

State Board of Professional Engineers and Land Surveyors

Minutes of June 5, 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 Vernick read the statement requires 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:

Edward Vernick
Richard Frantz
James Kelly
Robert Marshall
Pravin Patel
Louis Raimondi
Albert Faraldi
Rishi Raj
Robert Bogart (10:00 a.m.)
James Valenti

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

APPROVAL OF MINUTES

February 6, 2003

The Board, on a motion by BM Faraldi, second by BM Raj, unanimously approved the minutes of February 6, 2003 as amended.

COMMITTEE REPORTS

Legislation

A3737- This bill intends to clarify the functions of a land surveyor as distinguished from the functions of a licensed professional engineer. Since the bill has been recently introduced, the Board will wait to see the full version prior to providing a comment.

A3697- This bill provides immunity to volunteer architects, landscape architects, land surveyors, and professional engineers during certain emergencies. After a brief discussion on this matter the Board will wait to see the full version prior to providing a comment.

S581/A2231- This bill gives certification to Crane Operators. Senate bill 581 passed the Senate on May 29, 2003 and provides for a separate board to be established under the Department of Labor.

S1089/A2363- This bill would allow inactive licensees to complete their required continuing education at any time prior to reactivating their license. Governor McGreevey conditionally vetoed this bill on May 8, 2003. A second reading was held on May 29, 2003 in the Senate in concurrence with the Governor's recommendation. The Board finds this bill favorable as long as the required continuing education occurs in the most recent biennial period.

A2949/S2407- This bill would require the release of a bid list prior to a bid date. This bill was reported to be out of the Community and Urban Affairs Committee on May 8, 2003.

A706/S1543- This bill concerns contracts to privatize state services. Additional Assembly amendments to this bill were passed on May 22, 2003.

A1752- This bill would permit certain licensed individuals, when advertising, to use their legal names, maiden names or nicknames under certain circumstances. This bill was referred to the Senate Budget and Appropriation Committee on May 8, 2003.

A713/S1682 - This bill concerns contracts to privatize county services. On May 22, 2003, additional Assembly amendments were passed.

Administration

No report.

Examinations

The Board had previously asked Professional Credential Services, (PCS), to respond to NCEES's method in administering examinations. PCS stated that it is a conflict of interest for NCEES to administer, conduct and grade its own exams. After further review the Board decided that PCS has performed an excellent service administering and guarding the integrity of examinations.

ED Russo mentioned that the Student Center at NJIT, the northern central testing site, is being torn down with another facility to be rebuilt. There is no guarantee of its anticipated completion by late August, 2003. ED Russo will contact the NJIT Dean to explore other location options on campus for the October 2003 examination.

Education

BM Frantz expressed his concern about the elimination and watering down of some engineering requirements.

Regulations

No report

Finance

BM Faraldi informed the Board that finances remain positive.

Special Committee Reports

Newsletter

The Board was informed by BM Raimondi that newsletter # 6 is almost complete and that he is awaiting additional articles to include in the letter.

Joint Committee

The Joint Committee meeting of June 3, 2003 was cancelled.

Website

No report.

Applications

No report.

Disciplinary Committee

No Report.

Licensure Promotion Committee

ED Russo informed the Board that Fairleigh Dickinson University has been contacted to schedule a future meeting with this Committee.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

The report was tabled until the next meeting.

Incoming Correspondence

George T. Lucas, II
Garden State Land Surveyors Alliance, Inc.
Re: Board Administrative Rules
May 21, 2003

Mr. Lucas submitted a copy of the GSLSA's Administrative and Legislative Committee's Interim Report & Recommendations regarding the Board's current rules and regulations.

After reviewing the contents of this submission the Board concluded that it will thank Mr. Lucas for GSLSA's effort and take these recommendations under advisement.

Joseph A. Donato, Jr., PLS & P
Garden State Land Surveyors Alliance, Inc.
Re: Continuing Competency - Home Study Course
June 2, 2003

Mr. Donato requested that his applications for the three continuing education home study courses be withdrawn at this time and that all the materials submitted be returned to the GSLSA.

After discussing this matter the Board requested that copies be made of the three videotapes submitted and the originals be returned to Mr. Donato along with all other submitted materials relevant to this matter.

Outgoing Correspondence

The Board tabled this matter until the next meeting.

APPEARANCE BY ROBERT CAMPANELLI, ETHICS OFFICER

Mr. Campanelli discussed the proper ethical conduct to be followed by Board members regarding their appearances at outside functions.. He advised all Board members to fill out a Ethics Committee form on Ethical Standards if they wish to attend such functions and await approval prior to attending. This would not be necessary to attend a monthly meeting of a professional society.

The Board also discussed the topic of receiving gifts and favors. Board members were advised to report and disclose any gifts received to determine compliance with the ethics rules. No reimbursements are permissible other than from the State of New Jersey. Also discussed was the use of board member status on websites, resumes and other advertisements.

In addition, Mr. Campanelli stressed that any Board member who files a complaint must be recused from the complaint process. Failure to do so may result in a review by the Executive Committee on Ethical Standards for action. Finally, Mr. Campanelli discussed other conflict of interest situations which could arise in a disciplinary proceeding where a board member may have to be recused.

APPEARANCE BY JAKE GERTSMAN, REGULATORY ANALYST

The Board discussed the comments received in connection with licensing professional engineers as home inspectors pursuant to proposed regulation N.J.A.C. 13:40-4.2, which was published in the New Jersey Register on February 3, 2003. The Board reviewed the comments and provided responses. Further, the Board reviewed the changes to be made to the regulation upon final adoption. On a motion by BM Bogart, second by BM Patel, the Board unanimously voted to accept the proposed regulation with modifications.

Also discussed was the proposed regulation with regard to corner markers. After a review of the draft regulation, the Board, on a motion by BM Faraldi, second by BM Raj, unanimously voted to approve the draft regulation with minor changes.

MOVE TO EXECUTIVE SESSION

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

RETURN TO PUBLIC

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

APPROVAL/ DENIAL OF APPLICATIONS

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

Name	App#	Approved For		Name	App#	Approved For
L. BOSSERT	933424	GRANT		S. KUKILLAYA	943568	TAKE F
B. PRICE	930526	GRANT		J. CHARMS	927175	TAKE F
M. LABRECQUE	927157	GRANT		R. HARTLE	948643	TAKE F
T. HARTMAN	927186	GRANT		T. BRAVANTE	888095	TAKE F
P. TANTALA	951223	GRANT		C. JEN	920420	TAKE F
T.DRISCOLL	918405	GRANT		C. KWONG	943569	TAKE F
A. HOLMELVIG	951427	GRANT		R. MASON	916102	TAKE F
D. IRWIN	951168	GRANT		J. WRIGHT	943553	TAKE F
N. ANDERSON	951371	GRANT		M. BLACK	936017	TAKE F
A. DROSCHA	927004	GRANT		J. MARTINEZ	897446	TAKE F
J.OVERMYER	928611	GRANT		S. ANSINE	943544	TAKE F
M. GOOD	936898	GRANT		M. OUDEH	945364	TAKE F
K. VANDERZEE	927165	GRANT		T. WOJCIK	901889	TAKE F
N. NG	903284	GRANT		G. AMADOR	943582	TAKE F
K. ALAVI	934591	GRANT		P. RENO	943832	TAKE F&P
M. ROETZEL	949017	GRANT		R.ADAMS	921115	TAKE F&P
A. ZOKAIE	918392	GRANT		M. PATEL	922500	TAKE F&P
T. STAGER	875879	GRANT		E. SILVESTRO	52069	TAKE FLS\PLS
P. DRISCOLL	933430	GRANT		L.HENERY	943835	TAKE P
K. SCHERZER	940705	GRANT		B.DECINA	934584	TAKE P
K. KNAPP	920312	GRANT		L. NGUYEN	885661	TAKE P
R. YURICK	52057	GRANT		C.DAVIS	918547	TAKE P
B. DAVEY	875953	GRANT		M. CHOUDHRY	944140	TAKE P
K. WARD	916514	TAKE F		D.FEKETE	917294	TAKE P
R. GALIE	926997	TAKE F		C. BROOME	940702	TAKE P
N. HORZEPA	946954	TAKE F		E. LEDERMAN	885780	TAKE P

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

Name	Application #	Reason for Denial	Name	Application #	Reason for Denial
C. Jepson	863532	Education	A. Chen	894776	Experience
D. Berozi	924095	Education	M. Richards	936900	Experience
L. Padgett	933229	References	C. McHugh	936478	Experience
C. Hanson	927134	Education	A. Osterberg	926986	Education
H. Anderson	891201	Experience	M. Viray	887279	Experience
J. Hutzelman	930922	Education	N. Babur	901898	Experience
G. Farmer	924123	Experience	M. Freda	893457	Experience
S. Bielewicz	947388	Experience			

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

Quality Alternatives, LLC 3 Werner Way Lebabon, NJ 08833	J.R. Johnson Engineering, Inc. 6673 Eastland Road Middleburg Heights, OH 44130
Creamer Engineering Assoc., LLC 215 Union Street Hackensack, NJ 07601	The Mosher Group, Inc. 1090 King Georges Post Road Edison, NJ 08837
Tourgee & Associates, Inc. 11459 Crohill Drive, Suite A Owings Mills, MD 21117	Schnabel North, LLC 1054 Technology Park Drive Glen Allen, VA 23059
Wittemore & Haigh Engineering, Inc. 146 Sage Drive Sinking Springs, PA 19608	Summit Consultants, Inc. 1300 Summit Ave., Suite 420 Fort Worth, TX 76102
Stantec Consulting, Inc. 8211 South 48th Street Phoenix, AZ 85044	Richard E. Deubert, PE, LLC 10 Derrygally Circle Kennelon, NJ 07405

The Board, on a motion by BM Frantz, second by BM Bogart, unanimously approved the following PE/Home Inspection applications:

Name	Application	# Name	Application #
Jinfar Liu	951310	Frank J. Rubino	951492
Kim Lim	952657	William P. Delinsky	950744

Joseph M. Veni	954621	Peter A. Schkeeper	950782
Peter C. Taylor	952652	William J. Dieal, Jr.	954557
Lawrence G. Spielvogel	954214	William K. Forester	952714
Robert E. Weatherford	952718		

ADJOURNMENT

On a motion by BM Frantz, second by BM Faraldi, the Board unanimously voted to adjourn at 4:00 p.m.

APPROVED BY:

Edward Vernick, PE
President

Arthur Russo
Executive Director

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