

**STATE BOARD OF PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS  
Minutes of April 5, 2007  
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 Newark Star Ledger, Trenton Times, the Camden Courier Post, Bergen Record, and the Atlantic City Press.

Present:

Edward Vernick  
Barry Jones  
Michael Angeline Lawrence Koo  
James Cleary Robert Marshall  
Richard Frantz James Valenti

Absent: James Purcell Perry Schwartz

Others: Arthur Russo, Executive Director, Michelle Albertson, Deputy Attorney General, Joseph Grabowy, Assistant to the Executive Director, staff member Yolanda Winston, and one member of the public.

**APPEARANCE BY THOMAS CAGGIANO**

Mr. Caggiano appeared before the Board to provide information relative to various complaints he previously submitted but which the Board previously closed. Also present were Peggy Anastos, Larry DeMarzo, and Robert Campanelli.

**COMMITTEE REPORTS**

Legislation

The Board reviewed the following bills:

A734 - Provides that information about the residence of persons licensed by certain professional boards shall not be disclosed to the public - This Bill was introduced on January 10, 2006 and passed the Assembly on March 8, 2007. It was later referred to the Senate Commerce Committee on March 12, 2007.

A4015 - Establishes a licensing program for site remediation professionals; and requires the use of licensed professionals under certain circumstances - This Bill was introduced and referred to the Assembly Environment and Solid Waste Committee on February 26, 2007.

A4115 - Requires the engineering firm conducting a remediation project using moneys from the Hazardous Discharge Site Remediation Fund to be properly qualified by training and experience - This Bill was introduced and referred to the Assembly Environment and Solid Waste Committee on March 15, 2007.

## Regulations

The Board appointed James Purcell to this Committee.

## NCEES Representative

Executive Director Russo informed the Board that at the NCEES President's Meeting, the issue of Computer Based Testing was an important discussion topic. The Board will continue to monitor this matter.

## Education

No report.

## Finance

No report.

## Examinations

Executive Director Russo informed the Board that the next round of examinations are to be held on April 20 and 21, 2007.

## Licensure Promotion Committee

No report.

## Website

No report.

## Joint Committee

No report.

## Continuing Education Committee

No report.

## Rulemaking Committee

No report.

## **REPORT OF THE EXECUTIVE DIRECTOR**

### General Report

Executive Director Russo informed the Board that two new Board members have been appointed to the Board, namely, Barry Jones, PLS, who replaced Louis Raimondi, PE, PLS, and Perry Schwartz, PE, Ph.D., who replaced James Kelly, PE.

The Board, on a motion by BM Frantz, second by VP Angeline, unanimously voted to include Louis Raimondi, PE, PLS, and James Kelly, PE, as Emeritus Members of the Board. Proclamations will be prepared to honor former Board members Raimondi and Kelly, which will be presented at a subsequent Board meeting.

ED Russo stated that the NCEES North East Zone meeting will be held in Newport, Rhode Island on May

3, 4, and 5, 2007.

He also mentioned that NCEES has requested the Board's position on computer based testing. This matter will be carried to the next meeting for further discussion. In the interim the Board requested that a representative from NCEES address the Board on this matter, as well as provide additional information and details and a practical demonstration.

Executive Director Russo mentioned that its current contract with Professional Credentials Services (PCS), the examination administrators, expires in 2008. ELSEES, an affiliate of NCESS also provides this service. Allan Hicks, Manager at PCS, will address the Board at its next meeting regarding updated examination policies and procedures.

#### Incoming Correspondence

James L. Hankins, PE/ Applied Water Management, Inc.  
RE: Originals of Records  
(March 15, 2007)

Mr. Hankins wrote to the Board as a follow-up to his previous correspondence and asked whether it would be acceptable to retain an electronic, non-modifiable version of a set of project drawings that bear a scanned version of the engineer-of-record's signature.

The Board will again advise Mr. Hankins to refer to its regulations on this issue, specifically N.J.A.C. 13:40-8.1.

John Delesandro, Supervisor of Licensing/ NJ Division of Codes & Standards  
RE: Outreach Regarding Special Inspector Licensing  
(March 20, 2007)

Mr. Delesandro provided the Board with information relative to rules that have been adopted by the Department of Community Affairs that would impact the Board's licensees.

The Board noted that this matter applied more to construction code officials and suggested that copies be sent to the various professional societies. It also requested that it be posted to the Board's Website.

Jerry Carter/ NCEES  
RE: Model Rules Progressive Experience  
(March 7, 2007)

Mr. Carter asked the Board to review the portion of the NCEES Model Rules that deal with the definition of progressive engineering and to determine how similar or dissimilar they are with the Board's definition.

The Board noted that there is no definition for "progressive engineering" in its statutes and regulations and will advise Ms. Carter accordingly.

Nicholas J. Wunner, PE, PLS/ Wunner Engineering Assoc., PA  
RE: Waiver of Corner Marker  
(March 5, 2007)

Mr. Wunner requests clarification on a matter involving a corner marker waiver and the builder.

Mr. Wunner will be advised that pursuant to N.J.A.C. 13:40-5.2(a), "ultimate user" is defined and that person must sign the corner marker waiver form, not the builder.

Jeff Y. Donkin, PE

RE: Foreign Diploma Evaluation  
(March 5, 2007)

Mr. Donkin wrote to the Board explaining the difficulty he had in obtaining transcripts from the university he attended in Kiev, Ukraine during his application for licensure in NY. However, Mr. Donkin has not submitted an application for licensure in New Jersey to the Board.

The Board will advise Mr. Donkin that he must submit an application for review and, also, he must comply with N.J.A.C. 13:40-2.8(d) and seek an evaluation from CPEES who will attempt to obtain the transcripts.

Richard A. Bernardo, PE, Chair/ State of Rhode Island - Boards for Design Professionals  
RE: NCEES' Treasurer's Position  
(March 12, 2007)

Mr. Bernardo requests that the Board consider Larry Robert Smith's request to run for NCEES Treasurer.

The Board noted this correspondence for the record.

Joseph A. Donato, Jr., PP, PLS, Trustee/ GSLSA  
RE: Petition to the Board "To Amend & Clarify Administrative Rules"  
(February 27, 2007)

Mr. Donato writes on behalf of the Garden State Land Surveying Alliance and requests changes to N.J.A.C. 13:40-1.3, 5.1(n), 7.1(a) & (b), 7.3(a), (b), (I), & (j).

The Board will advise Mr. Donato that he must comply with the statute if he is attempting to file a Petition for Rulemaking. Otherwise, the letter will be considered by the Board in connection with the pending Petition before the Board.

Johanna R. Johnson, Ed.D., Atlantic County Institute of Technology  
RE: Career Academies' Advisory Board  
(February 17, 2007)

Ms. Johnson requests information that would be beneficial to high school students pursuing engineering as a career.

The Board will provide Ms. Johnson with materials that it has used during its college presentations for licensure promotion.

James P. Weidner, PLS/ Weidener Surveying & Mapping  
RE: Topography  
(March 19, 2007)

Mr. Weidner requests that the Board to determine the function of topography as those that only a licensed land surveyor can perform.

This correspondence will be considered in connection with the pending Petition before the Board.

Outgoing Correspondence

Eva-Angela Adan/ CPEES  
RE: Foreign Degree Evaluations  
(March 6, 2007)

In its letter the Board requested that CPEES revise its current evaluation report format to include 3 categories (a combination of mathematics and basic science, engineering science, and engineering design)

which will allow the Board to determine an applicant's compliance with its statutory and regulatory educational requirements.

No response has yet been received from Eva-Angela Adan.

Eva-Angela Adan/ CPEES  
RE: non-ABET Accredited Degrees  
(March 22, 2007)

The Board wants to know CPEES's policy toward evaluating non-ABET accredited degrees from colleges and universities located in the United States. This issue arose when CPEES rejected an evaluation request from a candidate who earned a non-ABET accredited mechanical engineering degree from Pensacola Christian College, Fl.

No response has yet been received from Eva-Angela Adan.

## REVIEW OF APPLICATIONS

The Board, on a motion by BM Valenti, second by BM Cleary, unanimously approved the following applications:

NAME	APPLICATION #	PE/EIT	DECISION
J. FRIEDMAN	1231819	COMITY	GRANT
T. WARNER	1232589	COMITY	GRANT
M. HENDERICKS	1185240	PE/EXAM	TAKE P
E. ABU-MWAIS	1188836	PE/EXAM	TAKE F&P
R. BEDNARCZYK	1229147	PE/EXAM	TAKE P
M. GEBHARDT	1219495	PE/EXAM	TAKE P
R. HOFFMAN	1237949	PE/EXAM	TAKE F&P
J. HELMINAK	1226831	PE/EXAM	TAKE P
C. HUBER	1222091	COMITY	A.I.N.
A. GOUDARZI	1231903	COMITY	A.I.N.
K. JAWORSKI	1231663	COMITY	A.I.N.
M. SNYDER	1143081	COMITY	A.I.N.
M. OLIVAR	1140427	PE/EXAM	A.I.N.
J. CUGINO	1227983	PE/EXAM	A.I.N.
H. PATEL	1191010	PE/EXAM	A.I.N.
M. RYAN	937441	PE/EXAM	A.I.N.
S. ESKESEN	1226915	PE/EXAM	A.I.N.
M. CHO	962069	PE/EXAM	A.I.N.

R. LOPEZ	1088611	PE/EXAM	A.I.N.
S. CORTESE	1225897	COMITY	A.I.N.
M. FARRELL	1223809	COMITY	GRANT
K. CONRY	1205731	COMITY	GRANT
M. MAQSOOD	1138630	COMITY	GRANT
B. O'ROURKE	1201905	COMITY	A.I.N.
H. PATEL	1191010	PE/EXAM	A.I.N.
S. UTTARA	1185379	COMITY	A.I.N.
S. SMOLINSKY	1231682	COMITY	GRANT
F. DZIALO	1234610	COMITY	GRANT

A.I.N. = Additional Information Needed

**CERTIFICATES OF AUTHORIZATION**

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

BECHTEL COMMUNICATIONS, INC.  
50 Beale Street  
San Francisco, CA 94119  
Application # 1247617

HUEN ELECTRIC NEW JERSEY, INC.  
9 Corporate Drive, Ste. B  
Cranbury, NJ 08512  
Application # 1250272

ROBERT W. HUNT COMPANY  
580 Waters Edge, Ste. 210  
Lombard, IL 60148  
Application # 1250378

LONGITUDE SURVEYING & MAPPING, LLC  
16 Pitman Ave., Ste. 202  
Pitman, NJ 08071  
Application # 1250381

3 WIRE SURVEYING, INC.  
33 Hibernia Road  
Rockaway, NJ 07866  
Application # 1251263

TURNER RENEWABLE ENERGY, LLC  
3121 Route 22 East, Ste. 304  
Branchburg, NJ 08876

Application # 1251266

FOREMAN ARCHITECTS ENGINEERS, INC.  
525 West New Castle Street  
Zelienople, PA 16063  
Application # 1253441

TOWER CONSULTANTS, INC.  
1180 Columbia Ave., Ste. 101  
Irmo, SC 29063  
Application # 1253575

STEPHEN C. MARTINELLI, LAND SURVEYING, LLC  
1217 S. Shore Road, Ste. 106  
Ocean View, NJ 08230  
Application # 1256672

AHURA MAZDA CONSULTANTS, INC.  
332 Minnesota Street, Ste. W 960  
St. Paul, MN 55101  
Application # 1256686

MERE ENGINEERING, INC.  
37 Independence Court  
Clifton, NJ 07013  
Application # 1257004

ATKINS ENGINEERS, INC.  
147 Sevilla Avenue  
Coral Gables, FL 33134  
Application # 1244395

ELECTRO-MECH ENGINEERING, INCORPORATED  
311 High Street NE  
Canal Fulton, OH 44614  
Application # 1257512

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## **REINSTATEMENT APPLICATIONS**

John S. Sulsinsky

After reviewing his application for reinstatement, the Board, on a motion by BM Marshall, second by VP Angeline, unanimously voted to request that Mr. Sulsinsky provide a more detailed statement of his experience from the date his license expired to the present. Additionally, it was noted that he has provided 30 continuing education credits and the Board will advise him that he will need to obtain an additional 24 continuing education credits for the upcoming biennial renewal period.

Allan Roger Budris

After reviewing his application for reinstatement, the Board, on a motion by BM Marshall, second by VP Angeline, unanimously voted to request that Mr. Budris provide a more detailed statement of his experience from the date his license expired to the present.

R. Duane Monical

The Board will request that Mr. Monical provide a verification of licensure from the state of Tennessee.

Stephen F. Gillen

After a re-review of his application, the Board, on a motion by VP Angeline, second by BM Cleary, unanimously voted that Mr. Gillen did not demonstrate proficiency in engineering and therefore must re-take and pass the principles and practices of engineering examination prior to being reinstated.

Jennifer Bryson-McGahren

The Board, after reviewing her application, on a motion by BM Frantz, second by BM Marshall, unanimously voted to request that Ms. Bryson-McGahren provide a more detailed statement of her experience from the time her license expired to the present.

George Philip Tharizayi

The Board, after reviewing his application, on a motion by BM Frantz, second by VP Angeline, unanimously voted to request that Mr. Tharizayi provide a more detailed statement of his experience from the time his license expired to the present.

Alfredo Basas

The Board, after reviewing his application, on a motion by BM Valenti, second by VP Angeline, unanimously voted to approve Mr. Basas' application for reinstatement.

Joseph Haller

The Board, after reviewing his application, on a motion by VP Angeline, second by BM Marshall, unanimously voted to request that Mr. Haller submit proof of completion of an additional 6 continuing education hours within 60 days.

## **INFORMATIONAL ITEMS**

The Board noted the following articles:

- Proposed Amendment to NCEES Constitution
- NCEES 100th Anniversary of Engineering Licensure
- Notice of Changes to NCEES Examinations
- Colonial States Boards of Surveyor Registration Spring Meeting
- Notice of Final Action on Petition for Rulemaking
- 2007 NorthEast Zone Meeting

## **MOVE TO EXECUTIVE SESSION**

On a motion by BM Valenti, second by BM Koo, 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 Marshall, the Board unanimously voted to adjourn the meeting at 2:00pm.

APPROVED BY:

Edward Vernick, PE    Arthur Russo  
President                      Executive Director