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STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS Minutes of May 17, 2012 Public Session

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CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by Board President, Perry Schwartz, 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

Board President Schwartz 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: Perry Schwartz Lawrence Koo
 James Purcell Robert Marshall
 James Cleary Richard Smith, Jr.
 Richard Frantz James Valenti
 Barry Jones Edward Vernick

Absent: None

Others: Paul Ray, Acting Executive Director, Michelle Albertson, Deputy Attorney General, staff members Joseph Grabowy, Martha Richardson, Yolanda Winston, and three members of the public; Peter Burgess, PE, PLS, President - Elect, NJSPLS, Charles Blumeling, PE, PLS, GSLSA, and William Delisky, NJSPE.

PRESENTATION

Board President Schwartz presented BM Valenti with a plaque, honoring his service as past president from May 1, 2011 to April 30, 2012.

REVIEW OF THE MINUTES

March 15, 2012 - (For information purposes)

The Board noted the March 15, 2012 minutes for the record.

April 19, 2012 - (For review)

After reviewing the minutes of April 19, 2012, the Board on a motion by VP Purcell, second by BM Jones, voted to approve these minutes as amended.

APPEARANCES

Appearance - Elizabeth Greenblatt, Regulatory Analyst

Re: Waiver Rule - Performance Based Outcomes N.J.A.C.13:45C-2 and 3.
This was noted for the record.

Re: Bill #A2882 - Requires professional boards to provide waivers or exemptions from their requirements for licensure for veterans with substantially equivalent training. On a motion by VP Purcell, second by BM Vernick the Board voted to oppose this bill since it is vague and the Board already has substantial provisions in place

REPORT OF THE EXECUTIVE DIRECTOR

General Report

Acting Executive Director, Ray, informed the Board that the Board's website has been updated regarding its professional competency requirements.

BM Smith requested the Board to remove the Map Filing Law from the website and replace it with the public version of the Title Recordation Act.

BM Purcell requested the Board to remove the approved Continuing Education list's for May 1, 2010 to April 30, 2012, for both professional engineers and professional land surveyors.

Acting Executive Director, Ray, informed the Board that the approved providers for the land surveying continuing education courses, have provided copies of documents regarding their responsibilities as program providers pursuant to N.J.A.C.13:40-11.12.

Acting Executive Director, Ray informed the Board that a one year contract extension (T-2632), with Professional Credentials Services, has been executed. An additional one year contract extension remains available.

The Board reviewed NCEES' Notice of future changes to its examinations and supporting materials and noted it for the record.

On a motion by VP Purcell, second by BM Frantz, the Board voted to approve BM Smith to attend the 91st NCEES Annual Meeting in St. Louis, MO on August 22-25, 2012 as the funded delegate.

INCOMING CORRESPONDENCE

Walter Gardiner, PE
April 21, 2012
Re: Request for a Hardship Waiver from Continuing Professional Credits

The Board discussed this matter and on a motion by VP Purcell, second by BM Jones, voted to deny Mr. Gardiner's request for a waiver. Mr. Gardiner will be granted an additional 90 days to complete the required minimum fifteen (15) continuing professional competency (CPC) credits and to provide proof of completion to the Board. In addition, Mr. Gardiner will be referred to N.J.A.C 13:40-11.8, waiver of continuing competency requirements.

Sekhar Kumar Das
April 30, 2012
Re: Request for an extension of Continuing Professional Credits.

This matter was moved to the Executive Session.

Stef Goodenow, Mgr. Credential Evaluations, NCEES
April 24, 2012
Re: Review of Evaluation Documents

The Board discussed this matter and will request that Mr. Solano ask the Florida State Board to send their copy of his transcripts to NCEES on his behalf. The Board will consider an evaluation of the transcripts once they are forwarded by NCEES. However, the Board reserves a final decision on acceptance of the transcripts and Mr. Solano's application pending a review of the entire application file.

Manan Sheth
May 1, 2012
Re: Request acceptance of Certified copies of Foreign Transcript.

The Board discussed this matter and will advise Mr. Sheth that if NCEES accepts his transcripts for evaluation, they may forward the evaluation to the Board for consideration. However, the Board reserves a final decision on acceptance of the transcripts and Mr. Sheth's application pending a review of the entire application file.

Hayes A. Hewitt, PLS
April 6, 2012
Re: Board's position regarding the setting Monuments.

The Board discussed this matter and will request that Mr. Hewitt provide a copy of the ordinance he is referencing in his submission, and to request the extent of his actions with the municipalities to resolve this issue.

Peter Sensus

May 7, 2012

Re: Sealing Plans for an out of State Project.

The Board discussed this matter and will inform Mr. Senus that New Jersey does not allow electronic sealing of plans; in addition, signing and sealing of plans must adhere to the laws and regulations of the State or jurisdiction in where the work is being performed and the plans are being submitted.

Joseph A. Donato, Jr., PLS, Trustee, GSLSA

April 16, 2012

Re: Requesting a new meeting date for the Electronic Seal & Signature Committee meeting.

This correspondence was noted for the record. However, the Board requested that the NJ Consulting Engineers Council (NJCEC) be invited to the Board's future sub-committee meeting on electronic signatures and seals.

Nader Soliman, P.E.

April 18, 2012

Re: Requesting the Board resume its review of continuing professional competency courses.

The Board discussed Mr. Soliman's request and will advise him that it will resume its review of continuing professional competency courses when its proposed regulation on this matter is finalized by the NJ Legislature.

Timothy Lurie, PE

May 8, 2012

Re: FEMA Elevation Certifications

This matter was discussed by the Board and Mr. Lurie will be informed that only a professional land surveyor, who is licensed in NJ, may prepare and certify a FEMA elevation certificate.

George C. Cressman, Jr.

May 7, 2012

Re: Request for CE Waiver

The Board discussed Mr. Cressman's request for a waiver of his continuing professional competency requirements, and on a motion by VP Purcell, second by BM Jones, voted to approve Mr. Cressman's request for a waiver.

OUTGOING CORRESPONDENCE

David M. Wysmuller, EIT Applicant
Christopher Hajjar, EIT Applicant
Elizabeth Greenblatt, Regulatory Analyst
Michael J. Kokayko, Reinstatement Applicant

George M. Brown, Reinstatement Applicant

Raymond P. Angelino, Reinstatement Applicant

Rubin M. Zalen, Zallen Engineering

Douglas Chapman, Halfmoon, LLC

Dr. Thomas G. Devine, Thomas Edison State College

NJSPLS - (various others) - Responsibilities of Program Providers J. A. Simonetta, NJSPE

The above correspondence were noted for the record.

7. COMMITTEE REPORTS

a. Standing Committees:

i Legislation:

No report

ii Regulations Committee:

No report

iii Education Committee

No report

iv Joint Committee of Architects & Engineer

Board President Schwartz informed the Board that BM Valenti has stepped down as a Joint Committee member. BM Cleary will replace BM Valenti and VP Purcell will act as an alternate member.

v Digital Signature Committee

BM Vernick reported to the Board that the committee continues to review and research the use of digital seals and signatures. The Committee will set up a meeting with the societies and the ACECNJ.

vi NCEES

VP Purcell requested that the Board create a Northeast Zone Committee to oversee the planning of the 2013 NE Zone meeting in Cape May, NJ, which it is hosting. BP Schwartz appointed VP Purcell to chair this committee along with BM's Jones and Cleary who will plan activities, prepare an agenda and to schedule a guest speaker, perhaps Lt. Governor Guadagno. He also informed the Board that a budget is due in September 2012 to NCEES for this event.

VP Purcell and BM Smith attended the 2012 NE Zone Interim meeting on May 3-5,

2012 in Dover, DE. BM Smith provided the Board with an overview of highlights on the various discussions held including the Model Law as it relates to the practice of surveying, computer based testing, digital signatures and the overlapping scope of practice.

Continuing Education Courses:

None

Reinstatements:

None

REVIEW OF APPLICATIONS

Licensure:

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

<u>Name</u>	<u>Application #</u>	<u>Comity/Exam.</u>	<u>Decision</u>
Adely, John	1480541	Comity	AIN
Agrawala, Gautamam	1628019	Comity	Grant License
Ahmad, Owais	1623033	Comity	Grant License
Ansley, Jeffrey	1594600	Comity	AIN
Baimel, Joshua	1546019	Comity	Grant License
Bravante, Thomas	888095	Comity	Waive F, Grant License
Cascone, John	1562602	Comity	Grant License
Chan, Andy	1601212	Comity	Grant License
Cheney, Stephen	1621636	Comity	Grant License
Close, Jeffrey	1632471	Comity	Grant License
Crandell, Christopher	1614439	Comity	Grant License
Crooks, Enrique	1583560	Comity	Grant License
De Graaff, Nicholas	1616111	Exam.	Take P
Denney, Thomas	1614434	Comity	Grant License
Donovan, David	1603770	Comity	Grant License
Dusenberry, Donald	1621998	Comity	Grant License
Ervolina, Robert	1546384	Comity	Grant License
Feairheller, Jr., John	1577000	Exam.	AIN
Frizzell Justin	1621907	Comity	Grant License
Gao, Xiaojiang	1620655	Comity	AIN
Hansen, Paul	1579244	Exam.	Take P
Hendsbee, Dale	1630196	Comity	Grant License
Herbst, Amy	1600197	Comity	Grant License
Khan, Mansoor	1081733	Comity	AIN
Kinnee, Mark	1611994	Comity	Grant License
Kopping, Bradley	1580974	Comity	Grant License
Kovacs, John	1627709	Comity	Grant License
Kumar, Praveen	1614519	Exam.	Take P

Li, Michael	1630809	Exam.	Take P
Lu, David	1562536	Comity	AIN
Mallik, Ajay	1562752	Comity	AIN
Mastropietro, Douglas	1600231	Comity	Grant License
McNicholas, Michael	1618371	Exam.	AIN
Meillier, Justin	1630298	Comity	Grant License
Mendola, Thomas	1588217	Exam.	AIN
Miller, Raymond	1604364	Comity	Grant License
Mirzakashani, Mehrdad	1550752	Comity	Grant License
Mora, Alen	1629050	Comity	Grant License
North, James	1582687	Comity	Grant License
Nowland, Martin	1609043	Comity	Grant License
O'Neill, Kevin	1638400	Comity	AIN
Pearson, Richard	1614561	Comity	Grant License
Permar, Sean	1576213	Comity	Grant License
Petre, John	1612124	Comity	AIN
Procopio, Joseph	1600623	Comity	Grant License
Reme, PE, Mark	1651726	Comity	Grant H.I. License
Rockwood, Edwards	1604550	Comity	Grant License
Setty, Boggarm	1621588	Comity	AIN
Shakil, Sheikh	1600601	Comity	Grant License
Sheta, Nasr	1621044	Comity	AIN
Shi, Sheng	1612146	Comity	Grant License
Skully, Dennis	1603689	Comity	Grant License
Smith, Kenneth	1622478	Comity	AIN
Stevens, Melissa	1617587	Comity	Grant License
Street, Erik	1628001	Comity	Grant License
Teweldemedhin, Abate	1636831	Comity	Grant License
Van Winkle, Randy	1623224	Comity	Grant License
Vogt, James	1591307	Comity	Grant License
Wan-Chun, Jen	1604646	Comity	Grant License
Weinschreider, Joseph	1618520	Comity	Grant License
Wilder, Christopher	1616939	Exam.	Take P
Zweifel, Christopher	1558741	Comity	AIN
Kin, James, T.	1657907	Comity	Grant H.I. License
Wheeler, Dale, R.	1600078	Comity	Grant License

AIN: Additional Information Needed.

Full Board Review:

Nasr Sheta, #1621044

The Board re-reviewed Mr. Sheta's request for a waiver of the fundamentals of engineering examination. Previously, the Board granted him thirteen (13) years of credited experience toward the requisite minimum fifteen (15) years required. Mr. Sheta requested that two years additional credit toward the waiver, be given for his master's and doctorate degrees from Cairo University. The Board denied this request. However, Mr. Sheta will be advised that if he is able to independently verify that his two advanced degrees, which were not evaluated by CPEES, nor part of his overall academic assessment, are equivalent to two graduate degrees earned from the United States, the Board would consider revisiting his request for a waiver from taking the fundamentals of engineering examination.

Mansoor A. Khan, #1081733

Mr. Khan requested a waiver from passing the TOEFL/TSE examination. While, Mr. Khan has taken this examination previously, he has not been successful. After discussing this matter, the Board denied his request and will advise Mr. Khan to continue to take the examination.

Ajay Mallik, #1562752

Mr. Mallik requested a waiver from passing the TOEFL/TSE examination. After reviewing this matter, the Board denied Mr. Mallik's request.

Certificates of Authorizations

The Board on a motion by BM Frantz, second by BM Purcell, voted to approve the following companies for a Certificate of Authorization:

<p>J.F. KIELY SERVICE CO., INC. 671 McClellan Street Long Branch, NJ 07740 Application # 1658190</p>	<p>POND & COMPANY dba POND ARCHITECTS & ENGINEERS, INC. 3500 Parkway Lane, Ste. 600 Norcross, GA 30092 Application # 1658188</p>
<p>MID ATLANTIC LAND SURVEYORS, LLC 201 Jay Street I 114 Stowe, PA 19464 Application # 1658187</p>	<p>BARSTAR GEOTECHNICAL & ENVIRONMENTAL SERVICES, INC. 11 Vernon Lane Malvern, PA 19355 Application # 1658184</p>
<p>STAFFORD BANDLOW ENGINEERING, INC. 800 Hyde Park Doylestown, PA 18902 Application # 1658288</p>	<p>SIDEPLATE SYSTEMS INCORPORATED 23332 Mill Creek Drive, Ste. 225 Caguna Hills, CA 92653 Application # 1650896</p>
<p>MALONE FINKLE ECKHARDT & COLLINS, INC. 2040 E. Sunshine Springfield, NJ 65804 Application # 1658280</p>	<p>TURNKEY CONSULTING GROUP, LLC 54 Eton Way Somerset, NJ 08873 Application # 1614534</p>
<p>FALCONA LAYOUT, LLC 20 D Court B Brick, NJ 08724 Application # 1658179</p>	<p>ALLIANCE MEP ENGINEERS, INC. 12355 Sunrise Valley Drive, Ste. 220 Reston, VA 20191 Application #1658055</p>

LACINA ENGINEERING LLC 114 Nicholas Drive Marshalltown, IA 50158 Application # 1654668	MEP ASSOCIATES, LLC 2720 Arbor Court Eau Claire, WI 54701 Application # 1654662
MCALOON ENGINEERING, LLC 210 Amwell Road Hillsborough, NJ 08844 Application # 1654638	REENGINEERED, INC. 19102 181 st Avenue Big Lake, MN 55309 Application #1654250
WACHTER ENGINEERING, LLC 600 Jessup Road, Ste., 104 W. Deptford, NJ 08066 Application # 1650825	D & B ENGINEERING OF NEW JERSEY, INC. 444 J.F. Kennedy Drive Bloomfield, NJ 07003 Application # 1646014

INFORMATIONAL/DISCUSSION ITEMS

The Board requested that Bright Star, the entity providing the electronic agendas, also include the Board's statutes and regulations on its terminals.

PUBLIC COMMENTS

Charles Blumeling, PE, PLS, spoke inquired about the Board's progress on researching the issue of electronic signature and seals. He also mentioned a personal situation involving a municipality's tax assessment map prepared by a company whose title block was missing the professional land surveyor's license number.

MOVE TO EXECUTIVE SESSION

The Board, on a motion by BM Frantz, second by VP Schwartz, unanimously voted to enter into Executive Session to review disciplinary matters.

RETURN TO PUBLIC

On a motion contained in 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 3:00 pm.

APPROVED BY:

Perry Schwartz
President

Paul Ray
Acting Executive Director