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STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS Minutes of February 21, 2013 Public Session

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CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by Board President, Perry Schwartz, 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 Schwartz 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.

ROLL CALL

Present: Perry Schwartz Barry Jones
James Purcell Lawrence Koo
Robert Marshall James Valenti
James Cleary Richard Smith, Jr.
Richard Frantz

Absent: Edward Vernick

Others: Michelle Albertson, Deputy Attorney General, Karl W. Reidel, Executive Director, Joseph Grabowy, Senior Mgt. Assistant, staff members, Martha Richardson and Yolanda Winston, and three members of the public; Peter Burgess, PE, PLS, President, NJSPLS, William McGrath, President - Elect, NJSPLS and Charles Blumeling, PE, PLS, GSLSA

ANNOUNCEMENTS

The Nominating Committee opened the floor for nominations to the Presidency and Vice Presidency of the Board.

APPEARANCES

Elizabeth Greenblatt, Regulatory Analyst, appeared before the Board for a discussion on the proposed amendment to N.J.A.C.13:40-13.5 to include a biennial renewal period for Board approved providers of engineer CPC courses.

The Board on a motion by VP Purcell, second by BM Jones, voted to approve the

proposed amendment to N.J.A.C.13:40-13.5(a) to include the following two sentences at the end of paragraph:

“This approval shall be valid only for the biennial licensing period as indicated by the Board. A provider seeking approval for a subsequent biennial licensing period shall submit a new application for approval.”

In addition, the Board’s web page is to be updated with a notification of the pending changes.

Elizabeth Greenblatt discussed:

A3694 - Grants immunity from liability for certain professional services rendered during emergencies under certain circumstances. The Board on a motion by BM Smith, second by BM Cleary, voted to support this bill with the addition of professional land surveyors to the proposal.

Additionally, the Board on a motion by BM Jones, second by BM Valenti, voted to approve the Home Inspection proposal to increase the number of continuing education units from ten (10) to twenty (20) for correspondence, Internet, or other distance learning courses approved by the Home Inspection Advisory Committee.

REVIEW OF THE MINUTES

- December 2012

The minutes of December 20, 2012 were noted for the record.

- January 17, 2013

After reviewing the minutes of January 17, 2013, the Board on a motion by BM Jones, second by VP Purcell, voted to approve them as amended. BM Frantz abstained.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

None

INCOMING CORRESPONDENCE

Robert C. Kirkpatrick, PE/PLS

January 26, 2013

Re: Comments and concerns regarding Assembly Bill No. #A3477 which revises the definition of “responsible charge” as it pertains to licensed professional engineers and land surveyors.

The Board discussed Mr. Kirkpatrick’s comments regarding the proposal. The Board on a motion by BM Marshall, second by BM Jones, voted to inform Mr.

Kirkpatrick that his comments should be directed to the New Jersey Legislature as the Board previously commented on this bill at their January 17, 2013 board meeting.

Andrew Ritter, Exec. Dir., NC Board of Examiners for Engineers and Surveyors
January 28, 2013
Re: NC Board of PE/LS Announces Gary Thompson as a Candidate for NCEES
Treasurer in 2013

This correspondence was noted for the record.

COMMITTEE REPORTS

a. Standing Committees:

i Legislation:

No report

ii Regulations Committee:

The Board on a motion by VP Purcell, second by BM Valenti, voted to reactivate this committee.

iii Education Committee

No report

iv Joint Committee of Architects & Engineer

No report

v Digital Signature Committee

The Board recommended that Board staff send a letter extending an invitation to software vendors to appear before the committee and present their digital signature and seal software.

vi NCEES

BM Smith reported on topics discussed at the NCEES' 2013 Board Presidents Assembly Meeting held in Atlanta, GA on February 7-9, 2013.

VP Purcell informed the Board that registration is open for the 2013 Northeast Zone Meeting in Cape May, NJ on May 2-4, 2013. BP Schwartz, VP Purcell, BM's Jones and Smith will be in attendance.

VP Purcell informed the Board that he was selected to receive the ENNY Award, which will be presented to him at the Cape May meeting. In addition, he informed the Board that he was nominated to run for NE Zone Vice President.

vii NOMINATIONS COMMITTEE

REVIEW OF APPLICATIONS

Licensure:

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

<u>Name</u>	<u>Application #</u>	<u>Comity/Exam</u>	<u>Decision</u>
Albourn, Matthew	1697750	Exam.	Take P
Arnold, Christopher	1693801	Comity	Grant License
Barbara, Mario	1660248	Exam.	Take FE & PE
Barry, Timothy	1623321	Comity	Grant License
Bernstein, Alexander	1699738	Exam.	Take P
Berroteran, Luis	1697629	Exam.	Take FE & PE
Boos, Jeffery	1700098	Comity	Grant License
Brannan, Robert	1666627	Comity	Grant License
Buccine, Chad	1694994	Comity	Grant License
Butterworth, Edith	1692047	Comity	Grant License
Byeon, Ellis	1696160	Exam.	Take P
Campbell, Brian	1707173	Comity	Grant License
Chehili, Badrou	1519258	Exam.	Take P
Chesla, Jason	1710961	Comity	Grant License
Cioffi, Robert	1696200	Exam.	Take P
Coley, Laura	1698701	Exam.	Take P
Craddock, Benjamin	1710958	Comity	Grant License
Dastis, Timothy	1700681	Exam.	Take P
Dudycz, Thomas	1699742	Exam.	Take P
Duffy, Lawrence	1570597	Comity	Grant License
Durst, David	1710973	Comity	Grant License
Felix-Almonte, Gladys	1697719	Exam.	Take FE
Ferrari, Andrew	1710967	Comity	Grant License
Ferwerda, Darren	1696196	Exam.	Take PLS
Fulton, Kerry	1710972	Comity	Grant License
Garove, Michael	1600240	Comity	Grant License
Gianforcaro, Richard	1706138	Exam.	Take P
Ginsburg, Adam	1645376	Comity	Grant License
Goldberg, David	1698874	Exam.	Take P

Hapaloff, Oleg	1692001	Exam.	Take P
Harenberg, Paul	1698954	Exam.	Take P
Holtisa, Jovani	1661253	Exam.	Take P
Jacoby, David	918306	Comity	Grant License
Kirtland, Andrew	1661432	Exam.	Take PLS
Krokosky, Edward	1666630	Comity	Grant License
Kuhn, Brian	1600410	Comity	Grant License
Laub, Sondra	1710971	Comity	Grant License
Madigan, Keith	1635204	Comity	Grant License
McGinnis, Michael	1636802	Comity	Grant License
McKinley, Casey	1707190	Comity	Grant License
McNulty, Daniel	1658431	Comity	Grant License
Michels, Alan	1633211	Comity	Grant License
Mierkowski, Michael	1654032	Exam.	Take P
Miller, John	1707205	Comity	Grant License
Mulcahy, Andrew	1698885	Exam.	Take P
Mulhern, Stephanie	1697793	Exam.	Take P
Murphy, Thomas	1712589	Comity	Grant License
Palen, Ali	1697788	Exam.	Take P
Pandya, Bhavbhuti	1593795	Exam.	Take FE
Papathomopoulos, Petros	1638638	Comity	Grant License
Parker, John	1638336	Comity	Grant License
Patel, Dhruvad	1711754	Exam.	Take FE
Plypchuk, Steven	1662289	Exam.	Take P
Prasad, Ananash, PE	1726553	Comity	Grant H.I. License
Schwarz, Joseph	1704354	Exam.	Take FE
Shahid, Michel	1501680	Comity	Grant License
Smith, Ryan	1674895	Exam.	Take FE & PE
Thiel, Christopher	1699788	Exam.	Take P
Thomsen, IV, John	1555789	Comity	Grant License
Utter, Jonathan	1700711	Exam.	Take P
Wasson, Scott	1707350	Comity	Grant License
Werner, Wesley	1710969	Comity	Grant License
White, Timothy	1699743	Exam.	Take PLS
Yap, Maria	1678221	Comity	Grant License
Yeatman, Christine	1691977	Exam.	Take P
Zahalan, Rima	1699726	Exam.	Take P

The Board, on a motion by BM Cleary, second by BM Jones, voted unanimously to request additional information for the following applications:

<u>Name</u>	<u>Application #</u>	<u>Comity/Exam</u>	<u>Decision</u>
Brubaker, Matthew	1681210	Comity	AIN
Deller, William	1710965	Comity	AIN
Dizon, Carlos	1160750	Exam.	AIN

Durand, Gladys	1699719	Exam.	AIN
Foster, Joseph	1700240	Exam.	AIN
Gao, Yan	1630247	Exam.	AIN
Golz, Tyler	1707085	Exam.	AIN
Gomez, Alejandro	1699784	Exam.	AIN
Lijo, Gustavo	1699688	Exam.	AIN
Nizolek, Jason	1698699	Exam.	AIN
Player, Gregory	1697783	Exam.	AIN
Ranjo, Renato	1680407	Comity	AIN
Royston, Andrew	1699696	Exam.	AIN
Rynearson, Anthony	1697846	Exam.	AIN
Santone, Matthew	1698817	Exam.	AIN
Sarciasepe, Michael	1699782	Exam.	AIN
Smith, Matthew	1645956	Comity	AIN
Struyk, Erica	1697792	Exam.	AIN
Voza, Philip	1698832	Exam.	AIN
Ward, Patrick	1698800	Exam.	AIN

AIN: Additional Information Needed

Continuing Education Courses:

None

Full Board Review:

Rene Navarreto-Medina, #1644982

The Board reviewed Mr. Navarreto-Medina's request for a waiver of the TOEFL/TSE. Previously he took the TOEFL/TSE examination in May 2012 and received a score of 89. After further discussion the Board concluded that Mr. Navarreto-Medina must re-take the TOEFL/TSE examination and receive a minimum passing score of a 90. The ability to speak and write the English language is a statutory requirement and cannot be waived by the Board.

Reinstatements:

James P. Hannan, PE

The Board discussed Mr. Hannan's reinstatement application and on a motion by VP Purcell, second by BM Jones, voted unanimously to approve his request for reinstatement. In addition, Mr. Hannan will be informed that he must provide proof of taking two ethics credits within 30 days for completion of his continuing education requirements.

Mark Westphal, PE

Tabled until the next meeting.

Certificates of Authorizations

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

<p>EARLY ENGINEERING CONSULTANTS 8332 N. Osceola Avenue Niles, IL 60714 Application # 1724654</p>	<p>QUANTA POWER GENERATION, INC. 5445 DTC Parkway, Ste. 1200 Greenwood Village, CO 80111 Application # 1724624</p>
<p>DOWNEY ENGINEERING CORPORATION 1 Galleria Blvd., Ste. 907 Metairie, LA 70001 Application # 1724509</p>	<p>SHOEN ENGINEERING, LLC 16 Caraway Court Princeton, NJ 08540 Application # 1724645</p>
<p>BLUESHORE ENGINEERING, LLC 310 Cedar Lane, 3rd Fl. Teaneck, NJ 07666 Application # 1724660</p>	<p>KTJ ASSOCIATES, LLC 1019 Old York Road Neshanic Station, NJ 08853 Application # 1724594</p>
<p>OATLEY LAND SURVEYING LIMITED LIABILITY COMPANY 76 Pinehurst Drive Washington, NJ 07882 Application # 1724480</p>	<p>SIMPSON STRONG-TIE COMPANY, INC. 5956 W Las Positas Blvd. Pleasanton, CA 94588 Application # 1725815</p>
<p>FUSION ENGINEERING, LLC 75 Manchester Avenue Keyport, NJ 07735 Application # 1725827</p>	<p>OPALEK ENGINEERING, LLC 152 Roberts Drive Somerdale, NJ 08083 Application # 1725831</p>
<p>ICON HD, LLC 4050 Gardenview Dr., Ste. 101 Grand Forks, ND 58201 Application # 1719457</p>	<p>REFRIGERATION SPECIALISTS, INC. 425 Perry Street Sioux City, IA 51103 Application # 1726152</p>

INFORMATIONAL/DISCUSSION ITEMS

NCEES NEWS RELEASE
 NCEES seeks civil engineers for online survey

Noted for the Record

NCEES MEMO

Formal Written Notice of Initiation of Computer Based Testing

Noted for the Record

NCEES MEMO

April 2013 Exam Administration Update

Noted for the Record

NCEES MEMO

Spring 2013 Exam Schedules and Fees

Noted for the Record

PCS Board Report October 2012

Noted for the Record

Thomas Edison State College-BS in Applied Science and Technology Degree in Nuclear Energy Engineering Technology is ABET accredited.

Noted for the Record

PUBLIC COMMENTS

Peter Burgess, PE, PLS, President, NJSPLS introduced William McGrath, President - Elect, NJSPLS.

Charles Blumeling, PE, PLS, GSLSA

MOVE TO EXECUTIVE SESSION

The Board, on a motion by BM Jones, second by BM Cleary, 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 Jones, the Board unanimously voted to adjourn the meeting at 1:00 pm.

APPROVED BY:

**Perry Schwartz
President**

**Karl W. Reidel
Executive Director**