

**STATE BOARD OF PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS  
Minutes of July 17, 2008  
Public Session**

**CALL TO ORDER**

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by President Valenti 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 Valenti 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: James Valenti Barry Jones  
James Purcell Lawrence Koo  
Edward Vernick Robert Marshall  
James Cleary Perry Schwartz  
Richard Frantz

Absent: Michael Angeline

Others: Arthur Russo, Executive Director, Michelle Albertson, Deputy Attorney General, Joseph Grabowy, Assistant to the Executive Director, staff members Martha Richardson and Yolanda Winston, and one member of the public.

**APPEARANCE BY JERRY CARTER, NCEES & EVA-ANGELA ADAN, CPEES EVALUATION SERVICES**

Jerry Carter and Eva-Angela Adan appeared before the Board to discuss the education evaluation services of the Center for Professional Engineering Education Services (CPEES).

On a motion by BM Vernick, seconded by BM Schwartz, the Board voted to include CPEES as one of its approved education evaluation service providers.

**REPORT OF THE EXECUTIVE DIRECTOR**

Executive Director Arthur Russo discussed a request from the Department of Agriculture, State Soil Conservation regarding state departments and the requirements for professional engineers. On a motion by VP Purcell, second by BM Schwartz the Board voted to advise the State Soil Conservation that it will need a professional engineer to perform the work described since it appears to be engineering work.

ED Russo stated that all Certificate of Authorization biennial renewal applications have been mailed out.

ED Russo informed the Board of the NCEES' invoice for the April 2008 Exam Book/Score and of the April 2008 Candidate Score Status Report by School Code of PCS. The Board noted these matters for the record.

ED Russo stated that the score results were released for the April 2008 examinations.

**APPEARANCE BY PATRICIA SCHIRIPO, REGULATORY ANALYST**

Ms. Schripio appeared before the Board to discuss the Architects Registration Examination (ARE) transition chart and study guides. She stated she will speak with Pro-Metric, the examination developers for architects, to determine if professional engineers will be allowed to continue testing in version 3.0 beyond July 1, 2009. At this time NCARB cannot do anything regarding the transition from version 3.0 to version 4.1 of the ARE.

## **COMMITTEE REPORTS**

### Joint Committee

The Board noted that there was opposition to the draft response letter to Jason Lusardi which memorialized the final determination of the Joint Committee. The Board expressed its concern that the draft letter, which appears to be entirely consistent with the Joint Committee's decision, had not been sent out as a result of the opposition. Accordingly, the Board voted to send a memorandum from ED Russo to ED Hsu of the Joint Committee to request the scheduling of a special meeting in August to discuss this matter.

## **INCOMING CORRESPONDENCE**

Albert F. Zaccone, AIA  
Re: Architects Registration Examination (ARE)  
June 18, 2008

At its last meeting, the Board received a letter from Mr. Zaccone in response to the Board's comments submitted to the proposed regulation published in The New Jersey Register on or about May 28, 2008 regarding the ARE. The Board formed an ARE Review Committee to work with the regulatory analyst on the proposed regulation. The committee members are BP Valenti, VP Purcell and BMs Vernick and Schwartz.

Kevin Becica, PE, NJSPE  
Re: Architects Registration Examination (ARE) Comments  
July 1, 2008

Mr. Becica of NJSPE submitted comments to ED James Hsu, State Board of Architects, regarding the proposed ARE regulation.

This correspondence was noted for the record.

James Purcell, VP  
Re: NCEES 2008 Motions  
July 9, 2008

VP Purcell discussed with the Board proposed motions to be made at the NCEES Annual Meeting in Minneapolis, August 13-16, 2008, one of which was the B.S. Degree + 30 credits and the Model Law Rules.

The Board agreed to the proposed motions.

Susan Whitfield, NCEES  
Re: ANSI - NCEES Draft Standard (Producer)  
June 16, 2008

NCEES has become an American National Standards Institute and Ms. Whitfield is informing the Board of its first published standards for public review.

This correspondence was noted for the record.

David L. Curtis, PE  
Re: CBT Task Force considers shifting NCEES exams to computer format.

June 2008

The Board reviewed an official NCEES publication for the exchange of information, opinions and ideas regarding the licensure of professional engineers and surveyors.

This correspondence was noted for the record.

Gary Ehrlich, PE  
Re: Hush Acoustics, LLC  
June 13, 2008

Mr. Ehrlich requested clarification regarding the acceptance of various projects.

On a motion by VP Purcell, second by BM Vernick, the Board voted to inform Mr. Ehrlich that any engineering work performed in New Jersey must be performed by a licensed New Jersey professional engineer and if a corporation or LLC was involved, then it must have a Certificate of Authorization. Mr. Ehrlich will also be provided with a copy of the Board's statutes and regulations.

Wendy W. Tedder  
Re: Professional Engineers license requirement  
July 1, 2008

Ms. Tedder requested clarification on whether a PE license is required for a project.

On a motion by VP Purcell, second by BM Schwartz, the Board voted to inform Ms. Tedder that engineering work in New Jersey must be performed by a licensed New Jersey professional engineer and if a corporation or LLC was involved, then it must have a Certificate of Authorization. The statutes and regulations shall be sent to her.

James J. Marroccoli, President  
Re: National Forensic Consultants, Inc.  
June 26, 2008

In accordance with the Board's request, Mr. Marroccoli provided additional information regarding the activities of his company.

After reviewing this matter, the Board voted to inform him that it appears he does not need a Certificate of Authorization. However, if he is offering any professional engineering services, then he will need a Certificate of Authorization.

Joseph Lifrieri, PE  
Re: Unprofessional Conduct Clarifications  
June 18, 2008

Mr. Lifrieri requested clarification concerning tasks performed by professional engineers. The Board voted to send a copy of its statutes and regulations to Mr. Lifrieri.

Continuing Education

On a motion by BM Cleary, second by BM Jones, the Board voted to approve the following continuing education courses:

Sponsor Course PDH

Lorman Business Center Inc. Law of Easements: Legal Issues and Practical Considerations 7

New York State Association of PLS Possession is 9/10th of the Law: Adverse Possession and Other Boundary Law 8

New York State Association of PLS Surveying for Engineering Projects 8

New York State Association of PLS Man vs. Machine - Automated Machine Control Guidance 8

PDHonline.org, Inc./PDH Center Alternate Dispute Resolution 4

PDHonline.org, Inc./PDH Center Project Management for Managers/Executive 8

PDHonline.org, Inc./PDH Center Basic Project Management 12

PDHonline.org, Inc./PDH Center Project Cost Management 8

PDHonline.org, Inc./PDH Center GPS Surveying 12

PDH online.org, Inc./PDH Center Coordinates 8

PDHonline.org, Inc./PDH Center Land Boundary Surveys II 2

PDHonline.org, Inc./PDH Center Land Bounday Surveys I 6

PDHonline.org, Inc./PDH Center GPS Modernization 2

PDHonline.org, Inc./PDH Center Vertical Curves 4

PDHonline.org, Inc./PDH Center Ethics for Surveyors 1

PDHonline.org, Inc./PDH Center Adverse Possession 2

PDHonline.org, Inc./PDH Center Easements 1

PDHonline.org, Inc./PDH Center Riparian Rights 1

PDH online.org, Inc./PDH Center Contracts for Professionals 1

PDHonline.org, Inc./PDH Center Copyright Protection 1

PDHonline.org, Inc./PDH Center Standards of Professional Conduct 1

PDHonline.org, Inc./PDH Center The Land Surveyors as Expert Witness 1

PDH online.org, Inc./PDH Center Managing Employees for Success 4

PDHonline.org, Inc./PDH Center Professional Liability 3

PDHonline.org, Inc./PDH Center Quality Assurance 3

PDHonline.org, Inc./PDH Center Managing Project Cost, Revenue and Profit 3

PDHonline.org, Inc./PDH Center Construction Layout 15

PDHonline.org, Inc./PDH Center Survey Markers and Monumentation 6

PDHonline.org, Inc./PDH Center FEMA's Flood Maps-Understanding and Utilizing This Resource 5

PDHonline.org, Inc./PDH Center FEMA's Flood Insurance Study Report - Understanding & Utilizing This Resource 5

PDHonline.org, Inc./PDH Center ALTA/ACSM Land Title Surveys - Min. Standard Detail Requirements 4

PDHonline.org, Inc./PDH Center A Surveyor's Guide to the FEMA NFIP Elevation Certificate 3

PDHonline.org, Inc./PDH Center Risk Assessment/Management 2

PDHonline.org, Inc./PDH Center Adverse Possession: An Advanced Course For Professional Land Surveyors 3

PDHonline.org, Inc./PDH Center Land Surveying Safety Guide 2

PDHonline.org, Inc./PDH Center GPS:Theory, Practice and Applications 3

PDHonline.org, Inc./PDH Center Technical Report Writing 6

PDHonline.org, Inc./PDH Center Every Word Counts! Contract Mechanisms and Their Review - Module 1 2

### **REINSTATEMENT APPLICATION**

Richard A. Read, PE

The Board on a motion by VP Purcell, second by BM Marshall, voted to approve Mr. Read's application for reinstatement.

Joseph R. Flocco, Jr., PE

The Board on a motion by BM Schwartz, second by VP Purcell, voted to approve Mr. Flocco's application for reinstatement.

Robert Bury, PE

The Board on a motion by VP Purcell, second by BM Marshall, voted to approve Mr. Bury's application for reinstatement.

Howard F. Alter, PE

The Board reviewed the reinstatement application provided by Mr. Alter and, on a motion by VP Purcell, second by BM Marshall, voted to have Mr. Alter take the principles and practices portion of the engineering examination.

Rajendra B. Lal, PE

The Board reviewed the reinstatement application provided by Mr. Lal and, on a motion by VP Purcell, second by BM Cleary, voted to request additional information regarding his description of experience and to provide 3 recent projects which demonstrate his proficiency.

### **REVIEW OF APPLICATIONS**

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

NAME APPLICATION # PE/EIT DECISION

JEFF ROMEO 1315919 COMITY GRANT

VINOD SIBAL 1280456 COMITY GRANT  
LICHING HUANG 1310532 COMITY GRANT  
KIRK FRY 1313492 COMITY GRANT  
WHA-YONG 1201930 COMITY GRANT  
RONALD WOLFMAN 1313513 COMITY GRANT  
JAMES NEWTON 1313531 COMITY GRANT  
DAVID FANELLA 1313680 COMITY GRANT  
BENJAMIN WILD 1313656 COMITY GRANT  
GARY SMITH 11310951 COMITY GRANT  
JEFFERY FERGUSON 1318924 COMITY GRANT  
DWAINE VOBORIL 1316513 COMITY GRANT  
ANDREW WHITE 1316500 COMITY GRANT  
NICHOLAS VOTAW 1284129 COMITY GRANT  
RALPH PACIFICO 1259978 COMITY GRANT  
JAMES MCKELVEY 1312832 COMITY GRANT  
DAVID VANCAMP 1312780 COMITY GRANT  
TIMOTHY BOLAN 1280465 COMITY GRANT  
DAVID SCHAFER 1286050 COMITY GRANT  
MIGUEL SANTIAGO 1260661 COMITY GRANT  
ANTHONY SHEBELOCK 1320361 COMITY GRANT  
PATRICK GALLAGHER 1287904 COMITY GRANT  
CHRISTOPHER MCDANIEL 1303038 COMITY GRANT  
MOSER JOSEPH 1308921 COMITY GRANT  
A. SHAH 1287900 COMITY GRANT  
JOSEPH SARRA 1313502 PE/EXAM TAKE P  
MATTHEW ODONNELL 1320577 PE/EXAM TAKE P  
CARLINE VALES 1270417 PE/EXAM TAKE F&P  
ALEXANDER ZUENDT 1258313 PE/EXAM TAKE P

PAWEL PAPAZACHARIU 1262712 PE/EXAM TAKE P

MAX GUENTHER 1258190 PE/EXAM TAKE P

Aramis Hernandez, PE Applicant #1284158

The Board on a motion by BM Schwartz, second by BM Vernick, voted to approve Mr. Hernandez's application for a professional engineer via comity. VP Purcell was recused. BM Marshall opposed the motion.

### **CERTIFICATES OF AUTHORIZATION**

On a motion by BM Frantz, second by BM Marshall, the Board voted to approve the following Certificates of Authorization:

KUPPER, LLC  
15 Stelton Road  
Piscataway, NJ 08855  
Application # 1346080

SPEC PROCESS ENGINEERING & CONSTRUCTION, INC.  
17 A Street  
Burlington, NJ 01803  
Application #1346082

ENERGY MANAGEMENT AND SERVICES COMPANY  
109 Fieldview Drive  
Versailles, KY 40383  
Application # 1346498

AMERICAN STRUCTUREPOINT, INC.  
7260 Shadeland Station  
Indianapolis, IN 46256  
Application # 1350675

TALCO DESIGN SERVICES, LLC  
51 Dolly Drive  
Parsippany, NJ 07054  
Application # 1350687

GALLETTA ENGINEERING CORPORATION  
1300 Penn Avenue  
Pittsburgh, PA 15222  
Application # 1350703

### **PUBLIC COMMENTS**

Charles Blumeling, PE, PLS discussed whether a land surveyor can hire a professional engineer or an architect.

### **MOVE TO EXECUTIVE SESSION**

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

### **RETURN TO PUBLIC**

On a motion contained within the Executive Session minutes, the Board re-entered into Public Session to adjourn.

**ADJOURNMENT**

On motion by BM Jones, second by BM Purcell, the Board unanimously voted to adjourn the meeting at 3:00pm.

APPROVED BY:

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James K. Valenti, PE  
President

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Arthur Russo  
Executive Director