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Governor

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State Board of Professional Engineers and Land Surveyors
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STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS Minutes of October 1, 2009

Public Session

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by Board President James Purcell 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 Purcell 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 Purcell	Lawrence Koo
	Barry Jones	James Valenti
	Perry Schwartz	Robert Marshall
	James Cleary	Edward Vernick
	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, Yolanda Winston, and one member of the public.

REVIEW OF THE MINUTES

July 16, 2009

After reviewing the minutes of July 16, 2009, the Board, on a motion by BM Cleary, second by BM Marshall, voted to approve the minutes as amended. BM Valenti abstained.

APPEARANCE

Deborah Shane-Held, Regulatory Analyst

Re: S2853 - Mandates professional engineers to complete continuing professional competency requirements during each biennial licensure period.

After reviewing this bill BP Purcell requested that all Board comments be compiled for review at its next meeting. In addition, Ms Shane-Held noted that the Board's next sunset ends on January 26, 2011 and suggested the Board commence meetings to review its regulations. The Board has established a committee to review the regulations and is expected to specifically address the regulations regarding experience requirements for professors, those engineers in construction, and its reinstatement requirements regarding licensees with expired licenses for more than five (5) years, among other requirements.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

ED Russo informed the Board of the retirement of Evelyn Tolbert, making a total of 4 vacant positions, which will not be filled.

VP Jones reported to the Board that the review of the land surveyor questions prepared by PCS for the October 2009 examination, has been completed.

Executive Director Russo stated that BM Koo will be representing the Board at NJIT when it undergoes its accreditation process conducted by ABET.

The results of the continuing education for land surveyors audit from the last renewal period (April 30, 2008), was reviewed by VP Jones. Additional follow-up actions were requested on the part of staff member Lynn Craddock.

INCOMING CORRESPONDENCE

Rafi Weiss, President, OS6, Inc.

August 26, 2009

Re: Whether designs of an engineer can be utilized by another PE.

The Board discussed this matter and concluded to send Mr. Weiss a copy of its regulations and to suggest he seek legal advice regarding the practice of engineering in New Jersey and any other applicable laws.

John Teufel, PE

August 28, 2009

Re: Question about engineering practices in New Jersey.

The Board discussed this matter and Mr. Teufel is to be informed that, based upon the facts presented, it appears to be the practice of engineering. In addition, he will be advised to review the Building Design Services Act.

Brian Quarry, General Contractor
August 18, 2009

Re: Clarification regarding when an Architect or Engineers need to prepare plans.

The Board discussed this matter and Mr. Quarry is to be advised that, based upon the facts presented, there is insufficient information upon which to base a decision. He will also be advised to review the Building Design Services Act.

Vadim Yanover
August 20, 2009

Re: Question regarding exemption for military base projects.

After reviewing this correspondence the Board determined that Mr. Yanover be advised that, based upon the facts presented, if an engineering project is being performed in the State of New Jersey, then it must be undertaken by a professional engineer licensed in New Jersey pursuant to N.J.S.A. 45:8-27. Mr. Yanover will also be advised of the Government exemption codified at N.J.S.A. 45:840(4).

Howard M. Schoor
September 4, 2009

Re: Compliance to Consent Order.

The Board noted that Mr. School returned his personal pocket copies of his professional engineer's and land surveyor's licenses.

This correspondence was noted for the record.

OUTGOING CORRESPONDENCE

Thomas Lee Miller, Jr., PE
September 16, 2009

Re: Approval of PE reinstatement application.

This correspondence was noted for the record.

Richard Bravo, PE
September 16, 2009

Re: Reinstatement application did not appear to demonstrate proficiency examination.

The Board noted this correspondence for the record.

Frederick George Oldenhage, PE
September 16, 2009
Re: Reinstatement application did not appear to demonstrate proficiency -
Exam.

This correspondence was noted for the record.

George Philip Tharisayi, PE
September 16, 2009
Re: Reinstatement application did not appear to demonstrate proficiency
Exam

This correspondence was noted it for the record.

Eric Coffin
September 21, 2009
Re: Roster of Engineers

This correspondence was noted for the record.

NCEES
September 21, 2009
Re: Hosting the 2013 Northeast Zone Meeting

The Board replied to NCEES agreeing to host the 2013 Northeast Zone Meeting.

Robert J. Chankalian
September 22, 2009
Re: Preparation of grading plans by certified landscape architects.

A corrected response to Mr. Chankalian subsequent to the Board's initial response.
This matter will not be sent to the Joint Committee of Professional Engineers and
Architects for review as initially noted.

Richard Gardell
September 22, 2009
Re: Setting of corners

This correspondence was noted for the record.

Evor F. Johns
September 22, 2009

Re: Certificate of Authorization

This correspondence was noted for the record.

Michael Corder
September 22, 2009
Re: Sealed documents

This correspondence was noted for the record.

Nicholas Testa, III
September 21, 2009
Re: Invalidation of Score Results from the April 2009 EIT Examination.

This correspondence which advises Mr. Testa that his score results from the April 2009 engineering-in-training examination were invalidated by the Board since he failed to stop writing at the end of the afternoon session, was noted for the record. Mr. Testa may re-take any subsequent engineering-in-training examination.

Benjamin D. Spears
September 22, 2009
Re: Review of his EIT application #1378492

In this correspondence the Board advised Mr. Spears of the fact that Pensacola Christian College is not a regionally accredited institution, thus making it impossible for the curriculum to be properly evaluated. The evaluation by Educational Perspectives concluded that "...Pensacola Christian College has not undergone any external review process or due diligence as regards their programs in Mechanical Engineering, degrees awarded by this institution cannot be considered substantially equivalent to ABET-accredited degrees." The purpose of accreditation is to compare the institution to an accepted standard. Without such an accreditation, the Board could not determine whether your degree meets the minimum requirements stated in N.J.S.A. 45:8-35.

Further, the Board advised Mr. Spears that he may wish to enroll in an ABET accredited program that may accept transfer of his credits in order to obtain a bachelor's degree acceptable to the Board.

This correspondence was noted for the record.

COMMITTEE REPORTS

a. Standing Committees:

Applications:

No report

Legislation & Regulations Committee:

BM Vernick stated that the NJ Legislature is on recess until after the November 2009 gubernatorial election.

BM Vernick informed the Board of Bill A2858/S1815, that was introduced in the Senate on May 15, 2008. This bill would require that legal action be taken against certain licensed persons within 2 years, thus changing the statute of limitations. This matter will be reviewed by the committee.

Education Committee:

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

<u>SPONSOR</u>	<u>COURSE</u>	<u>PDH</u>
NJ Association for Floodplain Management	2009 Annual Conference	12
Delaware Association of Surveyors, Inc.	History of Land Surveying Measurement Tools, Part 1	4
Delaware Association of Surveyors, Inc.	Professionalism - Pre and Post Licensure	4
Delaware Association of Surveyors, Inc.	Exam Review, Part 1	4
Delaware Association of Surveyors, Inc.	History of Land surveying Measurement Tools , Part 2	4
Delaware Association of Surveyors, Inc.	GPS Basics for Land Surveyors	4
Delaware Association of Surveyors, Inc.	Exam Review Part 2	4
Delaware Association of Surveyors Inc.	Business Writing Worth Reading	4
Delaware Association of Surveyors Inc.	The PLS, DAS and Board - Successful Working Relationship	4
Delaware Association of Surveyors, Inc.	Professional Ethics for the Land Surveyor	4
Delaware Association of Surveyors, Inc.	Elevation Certificates	4
Delaware Association of Surveyors, Inc.	State Plane Coordinates for Survey Applications, Part 2	4

Meetings Committee

No report.

Joint Committee of Architects & Engineers:

BM Schwartz informed the Board that the October meeting was cancelled due to the lack of agenda items.

b. Ad Hoc Committees:

Sunset Regulations:

No report

NCEES 2013 NE Zone Meeting

The Board noted that a response has not yet been received from NCEES to its acceptance to host the Northeast Zone meeting in 2013.

BP Purcell informed the Board that he will attend the NCEES Law Enforcement Committee meeting being held on Saturday, January 30, 2010 in Nashville, TN.

REVIEW OF APPLICATIONS

a. Licensure

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

NAME APPLICATION # PE/EIT DECISION

<u>NAME</u>	<u>APPLICATION #</u>	<u>PE/EIT</u>	<u>DECISION</u>
Ramzy Bibaoui	1408435	Exam	F waived & AIN
Fan Xi	1400483	Comity	Grant License
Mohamed Feteha	1403234	Comity	Grant License
Anna Goldberg	1153228	Comity	Grant License
Anthony Papa	1394297	Comity	Grant License
Charlie Curlin Jr.	1411180	Comity	Grant License
Michael S. Cotton	1396694	Comity	Grant License
Robert Raachini	1414852	PE	F waived & Take P
Jason Lang	1379397	Comity	Grant License
Robert McDowell	1434969	Comity	Grant License
Michael Walsh Jr	1434821	Comity	Grant License
Stephen Hamstra	1434800	Comity	Grant License
Prentice Tyndall Jr.	1417539	Comity	Grant License
Harry Scherzer	1417530	Comity	Grant License
Victor Antonio-Ortega	1415569	Exam	Take F & P
John Nenderfield	1414214	Exam	Take P
Marc Esposito	1413399	Exam	Take P
William Mohan	1396688	Comity	Grant License

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Paul Steinberg	1393561	Comity	Grant License
Jeffrey Schnupp	1407327	Comity	Grant License
David Weightman	1444179	Comity	Grant License
Nathan Turner	1403354	Comity	Grant License
Eugene Slickers	1411938	Exam	Waive F Take P
Pratik Patel	1411153	Exam	Take P
Asmi Doshi	1352002	Exam	Take F
David Fusco	1414227	Exam	Take P
Ayman S. Hammoudeh	1333555	Exam	Take P
Tareq Batarseh	1415391	Exam	Take P
Kristine Yates	1419266	Exam	Take P
Brendan Donnelly	1434819	Exam	Take P
James Carroll	1414007	Exam	Take P
Ramona Litan	1414983	Exam	Take P
Jonathan R. Tardiff	1414987	Exam	Take P
Mansur Masood	1432223	Exam	Take P
Franco DiCroce	1426014	Exam	Take F &P
Robert Zaitooni	1358815	Comity	Grant License
Nusrat Jahn	1442825	Exam	Take F
Mohammed Ullah	1307259	Exam	Take F
Ryan Elkholy	1415483	Exam	Take P
Nicholas Chong	1413420	Exam	Take P

The Board, on a motion by BM Schwartz, second by BM Vernick voted unanimously to request additional information from the following applicants for licensure:

Thomas Marnik	1443217	Comity	AIN
Dominic Cardinale	1419255	Comity	AIN
Joseph Colucci	1444503	Exam	AIN
Albert Prescott	1407753	Exam	AIN
Richard Peterman	1413387	Exam	AIN
Issac Dzigba	1446543	Exam	AIN
Matthew Seckler	1333422	Exam	AIN
Kevin Galbraith	13070735	Exam	AIN
Victor Singh	1411131	Exam	AIN
Stephen Walcott	1316506	Comity	AIN
Kirk Dolly	1414607	Exam	AIN
Jason Snyder	1391262	Comity	AIN
Lilliana Sulca	1418304	Exam	AIN
Masoud Salib	1025858	Comity	AIN
Massimo Mitolo	940904	Exam	AIN
Harvey Tenebaum	1403382	Comity	AIN
Shraddha Dharia	1434930	Comity	AIN
John Mallinckrodt	1448555	Comity	AIN
Jon J. Spiteri	1416071	Comity	AIN
Colm Saunders	1356402	Comity	AIN
Vipin Mehta	1404633	Comity	AIN
Daniel Amate	1419027	Comity	AIN
Niklas Vigener	1407291	Comity	AIN
Ravindra Mehta	1407778	Comity	AIN
Carmen Manning	1409608	Comity	AIN

Charles Discasey	1376019	Comity	AIN
Christopher Klingener	1404657	Comity	AIN

A.I.N. = Additional Information Needed

FULL BOARD REVIEW

Neil O'Connor, PE Comity Applicant #1256690

This application was moved to Executive Session for further discussion.

William R. McShane, PE Comity Applicant #1413407

After discussing this application the Board will advise Mr. McShane that it was only able to verify, thru reference, eight (8) months of original engineering design experience performed under the regular and effective supervision of a professional engineer, from engagement #3.

Mr. McShane will be advised to resubmit his detailed statement of experience to reflect a minimum of four (4) years of engineering experience that the Board determines is consistent with the requirements of N.J.S.A. 45:8-28(b), which was performed under the regular and effective supervision of a licensed professional engineer(s).

Mr. McShane will also be advised to remit additional PE supervisory references, if available, to verify his updated experience.

Enzo Palau, PE Exam Applicant # 1413623

Mr. Palau appeared before the Board to discuss his PE application for licensure via examination. BM Vernick advised Mr. Palau to remit his NJIT transcript upon completion of the design course (foundation design) he is currently taking, and to submit an additional reference to the Board.

REINSTATEMENT APPLICATIONS

John Kwok, PE

The Board reviewed Mr. Kwok's reinstatement application and on a motion by BM Marshall, second by BM Cleary, voted to approve his request for reinstatement of his PE license.

Carl Vincent Hauck

The Board reviewed Mr. Hauck's reinstatement application and on a motion by BM Schwartz, second by BM Vernick, voted to approve his request for reinstatement of his PE license.

Rengachari Srinivasaraghavan

This matter was tabled until the next meeting.

CERTIFICATES OF AUTHORIZATION

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

<p>ID CONSULTING ENGINEERS, LLC 240 Prospect Avenue, Apt. 321 Hackensack, NJ 07601 Application # 1459886</p>	<p>B & G ENGINEERING, INC. 30 Bernard Drive Ewing, NJ 08628 Application #1459883</p>
<p>CLAMPETT INDUSTRIES, LLC 222 Schilling Circle, Ste. 275 Hunt Valley, MD 21031 Application # 1458980</p>	<p>THE KOPF CONSULTING GROUP 3382 Saxony Glen, Ste. 100 Marietta, GA 30066 Application # 1458992</p>
<p>KENNEDY/JENKS CONSULTANTS, INC. 303 Second Street, Ste. 300S San Francisco, CA 94107 Application # 1458641</p>	<p>ACCUMARK, INC. 9500 King Air Court Ashland, VA 23005 Application #1458585</p>
<p>PRIME ENVIRONMENTAL & ENGINEERING, LLC 28 East Hanover Ave. Morris Plains, NJ 07950 Application # 1458536</p>	<p>GOLDSTEIN - MILANO, LLC 125 Main Street Reading, MA 01867 Application # 1458443</p>
<p>ENGINEERING DESIGN & TESTING CORPORATION 1022 ½ State Street Cayce, SC 29033 Application # 1458435</p>	<p>SMMA, INC. 1000 Massachusetts Avenue Cambridge, MA 02138 Application #1458424</p>
<p>MAZZETTI NASH LIPSEY BURCH, INC. 530 Bush Street, Ste. 300 San Francisco, CA 94108 Application # 1456178</p>	<p>FILTRATION SOLUTIONS, INC. 432 Sand Shore Road, Unit 8 Hackettstown, NJ 07840 Application # 1456167</p>
<p>UNIVERSE RESOURCES LLC 45 Julie Court Somerset, NJ 08873 Application # 1456139</p>	<p>C2EM URBAN, LLC 391 Litteton Avenue Newark, NJ 07103 Application #1456119</p>

WB ENGINEERING & CONSULTING, LLC

110 William Street, 14th Fl.
New York, NY 10038
Application # 1455223

INFORMATIONAL/DISCUSSION ITEMS

None

PUBLIC COMMENTS

Charles Blumeling, PE, PLS, commented on the proposed bill requiring professional engineers to take continuing education courses.

MOVE TO EXECUTIVE SESSION

The Board, on a motion by BM Vernick, second by BM Frantz 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 Cleary, the Board unanimously voted to adjourn the meeting at 1:00pm.

APPROVED BY:

James J. Purcell,
President

Arthur Russo
Executive Director