

STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Minutes of March 4, 2004

Public Session

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by President Edward Vernick 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 Vernick 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.

ROLL CALL

BMs present:

Edward Vernick
Richard Frantz
James Kelly
Robert Marshall
Pravin Patel
Louis Raimondi
Robert Bogart
Rishi Raj
Albert Faraldi
James Valenti

BMs absent: None

Others present: Arthur Russo, Executive Director, Michelle Albertson, Deputy Attorney General, and staff members Joseph Grabowy, Ernest Gonzalez, Martha Richardson, Robert Welsh, Yolanda Winston, and one (1) public member.

COMMITTEE REPORTS

Legislation

President Vernick presented the Board with the following legislative information:

A631 - Establishes standards for state and state authority design-build contracts and design-build-operate and maintain contracts. The Board took no position on this bill.

A661 - Provides information about not disclosing to the public the residence of individuals licensed by certain professional boards. On a motion by BM Frantz, second by VP Kelly, the Board unanimously voted in support of this bill.

A842 - Provides immunity to volunteer architects, landscape architects, and surveyors, professional engineers, construction managers and contractors during certain emergencies. On a motion by BM Frantz, second by BM Bogart, the Board unanimously voted in support of this bill.

A888 - Allows inactive licensees to complete their required continuing education at any time prior to reactivating their license. The Board took a favorable position on this bill providing that continuing education was completed in the most recent biennial period prior to reactivating their license.

A897 - Would permit local contracting units to award public contracts to certain bidders whose offered price does not exceed the price of the lowest responsible bidder by more than one percent. The Board took no position on this bill.

A2088 - Would clarify that advertisements by licensed professionals are subject to the Consumer Fraud Act. The Board took no position on this bill but will continue to monitor it.

A2442 - Would require public bidding or competitive contracting for an award of professional service contracts and requires certain vendors to fully itemize bills to school districts and local units and prescribes sanctions. On a motion by VP Kelly, second by BM Bogart, the Board unanimously voted to oppose this bill since it is contrary to quality based solutions.

S297 - Requires a value engineering clause in the specifications for certain construction contracts under the local public contracts law. The Board took no position on this bill.

S427 - Would require PE-qualification by state officials of prospective bidders for local public works contracts in the same manner as pre-qualification of prospective bidders for State contracts. On a motion by BM Frantz, second by BM Bogart, the Board unanimously voted to support this bill.

Proposed NJ DOT Regulations - This bill involves the procurement of architectural, engineering and land surveying services. On a motion by BM Raimondi, second by BM Bogart, the Board unanimously voted to support of this bill.

Administration

No report.

Examinations

The Board reviewed the PCS draft law examination and will inform PCS of particular questions which appear misleading and/or incorrect. On a motion by BM Raimondi, second by BM Valenti, the Board unanimously voted to use this examination with the revisions.

In addition, on a motion by BM Raimondi, second by BM Frantz, the Board unanimously voted to pay the invoice for the preparation of the law examination in the amount of \$3,750.00, subject to its changes.

ED Russo informed the Board that NCEES will begin to grade all examinations as either Pass or Fail instead of by scores. The exception would be for those states that are required to provide scores. This new grading scheme will begin with the 2005 examinations.

He also stated that any questions regarding the type of calculators permitted for use during examinations will be forwarded directly to NCEES.

ED Russo reminded the Board that the April examinations are scheduled for April 16 and 17. BM Faraldi volunteered to be present at NJIT, President Vernick at Rowan University and BM Marshall at the West Trenton Firehouse.

Education

No report.

Regulations

No report.

Finance

The Board, on a motion by BM Faraldi, second by BM Bogart, unanimously voted to approve payment of the Division of Law invoice.

NCEES Report

The Board discussed the upcoming NCEES Zone meeting on April 22 - 24, 2004 to be held in Portland, Maine.

Special Committee Reports

Newsletter

Joseph Grabowy informed the Board that the sixth edition of its newsletter is complete and has been posted to the Board's website. It shall be printed and mailed to all licensees.

Joint Committee

No report.

Website

The Print Production Unit continues to update the Board's website with current lists of continuing education courses for both land surveying and home inspectors.

Applications: Revisions PE/LS and Design Experience

The forms remain with the Director's office awaiting division-wide revisions.

Licensure Promotion Committee

No report.

Disciplinary Action Committee

No report.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

The Board reviewed the ELQTF report and responded to each question. The report will be sent to NCEES once completed.

ED Russo informed the Board of the need to prepare a program for the upcoming Certificate Award Ceremony on April 15, 2004. President Vernick agreed to prepare an outline of the program.

Mr. Meserlian appeared to discuss various matters with the Board. However, the Board's agenda was full and decided to schedule a time for Mr. Meserlian to appear at the next meeting.

The Board discussed the accreditation of Rowan University in 2001. It was previously determined that the Board will accept transcripts retroactive to 1999 which was the effective date of the accreditation.

Board members who were not present at the February meeting signed the resolution to be presented to the family of the late Peter Cipriano, PE.

The Board discussed the preparations for the annual off-site meeting to be held this year in Cape May. The Board elected VP Kelly to organize this event.

Incoming Correspondence

The Board carried over the following correspondences to its March 18, 2004 meeting:

1) Richard W. Stone, PE

**RE: Engineering signature & seal on reinforcing steel placing drawings
(January 8, 2004)**

Mr. Stone supplies the Board with more detail regarding his particular circumstances.

2) Yuping Xie

**RE: Use of title blocks
(January 14, 2004)**

Mr. Xie would like the Board to clarify the title block requirements as it pertains to his particular situation.

3) Robert F. McAllister

**RE: Board Guidance
(January 25, 2004)**

Mr. McAllister writes to the Board requesting some guidance in a particular situation that has arisen regarding a property he bought in Sea Girt, New Jersey.

4) George E. Wittmann, Jr., PE

**RE: Testimony from an electrical engineer on telecommunication issues before a Board of Adjustment
(January 27, 2004)**

Mr. Wittman asks the Board if an unlicensed electrical engineer can provide expert witness testimony on an issue involving telecommunications.

5) Victoria Hsu, PE, Executive Director/ Texas Board of Professional Engineers

**RE: Proposed amendments to National Council of Examiners for Engineering and Surveying (NCEES) constitution and bylaws
(January 30, 2004)**

Ms. Hsu suggests to member boards that a committee on the constitution and bylaws be established.

6) Richard Moralle, PE, President / New Jersey Society of Municipal Engineers

**RE: Municipal stormwater permitting services joint insurance fund solicitation of engineering services
(January 29, 2004)**

Mr. Moralle describes a particular situation that he believes conflicts with the Board's rules and regulations.

7) Dincer Egin

**RE: Proctoring of examination
(February 9, 2004)**

Mr. Egin has requested to be proctored in New Jersey for the April 2004 examination.

8) Augustus La Due

**RE: PE Application
(February 25, 2004)**

Mr. La Due asks for the status of his application based upon the information provided at his appearance before the Board.

9) Donald Meserlian, PE

**RE: Survey questions on a professional engineer's right to perform topographic surveys
(February 17, 2004)**

Mr. Meserlian provides the Board with the results of a survey submitted to the members of the NJ Society of Professional Engineers. He requested that the Board also complete the survey, a request to which the Board has previously responded.

Mr. Meserlian made an unscheduled appearance before the Board to discuss this correspondence. He was informed that he will require to submit a formal request to appear before the Board so a time slot may be allocated to him. Additionally, the Board noted that he has submitted additional documents for its review which included a letter to the Assembly, a copy of a survey and an e-mail submitted to the Assembly.

Outgoing Correspondence

Wynfred C. Sibley, Jr.

**RE: Application #52129
(December 24, 2003)**

This correspondence was noted for the record.

Information

The following informational items were noted by the Board:

- Rule Proposal - Volume 16, Number 1 - Contracts for Architectural, Engineering and Land Surveying Services
- "Demand for Engineers Rising Fast in U.S." Yahoo!FINANCE : by - Brian Deagon: January 20, 2004
- Letter to Jeffrey Hartke/ Township of Morristown re: Engineers & the practice of topography (CARRYOVER ITEM)
- Memorandum to James Hsu, Executive Director/Joint Committee of Architects & Engineers
- Proposed Amendment to NCEES constitution & bylaws (CARRYOVER ITEM)
- October 2003 exam results
- Licensure statistical report for resident & non-resident engineers - 12/31/03

- 2004 Winter Edition newsletter
- NE Zone nominations - The Board discussed this matter and unanimously voted to nominate Albert Faraldi as N.E. Zone Representative to NCEES, and Chairman of the Nomination Committee; Tom Porseg as Secretary of Treasury; and All Tarantula as Alternate N.E. Zone Representative.

REVIEW OF APPLICATIONS

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

NAME	APP #	DECISION	NAME	APP #	DECISION
A. CHRISTOPHERSON	933427	GRANT	S. BILHEIMER	979598	TAKE P
T. CHILDRESS	951390	GRANT	S. PITERA	979585	TAKE P
P. PENMAN	953093	GRANT	A. LEMLI	979580	TAKE P
M. JEITNER	953110	GRANT	J.SILVA	979558	TAKE P
A. LEONE	954367	GRANT	K.WHITEFLEET	971745	TAKE P
N. ABMAD	965527	GRANT	S. CABO-FREIXEDAS	971735	TAKE P
W. RYAN	971709	GRANT	P. CLEARY	964191	TAKE P
B. WALLER	966712	GRANT	G. MENZEL	979673	TAKE P
J. SNYDER	973296	GRANT	C. MAHADY	979666	TAKE P
R. DOMEY	953580	GRANT	J. SCHAFFER	979712	TAKE P
C. MANAWES	976324	GRANT	L. PARIKH	979694	TAKE P
D. BROWN	980495	GRANT	R. ANTISS	979705	TAKE P
P. ATTREYA	954839	GRANT	J. KRUCZEK	979695	TAKE P
D. MYERS	951177	GRANT	A. DIROSA	979659	TAKE P
T. MAY	980870	GRANT	M. BENNETT	979686	TAKE P
V. TIROLO	979762	GRANT	R. SCHAFFER	979590	TAKE P
D. CHIMEL	962477	GRANT	H.SHOTMEYER	979633	TAKE P
E. PENLAND	986118	GRANT	D. BALMA	979662	TAKE P
M. WHITE	974420	GRANT	J. FORDHAM	979628	TAKE P
P. GIOVENCO	976501	GRANT	L.MEDASKA	979623	TAKE P
J.WHIPPLE	976493	GRANT	D. HILL	979612	TAKE P
E. GROSS	976750	GRANT	S. GOEL	980876	TAKE P

R. DUSSEAULT	979746	GRANT	T. SILLICK	980496	TAKE P
H. LEON	986136	GRANT	R.SQUILLANTE	979619	TAKE P
S. KLUSKIEWICZ	980647	GRANT	D. GURALCHUK	947946	TAKE P
K. LUDWIG	987212	GRANT	M. FREDA	893457	TAKE P
D. GLORIE	953061	GRANT	P. RIPISH	979625	TAKE P
G. HANN	979553	TAKE	F B. PATEL	950396	TAKE P
A. RAZIQ	979701	TAKE F&P	M. WITKOWSKI	979716	TAKE P
Y.YUE	946109	TAKE F&P	M. BLACK	980656	TAKE P
R. LAFORTUNE	980503	TAKE F&P	J. ROWE	980465	TAKE P
F. PEREZ	982686	TAKE F&P	W. STIMMEL	979620	TAKE P
O. BARRIE	947401	TAKE P	J. KLIMACK	979655	TAKE P
D. SUDACKI	979566	TAKE P	R. WOJCIECHOWSKI	976506	TAKE P
D.O'ROURKE	979682	TAKE P	R. BERNARD	944122	TAKE P
J. KRYZAK	979688	TAKE P	A. PATEL	980455	TAKE P
J. DROMSKY-REED	979661	TAKE P	G. BOLIN	979556	TAKE P
D. KEMPS	979557	TAKE P	M. JANISZEWSKI	976597	TAKE P
A. LASKOSKY	979559	TAKE P	A. PRANTI	976531	TAKE P
T. MARALDO	979591	TAKE P	W. BIRCHLER	979563	TAKE P
P.LEE	980432	TAKE P	A. CZERW	944423	TAKE P
K. GYI	980434	TAKE P	T.DAY	980635	TAKE P WAIVE F
P. MITCHELL	980438	TAKE P	R. STRAMARA	974501	TAKE P WAIVE F
D. MAILLET	979715	TAKE P	R. LAUB	979564	TAKE P

The Board, on a motion by BM Frantz, second by BM Bogart, unanimously voted to deny the following applications:

NAME	APP #	DECISION	NAME	APP #	DECISION
J. KOCIUBA	979551	DENIED	D. JENSEN	974498	DENIED
A. BUENDIA	979710	DENIED	A. WATERS	979684	DENIED
T.RIOUX	981952	DENIED	R. ENG	979574	DENIED
W. WINDUS	979615	DENIED	S. KLENK	934625	DENIED
J. RIEDEL	980484	DENIED	B.LEHMKUHL	987768	DENIED

M. WESNIEWSKI	917551	DENIED	K. WARREN	981967	DENIED	
G. BAKER	962073	DENIED	A.BAKI	983459	DENIED	
S. NILSSEN	977747	DENIED	R. MESAROS	981948	DENIED	
R. FLORES	962064	DENIED	WU SUN	959486	DENIED	
J. HE	976342	DENIED	M.VARMA	970283	DENIED	
B. BROTHERSEN	977625	DENIED	A.ISLAM	977676	DENIED	
A.GORD-NOGHIAN	985465		DENIED	E. BORER	974496	DENIED
L. GREGROWSKI	943877	DENIED	W. MAYER	977843	DENIED	
J. TALERICO	979707	DENIED	F. PRIMICH	979764	DENIED	
J. LIVINGSTON	979709	DENIED	I. KERITAM	961704	DENIED	
J. KNOP	980638	DENIED	J. ACHILLE	981963	DENIED	
N. AGNOLI	976476	DENIED	C. CHUAH	976443	DENIED	
K. DUCKETT	980469	DENIED	M. GAMBA	974602	DENIED	
T. OSBORNE	979720	DENIED	G. HANN	979553	DENIED P	

The Board, on a motion by BM Patel, second by BM Faraldi, unanimously voted to approve the following Certificate of Authorization applications:

Desimone Consulting Engineers, PLLC
18 West 18th Street, 10th Floor
New York, NY 10011

Louis Iaconelli, Jr, Inc.
393 Morton Avenue
Rosenhayn, NJ 08352

VS Consulting, Inc. 25 Bayberry Drive
Lanoka Harbor, NJ 08734

Oosterbaan Consulting, LLC
1112 Washington Street
Cape May, NJ 08204-1739

3D Mapping and Positioning Services, LLC
130 Skyline Drive, No. 103
Ringwood, NJ 07456

AML Consulting Engineers, Inc.
8 Christy Drive,
Warren, NJ 07059

Applications For Full Board Review

Kevin H. Fruck - #937384

The Board reviewed this application, and, on a motion by BM Raimondi, second by BM Patel, unanimously voted to approve it.

Roberto J. Ramos - #922574

Mr. Ramos has made application to the Board. He graduated from Cuba with an engineering degree and states that he cannot obtain his undergraduate transcripts from his Cuban school to provide to the Board.

The Board, on a motion by BM Kelly, second by BM Raimondi, requests that Mr. Ramos document the steps he has taken to obtain the transcripts and advise what other options he can pursue.

Susan Ellenger - #979696

The Board noted that Ms. Ellenger is a naval-architectural student from New Zealand where she is currently studying and working. The Board requests that she provide an additional reference from a PE supervisor in the United States.

Ti-Hua Chin - #899193

The Board, after a review of this application, on a motion by BM Kelly, second by BM Faraldi, unanimously approved Mr. Chin's application to sit for the Principles and Practices of Engineering examination.

DISCUSSION ITEM

The Board tabled the following discussion items for its meeting on March 18, 2004. ý Professional engineers and the preparation of topographic surveys ý Hydrologists

MOVE TO EXECUTIVE SESSION

On a motion by BM Frantz, second by BM Patel, the Board voted unanimously to move to Executive Session to complete the agenda.

RETURN TO PUBLIC

On a motion contained in the Executive Session minutes, the Board unanimously voted to return to Public Session.

ADJOURNMENT

On a motion by BM Frantz, second by BM Faraldi, the Board unanimously voted to adjourn at 3:00 p.m.

Approved by:

Edward Vernick, PE
President

Arthur Russo
Executive Director

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