



CHRIS CHRISTIE
Governor

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Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Professional Engineers and Land Surveyors
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STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS Minutes of April 1, 2010

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 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
Barry Jones
Michael Angeline
James Cleary
Richard Frantz
Lawrence Koo
Robert Marshall
Perry Schwartz
James Valenti
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 two members of the public.

NOMINATION OF OFFICERS

The Board, on a motion by BM Frantz, second by BM Marshall, unanimously voted to close the nominations for President by nominating VP Barry Jones, P.L.S.

The Board, on a motion by BM Frantz, second by BM Marshall, unanimously voted to close the nominations for Vice-President by nominating James K. Valenti, P.E..

ELECTION OF OFFICERS

The Board, on a motion by BM Frantz, second by BM Marshall, unanimously voted to accept the nominations of Barry Jones, P.L.S. as President and James K. Valenti, P.E., as Vice-President.

The newly elected officers will assume their responsibilities commencing May 1, 2010.

REVIEW OF THE MINUTES

February 18, 2010

After reviewing the minutes of February 18, 2010, the Board on a motion by BM Schwartz, second by VP Jones, voted to approve them as amended.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

- Executive Director Russo informed the Board of the potential move of the Division of Consumer Affairs from its existing location at 124 Halsey Street, Newark, NJ to the IDT building also in Newark, NJ. Further information regarding this move will be disseminated to the Board when it becomes available.
- NCEES Member Dues Invoice
- On a motion by BM Vernick, second by BM Angeline, the Board voted to authorize payment of the \$6,500 invoice from NCEES for its annual membership dues.
- ED Russo stated that the contract for the administration of the professional examinations for the Board of Professional Planners remains under review.
- The Board requested that the June 3, 2010 meeting be moved to June 17, 2010.

INCOMING CORRESPONDENCE

John M. Becker, Esquire
March 30, 2010
Re: CMX, Inc. (Formerly Schoor DePalma)

BM Valenti - Recused, since he was employed at CMX thru March 26, 2010.

After discussing this correspondence, the Board on a motion by BM Schwartz, second by BM Vernick, voted to inform Mr. Becker that all licenses must comply with the rules and regulations of the Board regarding the continuity of existing projects when successor professionals become involved.

Steven Merz
March 16, 2010
Re: Request for a temporary permit under N.J.S.A. 45:8-40 to offer engineering

services while his PE application is being processed.

After discussing this correspondence the Board on a motion by BM Angeline, second by BM Vernick, voted to inform Mr. Merz that the Board does not issue temporary permits/licenses.

I Isao Idota, Executive Director, Japan Engineers Federation (JEF)
February 20, 2010
Re: Nuclear power generation engineers forum. Mr. Idota would like to use NJ as an integral part of setting criteria for qualified engineers.

This correspondence was noted for the record.

Paul J. Fletcher, PE
February 15, 2010
Re: Request for an interpretation of his rights as a Professional Engineer.

After discussing this correspondence the Board on a motion by BM Angeline, second by BM Vernick, voted to inform Mr. Fletcher that it appears to be a contractual matter and that he should consult with his legal counsel.

Nicholas T. Menas
February 8, 2010
Re: Wants the Board to reissue it's opinion regarding the telecommunications industry exemption.

After discussing this correspondence the Board on a motion by BM Schwartz, second by BM Vernick, voted to send Mr. Menas a copy of its April 2008 letter on this subject. BM Schwartz was recused.

Keith M. Ludwig, PLS
February 25, 2010
Re: Mr. Ludwig requested guidance relating to the definition of "Engineering Measurements" under N.J.A.C. 45:8-28.

The Board reviewed this correspondence and on a motion by BM Vernick, second by BM Angeline, voted to send Mr. Ludwig a copy of its topography notice and to advise him to file a complaint if he is aware of any facts which may be the basis for disciplinary actions.

Adnan Khan, PE
January 29, 2010
Re: Mr. Khan has requested clarification as to what a professional engineer can do regarding the preparation of a site plan.

After reviewing this matter and on a motion by BM Valenti, second by BM Angeline, the Board voted to advise Mr. Kahn, that N.J.S.A. 45:3A-1 et seq. applies and that he should seek the advice of his legal counsel.

John J. Lagrosa, Exec. Dir., NJ Water Environment Assoc.
February 18, 2010
Re: Mr. Lagrosa has requested to be an approved entity to provide continuing education for Professional Engineers.

The Board reviewed this correspondence and on a motion by VP Jones, second by BM Angeline, voted to inform Mr. Lagrosa that there are no current regulations in place concerning the approved continuing education courses for professional engineers, but the

board expects to promulgate these regulations and Mr. Lagrosa may submit courses for board review.

Kenneth G. B. Job, PE/LS/PP

February 8, 2010

Re: Mr. Job is requesting a waiver/extension of time for the Continuing Competency requirement for his PLS license renewal.

After reviewing this correspondence the Board on a motion by BM Angeline, second by BM Frantz, voted to grant Mr. Job a 60 day extension of time, beyond April 30, 2010, to complete his 8 hours of continuing education.

Scott Brown, PE/PLS

March 16, 2010

Re: Mr. Brown has questions regarding signing documents as a dual licensee.

The Board reviewed this submission and on a motion by BM Vernick, second by BM Angeline, voted to inform Mr. Brown that a Professional Engineer or Land Surveyor should only sign and seal the plans/reports that they were in responsible charge of preparing.

OUTGOING CORRESPONDENCE

David C. Coleman, PLS

PSE&G Services Corp.

Re: Draft response to Mr. Coleman's request for clarification on signature requirements when submitting plans to NJ Board of Public Utilities.

The Board previously requested that Mr. Coleman shall be informed that the "Telecommunication Exemption" (N.J.S.A. 45:8-43) may apply and that the Board recommends that all licensees follow the "Site Plan Rule" (N.J.A.C. 13:40-7.1 et seq). The Board reviewed this outgoing correspondence and requested that it be changed to be consistent with its request.

John J. Gallagher, PE

January 12, 2010

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

This correspondence was noted for the record.

Darlene Human

January 21, 2010

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

This correspondence was noted for the record.

COMMITTEE REPORTS

a. Standing Committees:

Applications:

A meeting of the Applications Sub-Committee was recently held. As a result the Board's Engineer-in Training reference form was reviewed and will be posted to the Board's Website for use by applicants. A revision to the PE reference form has also been drafted and is under review by the committee.

Legislation & Regulations Committee:

Periodic Report on Legislation - This matter is tabled pending review by BM Vernick.

S936/A2297 - Requires consumer complaints to licensing boards of regulated professions to be resolved within 120 days. S936 has passed both houses as of March 22, 2010.

Education Committee:

The Sub-Committee discussed the continuing education review process utilized for land surveying courses and will preliminarily adopt these procedures to its review of engineering courses. The North Carolina State Board's review process of continuing education courses as well as those by NCEES will be reviewed and considered for incorporation into future rule making with regard to continuing education courses and providers.

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>
Rutgers, Center for Advanced Infrastructure	Work Zone Safety Awareness Workshop	5.5
New Hampshire Land Surveyors Association	The Surveyor in Court	14
Lorman Business Center Inc.	A Primer on Right-of-Way	1
Baystate Roads Program, Univ. Of Mass.	Right of Way Acquisition Process for Municipalities	4.5
University of New Hampshire	Monuments, Lines of Possession Analysis & Reporting	6
Surveyors Association of West Jersey	Subsurface Utility Eng.	1
Surveyors Association of West Jersey	Importance of Financial Planning	1
Lorman Business Center, Inc.	Scope, Extent and Effect of EPA New All Appropriate Inquiry Standard for Environmental Due Diligence	1
American Congress Surveying and Mapping	Introduction to GIS Surveyors	4
American Congress Surveying and Mapping	Right of Way and Easement Law	8
American Congress Surveying and Mapping	History of Surveying and Mapping	8
American Congress Surveying and Mapping	Nuts and Bolts of submitting a Digital leveling	

	Project to NGS	8
American Congress Surveying and Mapping	The Surveyors Role in the FEMA Flood Insurance Program	4
American Congress Surveying and Mapping	Understanding Random Errors	4
American Congress Surveying and Mapping	GPS, Geodesy and the Ghost in the Machine: A Workshop for Surveyors and GIS Professional	8
American Congress Surveying and Mapping	Development Implementation and Future of the National Spatial Reference System	4
American Congress Surveying and Mapping	The Surveying Body of Knowledge	4
American Congress Surveying and Mapping	Understanding the Statistics Used in GPS Surveying	4
American Congress Surveying and Mapping	NGS RTN Guidelines	4
American Congress Surveying and Mapping	The 4 P - Professionalism, Public Perception & Profit	4
American Congress Surveying and Mapping	Situational Ethics for Surveyors	4
American Congress Surveying and Mapping	Utilities Public and Otherwise	4
American Congress Surveying and Mapping	Legal Descriptions and Conveyances	4
American Congress Surveying and Mapping	Water Boundaries	4
American Congress Surveying and Mapping	Training Complete: Autoline to BIM	4
American Congress Surveying and Mapping	Help My Data Don't Line Up	4
American Congress Surveying and Mapping	Orthometric Heighting with GPS	8
American Congress Surveying and Mapping	Hydrographic Surveying	8
American Congress Surveying and Mapping	Survey Project Management	4
American Congress Surveying and Mapping	Finding the Footsteps	4
American Congress Surveying and Mapping	Correcting survey data for crustal deformation In the Western US using HTDP Software	4
American Congress Surveying and Mapping	Contact Basics for Land Surveyors	4
American Congress Surveying and Mapping	Pricing Professional Services	4
American Congress Surveying and Mapping	A Precise 3D Method for Total Station Field Data Collection	4
American Congress Surveying and Mapping	Discrepancies in the Official Record	4

American Congress Surveying and Mapping	The Surveyor's Role in Boundary Conflict Resolution	4
American Congress Surveying and Mapping	An Ethical Review of the Maxims of Jurisprudence	4
American Congress Surveying and Mapping	Expert Witness - Rule 26 Disclosure Reports	4
American Congress Surveying and Mapping	Infrastructure GIS 101 for Surveyors	4
American Congress Surveying and Mapping	Forensic Surveying	4
American Congress Surveying and Mapping	VRS RTK - Using a VRS RTK Correction	4
American Congress Surveying and Mapping	Understanding Measurement Error	4
Geographic Information Systems	GIS Terminology (previously approved-08-10)	8
Geographic Information Systems	Minimum Standards Detail Requirements For ALTA/MINIMUM Land Title Surveys (previously approved 08-10)	8
Geographic Information Systems	Remote Sensing Applications (previously approved 08-10)	8
Geographic Information Systems	Land Surveying Safety Manual (previously approved 08-10)	8
Geographic Information Systems	Positioning Techniques for Offshore Engineering Surveys	8
Geographic Information Systems	Acoustic Multibeam Survey Systems for Deep-Draft Navigation Projects	8
Geographic Information Systems	Remote Sensing Terminology (Previously approved 08-10)	8
Geographic Information Systems	Introduction to Remote Sensing (Previously approved 08-10)	8
Geographic Information Systems	Deformation Monitoring and Control Surveying	8
Geographic Information Systems	The Electronic Digital Level	8
Geographic Information Systems	Photogrammetric Mapping	8
Geographic Information Systems	Direct Leveling	8
Geographic Information Systems	Image Interpretation and Analysis	8
Geographic Information Systems	Using Differentials Positioning for Elevation Determination	8
Geographic Information Systems	Professional Ethics for the Construction Surveyor	8

Geographic Information Systems	Construction Layout No. 1 – Vertical Curves	8
Geographic Information Systems	Fundamentals of Corner Restoration	8
Geographic Information Systems	Fundamentals of Completions and Independent Resurvey	8

Meetings Committee

No report.

Joint Committee of Architects & Engineers:

No report.

b. Ad Hoc Committees:

Sunset Regulations:

The Board is scheduled to meet with Deborah Shane-Held, Regulatory Analyst, at the end of its regularly scheduled Board meeting today.

NCEES 2013 NE Zone Meeting

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

REVIEW OF APPLICATIONS

a. Licensure

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

<u>Name</u>	<u>Application #</u>	<u>Comity/Exam.</u>	<u>Decision</u>
Antonelli, James J.	995899	Comity	AIN
Aquanno, David	1479413	Exam.	Take FLS
Barile, Nicholas	1297298	Exam.	Denied Waiver of Part F
Begley, James	1270394	Comity	AIN
Bhushan, Kul	1452360	Comity	Grant License
Bondar, Joseph	1448536	Comity	Grant License
Borst, Laurence	1473251	Exam.	Take P
Bramel, Brian	1136410	Comity	AIN
Calpin, Cillian	1473255	Exam.	AIN
Carpenter, Alan	1361632	Comity	AIN
Cosmanesou, Serban	949358	Comity	AIN
Craig, James	1446545	Comity	Grant License
Creek, Joseph	1469382	Exam.	Take P

Decker, Christopher	1443302	Comity	Grant License
DeMarco, Daniel	1393553	Comity	Grant License
DeVito, Joseph	1370544	Exam.	Take P
DeVizio, Anthony	1467561	Exam.	AIN
Dimitri Papagiannakis, PE	1479968	-	Grant H.I. License
Diviney, Randal	1409402	Comity	Grant License
Doss, Jr., Sammie	1470417	Exam.	AIN
Dumack, Heath	51075	Comity	Denied
Eifert, Kurt	1467624	Exam.	Take P
Elserhily, Adel	994055	Comity	AIN
Emert, Steven	1199494	Comity	AIN
Enea, Adam	1442377	Exam.	Take FE
Fuertes, Jose	1469380	Comity	Grant License
Gahagan, Tina	1442803	Comity	Grant License
Galbrath, Kevin	1370735	Exam.	Take P
Gardizi, Waqar	1480348	Comity	Grant License
Garrity, John	1477271	Exam.	AIN
Graves, Evan	1468793	Exam.	AIN
Gupta, Ayushman	1461811	Comity	AIN
Hafez, Amr	1419138	Comity	Grant License
Hamje, James	1388979	Comity	Grant License
Harmonie, Hawley	1465830	Exam.	AIN
Harvey, Caitlin	1468785	Exam.	Take P
Hessing, Henry	1457434	Comity	AIN
Horvath, Edward	1466289	Exam.	Take PLS
Hroblak, Alyson	1475463	Comity	Grant License
James, Ernest	1464727	Comity	Grant License
Jameson, Paul	1198078	Comity	Grant License
Kibby, Scott	1354329	Comity	AIN
Kojak, Iyad	1327175	Exam.	Take F & P
LaRoche, Fitzgerald	1434818	Exam.	Take P
Lee, Han-Kil	1467115	Exam.	Take P
Lemansky, Richard	1463550	Comity	Grant License
Leone, David	1329144	Comity	Grant License
Mallick, Khalid Q	1459698	Comity	Grant License
Mangindin, Lawrence	1467192	Comity	AIN
Manning, Carmen	1409608	Comity	AIN
Markell, Kevin	1320243	Exam.	AIN
Martin, Anthony	1460504	Comity	Grant License
McCullough, Paul	1465838	Comity	AIN
McShane, William	1413407	Comity	AIN
Merefindt, Kimberly, RA	1478405	-	AIN
Mow, Patrick	1456317	Comity	Grant License
Murdoch, Jere	1320237	Exam.	Take P
Ocharsky, Jason	1312787	Comity	Grant License
O'Connor, Neal	1256690	Comity	AIN
Oliveto, Gerald	1465834	Exam.	Take P
Parsons, Glenn	1463585	Comity	Grant License
Perera, Withanage	1467895	Exam.	Take P
Peterman, Karl	1453669	Comity	Grant License
Pingitore, Michael	1469397	Exam.	Take P
Plotkin, David	1469393	Comity	Grant License

Ramirez, Mark	1465836	Exam.	Take P
Regenthal, Richard	1468729	Exam.	Take P
Remson, Joseph	1312760	Comity	AIN
Ridgway, Charles	1361640	Comity	AIN
Roedema, Kurt	1465646	Exam.	Take P
Ross, Robert	1448574	Comity	AIN
Royce, Joshua	1395815	Comity	Grant License
Ruggles, Roger	1467885	Comity	Grant License
Saddik, Yonah	1475713	Comity	AIN
Saigal, Sunil	1457908	Comity	Grant License
Schuepbach, Matthew	1468685	Exam.	Take P
Slager, Ryan	1415658	Exam.	Take P
Smith, William	1463068	Comity	Grant License
Spada, Salvatore	1465618	Comity	AIN
Spiteri, Jon	1416071	Comity	AIN
Stivaros, Pericles	1440364	Comity	Grant License
Sullivan, Lawrence	1445730	Comity	AIN
Sutyak, Gregory	1460364	Exam.	AIN
Swiker, Evan	1460419	Exam.	Take P
Swulczewski, Joshua	1459646	Exam.	Take P
Taylor, Kathleen	1468779	Exam.	Take P
Tenenbaum, Harry	1403382	Comity	Denied
Thornton, Samuel, PE	1483870	-	Grant H.I. License
Torre, Mark	1470094	Comity	Grant License
Vajirkkar, Mrutyunjay	1467970	Exam.	Take P
Waldron, Michael	1391252	Comity	Grant License
Webb, Matthew	1469318	Exam.	Take FLS & PLS
Welcher, Richard	1473297	Comity	Grant License
Wilson, III, Harry	1407761	Exam.	Take P
Wone, Moussa	1460404	Comity	Grant License
Yin, Xiaochen	1367533	Exam.	Grant License
Yost, Kenneth	971337	Comity	AIN

A.I.N. = Additional Information Needed

FULL BOARD REVIEW

Gregg Gaffney, #1467569

After discussing this application and on a motion by BM Angeline, seconded by BM Cleary, the Board voted to accept Mr. Gaffney's experience and to grant licensure by comity.

Mark Feldman, #1457840

After discussing this application and on a motion by BM Schwartz, seconded by BM Marshall, the Board voted to request that Mr. Feldman provide an evaluation of his education to the Board for further review.

Peter Reynolds, #1473308

After discussing this application and on a motion by BM Cleary, seconded by BM Marshall, the Board voted to grant licensure by comity.

REINSTATEMENT APPLICATIONS

Christopher C. Dry, PE

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

Michael Ross Hutsenpiller, PE

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

Matthew Anthony Noviello, PE

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

Thomas Lawrence Davidson, PE

The Board reviewed Mr. Davidson's reinstatement application and determined that he had not adequately demonstrated proficiency. Thus, on a motion by BM Marshall, second by BM Schwartz, the Board voted that he take the principles and practices portion of the engineering examination.

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.

NEXERGY ENGINEERING & ENVIRONMENTAL, LLC 87 Hibernia Avenue, Ste. 205 Rockaway, NJ 07866 Application #1488345	WJW ENGINEERING, LLC 8 Scottsdale Court Cranbury, NJ 08512 Application #1488394
BRICK ENGINEERING, LLC 8 Springfield Avenue Merchantville, NJ 08109 Application # 1488397	CONNOLLY ENGINEERING LLC 36 Grist Mill Lane Pleasant Valley, NY 12569 Application # 1488401
CADECS ASSOCIATES, LLC 25 US Highway 22 Springfield, NJ 07081 Application # 1488639	MPP ENGINEERS, LLC 38 Brooktree Road East Windsor, NJ 08520 Application #1488642
TRINITY GREEN SERVICES, LLC 1000 W. Crosby, Ste. 136 Carrollton, TX 75006 Application #1488679	ERM CONSULTING & ENGINEERING, INC. 399 Boylston St., 6 th Fl. Boston, MA 02116 Application #1488689

<p>G AND T TECHNOLOGY, INC. 204 Sharon Gardens Court Woodbridge, NJ 07095 Application # 1490927</p>	<p>PARKER ENGINEERING ASSOCIATES, LLC 41 Amherst Drive Bayville, NJ 08721 Application # 1491038</p>
<p>DOWNES ASSOCIATES, INC. 2129 Northwood Drive Salisbury, MD 21801 Application # 1491044</p>	<p>ARGUS CONSULTING, INC. 1300 N W Jefferson Court, Ste. 100 Blue Springs, MO 64015 Application #1492570</p>
<p>CORNERSTONE ENGINEERING COMPANY, LLC 405 S. Clairborne Road, Ste. 5 Olathe, KS 66062 Application #1493899</p>	<p>ENERGY SQUARED, LLC 1225 Livingston Avenue North Brunswick, NJ 08902 Application #1492542</p>
<p>A. MORTON THOMAS AND ASSOCIATES, INC. 12750 Twinbrook Parkway Rockville, MD 20852</p>	<p>HAMMER LAND ENGINEERING, LLC 550 Smith Drive Point Pleasant, NJ 08742 Application # 1493959</p>
<p>PRECISION ENGINEERING & SURVEYING, INC. 275 Route 10 East, Ste. 220-416 Succasunna, NJ 07876 Application # 1493956</p>	

INFORMATIONAL/DISCUSSION ITEMS

- a. NCEES - Examinee Management System Set for October 2010 Administration

This correspondence was noted for the record.

- b. Professional Planners - Statistics

This correspondence was noted for the record.

PUBLIC COMMENTS

None

MOVE TO EXECUTIVE SESSION

The Board, on a motion by BM Vernick, 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:

**James J. Purcell,
President**

**Arthur Russo
Executive Director**