

**STATE BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
Minutes of April 14, 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 Halley 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, Yolanda Winston, and 4 members of the public.

REVIEW OF MINUTES

September 16, 2004

The Board, on a motion by BM Raimondi, second by BM Patel, unanimously voted to approve the minutes of September 16, 2004 as amended. BMs Vernick and Frantz abstained.

October 7, 2004

The Board, on a motion by BM Patel, second by BM Vernick, unanimously voted to approve the minutes of October 7, 2004 as amended. BM Raimondi abstained.

October 21, 2004

The Board, on a motion by BM Vernick, second by BM Raimondi, unanimously voted to approve the minutes of October 21, 2004 as amended. BM Patel abstained.

COMMITTEE REPORTS

Legislation

A2442/S142 - Requires the public bidding or competitive contracting for award of professional service contracts and requires certain vendors to fully itemize bills to school districts and local units and prescribes sanctions. This bill was heard by the Senate Committee on February 28, 2005.

S297/A2809 - Requires value engineering clause in specifications for certain construction contracts under the Local Public Contracts Law. An amended bill passed the Senate and assembled on March 14, 2005 and was signed by the Governor on April 7, 2005.

A3897 - Establishes the State Board of Examiners of Heating, Ventilation and Air Conditioning Contractors. On March 1, 2005, this bill was introduced and referred to the Assembly Regulated Professions and Independent Authorities Committee.

Professional Qualification Program for Smart Growth Area Permitting: Comments have been submitted by the professional societies.

Proposed Election Law Enforcement Commission Regulations: Comments were given at a public hearing. The NJSPE is preparing written comments for consideration by the ELEC.

A3938 - Proposed Amendments to the Professional Licensing Act. At this time the Board will defer its comment on this bill.

Administration

No report.

Examinations

ED Russo informed the Board that the Spring examinations will be conducted on April 15 and 16, 2005. He stated that he will be present at the Runnemeade location. BM Marshall will be present at the West Trenton location and Robert Welsh will visit the NJIT site.

Education

No report.

Regulations

President Kelly informed the Board that Regulatory Analyst Devon Graf will report on the sunset of its regulations in the near future.

Finance

No report.

NCEES Zone Update

No report.

Annual Meeting

BM Angeline informed the Board that arrangements for its annual meeting on May 6, 2005 in Atlantic City have been finalized.

Special Committee Reports Newsletter

Joseph Grabowy stated that the newsletter remains under review by the print production unit.

Joint Committee

BM Patel stated that the Joint Committee is deciding whether to pursue the drafting of regulations to interpret its statutes.

Website

Robert Welsh informed the Board that the E.I.T. application is now available on its website as a read-write document.

Licensure Promotion Committee

Robert Welsh informed the Board that ED Russo, BM Vernick and himself are scheduled to meet with officials of Rowan University on April 19, 2005 to discuss licensure promotion.

Disciplinary Action Committee

No report.

Continuing Education Committee

BM Angeline informed the Board that the Committee is still in the process of reviewing applications.

Nominating Committee

The Board, on a motion by BM Patel, second by BM Raimondi, unanimously voted to close the nominations for President by nominating James Valenti.

The Board, on a motion by BM Angeline, second by BM Raimondi, unanimously voted to close the nominations for Vice-President by nominating Edward Vernick.

Election of Officers

The Board, on a motion by BM Patel, second by BM Angeline, unanimously voted to accept the nominations of James Valenti as President and Edward Vernick as Vice-President.

The newly elected officers will assume their responsibilities commencing at the annual meeting on May 6, 2005.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

No report.

Incoming Correspondence

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

Mr. Powers wrote on behalf of his client, the New Jersey Society of Professional Engineers, to provide examples to be reviewed by the Board with regard to the notice published in the New Jersey Register on topographic surveys.

The Board will invite Mr. Powers to appear at a future meeting to discuss this topic. In addition, it will also

extend an invitation to the National Society of Professional Engineers, New Jersey Society of Professional Land Surveyors and the Garden State Land Surveying Alliance.

Darin Gatti
RE: Engineers sealing framing plans
(February 21, 2005)

Mr. Gatti requests the Board's determination regarding a professional engineer signing and sealing framing plans for a residential addition.

After reviewing this matter, the Board shall provide Mr. Gatti with the Building Design Services Act, which addresses this issue.

Patrick S. Vitarelli, PLS, PP
RE: Drug Free Zone Maps
(March 1, 2005)

Mr. Vitarelli asks for clarification as to who is authorized to prepare and sign drug free zone maps.

The Board will inform Mr. Vitarelli that the preparation of a drug free zone map involves boundary information along with the measuring and locating of distances. Therefore, said map must be prepared by a licensed land surveyor. In addition, if there exists other statutory requirements for involvement by the municipal or county engineer, those laws should also be followed.

Lewis H. Conley, Jr., PLS, PP/ Van Note-Harvey
RE: Preparation of Drug Free Zone Maps
(March 1, 2005)

Mr. Conley requests an Attorney General opinion on the above matter.

After discussing this matter, Mr. Conley will be advised that the preparation of a drug free zone map involves boundary information along with the measuring and locating of distances, and as such, said map must be prepared by a licensed land surveyor. If there exists other statutory requirements for involvement by the municipal or county engineer, those laws should also be followed.

Brian J. Strizki, PE, Director, Division of Design Services/ NJDOT
RE: Interpretation of N.J.S.A. 45:8-41
(March 7, 2005)

Mr. Strizki requests the Board's interpretation of the above statute in order to assist in the evaluation of DOT's positions.

After discussing this correspondence the Board shall advise him that pursuant to the statute a person in responsible charge of professional engineering work must be a New Jersey licensed professional engineer.

Mr. Strizki will appear before the Board on May 19, 2005 to further discuss this issue.

Robert N. Roop, PE/ Criterium Locketong Engineers
RE: Home Inspection
(March 14, 2005)

Mr. Roop provides his concerns over the inconsistencies in the requirements for professional engineers and those for professional engineers that obtain home inspector licenses.

The Board noted this correspondence for the record.

Louis A. Raimondi, PE, PLS, PP
 RE: Septic System Inspections
 (March 24, 2005)

Mr. Raimondi provided the Board with an analysis of the certification program by the NJ Department of Environmental Protection regarding septic system inspections.

The Board will discuss this matter with DEP representatives (including Barry Chavlovsky) at a future meeting.

REVIEW OF APPLICATIONS

Licensure

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

NAME	APP#	PE/EIT	DECISION	NAME	APP#	PE/EIT	DECISION
R. VOIGHT	1093319	COMITY	GRANT	R. MADDOX	1072404	COMITY	GRANT
R. MARCZEWSKI	971679	COMITY	GRANT	G. BLINN	1073158	COMITY	GRANT
P. RICH	1086527	COMITY	GRANT	S. AINSWORTH	1097727	COMITY	GRANT
R. MCPEAK	1036359	COMITY	GRANT	J. TANNER	1097718	COMITY	GRANT
W. DOUGHTY	1082697	COMITY	GRANT	M. JOHNSON	1072799	COMITY	GRANT
J. FRITZEN	1085566	COMITY	GRANT	S. WEBER	1079248	COMITY	GRANT
R. CHATTHA	1030021	COMITY	GRANT	P. FLEMING	1097766	COMITY	GRANT
R. GARDNER	1078993	COMITY	GRANT	C. EZENWA	1011094	COMITY	GRANT
J. LEAVENWORTH	1079071	COMITY	GRANT	E. PENCE	1090593	COMITY	GRANT
T. DAVIES	1086071	COMITY	GRANT	J. BROWN	1004958	COMITY	GRANT
W. FITCH	1036337	COMITY	GRANT	M. GELIN	992029	COMITY	GRANT
N. JASPER	1071398	COMITY	GRANT	R. LAMBERT	1093212	COMITY	GRANT
L. WARREN	1094841	COMITY	GRANT	J. CAVENG	1077922	PE\EXAM	TAKE P
S. DELLA ROCCA	1082618	COMITY	GRANT	D. FACCAS	1090480	PE\EXAM	TAKE P
G. DOTON	1081555	COMITY	GRANT	J. WOJNAS	1076504	PE\EXAM	TAKE P
M. LORENZ	1085579	COMITY	GRANT	C. VIEBROCK	1026787	PE\EIT	TAKE P
D. FOREMAN	924102	COMITY	GRANT	E. MORTAGY	1093736	PE\EIT	TAKE P

R. STARR	1073869	COMITY	GRANT	M. NELSON	1037320	PE\EIT	TAKE P
M. SHIRMOHAMADI	1076570	COMITY	GRANT	W. ROORDA	1074939	PE\EIT	TAKE P
H. PATEL	976753	COMITY	GRANT	J. TAYLOR	1076493	PE\EIT	TAKE P
M. HART	1069885	COMITY	GRANT	M. PATEL	1098255	PE\EIT	TAKE P

Certificates of Authorization

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

DM BERG CONSULTANTS OF NJ, INC.
570 HILLSIDE AVENUE
NEEDHAM, MA 02494

GREELEY AND HANSEN, LLC
100 SOUTH WACKER DRIVE, STE. 1400
CHICAGO, IL 60606

S2 ENGINEERING SERVICES, INC.
14 LITTLE JOHN ROAD
MANALAPAN, NJ 07726

ASI ADVANCED STRUCTURES, INC.
4094 GLENCOE AVENUE
MARINA DEL REY, CA 90292

HPA, LLC
1209 ORANGE STREET
WILMINGTON, DE 19801

PND INCORPORATED
1506 W. 36TH AVENUE
ANCORAGE, AK 99503

ECS-MID-ATLANTIC, LLC
14026 THUNDERBOLT PLACE, STE 100
CHANTILLY, VA 20151

CLIFTON ENGINEERING, INC.
969 PAULISON AVENUE
CLIFTON, NJ 07011

JMV CONSULTING ENGINEERING, INC.
830 BEAR TAVERN ROAD
WEST TRENTON, NJ 08628

SAILE ENVIRONMENTAL ENGINEERING & DESIGN, LLC
222 YALE TERRACE
LINDEN, NJ 07036

AG ENVIRONMENTAL CONSULTING, LLC
36 WARREN STREET
BLOOMFIELD, NJ 07003

T3 GLOBAL STRATEGIES, INC.
10 EMERSON LANE, STE. 807
BRIDGEVILLE, PA 15017

ENGINEERING ARRESTING SYSTEMS CORP
. 2550 MARKET STREET
ASTON, PA 19014

KORZEN ENGINEERING, LLC
26 BERKSHIRE STREET
WHIPPANY, J 07981

IBBERSON ENGINEERING, INC
. 828 FIFTH STREET SOUTH
HOPKINS, MN 55343

PEEL, KEHRLEY INC.
205 MAIN STREEET
P.O. BOX 1066
CHATHAM, NJ 07928

Full Board Review

Julian R. Chianelli - #1009735

Mr. Chianelli is applying to take the Principles & Practices of Engineering examination. Upon review, the Board has determined that Mr. Chianelli has received an undergraduate degree in anthropology, but has since received a graduate degree in civil engineering. Being present at this meeting, Mr. Chianelli informed the Board that he had to take prerequisite classes in engineering to be accepted into the graduate program for civil engineering.

The Board, on a motion by BM Marshall, second by BM Vernick, approved Mr. Chianelli's education. BM Raimondi abstained. However, the Board will request that the applicant provide it with a more specific breakdown of his experience.

Igor Y. Maevski - #918368

This application was tabled until the next meeting.

Michael Venneri - #1094848

After reviewing this application the Board will request that Mr. Venneri provide a course work analysis.

Zhu Liu - #1102715

After reviewing this application the Board will request that Mr. Liu provide an updated detailed statement of experience forms.

UNIFORM PENALTY LETTERS

Otto C. Guedelhofer, III, PE

The Board reviewed this matter and voted to issue a Uniform Penalty Letter to Otto C. Guedelhofer, III, PE for

signing and sealing documents without a license. The UPL shall provide for a civil penalty of \$1,000.00.

Todd R. Parke, PLS

The Board reviewed this matter and voted to issue a Uniform Penalty Letter to Todd R. Parke, PLS for signing and sealing documents without a license. The UPL shall provide for a civil penalty of \$1,500.00. Further, he must complete the remaining 16 continuing education units within 60 days and provide proof of same to the Board.

Allan Saffner, PE

Mr. Saffner appeared before the Board to discuss a Uniform Penalty Letter previously issued to him regarding his signing and sealing of documents with a lapsed license. He explained his reasons for failing to renew and requested that the Board reduce the civil penalty of \$1,000.

The Board, on a motion by VP Valenti, second by BM Vernick, unanimously voted to reduce the penalty to \$750.00.

Leon Jacobs

Mr. Jacobs provided the Board with a response to the previously issued Uniform Penalty Letter. However, the Board was unpersuaded.

The Board, on a motion by BM Patel, second by BM Vernick, unanimously voted to reaffirm its Uniform Penalty Letter.

PUBLIC COMMENTS

Bruce Rigg informed the Board that it has come to his attention that many architects are filing subdivisions, which is the practice of a land surveying. The Board will discuss these issues with the Joint Committee.

James Purcell congratulated Louis Raimondi on his election to the Northeast Zone as President. He stated that he will include same on the PE Society newsletter.

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 3:00pm.

APPROVED BY:

James D. Kelly, PE
President

Arthur Russo
Executive Director