

STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Minutes of October 16, 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 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 Vernick 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

BMs present:

Edward Vernick
Robert Marshall
James Kelly (left at 12:00pm)
Rishi Raj
Pravin Patel
Louis Raimondi
Albert Faraldi
James Valenti
Richard Frantz

BMs absent:

Robert Bogart

Others present:

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

APPEARANCE BY LINDA KELLNER, PCS

The Board discussed the draft version fo the 15 minute New Jersey law examination which PCS had revised. After discussion, the Board advised Ms. Kellner of modifications that should be made to the examination. She will revise the examination accordingly and resubmit it to the Board for final review.

REPORT OF THE EXECUTIVE DIRECTOR

ED Russo informed the Board that the Certificate Award Ceremony would be conducted tonight at the Holiday

Inn, Jamesburg, New Jersey.

The Board's statute and regulations booklet are in the process of being printed. BM Raimondi will assist with revising the sample title block page to be included as an appendix.

The latest Certificate of Authorization Report has been posted to the website. BM Faraldi suggested that the names of the responsible charge individuals be included as well, which the Board staff will investigate. In addition, it was suggested that the report state that the Board office can be contacted to obtain the names of the individuals in responsible charge.

Several Board members suggested that the continuing education form for land surveyors be added to the website and to the Board's statutes and regulations booklet.

Incoming Correspondence

George T. Lucas, II, PLS, PP, Executive Director/ Garden State Land Surveyors Alliance, Inc.
RE: Board Administrative Rules
(September 30, 2003)

Mr. Lucas, on behalf of the GSLSA, submitted a revised version of suggested amendments to N.J.A.C. 13:40-5.1(h).

The Board noted this correspondence for the record, which shall be further addressed when the regulations sunset.

William C. Longo, PE/ Lortech, Inc.
RE: Question relating to a client's use of engineering plans
(September 12, 2003)

Mr. Longo asked whether there are existing statutes dealing with a client's use of engineering plans when payment has not been made.

The Board shall refer Mr. Longo to N.J.A.C. 13:40-8.1 concerning the release of project records.

G.M. Toneatto, Ph.D., PE
RE: Questions related to possible conflicts of interest
(September 29, 2003)

Mr. Toneatto asked whether it was a conflict of interest to receive payment for expert testimony by a plaintiff which is contingent upon the favorable outcome of the case. In addition, he asked whether it would be a conflict to serve as the engineer of record to a planning and zoning board at a time when these entities are considering an application for development of a piece of land in which the engineer has an interest.

The Board refers Mr. Toneatto to N.J.A.C. 13:40-3.1 and also suggests that he consult with legal counsel for other applicable laws.

Kent A.F. Weisert, Esq.
RE: Thomas J. Bravante - Application #888095
(October 1, 2003)

Mr. Weisert requests that his client, Mr. Bravante, appear before the Board do provide further information related to his professional engineering application.

An appearance shall be scheduled for December 4, 2003 at 10:00am.

Information

The following informational items were reviewed and noted by the Board:

Veston W. Bush, Jr., PLS

RE: Correspondence to NCEES President expressing concern of the land surveying profession

Roger B. Tate, PE/ Unified Investigations & Sciences, Inc.

RE: Follow-up report on a previously conducted survey

Township of Manalapan

RE: Resolution Appointing Conflict Engineer

Engineering Examination Services

RE: Examinee statistics for the October 2004 examination

APPLICATIONS FOR FULL BOARD REVIEW

Suli Wang - #951339

Ms. Wang requested a waiver of the requirement for a foreign degree evaluation. She stated that her country, China, will not provide original transcripts to other entities. The Board noted that she has received a masters degree from the University of Cincinnati.

The Board, on a motion by VP Kelly, second by BM Faraldi, unanimously voted to approve a waiver since the University of Cincinnati had accepted her undergraduate degree when she enrolled in the masters program.

Elliot Nir - #953609

Mr. Nir is a comity applicant. The Board stated that Mr. Nir's design experience is not acceptable since it was not performed under the supervision of a professional engineer. However, he may have sufficient engineering experience in fire protection. The Board requests that he provide updated experience forms.

Felix Wang - #950388

The Board stated that Mr. Wang received a BS from the University of Indiana in public affairs and a MS from Virginia Tech in environmental engineering. The Board previously requested, and received, a course work evaluation. After reviewing his undergraduate course work evaluation, the Board concluded that he lacks 4 design credits. However, Mr. Wang requests that the Board accept his masters thesis in satisfaction of the 4 design credits.

The Board, on a motion by BM Patel, second by VP Kelly, unanimously voted to accept Mr. Wang's masters thesis to fulfill the design credits.

CONTINUING EDUCATION

The Board discussed three course submissions from the New Jersey Society of Land Surveyors. The submissions included videos which were of excellent quality. The Board unanimously voted to approve these courses for a total of 8 hours.

APPROVAL/ DENIAL OF LICENSURE AND EXAMINATION APPLICATIONS

The Board, on a motion by BM Patel, second by VP Kelly, unanimously approved the following applications for licensure or examination:



Decision	Name	Application #	Decision	Name	Application #
FLS\PLS	S.EDWARDS	936905	GRANT	M.NORRIS	959464
GRANT	Y.ESSER	962478	GRANT	S. DONELSON	951185
GRANT	P.MOSKAL	969378	GRANT	E.APEL	949348
GRANT	W.SCHNEIDER	891431	GRANT	J.BEASLEY	961973
GRANT	P MOSKIOS	910450	GRANT	S.W.YOO	880385
GRANT	T. TRYTEK	956746	GRANT	M. WOODMAN	937151
GRANT	A.CIANCI	957112	GRANT	W. CURTIS	970368
GRANT	J. HUTZELMAN	930922	GRANT	D. WEILAND	966694
GRANT	S. KLINE	52521	GRANT	M.WARD	965464
GRANT	R.ROSS	933237	GRANT	J. OLIVETO	51143
GRANT	M.JENSEN	963454	TAKE P	A. THAPER	950893
GRANT	K. CHI	947413	TAKE P	J.MELE	917398
GRANT	A. PATEL	961679	TAKE P	G. RATTA	946340
GRANT	B. BECK	962071	TAKE P	W. MITCHELL	947446
GRANT	I. ALEE	917249	TAKE P	S. WELLS	884138

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

Name	Application #	Reason for denial
I.KERITAM	961704	Education
R.BONAPARTE	953042	References
M.CLANTON	954841	Experience
E.NIR	953609	Experience
S. GOODWIN	958955	Experience
G.PULLIAM	947999	Education
R.MARGOLIS	956860	Experience and references
A.TAHA	954788	Education and experience
P.PATON	52313	Experience
J.FRITZ	963363	Education
J. BIXEL	951173	PA. verification

N.LEHMANN	947442	Design experience
L.POL	I 52387	Experience and references
G. BERGER	954905	Experience and references

The Board, on a motion by BM Valenti, second by BM Raimondi, unanimously voted to approve the following Certificates of Authorization:

Ondeo Degremont, Inc.
2924 Emerywood Parkway
Richmond, VA 23294 Fully Independent Residential Solar Technology, Inc.
66 Snyderstown Road
Hopewell, NJ 08525
Jay Shapiro & Associates, Inc.
174 Anderson Hill Road
Bernardsville, NJ 07924 Environmental Risk Limited
120 Mountain Avenue
Bloomfield, CT 06002
KLE Consultants, Inc.
10216 Murty Lane
Philadelphia, PA 19116 Bluepath Telecommunications Engineering, LLC
215 Ridgedale Avenue
Florham Park, NJ 07923
Einhorn Yaffee Prescott Architecture & Engineering of NJ, Inc.
440 Park Avenue South
New York, NY 10016

COMMITTEE REPORTS

Examinations

BM Raimondi informed the Board that, after verifying the information with NCEES, an individual who wishes to take multiple principle and practices examinations (in different examination disciplines) may do so, but cannot be issued multiple PE licenses if successful in passing the exams.

Special Committee Reports

Licensure Promotion Committee

ED Russo, along with BM Raj and Robert Welsh, met with recently appointed Dean Thomas Blake of NJIT to discuss the subject of licensure promotion. BM Raj presented various viewpoints on issues related to this topic including raising the academic standards from a BS degree to a MS degree in engineering to qualify for licensure, and requiring the successful passing of the fundamentals of engineering examination as a prerequisite towards graduation.

A second meeting will be scheduled with Dean Blake to provide him with sufficient time to acclimate himself with his new position. For this meeting the Committee will request that other chairmen of the various engineering departments also be present.

The Board unanimously appointed BM Valenti to join the Licensure Promotion Committee.

Civil Service Committee

BM Marshall stated that the N.J. Department of Transportation has compiled a listing of states which utilize civil service titles with designations utilizing the term "engineer."

This matter will continue to be monitored.

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.

PROVISIONAL ORDERS OF DISCIPLINE ISSUED

The Board approved the following Provisional Orders of Discipline for unlicensed practice issues the time their licenses were expired:

Rafael Rubinstein, PE Joseph A. Mercandante, PE Ronald A. Roberts, PE Douglas O. Dykstra, PLS Robert Serpente, Sr., PE John J. Traynor, III, PE, PLS Laurie E. Becht, PE

ADJOURNMENT

On a motion by BM Frantz, second by BM Faraldi, the Board unanimously voted to adjourn at 3:00 p.m.

Approved by:

Edward Vernick, PE
President

Arthur Russo
Executive Director

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