

State Board of Professional Engineers and Land Surveyors

Minutes of September 21, 2000

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 Albert Faraldi at 9:00 am in the Hudson Conference Room, Sixth 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 Faraldi read the statement required by Chapter 231, Laws of 1975 known as the Open Public Meeting 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

BM's present:

Albert Faraldi	Robert Bogart
Richard Frantz	Theodore Cassera (arrived 9:30am)
James Kelly	Robert Marshall
Louis Raimondi	Pravin Patel (departed 3:30 pm)

BM's absent: Rishi Raj and Edward Vernick

Others present: Arthur Russo, Executive Director, William Mandeville, Management Assistant, Joseph Grabowy, Management Assistant, Sadiqa Smith, Recording Secretary, Yolanda Winston, Board Staff and Olga E. Bradford, Deputy Attorney General.

MOVE TO EXECUTIVE SESSION

On a motion by BM Raimondi, seconded by BM Bogart, the Board unanimously voted to move into Executive Session for the purpose of completing the Executive Session agenda.

RETURN TO PUBLIC SESSION

In accordance with a motion contained in Executive Session minutes, the Board unanimously voted to return to Public Session for the purpose of completing the Public Session agenda.

REVIEW & APPROVAL OF THE NJ STATE SPECIFIC EXAM

ED Russo reported that he submitted the NJ State Specific Exam to the Review Committee for recommendations. The committee includes President Faraldi, BM Bogart and BM Raimondi.

President Faraldi reported that the committee reviewed the exam and recommended that the Board approve it as the October 2000 examination.

On a motion by BM Bogart, seconded by BM Raimondi, the Board unanimously voted to accept the committee's recommendation.

REPORT OF THE EXECUTIVE DIRECTOR

Incoming Correspondence

**Ong See Ho, Professional Engineers Board Singapore
(September 20, 2000)**

Re: Visit by the Professional Engineers Board Singapore

In their letter, representatives from the Professional Engineers Board Singapore expressed an interest in meeting with Board members to discuss issues of common interest such as changes to the registration system, the design and build procurement practice and how it affects registration and licensing, continuing professional competency, and any difficulties in implementing the examination system. Ong See Ho reminded the Board of a previous meeting in 1993.

The Singapore Board will be available to meet on either October 11 or October 12, 2000. President Faraldi and BM Raimondi will represent the Board at this meeting. ED Russo will make the necessary arrangements.

**Mervin H. Chew, PLS, Surveyors' Association of West Jersey
(June 1, 2000)**

Re: Request for the Board to Give One PDH Credit to any Surveyor Attending a Chapter meeting.

The Board reviewed and discussed Mr. Chew's correspondence and stated that the Board cannot grant PDH credits for attendance at chapter meetings of the Surveyors' Association of West Jersey. ED Russo will notify Mr. Chew of the Board's decision.

**Nicholas J. Wunner, PE, PLS, Wunner Engineering Associates
(June 16, 2000)**

Re: Permeability Testing for Septic Systems

In his letter, Mr. Wunner presented his position that a percolation test is the practice of engineering and must be performed by or under the supervision of a professional engineer. Mr. Wunners's opinion, in addition, septic contractors advertising to perform percolation tests are in fact advertising to offer engineering services and therefore must either be licensed or have an licensed engineer on staff, in which case then they are required to have a current certificate of authorization. The Board stated that it is currently reviewing data on this issue and will include Mr. Wunner's statements in the files of this ongoing matter. On a related matter, the Board has directed ED Russo to schedule Mr. Barry Chalofsky of the DEP to speak at a future Public Session meeting on the issue of septic systems design standards. The DEP is currently in the process of formulating rules and regulations regarding septic systems.

S. Vaclavik (July 12, 2000)

Re: Conditions at the PE and FE Exam on April 2000

Mr. Vaclavik expressed to the Board his concerns regarding the physical lighting conditions at the northern examination test site (The Spa at Great Gorge) during April 14 and April 15, 2000. Specifically, he indicated that the lighting conditions were inadequate.

The Board stated that it is aware of the lighting condition at the exam site and that this matter is being addressed by the exam administrators, Professional Credential Services, Inc. ED Russo will notify Mr. Vaclavik that the Board is addressing this situation.

Richard F. Smith, Jr., PLS (July 20, 2000)
Re: Preparation of Drug Free Zone Maps

This letter from Richard F. Smith, Jr, PLS, addressed to Lewis H. Conley, Jr., PLS, discusses the preparation of Drug Free Zone Maps by land surveyors. The definition of land surveying includes topography. Engineers performing measurement tasks may be practicing topography and, as a result, practicing land surveying. VP Kelly will draft a Board policy statement on this matter for discussion at the October 5, 2000 meeting. Ultimately this policy statement will be sent to all twenty one county prosecutors in the State for enforcement purposes, and be included in the next newsletter.

James D. Kelly, PE, Boswell Engineering (July 7, 2000)
Re: New Jersey Society of Municipal Engineers Publication

The publication was included in the agenda packet for informational purposes and noted for the record.

APPEARANCE - 9:00 AM

Edward Lane, PP, PLS - Stavola Incorporated
Discussion - Setting Monuments

Mr. Edward Lane notified the Board that he will not be appearing at today's meeting. However, he did submit additional information to the Board for it to review in his absence. Lane is the surveyor for the Renaissance Planned Retirement Community in Manchester Twp., Ocean County, NJ, who previously requested the Board's position on the setting of Berntsen markers in the sidewalks of this development. In its July 21, 2000 response to him, the Board concluded that the setting of Berntsen markers would not meet the permanency intent of the Map Filing Law.

Not satisfied with the Board's initial decision in this matter, Mr. Lane sent additional information for the Board to review. The Board reviewed this supplemental information and stated that more documentation was needed from two individuals: First, from R. Thomas Hugg, PLS, of Maser Sosinski & Associates, who prepared the final plat for the subdivision, regarding his original intent on how the required monuments would be set.

And secondly from Mr. William Farrell, Township Engineer, who acted as consultant in this matter, regarding his knowledge of any unique circumstances surrounding the initial planning of the setting of monuments. The Board directed ED Russo to request this additional information.

MOVE TO EXECUTIVE SESSION

On a motion by BM Raimondi, seconded by BM Bogart, the Board unanimously voted to move into Executive Session for the purpose of an investigative inquiry.

RETURN TO PUBLIC SESSION

In accordance with a motion contained in Executive Session minutes, the Board unanimously voted to return to Public Session for the purpose of completing the Public Session agenda.

APPROVAL/DENIAL OF APPLICATIONS FOR LICENSURE

The Board reviewed the September 7, 2000 Examination/Comity Applications Report and voted to approve 10 exam and 68 comity applications, and to deny 1 exam and 31 comity applications. (list attached).

On a motion by BM Bogart, seconded by BM Patel, the Board unanimously voted to accept the September 7, 2000 list of approved/denied applications for licensure.

APPLICATION - FULL BOARD REVIEW

John Legge Jr. - #46757

BM Raimondi reported that Mr. Legge was approved to take the EIT and was denied to take the PE exam since he didn't have four years of Board approved work experience. Since then, Mr. Legge took and passed the EIT in New Jersey and the PE in PA. Mr. Legge has requested New Jersey licensure by comity. He submitted an updated detail statement of experience form and references for the Board to review.

BM Raimondi recommended that, based upon the additional information provided, Mr. Legge be granted license by comity. The Board reviewed and discussed this matter and on a motion by BM Raimondi, seconded BM Bogart, unanimously voted to accept BM Raimondi's recommendation.

ADJOURNMENT

On a motion by BM Frantz, seconded by BM Raimondi, the Board unanimously voted to adjourn at 4:00 pm.

Approved by:

Albert N. Faraldi, PLS
President

Arthur Russo
Executive Director

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Modified March 2002