

**State Board of Professional Engineers and Land Surveyors
Minutes of March 3, 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
Edward Vernick
Robert Marshall
Michael Angeline
Pravin Patel
James Cleary
Louis Raimondi

Absent: None

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

APPEARANCE BY DEVON GRAF, REGULATORY ANALYST, TO DISCUSS THE SUNSETTING OF ITS REGULATIONS AND THE CORNER MARKER WAIVER

Devon Graf appeared before the Board to discuss the sunset and the corner marker waiver regulation.

COMMITTEE REPORTS

Legislation

SMART GROWTH PROGRAM - The Board reviewed the synopsis that was prepared by VP Valenti and BM Vernick regarding the Board's position on this proposal. The Board, on a motion by BM Vernick, second by BM Valenti, unanimously voted to forward this draft to the Division.

A2442/S142 - This bill requires the bidding or competitive contracting for award of professional service contracts and requires certain vendors to itemize bills to school districts and local units and prescribes sanctions. The Board previously has taken an unfavorable position on this bill.

Proposed Election Law Enforcement Commission Regulations - This is with regard to registration, reporting and other requirements for lobbyists and governmental affairs agents. Proposed amendments and new rules governing lobbying and similar activities were published in The New Jersey Register. The Board, on a motion by BM Vernick, second by VP Valenti, unanimously voted to take an unfavorable position since it appears to conflict with its regulations.

Administration

No report.

Examinations

No report.

Education

No report.

Regulations

No report.

Finance

BM Angeline indicated that Board finances are good.

NCEES Zone Update

BM Raimondi stated that preparations are moving with regard to the NE Zone Meeting. He stated that NCEES is proposing a change to the format of licensure. NCEES is also proposing that individuals holding doctorate degrees be exempt from taking the fundamentals of engineering examination.

Annual Meeting

BM Angeline informed the Board that arrangements are being made for the off-site meeting. The Board will send an invitation to the societies.

Special Committee Reports Newsletter

Joseph Grabowy informed the Board that the newsletter has been reviewed by the Deputy Director and will be sent to Print Production.

Joint Committee

BM Patel stated that there will be a Joint Committee meeting in April, 2005. The major discussion will be the promulgation of regulations for the Committee.

Website

The Board has requested that the Certificate of Authorization listing on the website be expanded to include the names of all of the persons in responsible charge along with the company's specialty. The staff will check to see this changes can be made.

The Board has previously requested that applications for licensure be made available in Adobe or Microsoft Word read/write format. The Board Office will speak with the Print Production Unit to develop such a document.

Licensure Promotion Committee

No report.

Disciplinary Action Committee

No report.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

ED Russo informed the Board that all preparations for the April 2005 examinations are running smoothly. Stockton State College will be considered as a backup location for the October 2005 examinations if accommodations cannot be worked out with Rowan University.

He provided the Board with statistical information related to the decline of the number of professional land surveyors. A public member, Richard Smith, informed the Board that he has also compiled data related to this topic. He informed the Board that he will provide it with a copy for its upcoming meeting.

ED Russo stated he has invited Barry Chavlosky, Bureau Chief, Bureau of Non-Point Pollution Control, Division of Water Quality, Department of Environmental Protection, to appear before the Board at an upcoming meeting to discuss certification of septic system inspectors. BP Kelly suggested that the Board be able to provide specific examples of how DEP's certification process appears to be deficient and contrary to the Board's regulations.

Incoming Correspondence

Lawrence P. Powers/ Hoagland, Longo, Moran, Dunst, & Doukas, LLP
RE: Topographic Survey Notice
(February 9, 2005)

Mr. Powers writes on behalf of his client, the New Jersey Society of Professional Engineers, to seek clarification on the Board's notice on topographical surveys. The Board referred this matter to a Committee comprised of BMs Raimondi, Angeline and Cleary to review the letter and provide recommendations to the Board at a future meeting. In addition, the Board requests that Mr. Powers appear with his client to further discuss this matter.

Lillian McGonnigal, Executive Assistant/ Stahlman Group, Inc.
RE: Certificate of Authorization
(February 14, 2005)

Ms. McGonnigal writes to the Board on behalf of Stahlman Group, Inc. to request clarification on whether a professional engineer can seal architectural drawings for "incidental" use to an engineering project. Further, he asks if the definition of "building design services" includes building designs of engineering works or engineering and architectural services via a contract.

The Board will advise Ms. McGonnigal that engineers cannot seal architectural plans. She will also be provided with a copy of the Building Design Services Act.

Don R. Ireland, P. Eng., President/ Ireland Engineering Associates, Ltd.
RE: PE Application #1090704
(January 25, 2005)

Mr. Ireland requests a waiver of the foreign degree evaluation requirement because his degree was received in Canada (Waterloo University), which is a Washington Accord country. The Board noted that Mr. Ireland is a foreign applicant and that the regulations provide for an ECEI evaluation for all foreign applicants.

Accordingly, the Board, on a motion by VP Valenti, second by BM Raimondi, unanimously voted to deny

Mr. Ireland's request to waive the foreign degree evaluation requirement based upon the regulations.

REVIEW OF APPLICATIONS

Licensure

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

NAME	APP #	PE/EIT	DECISION	NAME	APP #	PE/EIT	DECISION
P. HARRISON	1078915	COMITY	GRANT	S. DAIUTE	1087987	COMITY	GRANT
D. CHETKOWSKI	1037326	COMITY	GRANT	A. GIPSON	1092223	COMITY	GRANT
C. CLARK	1078503	COMITY	GRANT	C. OLSON	1069898	PE\EIT	TAKE P
A. STELLATO	1091379	COMITY	GRANT	D. FOWLER	1074915	PE\EIT	TAKE P
J, HOLT	1085574	COMITY	GRANT	M. DESHPANDE	1010506	PE\EIT	TAKE P
T. DUTTING	1094426	COMITY	GRANT	C.URBIOLA	10/73202	PE\EIT	TAKE P
J. CALCARA	1086493	COMITY	GRANT	B. HUGHES	1077915	PE\EIT	TAKE P
L. HORTON	1032663	COMITY	GRANT	C. WAY	979573	PE\EIT	TAKE P
D. BATTEN	1080653	COMITY	GRANT	G. WATSON	50955	PE\EIT	TAKE P
JIANG YU	987767	COMITY	GRANT	D. UDOVIC	1078641	PE\EIT	TAKE PWAIVE F

Certificates of Authorization

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

KERCHER ENGINEERING, INC.
254 CHAPMAN ROAD, STE., 202
NEWARK, DE 19702

J.R. MILLER & ASSOCIATES, INC.
3010 SATURN STREET, STE. 200
BREA, CA 92821

FUEHRER ASSOCIATES, LTD.
P.O. BOX 541
345 WEST MAIN STREET
EPHRATA, PA 17522

SIMON ENGINEERING, LLC
16 MIDDLESEX ROAD

MATAWAN, NJ 07747

BEITMAN & HUYETT, INC.
645 PENN STREET, STE. 202
READING, PA 19601

LIBERTY ENGINEERING, INC.
7535 WINDSOR DRIVE, STE. B-102
ALLENTOWN, PA 18195

Full Board Review

Richard Drouin - #1077902

Mr. Drouin is applying for PE licensure. He has an undergraduate degree in building engineering from Concordia University, Montreal, Canada, a Washington Accord country.

The Board, on a motion by BM Kelly, second by BM Vernick, unanimously voted to advise him to obtain an ECEI evaluation of his undergraduate degree as required by the regulations.

Howard C. Harclerode, II - 1082735

Mr. Harclerode is applying for licensure by comity. After reviewing his application, the Board noted that his experience forms did not adequately describe the projects he worked on nor the specific tasks associated with these projects. In addition, the Board requested that two additional references be provided.

The Board, on a motion by BM Raimondi, second by BM Vernick, unanimously voted that he provide revised experience forms and additional references.

Rajwant Singh Chattha - #1030021

Mr. Chattha is applying for licensure by comity and is currently licensed in Delaware. After a review of his application, the Board noted that his ECEI evaluation did not include any design credits from his undergraduate degree. The Board believes that he has strong references and also noted that he had sufficient design credits based on his graduate degree from Cooper Union.

The Board, on a motion by BM Raimondi, second by BM Patel, unanimously voted to grant his application for licensure.

RESPONSES TO PREVIOUSLY ISSUED UPL

Edward Schlossberg, PE

The Board reviewed Mr. Schlossberg's explanation and was unpersuaded. Accordingly, the Board, on a motion by BM Patel, second by BM Vernick, unanimously voted to reaffirm its Uniform Penalty Letter.

Thomas G. Grau, PE

The Board reviewed Mr. Grau's explanation and was unpersuaded. Accordingly, the Board, on a motion by BM Patel, second by BM Vernick, unanimously voted to reaffirm its Uniform Penalty Letter.

PUBLIC COMMENTS

Charles Blumeling, PE, PLS stated that septic inspectors should be required to carry insurance similar to home inspectors in order to protect the consumer.

Craig Ratta, PE stated that he is concerned with the public's perception of the Board.

Richard Smith, PLS, in response to the ED's report on licensing statistics stated that he has also collected statistical data to prove that there has been a declining trend in the land surveying profession. He stated that he is concerned about the decline and will provide the Board with his information.

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