

**STATE BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS**

Minutes of May 20, 2004
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 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 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.

ROLL CALL

BM's present:

James Kelly
Richard Frantz
Edward Vernick
Robert Marshall
Pravin Patel
James Valenti
Robert Bogart
Albert Faraldi

BM's absent:

Louis Raimondi
Rishi Raj

Others present: Arthur Russo, Executive Director, Michelle Albertson, Deputy Attorney General, and staff members Joseph Grabowy, Ernest Gonzalez, Martha Richardson, and Yolanda Winston.

APPROVAL OF MINUTES

January 15, 2004

The Board, on a motion by BM Vernick, second by BM Patel, unanimously voted to approve the minutes of January 15, 2004 as amended.

COMMITTEE REPORTS

Legislation

President Vernick presented the Board with the following legislative information: A2088- Clarifies that advertisements by licensed professionals are subject to the Consumer Fraud Act - This bill was passed by the Assembly with amendments and referred to the Senate Commerce Committee on March 15, 2004.

S1259 - Provides that advertisements by persons licensed, registered, appointed or certified to practice their profession or occupation are subject to the consumer fraud act. This bill was referred to the Senate Commerce Committee on

April 29, 2004.

S297/A2809 - Requires a value engineering clause in the specifications for certain construction contracts under the Local Public Contracts Law. This Assembly bill was introduced on May 13, 2004 and referred to the Assembly Housing and Local Government Committee.

A3 - Provides that State contracts for professional services will be publicly bid and authorizes counties and municipalities to publicly bid professional services. Hearings are being conducted by the Assembly State Government committee on draft legislation. Testimony recommending adoption of quality based solutions procedures was provided by the Coalition of Design Professionals.

Administration

No report.

Examinations

No report.

Education

BM Frantz stated that nationwide education standards are declining. He stated that 75% of engineering graduate school students are from foreign countries. In addition, he expressed his concerns over the manner in which educators are teaching curriculums.

Regulations

President Kelly informed the Board that the Regulations Sub-Committee met after the Board's last meeting.

ED Russo also stated that the printing of the statute and regulations books has begun. A small number of books will be ordered and the current version of the statutes and regulations will be posted to the Board's website. The decision to post the Board's existing regulations to its website was made primarily in consideration of the large number of changes to be made during the sun-setting in August 2005.

Finance

BM Faraldi indicated the Board's finances appear sound.

NCEES Report

No report.

Special Committee Reports Newsletter

VP Valenti informed the Board that additional articles are needed for the upcoming newsletter, volume 7.

Joint Committee

No report.

Website

No report.

Applications: Revisions PE/LS and Design Experience

No report

Licensure Promotion Committee

No report.

Disciplinary Action Committee

No report.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

The Board, on a motion by BM Patel, second by BM Frantz, unanimously approved payment of the NCEES annual membership fee.

ED Russo informed the Board that the NCEES 83rd Annual Meeting in Cleveland, Ohio is scheduled to be held on August 11, 2004.

The Board, on a motion by BM Patel, second by BM Frantz, unanimously voted ED Russo to be the Board's representative. Additionally, VP Valenti expressed an interest in attending.

ED Russo informed the Board that the license renewal process is ongoing and, as of May 14, 2004, 18,193 licensees have renewed, or 93.20% of the total renewal applications sent.

ED Russo provided the Board with the following statistical information regarding attendance at the April 2004 examination sites:

Newark

FE-220 PE-130 FLS-0 PLS-0 State Specific-1

Ewing:

FE-66 PE-91 FLS-0 PLS-1 State Specific-3

Glassboro

FE-41 PE-37 FLS-0 PLS-0 State Specific-2

He provided the Board with a response from an Edgar A. Stacy, III, in connection with a previously issued Uniform Penalty Letter. After discussing this response, the Board unanimously voted to reaffirm its previous decision and inform Mr. Stacy that the penalties must be paid within 30 days or a Certificate of Debt will be issued.

Ed Russo informed the Board that there is current legislation that would extend the grandfathering requirement for home inspectors. The bill passed the Assembly and is now in the Senate for review.

Incoming Correspondence

Fern A. Cole/ Jeffrey L. Brauer Assoc., Inc.

RE: Certificate of Authorization, Jeffrey L. Brauer and James B. Goddard

(April 13, 2004)

Mrs. Cole submitted to the Board a letter indicating the passing of her brother, Jeffrey L. Brauer, and her plan to continue to run his business. She requested the Board's interpretation on the use of the business's pins and monuments after her brother's death.

The Board discussed this correspondence and shall inform Mrs. Cole that only a licensed land surveyor in this state

can set the pins and monuments.

Boowoong Kim, PE
RE: Questions for the Board
(April 13, 2004)

Mr. Kim wrote to the Board requesting clarification of whether an engineer can sign architectural drawings for single family homes. The Board will inform him that he cannot sign architectural plans.

He also asked if an architect can submit drawings for a single family house without a structural engineer's signature. The Board will advise him that an architect may do so.

Robert C. Kirkpatrick, Jr., PE, PLS, PP/ RCK Inc.
RE: Absentee Supervision
(April 13, 2004)

Mr. Kirkpatrick submitted a letter to the Board from a Matthew L. Martini regarding a GIS request proposal.

The Board noted this correspondence for the record.

Harry A. Brick, President/ Woodland Avenue, LP
RE: Engineer's ethical and/or legal obligation to continue to sign and seal engineering plans
(April 14, 2004)

Mr. Brick wrote to the Board asking how long after the preparation of fully paid plans is a professional engineer ethically or legally obligated to continue signing and sealing the plans.

The Board, after carefully reviewing this correspondence, will inform Mr. Brick that this seems to be a contractual matter and suggest that he review this matter with his attorney.

Robert Marshall, PE
RE: PE Examination - West Trenton
(April 16, 2004)

Mr. Marshall submitted his analysis of the April 2004 examination conducted at the West Trenton location to the Board. He indicated that the examination went very well except for some minor problems and the confiscation of prohibited calculators by the proctors.

The Board noted this correspondence for the record.

George J. Tamaro/ Mueser Rutledge Consulting Engineers
RE: Renewal Notices
(April 22, 2004)

Mr. Tamaro wrote to the Board applauding its latest newsletter and also expressed his concerns over the mailing process of renewal forms.

The Board will thank Mr. Tamaro for his compliments regarding the newsletter. In addition, it will inform him that there is no process in place to provide electronic mail notifications of renewals and that it is the responsibility of the licensee to provide the Board with a change of address in sufficient time to receive Board mailings.

James R. Nichols, PE, Chair/ Texas Board of Professional Engineers
RE: Proposed amendments to NCEES Bylaws
(April 27, 2004)

Mr. Nichols wrote to all NCEES member Boards concerning its new agreement with NCEES.

The Board noted this correspondence for the record.

Bernard R. Berson, FNSPE
RE: Professional Conduct Committee Audience
(April 27, 2004)

Mr. Berson submitted to the Board a letter of appreciation for input to the Societies' Committee.

The Board noted this correspondence for the record.

Herbert Dew, Senior Investigator/ The State Education Dept./ The University of the State of New York
RE: Frank Nora, PE
(May 6, 2004)

Mr. Dew requested information pertaining to a disciplinary action against Mr. Nora.

The Board will inform Mr. Dew that the Board found no cause for action in this matter.

Mark Husik, Executive Director/ NJ Society of Professional Land Surveyors
RE: Certificate Award Ceremony
(April 23, 2004)

Mr. Husik requested a list of the recently licensed professional land surveyors and professional engineers/land surveyors. He also requested that the Board add a link to the Society of Professional Land Surveyors' website.

Mr. Husik will be provided with the requested list and will be informed that the Board will add the NJ Society of Professional Land Surveyors' link to its website.

Muriel M. Zhou, Director/ ECEI
RE: Inauthentic Document from Iraq
(May 9, 2004)

Mr. Zhou writes to the state boards that utilize its services informing them of a situation that occurred with another evaluation service.

The Board noted this correspondence for the record.

Kevin O'Donnell
RE: Professional Surveyor Responsibility
(May 11, 2004)

Mr. O'Donnell requested the Board's advice regarding a situation in which he was involved.

Mr. O'Donnell will be informed that this is a contractual matter between the parties and that he should seek advice from his attorney.

Outgoing Correspondence

George T. Lucas, II, Executive Director/ Garden State Land Surveyors Alliance, Inc. (March 30, 2004)

The Board noted this correspondence for the record.

Jeffrey Hartke, PE, CME, CPWM/ Township of Morristown/ Department of Public Works (May 4, 2004)

The Board noted this correspondence for the record.

Information

The following informational items were noted by the Board:

- *Schools of Engineering (U.S. News & World Report - April 12, 2004)
- * Rowan engineers working with Navy on new battleship

The Board instructed the staff to obtain a copy of the Atlantic City garage collapse investigative report by Eugene Corley as reported in the following articles:

- * Revisions faulted in A.C. collapse (Courier Post - April 26, 2004)
- * Garage collapse blamed on firms (The Philadelphia Inquirer Online - April 30, 2004)
- * Contractors cited in collapse (Courier Post - April 30, 2004)
- * Firm denies blame in garage collapse (The Philadelphia Inquirer - May 6, 2004)

REVIEW OF APPLICATIONS

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

NAME	APP #	DECISION	NAME	APP #	DECISION
S. FRANZ	998402	GRANT	S. GRIBB	986616	GRANT
A. HUSSAINI	960495	GRANT	B. LEHMKUHL	987768	GRANT
J. KNOP	980638	GRANT	C. BONES	987210	GRANT
Y. TIMOTHY	976137	GRANT	C. DESOUSA	992073	GRANT
M. ROGALSKI	971675	GRANT	R. MANZANAREZ	999795	GRANT
C. MENNA	972547	GRANT	M. HERRMANN	986613	GRANT
E. MESSINA	967953	GRANT	D. DENNARO	999048	GRANT
M.LAHR	954979	GRANT	R. DANK	947432	TAKE F
R. MESAROS	981948	GRANT	S. ZAGHLOUL	950925	TAKE F
E. GALLION	953024	GRANT	P. WHITE	996556	TAKE P

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

NAME	APP #	DECISION	REASON	NAME	APP #	DECISION	REASON
V. GERACE	999062	DENIED	Exp./References	E. CHAVIANO	995893	DENIED	Experience
G. SCHOENUNG	998485	DENIED	Exp./References	M. KROMKE	985473	DENIED	Experience
J. BRUNEAU	998463	DENIED	Exp./References	D. SAY	970486	DENIED	Application
				W.			

M. HERSHEY	957078	DENIED	Experience	ZIEGELDORF	1003033	DENIED	Application
P. COLE	995894	DENIED	Experience	A. BEDI	918526	DENIED	Waiver
M. MITOLO	940904	DENIED	Exp./Education	M. VATAN	52344	DENIED	References
K. HANDELAND	947912	DENIED	Experience	R. DANK	947432	DENIED	P References
T. STOKES	954974	DENIED	Exp./References	S. ZAGHLOUL	950925	DENIED	P Exp./Refer- ences
D. ALMGREN	948638	DENIED	Experience	-	-	-	-

The Board, on a motion by BM Patel, second by BM Faraldi, unanimously voted to approve the following Certificate of Authorization applications:

Martin A. Grant Surveying, Inc.
300 Buckelew Avenue
Jamesburg, NJ 08831 Mereston Consultants, Inc.
5215 W. Woodmill Road, Suite 38
Wilmington, DE 19808
Quantum Management Group, Inc
. 1187 Main Avenue, Suite 2-B
Clifton, NJ 07011 Freeland & Kauffman, Inc.
209 W. Stone Avenue
Greenville, SC 29609
South Jersey Engineers, LLC
479 Centennial Blvd.
Voorhees, NJ 08043 URS Corporation - New York
One Penn Plaza, Suite 610
New York, NY 10119
Owen Ayres and Associates, Inc.
3433 Oakwood Hills Parkway
Eau Claire, WI 54701
The Great Meadows Design Group, LLC
24 Far View Road
Great Meadows, NJ 07838

Full Board Review

Sharachchandra Vishnu Ambekar - #891427

The Board reviewed Mr. Ambekar's application. He is a foreign graduate applying for a PE license by comity.

After a careful review, the Board determined that the evaluation provided by ECEI indicated that the courses taken in India are not the equivalent of an ABET accredited undergraduate degree. BM Patel reviewed this matter and disagreed with the ECEI evaluation.

After further discussion on this matter the Board, on a motion by BM Marshall, second by BM Patel, unanimously voted to approve Mr. Ambekar's application for licensure.

Richard P. Filkins - #990474

The Board reviewed Mr. Filkin's PE application for licensure by comity.

A review of his application indicated that he received an undergraduate degree in English and a graduate degree in regional planning. He has been licensed in New York and Washington as a PE.

The Board, on a motion by BM Bogart, second by BM Patel, unanimously voted to deny Mr. Filkin's application since he does not meet the Board's educational requirements.

Christopher A. Cavanagh - #1003882

Mr. Cavanagh was previously licensed in New Jersey as a PE and allowed his license to lapse in 1992.

The Board, noting that he is currently licensed as a PE in another state, will continue its review of the application based on its comity provision.

MOVE TO EXECUTIVE SESSION

On a motion by BM Frantz, second by BM Patel, the Board voted unanimously to move to Executive Session to complete the agenda.

RETURN TO PUBLIC

On a motion contained in the Executive Session minutes, the Board unanimously voted to return to Public Session.

ADJOURNMENT

On a motion by BM Frantz, second by BM Faraldi, the Board unanimously voted to adjourn at 2:45 p.m.

Approved by:

James D. Kelly
President

Arthur Russo
Executive Director

[Back To Minutes Archive Page](#)
