



State Board of Professional Engineers and Land Surveyors

Minutes of May 2, 2002

Public Session

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by the Board President James Kelly at 9:00 am in the Union Conference Room, Third Floor, 124 Halsey Street, 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 Courier Post and the Bergen Record.

ROLL CALL

BMs present:

James Kelly	Theodore Cassera (9:30am)
Robert Bogart	Richard Frantz
Rishi Raj (9:15am)	Louis Raimondi
Edward Vernick	Albert Faraldi (9:40am)
Pravin Patel	Robert Marshall

Others present: Arthur Russo, Executive Director, William Mandeville, Program Development Assistant, Joseph Grabowy, Auditor/Accountant Assistant, Ernest Gonzalez, Senior Clerk Transcriber, Martha Richardson, Staff, and Deputy Attorney General Michelle Albertson.

COMMITTEE REPORTS

Legislation

A953 - Rescinds recent NJ DEP rules on subsurface sewage disposals for development of 6 lots or more, or 2,000 gallons per day (gpd) or more - Formerly known as A3293, this bill was referred to the Assembly Environmental Committee. Recent court rulings have voided the regulations. There has not been any evidence of an appeal.

A1605 - Prohibits tobacco and alcohol advertising within 500 feet of schools. This Assembly Bill was reported out of the Assembly Health and Human Services Committee on January 31, 2002. After a brief discussion, BM Faraldi informed the Board that the measurements needed to determine the proposed 500 foot distance must be performed by a land surveyor. On a motion by BM Faraldi, seconded by BM Bogart, the Board unanimously voted in favor of this bill with the modification that only a professional land surveyor may measure the 500 foot distance.

A1814 - This bill concerns the content of municipal tax maps following revaluation. This Assembly Bill was introduced and referred to the Assembly Housing and Local Government Committee on February 11, 2002. On a motion by BM Raimondi, seconded by BM Bogart, the Board unanimously voted to oppose this bill in its current format.

Administration

No report.

Examinations

No report.

Education

BM Frantz presented to the Board a draft correspondence to the New Jersey Board of Higher Education. The letter explains the Board's concerns over the lowering of examination testing standards for teachers from a 2.75 to 2.5 grade point average.

On a motion by BM Frantz, seconded by BM Raj, the Board unanimously voted to approve and send the draft correspondence to the Director's Office.

Regulations

No report.

Finance

No report.

Special Committee Reports

Newsletter

BM Raimondi informed the Board that the 5th edition of the Board's newsletter is currently being drafted.

William Mandeville stated that there was an error made by the printing company contracted to print the 4th edition of the newsletter which has since been corrected.

Applications: Revisions PE/LS and Design Experience

BM Cassera stated that the revised PE/LS application has been completed. The Board will review both the PE/LS application and the Design Experience portion thereof at its May 17, 2002 Annual Meeting.

Joint Committee

No report.

Website

BM Vernick informed the Board that there are four updates to the Board's website. They include notice of the May 22, 2002 Public Hearing regarding the deletion of the corner marker waiver, the addition of the 4th edition of the newsletter (Spring/Summer), deletion of a licensee's street address on the on-line search directory and a letter to all licensees informing them that the expiration date of their license has been extended to May 31, 2002.

2003 Northeast Zone Meeting

BM Raimondi informed the Board that preparations for the 2003 Northeast Zone Meeting in Orlando, Florida are moving ahead and will escalate after the 2002 Northeast Zone Meeting in Burlington, Vermont.

A discussion ensued on the current travel restrictions on attendance to Board conferences/conventions placed on Board members. On a motion by VP Patel, seconded by BM Raimondi, the Board unanimously voted to forward a letter to requesting that the Governor's office revisit the travel restrictions imposed as a result of the budget deficit on Board Members who attend offsite meetings.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

ED Russo informed the Board that the April 2002 examinations held at Rowan University proceeded flawlessly. The only concern to be addressed for the October 2002 examinations was parking since the distance between the parking lot and the examination center requires a 10-15 minute walk.

Examination day activities proceeded smoothly at the West Trenton Fire Company. However, due to the popularity and convenience of the NJIT examination center, there was a slight overcrowding situation experienced during the second day of examinations when the Fundamentals portion of the examinations were offered. BM Cassera will inquire as to the status of the new NJIT student center, currently under construction, which will house the future examination site.

Incoming Correspondence

Mohamed A. Khan

RE: Application #865682

(April 12, 2002)

Mr. Khan has requested that the Board waive the evaluation of his foreign transcript requirement due to the fact that he is reapplying by comity. Mr. Khan was previously licensed in New Jersey, but let his licensure lapse for a period greater than five years.

On a motion by VP Patel, seconded by BM Faraldi, the Board unanimously voted to accept Mohamed Khan's request for a waiver to obtain a ECEI evaluation of his undergraduate degree.

Betsy Browne, ED / NCEES

RE: Electronic Transmittal Process of Council Records

(April 8, 2002)

Mrs. Browne informs the NCEES Member Boards that NCEES will no longer be providing a hard copy of council records and will only provide an applicant's record booklet through electronic transmission.

ED Russo explained that there have been numerous technical difficulties receiving council records with the current process involving electronic mail which has resulted in additional delays for applicants.

On a motion by VP Patel, seconded by BM Vernick, the Board will inform NCEES that the current process using electronic mail is not working sufficiently well enough, and that the Board and staff are dissatisfied and request that hard copies of Council records be provided so that applicants are not unjustly delayed.

Glyn R. Boone, PE, - TrusJoist
RE: Certificate of Authorization Requirements
(April 9, 2002)

Mr. Boone requested the Board's guidance as to whether his company, TrusJoist, needs a Certificate of Authorization. He indicated that TrusJoist does not provide engineering services to the general public, but does employ professional engineers to perform engineering functions to support the sale and installation of its products.

The Board will inform Mr. Boone that a Certificate of Authorization is needed by TrusJoist since it is providing engineering services in New Jersey.

Byron Dubois/ Trident Environmental Consultants
RE: Concerns over the licensing of Environmental Professionals in Land Use
(April 9, 2002)

This correspondence was referred to the Board for a response on behalf of the Governor's office.

Mr. Dubois expresses his concerns over non-professionals developing plans and/or surveys for environmental use. He requests that this issue be addressed as he has witnessed the environmental integrity of a site misrepresented by inexperienced engineers and land surveyors.

The Board will advise Mr. Dubois that he may submit a complaint if he feels there has been a violation of the Board's statutes and/or regulations.

Dorothy D. Figel/ Borough of Watchung
RE: Public Records & Reproductions of Professional Documents
(April 15, 2002)

In her letter Ms. Figel requested advice on whether a state government body is mandated to provide to the public professionally signed and sealed maps, surveys, etc. She further states that the previous policy of the Borough of Watchung was not to comply with such requests.

After a review of her correspondence, the Board will advise her that it does not have any jurisdiction in this matter and that she should consult with an attorney for further clarification on this subject.

John Q. Adams, III, PE, Director of Examinations Development Services
/ NCEES RE: Notice of Future Changes to NCEES Examinations
(April 15, 2002)

Mr. Adams informs all Member Board Administrators of a change in upcoming examinations. He states that changes to the PE Structural Design Standards, PE Transportation Design Standards, PE Examination in Chemical Engineering and PE Examination in Architectural Engineering examinations will be made with the April 2003 examination with the specifications available in November 2002 on its website at www.ncees.org.

After reviewing this memorandum, the Board noted this correspondence for the record.

Christopher P. Statile, PE/ Christopher P. Statile, PA
RE: Clarification of Filing Minor
Subdivision Maps with the County Recording Officer
(April 16, 2002)

Mr. Statile has requested further clarification on the filing of minor subdivision maps with the County Recording Officer.

After a review of this matter, the Board concluded that N.J.S.A. 46:23-9.11 provides that all subdivision plats, both major and, where required, minor shall be filed. Additionally, if the minor subdivision is to be perfected by the filing of the plat so permitted under the Municipal Land Use Law, the plat must meet the requirements of the Map Filing Law. Finally, if the requirements of the municipality local law necessitates formal approval of the minor subdivision map as part of the approval process, the plat must meet the requirements of the Map Filing Law.

Donna S. Smiley/ United States Army Corps of Engineers
RE: Continuing Professional Development for Engineers and Surveyors
(April 16, 2002)

Mrs. Smiley is writing to the Board to determine the professional development hours (pdh) required for professional engineers and land surveyors in the state of New Jersey.

The Board will advise Mrs. Smiley that professional engineers in New Jersey are not required to complete professional development hours. However, professional land surveyors are required to obtain 24 pdh(s) per biennial renewal period. Additionally, it will inform her that if the United States Army Corps of Engineers wishes to provide pdh courses for credit in New Jersey, the Board office will provide the requisite paperwork in order for said courses to be considered.

Lucia A. Detrizio/ Budd Larner Gross Rosenbaum Greenberg & Sade
RE: Request for Further Information Regarding KeySpan Engineering Associates, Inc.
(April 22, 2002)

Ms. Detrizio submitted additional information previously requested by the Board to ascertain whether a New York based subsidiary of KeySpan Engineering Associates, Inc. (Keyspan) is required to file a Certificate of Authorization with the Board.

After a review of the forwarded information, the Board, on a motion by BM Frantz, seconded by BM Raimondi, unanimously agreed to inform Ms. Detrizio that the New York based subsidiary of KeySpan is required to obtain a Certificate of Authorization with the State of New Jersey.

Vincent Fuschetti, PE/ Advance Process Technology
RE: Building Design Services Act
(April 22, 2002)

In his correspondence to the Board, Mr. Fuschetti seeks to determine if an engineer can design and seal drawings of an "engineering system" for use in a building design category for which professional engineers are not permitted pursuant to the Building Design Services Act.

After reviewing this correspondence, the Board will refer this inquiry to the Joint Committee of Architects & Engineers for resolution and response to Mr. Fuschetti.

Joseph A. Donato, Jr., PLS, PP/
Garden State Land Surveyors Alliance, Inc.
RE: Board Meeting of May 2, 2002
(April 23, 2002)

Mr. Donato advises the Board of the attendance of a representative from the Garden State Land Surveyors Alliance at the May 2, 2002 Board meeting to discuss the digital signing and sealing of documents.

The Board noted this correspondence for the record.

Outgoing Correspondence

Edward A. Lane, PLS, PP/ Stavola, Inc.
RE: Renaissance Project, Manchester Township, NJ
(April 19, 2002)

This correspondence addresses the many concerns that Mr. Lane had over the setting of monuments for the Renaissance Project in Manchester Township, NJ.

The Board noted this correspondence for the record.

Financial Report - March 31, 2002

The Board noted this report for the record.

Certificate of Authorization Report - March 31, 2002

The Board noted this report for the record.

Applications Received/Verifications Processed Report - March 31, 2002

The Board noted this report for the record.

Article of Interest

"Haddonfield in Retrospect" Haddon Gazette by: Ken Roberts

This article was note for the record.

APPEARANCE BY REGULATORY ANALYST JAKE GERTSMAN TO DISCUSS THE PROPOSED AMENDMENTS OF THE RULES AND REGULATIONS

Regulatory Analyst Jake Gertsman was present to review the proposed amendments to the Board's rules and regulations. He indicated that public comments were received on most of the proposed changes, but numerous comments were received regarding the elimination of the corner marker waiver.

The Board discussed this matter and decided to bifurcate the issues by eliminating the corner marker waiver from the remainder of the proposed amendments and hold a public hearing on the corner marker waiver separately on May 22, 2002. The Board reviewed the comments on the remainder of the regulation and, thereafter, approved the proposed regulation. The Board, on a motion by BM Faraldi, seconded by BM Raimondi, unanimously voted to bifurcate these matters and proceed in this fashion.

DISCUSSION ON ELECTRONICALLY GENERATED SIGNATURES

The Board discussed the issue of electronically signing and sealing documents and listened to the viewpoints of the various societies in attendance on this matter. The Board unanimously agreed that it would continue to require all licensees to manually sign all documents and seal them with an embossed seal pursuant to its current regulations.

DISCUSSION ON HOME INSPECTOR LICENSE APPLICATION FOR PROFESSIONAL ENGINEERS

After a careful review of the draft application for professional engineers who wish to be licensed as home inspectors, the Board unanimously approved the application.

The application will now be forwarded to the Director's Office for final review and consideration.

APPLICATIONS FOR FULL BOARD REVIEW

Mohammad Kashif - #50242

VP Patel informed the Board that Mr. Kashif, a foreign graduate, had gained his original professional engineer's license in the state of Arizona during 1972. He also stated that the applicant lacks eight credits in math & basic sciences. Knowledgeable about the educational system in the Middle East, VP Patel stated that eight solid years of math and basic science courses are taught in the Middle East to students prior to their receiving an undergraduate degree and noted that Mr. Kashif has also earned a graduate degree from the United States.

On a motion by VP Patel, seconded by BM Vernick, the Board unanimously voted to grant Mr. Mohammad Kashif licensure through comity.

Steven Paul Lieberman - #878062

VP Patel stated that Mr. Lieberman is applying for a professional engineer's license by comity and has earned a non-ABET accredited degree from Drexel University in Architecture/ Engineering in 1990. Additionally, he stated that Drexel's Architecture/ Engineering curriculum was accredited the following year in 1991.

After a brief discussion on the application, the Board will inform Mr. Lieberman that he will need to provide a course work evaluation for further review and consideration of his undergraduate degree. Additionally, the Board has requested that he provide a reference(s) from a supervising licensed professional engineer(s) who was/were in regular and effective supervision of his work, in responsible charge and who can document four years of his work experience.

MOVE TO EXECUTIVE SESSION

On a motion by BM Vernick, seconded by BM Bogart, the Board unanimously voted to enter into Executive Session to review the Executive Session agenda.

RETURN TO PUBLIC SESSION

On a motion contained in Executive Session, the Board unanimously approved to return to Public Session for the purpose of completing the Public Session agenda.

PRESIDENT'S FAREWELL

President Kelly thanked all the Board members and administrative staff for their overall contributions and effectiveness in handling the Board's recurring business, as-well-as its proactive stance in addressing the changing industry trends which emerged during his tenure as president. He stated that it was a privilege and honor to have served and expressed his upmost confidence in his successor, Pravin Patel.

ADJOURNMENT

On a motion by BM Frantz, seconded by BM Raj, the Board unanimously voted to adjourn at 2:00 pm.

APPROVED BY:

James D. Kelly

President

Arthur Russo

Executive Director

Professional Engineers and Land Surveyors	Other Professional and Occupational Licensing Boards	Feedback Survey	Consumer Affairs Home Page	NJ Dept. of Law and Public Safety Home Page	State of NJ Home Page
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Posted September 2002