

**STATE BOARD OF PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS  
Minutes of April 17, 2008  
Public Session**

**CALL TO ORDER**

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by Vice-President Valenti 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**

Vice-President Valenti 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 Valenti Lawrence Koo  
Edward Vernick Robert Marshall  
James Cleary James Purcell  
Richard Frantz Perry Schwartz

Absent: Michael Angeline and Barry Jones

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

**REVIEW OF MINUTES**

April 3, 2008

The Board reviewed the minutes of April 3, 2008 and on a motion by BM Cleary, second by BM Marshall, unanimously voted to approve the minutes as amended. BM Purcell abstained.

**COMMITTEE REPORTS**

Legislation/Regulations/Continuing Education for Reviewing

The Engineers & Land Surveyors Laws Pamphlet was noted for the record.

Contract Renewal Committee

The Board discussed the services to be provided in connection with the administration of its professional licensing exams. On a motion by BM Purcell, second by BM Schwartz, the Board voted to approve the scope of services with amendments and forward them to June Levy for handling.

**REPORT OF THE EXECUTIVE DIRECTOR**

General Report

ED Russo informed the Board that Jerry Carter, Executive Director of NCEES, together with Eva Adan, Executive Director of CPEES, are scheduled to appear before the Board on July 17, 2008 to discuss CPEES's

evaluation services. The Board also requested that copies of all letters previously sent to CPEES be placed on the agenda for that day.

ED Russo stated that the Board received a letter from Barrett Kolton explaining services which he provides and asking whether he needs a license. The Board reviewed Mr. Kolton's letter, but was unable to make a determination. Accordingly, the Board, on a motion by BM Purcell, second by BM Marshall, voted to provide Mr. Kolton with a copy of its statutes and regulations and to advise him that if any of his services related to the definition of the practice of engineering, or if he was holding himself out as a licensed professional engineer, then he needed a New Jersey license to practice engineering and, further, he may wish to discuss this matter with his legal counsel.

## **INCOMING CORRESPONDENCE**

Jason Lusardi, Architect  
Re: Building Design Services Act - Statute 45:4B-8(b)  
March 17, 2008

This correspondence was submitted to the New Jersey State Board of Architects for clarification of the delineation of responsibility of a licensed architect and licensed professional engineer under the Building Design Services Act.

After discussing this matter, the position of the Board is that the Building Design Services Act is the only relevant law, not the UCC bulletin listed in the letter. Further, N.J.S.A. 45:4B-8 clearly states that a licensed professional engineer can render or offer to render engineering services and engineers can work on residential structures there after enter into a contract with an owner to provide architectural and engineering services under the conditions outlined in that section.

Robert Kirkpatrick, Inc.  
Re: Past Due Notice Invoice  
April 1, 2008

Mr. Kirkpatrick submitted a past due notice regarding an unpaid bill for an expert witness report.

This correspondence was noted for the record and shall be forwarded to the prosecuting Deputy Attorney General for handling.

Yatish Sharma,  
Re: EIT Applicant #116682  
March 13, 2008

Mr. Sharma is requesting assistance in resolving problems between the Board Office and the evaluation service provider.

After reviewing this correspondence, the Board requested that the Board Office contact the evaluation service provider to determine the status of Mr. Sharma's application.

Daniel S. Stevenson, PE  
Re: Question regarding Certificate of Authorization for Engineering Services  
March 19, 2008

Mr. Stevenson asks whether his company needs a certificate of authorization to perform certain work.

The Board reviewed this correspondence and Mr. Stevenson will be informed that only a New Jersey licensed professional engineer can sign and seal documents for New Jersey projects. Additionally, a Certificate of Authorization is required if the company is a corporate entity or a LLC.

Stacy L. Durso  
Re: Professional Engineer Signatures  
March 11, 2008

Mr. Durso asks whether digital signatures can be used on engineering plans. Mr. Durso shall be advised that the current regulations, N.J.A.C. 13:40-8.3, required handwritten signatures.

### **REINSTATEMENT APPLICATION**

Robert Jeffrey Ulrich, PE

This application for reinstatement was moved to Executive Session.

Ernest J. Gailor, PE

The Board, on a motion by BM Vernick, second by BM Purcell, voted to request that Mr. Gailor provide a more detailed explanation of his work experience in order to demonstrate proficiency.

### **REVIEW OF APPLICATIONS**

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

NAME APPLICATION # PE/EIT DECISION

P. CATIZONE 1315933 COMITY GRANT  
K. BOULDS 1272527 COMITY GRANT  
A. CASTELLONE 1272527 COMITY GRANT  
W. CONNOR 1260832 COMITY GRANT  
P. DELANO 1276014 COMITY GRANT  
ZHAN DING 1134485 COMITY GRANT  
K.DOYLE 1219513 COMITY GRANT  
H. JUSTINIANO 1231100 COMITY GRANT  
AL KACORSKI 1270284 COMITY GRANT  
M. KASPER 1280376 COMITY GRANT  
G. KILPATRICK 1294272 COMITY GRANT  
L.LARCHE 1183772 COMITY GRANT  
M. LEITZINGER 1272540 COMITY GRANT  
JUN MA 1286047 COMITY GRANT  
G.TILTON 1298255 COMITY GRANT  
J. TINDER 1298033 COMITY GRANT  
S. THADDEUS 1298031 COMITY GRANT  
S. SHUKLA 1291059 COMITY TAKE P  
RUTU MANANI 146730 PE/EXAM TAKE P

The Board, on a motion by BM Frantz, second by BM Vernick, voted unanimously to request additional information for the following applications:

W. SCHWARZ 1254349 COMITY AIN  
YI, WHA-YONG 1201930 COMITY AIN  
J. HAMENDRA 1273069 COMITY AIN  
R. IVINS 1260142 PE/EXAM AIN  
J. DARDIGNAC 1276019 PE/EXAM AIN  
K DESAI 1241560 COMITY AIN  
J. KEENE 1270135 COMITY AIN

N. VOTAW 1284129 COMITY AIN  
E. LUAY 1297989 COMITY AIN  
N. WARNER 1298005 COMITY AIN  
S. SCIARATTA 1270429 COMITY AIN  
R. HINCHEE 1300307 COMITY AIN

A.I.N. = Additional Information Needed

## **CERTIFICATES OF AUTHORIZATION**

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

### **FIRST SIGHT SURVEYING, LLC**

10 North Fifth Street  
Park Ridge, NJ 07656  
Application # 1326884

### **SCHNABEL SOUTH LLC**

1054 Technology Park Drive  
Glen Allen, VA 23059  
Application #1329533

### **MAXWELL JOHNSON MAHER ARCHITECTS, LLC**

105 Broadway, 4th Fl.  
Nashville, TN 37201  
Application # 1329536

### **CURTAIN WALL DESIGN AND CONSULTING, INC.**

8070 Park Lane, Ste. 400  
Dallas, TX 75231  
Application # 1329538

## **FULL BOARD REVIEW OF APPLICATIONS**

Giovanni Bonitia, #1313499

After discussing this application the Board determined that Mr. Bonitia should provide a course breakdown.

APPEARANCE BY MICHAEL AUB, #1270218

(PE COMITY APPLICANT)

Mr. Aub appeared before the Board to discuss his application. On a motion by BM Vernick, second by BM Schwartz, the Board voted that Mr. Aub needs one more year of original engineering design experience under the supervision of a licensed professional engineer.

## **PUBLIC COMMENTS**

Bruce Blair, PE spoke about the need for clarification on dry wells and whether it can be designed by an architect under the site plan rule.

## **MOVE TO EXECUTIVE SESSION**

The Board, on a motion by VP Valenti, second by BM Purcell, 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 VP Valenti, second by BM Purcell, the Board unanimously voted to adjourn the meeting at 1:00pm.

APPROVED BY:

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James K. Valenti, PE  
Vice President

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Arthur Russo  
Executive Director