

# State Board of Professional Engineers and Land Surveyors

## Minutes of May 1, 2003 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 am 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 Patel 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 Courier Post and the Bergen Record.

### ROLL CALL

#### **BMs present:**

Edward Vernick  
Robert Marshall  
James Kelly  
Louis Raimondi  
Pravin Patel  
Rishi Raj  
Robert Bogart  
James Valenti  
Richard Frantz

**BMs absent:** Albert Faraldi

Others present: Arthur Russo, Executive Director, Deputy Attorney General Michelle Albertson, Joseph Grabowy, Auditor/Accountant Assistant, Ernest Gonzalez, Senior Clerk Transcriber, and Yolanda Winston, Martha Richardson, and Robert Welsh, Staff, and one public member.

### APPROVAL OF MINUTES

President Vernick abstained from the review of the December 5, 2002 minutes.

The Board, on a motion by BM Frantz and a second by BM Raimondi, voted to approve the minutes of December 5, 2002 with amendments.

### COMMITTEE REPORTS

#### **Legislation**

**A3361** - Requires disclosure by contractors of the cost of construction permits required for construction or reconstruction of residential premises. On February 27, 2003 this bill was introduced and referred to the Assembly Housing and Local Government Committee. After a review of the bill, the Board, on a motion by BM Patel, second by BM Frantz, unanimously voted to support it.

**A3408** - Permits local contracting units to award public contracts to certain bidders whose offered price does not exceed the price of the lowest responsible bidder by more than one percent. On March 28, 2003 this bill was introduced and referred to the Assembly Housing and Local Government Committee.

### **Administration**

No report.

### **Examinations**

No report.

### **Education**

No report.

### **Regulations**

No report.

### **Finance**

No report.

### **Special Committee Reports**

#### **Newsletter**

BM Raimondi informed the Board that the 5th edition of the newsletter has been completed and mailed. He also stated that the sixth edition of the newsletter is well under way and recognized BM Valenti as Editor-In-Training. After a discussion, the Board requested the staff to post the 5th edition of the newsletter onto the Board's website.

#### **Joint Committee**

BM Patel informed the Committee that at the last Joint Committee meeting the issue of architects designing bulkheads and retaining walls was discussed and approved.

#### **Website**

Robert Welsh informed the Board that the licensee search directory is on the website and fully operational. This directory will help consumers determine if a licensee is currently licensed and to search for a licensee in a particular area.

#### **2003 Northeast Zone Meeting**

BM Raimondi informed the Board that the 2003 North East Zone meeting held in Orlando, Florida was a success. Many topics of interest to the profession were discussed at various meetings and everyone became well informed.

#### **Applications: Revisions PE/LS and Design Experience**

ED Russo reported there are sections of the application that are currently under review. These subject changes are

Division wide and need to be resolved before the print production unit will make the applications available.

### **Licensure Promotion Committee**

ED Russo informed the Board that Stevens Institute of Technology has agreed to meet with this Committee to discuss and promote professional licensure. He will continue to reach out to the New Jersey Institute of Technology (NJIT) and Fairleigh Dickinson University (FDU) to establish similar meetings.

ED Russo mentioned that he has received a speaker's kit to promote licensure from NCEES to share with all Board members.

Soil Conservation Committee

No report.

### **Disciplinary Action Committee**

No report.

## **REPORT OF THE EXECUTIVE DIRECTOR**

### **General Report**

ED Russo informed the Board that the Design Experience Manual is being reviewed by the Division.

ED Russo also informed the Board that its recent newsletter was mailed to approximately 219 Engineering In Training Candidates to help promote licensure.

In addition, he informed the Board that the Roster Book is currently being placed on the Board's Website and should be available in the near future. A hardcopy manual will not be produced. However, upon request, the Board staff will provide copies of the roster book to the public for a fee.

Robert Welsh informed the Board that he will be preserving the old minute books in durable binders to ensure the physical integrity of the Board's records.

ED Russo stated that the Certificate Award Ceremony held in April 2003 at the Holiday Inn in Jamesburg was very well attended and proceeded smoothly. Jack Letierre, Commissioner of the NJ Department of Transportation, was the keynote speaker for the evening.

Additionally, he stated that a meeting was conducted by a committee of the Board of Professional Engineers and Land Surveyors with representatives of the Malaysian Board of Engineers to discuss various engineering topics. In attendance were Deputy Director Anthony Miragliotta, Executive Director Arthur Russo, BM Faraldi, BM Patel and Staff.

### **Incoming Correspondence**

**Michael B. McNally, PE, PP, PLS/ McNally Engineering, Inc.**

**RE: Improper use of survey data and test hole logs**

**(April 21, 2003)**

Mr. McNally states that a particular firm had presented his companies' survey data and test hole logs without approval before a municipal planning board.

After a review of this correspondence, the Board will inform Mr. McNally to file a complaint in this matter for further investigation.

**Joseph Donato, Jr., PLS, PP/ Garden State Land Surveyors Alliance**

**RE: Preparation of "Plot Plans"**

**(March 26, 2003)**

Mr. Donato requested that the Board answer several questions pertaining to plot plans and the surveyor's role in the preparation of such plans.

After a review of this correspondence, the Board will inform Mr. Donato that the term "plot plan" is not referenced in its statutes or regulations and request that Mr. Donato clarify his understanding of the term "plot plan."

**Richard A. Kosenski, PE/ T&M Associates**

**RE: Retention of Original Signed Plans and Documents**

**(March 28, 2003)**

Mr. Kosenski informed the Board that he and his firm are very interested in assisting the Board in establishing a protocol for the electronic signing and sealing of documents.

The Board will thank Mr. Kosenski and his firm for their efforts and will review this offer should the issue arise in the future.

**Dave Walstad/ U.S. Components, Inc.**

**RE: Electronic seals**

**(March 21, 2003)**

Mr. Walstad requested further information from the Board regarding the issue of using electronic seals versus raised seals.

After a review of this correspondence, the Board will reiterate its previous position to Mr. Walstad against the use of electronic seals and advise him that it has no further information on this subject at this time.

**John D. Frederickson/ Carmel & Frederickson**

**RE: Syed Muhammad Tariq-Shuaib**

**(March 27, 2003)**

John Frederickson, Esquire represents Syed Muhammad Tariq-Shuaib and has requested that the Board change his client's license effective date to when he filed his appeal.

In a prior letter dated April 10, 2003, the Board responded that it lacks authority to retroactively date a license. Further, he was ineligible to receive a license until he met all the requirements.

The Board noted this correspondences for the record.

**Bobbie Schott/ NJ Department of Treasury**

**RE: Verification of Licenses**

**(March 28, 2003)**

Mr. Schott submitted a list of individuals names for licensure confirmation.

The Board staff indicated that this confirmation check was completed. The Board noted this correspondence for the record.

**Engineering Examination Services**

**RE: October 2002 Examination**

**(April 2003)**

Engineering Examination Services submitted to the Board an examination report of the October 2002 engineering and surveying examinations, which it administered.

The Board noted this report for the record.

**Bert Webb, PE/ NCEES**  
**RE: Land Surveying PAKS**  
**(March 11, 2003)**

Mr. Webb informed all board members of the urgency to complete the Professional Activities and Knowledge Survey which he provided.

The Board noted this correspondence for the record.

**Kimberly Kulp, Certification Coordinator/ Solid Waste Association of North America**  
**RE: Continuing Education Provider**  
**(April 21, 2003)**

Ms. Kulp submitted an application for the approval of various continuing education courses.

The Board will inform Ms. Kulp that professional engineers in New Jersey are not required to meet a continuing education requirement.

**Antonette Mitterando**  
**RE: Duplicate Wall Mounted Certificates**  
**(April 21, 2003)**

Ms. Mitterando requested that the Board provide her with copies of her wall mounted certificate she received when first licensed. The Board, after a careful review of this correspondence, will inform her that her request will be accommodated as long as the copies are predominantly marked "Copy" or "Duplicate" and all associated fees are paid for such copies.

### **Statistics**

The Board reviewed statistics received from Professional Credential Services (PCS) regarding the attendance figures at the April 2003 examination.

Also, it reviewed statistics regarding the number of resident and non-resident licensees.

Both of these items were noted for the record.

## **REVIEW OF APPLICATIONS**

### **PE/EIT- Comity Applications**

On a motion by BM Frantz, second by BM Marshall, the Board unanimously approved the following applications:

Application #	Name	Approved For		Application #	Name	Approved For
47105	E. Ide	Grant		923431	R. Blank	Grant
50996	S. Haiderv	Grant		924052	R. Meloy	Grant
51968	I. Burstein	Grant		924129	C. Centore	Grant
52084	J. Vaughan	Grant		926993	A. Dawson	Grant

870360	E. Salcedo	Grant		927002	D. Kubican	Grant
877665	D. Emrich	Grant		928620	S. Shouse	Grant
885272	A. Abel	Take F		928627	P. Ecke	r Grant
888154	W. Cho	Take F&P		928683	J. Schoolfield	Grant
888262	M. Rahman	Grant		929171	R.J. Frost	Grant
898276	A. Penza	Takef		930953	M. McCarty	Grant
910678	M. Galbraith	Take P		933255	D. Kelsey	Grant
916810	K. Peterson	Take P		933259	C. Warren	Grant
917924	E. Schomaker	Grant		933299	R. Reed	Grant
918098	A. Sizar	Grant		933396	A. Fagiri	Grant
918124	J. Fertich	Grant		934600	W. Strand	Grant
918285	L. Arnold	Grant		934630	D. Barnhill	Grant
918295	D. Pilla	Grant		936009	S. Karason	Take F
918450	A. Elbayady	Grant		936097	R. Smith	Grant
920241	J. Ryan	Grant		936548	T. Ritter	Take F
920293	D. Saravia	Grant		936895	M. Gandt	Grant
920364	P. Kim	Grant		940363	R. Jones	Grant
920395	P. Hoban	Take P		940566	D. Krause	Grant
920420	C. Jen	Take F		940682	A. Sanchez	Grant
922491	P. Lucien	Grant		940756	T. Lee	Grant
922563	R. Sharif	Grant		942509	R. Livers	Grant

### Certificate of Authorization Applications

On a motion by BM Frantz, second by BM Marshall, the Board unanimously voted to approve the following applications for Certificate of Authorization:

Cannon Design, NJ, LLC. One Gateway Ctr., Suite 2600 Newark, NJ 07102	Spectrasite Communications, Inc. 100 Regency Forest Drive, Suite 400 Cary, NC 27511
Omega Engineering of NJ, Inc. 621 Shrewsbury Avenue Shrewsbury, NJ 07702	Lindstrom, Diessner and Woodcock, LLC 136 Drum Point Road Brick, NJ 08723
Soilteknik, Inc 19 Princeton Court Basking Ridge, NJ 07920	Greenberg Farrow Architecture, Inc 1755 The Exchange Atlanta, GA 30339
Pennetta and Sons, Inc. 428 Hoboken Avenue	B&B Hi-Tech Solutions, LLC 409 Bloomfield Drive-Unit 3

Jersey City, NJ 07306	West Berlin, NJ 08091
Poole Consulting Services, Inc. 1317 S. Fountain Drive Olathe, KS 66061	The Berlin Steel Construction, Co. 76 Depot Road Kensington, CT 06037
Mainstay Engineering Group, Inc 48 East Butler Avenue, Suite 201 Ammler, PA 19002	RCC Pile & Foundation, Inc. 71-73 Grove Street Paterson, NJ 07503
Clayton Group Services, Inc. 45525 Grand River Avenue, Suite 200 Novi, MI 48374	TRC Environmental Corporation 5 Waterside Crossing Windsor, CT 06095

### **Professional Engineer/ Home Inspection Applications**

On a motion by VP Kelly, second by BM Raimondi, the Board unanimously voted to conditionally approve the following applications for licensure as home inspectors upon the receipt of a Certificate of Insurance from their insurance carrier stating that the individual is covered by an Error & Omissions policy in compliance with the statutes and regulations:

Name	Application #	Name	Application #
Michael Stocknoff	949884	Atulkumar Shah	949881
Frank Lin	949921	Michael Sgaramella	949941
Leo Stinson	949876	Leo Jablonski	949889
William Parisen	949901	Anthony Shupenko	950064

### **FULL BOARD REVIEW**

The following applications were discussed:

#### **Thomas B. Hartman - #927186**

The Board reviewed this application and determined that Mr. Hartman lacked original design experience and that he failed to provide the names of any supervisors. On a motion by BM Raimondi, second by BM Patel, the Board unanimously voted to deny this application.

#### **Anthony E. Osterberg - #926986**

After a review of this application, the Board, on a motion by BM Raimondi, second by BM Marshall, unanimously voted to inform Mr. Osterberg to submit a breakdown of the courses he took at Pensacola Christian College.

#### **Brian K. Fabel - #923553**

The Board, on a motion by BM Raimondi, second by BM Bogart, unanimously voted to request that Mr. Fabel submit additional information regarding his experience.

#### **James Hutzelmann - #930922**

The Board on a motion by BM Marshall, second by BM Bogart, unanimously voted to have Mr. Hutzelmann submit a course breakdown since neither his bachelor of science degree nor his master's degree in water resources are in engineering.

**Roger W. Blank - #923431**

The Board stated that Mr. Blank's references were primarily from PE co-workers. After a careful review of this application, the Board, on a motion by BM Marshall, second by BM Bogart, unanimously approved Mr. Blank's application.

**Don Berozi - #924095**

The Board discussed the fact that Mr. Berozi received an undergraduate degree from Pratt University, New York. On a motion by BM Raimondi, second by BM Marshall, the Board voted to approve this application provided that Pratt University was accredited at the time Mr. Berozi earned his undergraduate degree.

**Bharat M. Patel - #949913**

The Board unanimously voted to deny Mr. Patel's application for a home inspector license at this time since he is not a professional engineer in New Jersey. However, Mr. Patel is in the process of obtaining a New Jersey PE license and has a pending application before the Board. The Board will again review his home inspection application when he has obtained his NJ PE license.

**DISCUSSION ITEM**

The Board discussed the use of an Examination Statement of Compliance form with all of its examinations. Use of this form will serve to provide better test administrative security.

The Board, on a motion by BM Bogart, second by BM Raimondi, unanimously voted to recommend to PCS that it wishes to implement this form with its examinations.

**ARTICLES OF INTEREST**

**"NJIT trustees end program in Mt. Laurel" by: Jeffrey Gold/ Courier Post: April 11, 2003**

This article was noted for the record.

**APPEARANCES**

The following individuals appeared before the Board:

**John C. Oliveto - Application #051143**

Mr. Oliveto appeared before the Board to discuss his application at which time he submitted additional information relating to his experience.

After a review of this application, the Board, on a motion by BM Raj, second by BM Patel, voted to request additional information on his design experience.

**Joseph P. Kempker - Application #878113**

The Board reviewed this application and, on a motion by BM Marshall, second by BM Patel, unanimously voted to request that he update his detailed statement of experience form since the information was insufficient.



## **Jake Gertsman, Regulatory Analyst**

Mr. Gertsman's appearance was rescheduled for May 15, 2003.

## **ENTER INTO EXECUTIVE SESSION**

The Board, during various times in the meeting, entered into Executive Session for the purpose of reviewing the Executive Session agenda.

## **RETURN TO PUBLIC SESSION**

On motions made within the Executive Session, the Board returned into Public Session to complete the Public Session agenda.

## **APPEARANCE**

Mr. Carlowicz, Esq. & DAG Megan Matthews RE: Randall Grant - #99-49

This matter was continued in Public Session to set forth the terms of the Consent Order as arrived at between the parties and accepted by the Board. After a review of this matter, the parties agreed that Mr. Grant would pay a penalty of \$10,000.00 payable in installments of \$500 per month and he must also obtain a Certificate of Authorization by June 5, 2003.

The Board, on a motion by BM Patel, second by BM Raj, with an abstention by BM Valenti, voted to accept the terms of the proposed Consent Order.

## **ADJOURNMENT**

On a motion by BM Frantz, second by BM Bogart, the Board unanimously voted to adjourn at 3:45 p.m.

## **APPROVED BY:**

\_\_\_\_\_  
Edward Vernick, PE  
President

\_\_\_\_\_  
Arthur Russo  
Executive Director

[Back To Minutes Archive Page](#)

---