLC dba RANSOM ENVIRONMENTAL</b>          2127 Hamilton Avenue          Hamilton, NJ 08619          Application # 1484256</p>	<p><b>PRIME ENGINEERING, INC.</b>          300 Red Brook Blvd., Ste. 410          Owings Mills, MD 21117          Application #1484253</p>
<p><b>HARRY N. TUVEL, LLD dba TUVEL CIVIL ENGINEERING SERVICES</b>          629 Ridge Court          Ridgefield, NJ 07657          Application #1484246</p>	<p><b>ERDMAN ENGINEERING, LLC</b>          One Erdman Place          Madison, WI 53717          Application #1484242</p>
<p><b>KROLL SECURITY GROUP</b>          1025 Main Street          Bastrop, TX 78602          Application # 1484136</p>	<p><b>MARCEL PARTNERS, LLC</b>          13620 Old Highway 40, Ste. 210          Boonville, MO 65233          Application # 1484136</p>
<p><b>TUREK CONSULTING, LLC</b>          220 North Coles Avenue          Maple Shade, NJ 08052          Application # 1484135</p>	<p><b>REESE ENGINEERING, INC.</b>          2021 Pine Hall Road          State College, PA 16801          Application #1484132</p>
<p><b>LEONARD JACKSON, PE, LLC</b>          20 Firemens Memorial Drive          Pomona, NJ 10970          Application #1480311</p>	<p><b>MLB ENGINEERING, LLC</b>          206 Paxon Alley          Newtown, PA 18940          Application #1484089</p>
<p><b>SHELL GLOBAL SOLUTIONS (US), INC.</b>          3333 Highway 6 South          Houston, TX 77082          Application # 1484087</p>	

**INFORMATIONAL/DISCUSSION ITEMS**

- a. NCEES - Proposed Amendment to NCEES' Bylaws

This correspondence was noted for the record.

**PUBLIC COMMENTS**

**MOVE TO EXECUTIVE SESSION**

The Board, on a motion by VP Jones, second by BM Schwartz, 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 Frantz, second by BM Schwartz, the Board unanimously voted to adjourn the meeting at 2:00pm.

**APPROVED BY:**

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**James J. Purcell,  
President**

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**Arthur Russo  
Executive Director**