

State Board of Professional Engineers and Land Surveyors

Minutes of March 16, 2000

PUBLIC SESSION

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by the Board Vice President Albert Faraldi at 9:00 am in the Hudson Conference Room, Sixth Floor, 124 Halsey Street, Newark, New Jersey. All parties were duly notified of the time, date and place, with all pertinent material being provided.

SUNSHINE LAW ANNOUNCEMENT

Vice President Faraldi read the statement required by Chapter 231, Laws of 1975, known as the Open Public Meeting 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 Courier Post and the Bergen Record.

ROLL CALL

BM's present:

Albert Faraldi James Kelly (arrived 12:30 pm)
Richard Frantz Theodore Cassera (arrived 9:30 am)
Robert Marshall Pravin Patel
Louis Raimondi Edward Vernick (departed 2:30 pm)

BM's absent: Robert Bogart and Rishi Raj

Others present: Arthur Russo, Executive Director, William Mandeville, Management Assistant, Sadiqa Smith, Recording Secretary, Joseph Grabowy, Management Assistant, Yolanda Winston, Staff and Deputy Attorney General Olga E. Bradford.

APPEARANCE

Discussion on Sunsetting of Regulations

Deputy Director Anthony Miragliotta and Regulatory Analyst Eileen Rainey appeared before the Board to discuss the sunsetting of regulations. BM Cassera provided the Board with a copy of the committee's changes for review. This discussion will be continued at the April 6, 2000 Public Session meeting.

On a motion by BM Raimondi, seconded by BM Frantz, the Board unanimously voted to readopt the existing regulations, without changes, and continue to work on any proposed changes in the future.

Home Inspection Advisory Committee

Deputy Director Anthony Miragliotta presented the Board with two options whereby Professional Engineers can perform home inspections. Option number one would permit a Professional Engineer who successfully completes the

ASHI examination to be licensed as a Home Inspector by the Committee and subject to the rules governing the practice of home inspection.

Option two would permit a Professional Engineer to perform home inspections without licensure as a home inspector by the Committee, as long as the home inspection is performed in accordance with the standards of practice enumerated in the Home Inspection Advisory Committee regulations and the engineer adhered to the following additional rules contained in the home inspection regulations: insurance requirement, continuing education requirement, pre-inspection agreements, mandatory practice, excessive pricing, prohibited practices and inspections requiring additional experience, education, training, license or certification. The Board's regulations would be amended in order to reflect this.

BM Patel, Chair, Sub-committee on Home Inspection Advisory Committee Regulations, indicated that this is what he had originally intended and agreed with the options offered. The Board requested that the subcommittee consider the options offered and report its recommendation to the Board. A copy of the provisions referenced in option two would be sent to the subcommittee and would then be distributed to the Board for review.

MOVE TO EXECUTIVE SESSION

On a motion by BM Raimondi, seconded by BM Frantz, the Board unanimously voted to move into Executive Session for the purpose of discussing Executive Session agenda items.

RETURN TO PUBLIC SESSION

In accordance with a motion contained in the Executive Session minutes, the Board unanimously voted to return to Public Session for the purpose of discussing Public Session agenda items.

APPROVED / DENIED APPLICATIONS FOR LICENSURE

The Board reviewed the March 2, 2000 Examination/Comity Applications Report and, of the reported applications, voted to approve 4 exam and 11 comity applications and voted to deny 4 comity applications. (list attached).

On a motion by BM Raimondi, seconded by BM Vernick, the Board unanimously voted to accept the list of approved/denied applications for licensure.

APPLICATION - FULL BOARD REVIEW

Barry Guise - #36007

BM Patel reported to the Board that Mr. Guise was approved to take the Part F & Part P exams in 1986. He has taken and passed the Principles and Practices exam but is now requesting a waiver of the Fundamental examination which he never took. BM Patel stated that Mr. Guise has the required 15 years of progressive engineering work experience to be granted a waiver of the Fundamentals exam.

On a motion by BM Patel, seconded by BM Raimondi, the Board voted to grant Mr. Guise a waiver of the Fundamentals exam. BM Vernick and BM Faraldi opposed the motion. Motion failed. The Board discussed this matter further.

On a motion by BM Vernick, seconded by BM Marshall, the Board unanimously voted to grant Mr. Guise a waiver of the Fundamentals exam.

MOVE TO EXECUTIVE SESSION

On a motion by BM Vernick, seconded by BM Patel, the Board unanimously voted to move into Executive Session for

the purpose of an Investigative Inquiry.

RETURN TO PUBLIC SESSION

In accordance with a motion contained in the Executive Session minutes, the Board unanimously voted to return to Public Session for the purpose of discussing Public Session agenda items.

APPEARANCE

Professional Credential Services, Inc. (PCS) - Joseph T. Cote, CPA, President & Andrea Bledsoe, Vice President

Joseph Cote and Andrea Bledsoe appeared before the Board to provide background information on PCS and the services it offers. PCS is the new examination administrator for the Board. The April 2000 exam will be the first exam PCS will administer.

Mr. Cote and Ms. Bledsoe provided the Board with sufficient company information including the fact the PCS already has a proven long standing track record servicing the Board Accountancy.

The Board thanked Mr. Cote and Ms. Bledsoe for coming from Nashville to meet with the Board.

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REPORT OF THE EXECUTIVE DIRECTOR

Off-Site Meeting At Engineering Colleges

The Board unanimously voted not to conduct anymore off-site meetings at engineering colleges campuses. However, the Board expressed interest in having individual BMs visit engineering colleges to speak to students about the engineering profession. The Board felt this would be a very productive way of getting information out to students.

The Board requested that ED Russo write to the engineering colleges asking if they would be interested in inviting BMs to their campuses to speak to their students.

Land Surveyors Continuing Education

ED Russo reported that he met with June Levy to discuss the standardization of fees and procedures for Continuing Education for all Boards.

Certificate Award Ceremony - October 1999 Licensees

ED Russo reported that the invitations for the April 20, 2000 Certificate Award Ceremony have been mailed.

S1907 - Uniform Enforcement Act

ED Russo reported that he expects there will be several meetings with other Executive Directors and the Deputy

Director to discuss the subject of reinstatement of licenses lapsed for five or more years.

Under the Uniform Enforcement Act, which was amended on January 18, 2000, an applicant seeking reinstatement of a license which has lapsed for five or more years shall be required to successfully complete the principles and practices examination required for initial licensure.

This subject will be placed on the agenda for discussion at a future meeting of the Board.

Nominating Committee

VP Faraldi appointed BM Frantz and BM Marshall to the Nominating Committee to prepare a slate of officers for the Board's consideration for the forthcoming Board election. BMs were asked to submit the names of nominees to BM Frantz prior to April 6, 2000. The Committee will make its recommendations to the Board at the April 6, 2000 Public Session meeting.

ADJOURNMENT

On a motion by BM Frantz, seconded by BM Patel, the Board unanimously voted to adjourn at 3:30 pm.

Approved by:

Robert C. Bogart, PE, PLS
President

Arthur Russo
Executive Director

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Modified March 2002