

**STATE BOARD OF PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS  
Minutes of November 2, 2006  
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.

Present:

Edward Vernick Lawrence Koo  
Michael Angeline Robert Marshall  
James Cleary James Purcell  
Richard Frantz Louis Raimondi James Kelly

Absent: James Valenti

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

**COMMITTEE REPORTS**

Legislation

The Board was advised that a Committee meeting will be set in the near future with regard to the petition for rulemaking.

Regulations

The Board reviewed a proposed fee increase regulation for the Home Inspection Advisory Committee. This increase would allow payment for duplicate licenses, placards and identification cards. The Board, on a motion by BM Frantz, second by BM Kelly, unanimously voted to approve the regulation for publication.

NCEES Representative

A memo was received from NCEES requesting the names of individual Board members who have contributed their time and talent in service to the national organization. If selected for nomination they will receive an award from the National Council. Former Board members Pravin Patel and Lewis Conley were mentioned as potential recipients.

Education

No report.

Finance

No report.

#### Examinations

BM Marshall stated that there were two minor incidents at the West Trenton examination site during the principles and practices portion of the examinations which were resolved.

#### Licensure Promotion Committee

The Board has decided to re-visit various colleges to promote licensure beginning with Rowan University.

#### Website

The Board reviewed its regulations which will be posted on the website. It appears that the titles for each section are incorrect. The Board requested that the titles be corrected.

#### Newsletter

No report.

#### Joint Committee

The next meeting is tentatively scheduled for November 14, 2006.

#### Continuing Education Committee

No report.

#### Application Review Committee

No report.

#### Rulemaking Committee

The Committee of the Board shall be scheduling a meeting to discuss the petition for rulemaking.

### **REPORT OF THE EXECUTIVE DIRECTOR**

#### General Report

ED Russo advises that ECEI is no longer accepting new applications for foreign degree evaluations. ECEI will begin to wind down its current operations and will return all applications to the applicants. As a result, the Board approved another evaluation service provider, the Center for Professional Engineering Education Services (CPEES). CPEES, is located at PO Box 720010, Miami, Florida 33172, and can be reached at (800)464-7650, or [www.cpees.org](http://www.cpees.org).

ED Russo mentioned that the New Jersey Society of Municipal Engineers will be holding their meeting in Atlantic City, NJ.

He also stated that the Board Presidents' Assembly will be held on February 15 thru February 17, 2006 in Atlanta Georgia. BP Vernick and Executive Director Russo were approved to attend.

#### Incoming Correspondence

Edward J. McAvoy, PE/ CE&IC, Inc.  
RE: Engineering Design Documents

(September 29, 2006)

Mr. McAvoy asks whether his company has any recourse if it prepared engineering design documents for a client who hasn't paid them and now another engineering firm is utilizing his designs to obtain a building permit.

The Board will inform Mr. McAvoy to seek legal advice from his attorney.

Sarah Jimenez-Cocchi, Marketing Coordinator/ PPI

RE: October 2006 examinee list rental

(October 17, 2006)

Ms. Jimenez-Cocchi wrote to the Board to determine if a list of the October examinees can be provided in order for her company to solicit business.

The Board will inform her that a list can be provided as long as she complies with all applicable fees.

Deborah Ayars

RE: Foundation Plans for pre-manufactured homes

(October 19, 2006)

Ms. Ayars wrote to the Board with regards to its position on foundation plans for pre-manufactured homes.

The Board referred this matter to the Joint Committee. Additionally, it will request that Ms. Ayars provide additional documentation for the Joint Committee's consideration at its meeting of November 14th.

Lance Kinney, PE, Deputy Executive Director/ Texas Board of Prof. Engineers

RE: Software Engineering

(October 12, 2006)

Mr. Kinney asks if the Board would like to share its thoughts on the idea of creating a software engineering examination and whether the Board would like to participate in creating such an examination to present to NCEES for consideration.

The Board will advise Mr. Kinney that it does not wish to participate at this time and that New Jersey does not license by discipline.

Gerald W. Smith, PE, Doylestown Office Principal/ Pennoni Associates, Inc.

RE: Use of NJ seal

(October 16, 2006)

Mr. Smith asks if it is permissible for an engineer to sign and seal documents related to the raising of an existing residential home by 11 feet to overcome severe flooding.

The Board referred this matter to the Joint Committee for further consideration.

Marc S. Leber

RE: Appointments and conflicts of interest

(October 12, 2006)

Mr. Leber provides various scenarios and requests the Board's determination as to whether they would be considered a conflict of interest in connection with his position with the Planning Board.

The Board will provide a copy of its conflict of interest regulations and further advise Mr. Leber to seek legal advice from the Township attorney.

Edward Koenig, PE  
RE: Electrical engineering projects  
(October 11, 2006)

Mr. Koenig asks the Board if he is permitted to sign and seal projects involving electrical engineering if he feels comfortable with the job even though he specializes in mechanical engineering.

The Board will advise Mr. Koenig that licensees should practice within their area of competence.

Eva-Angela Adan, Director/ CPEES  
RE: Brochures  
(October 9, 2006)

Ms. Adan wrote to Joseph Grabowy providing him with marketing brochures from CPEES.

This correspondence was noted for the record.

William Holzapfel, Esq./ City of Elizabeth  
RE: Request for opinion/determination City of Elizabeth employee  
(May 6, 2005)

Mr. Holzapfel provided a specific scenario and asked the Board if it would constitute a conflict of interest.

The Board will provide him with a copy of its conflict of interest regulations and a complaint form. Further, he may wish to seek legal advice as to other applicable laws.

## REVIEW OF APPLICATIONS

The Board, on a motion by VP Angeline, second by BM Raimondi, unanimously approved the following applications:

NAME	APP #	APP TYPE	DETERMINATION
A. CHYHRYNYUK	1178517	COMITY	GRANT
A. GALLANT	1211155	COMITY	GRANT
A. SHIEHBEIKI	1211290	COMITY	A.I.N.
B. BOMBARA	1189374	COMITY	A.I.N.
B. KELLY	1114514	COMITY	GRANT
B. KING	1211273	COMITY	A.I.N.
B. MILLER	1206057	COMITY	A.I.N.
B. O'CONNORS	1191043	PE\EXAM	TAKE P
C. DIPPOLD	1190978	COMITY	GRANT
C.RUSSO	1217633	COMITY	GRANT
D. USAS	1188818	PE\EXAM	A.I.N.
F. MORRIS	1172556	COMITY	A.I.N.
F. VARANO	1199215	COMITY	GRANT
G. CARTY	1182113	COMITY	GRANT
G. GERMAIN	1189377	COMITY	A.I.N.

G. MIKOLATIES	1188457	COMITY	GRANT
G. SABLE	1197413	COMITY	GRANT
G. SCHROCK	1178421	COMITY	GRANT
G.SODERHOLM	1141542	COMITY	A.I.N.
H. WASSERMAN	1201064	COMITY	GRANT
J. GRIFFIN	1217621	COMITY	A.I.N.
J. HARRIS	1211298	COMITY	GRANT
J. LEHMAN	1103408	COMITY	GRANT
J. MARHOEFER	1186767	COMITY	GRANT
J.CALDWELL	1141587	COMITY	GRANT
J.CAPPUCCIO	1112070	COMITY	GRANT
J.VIVINO	1191653	PE\EXAM	A.I.N.
K. CONROY	1205731	COMITY	A.I.N.
K. WARNER	1182760	COMITY	A.I.N.
K.DAY	1191504	COMITY	GRANT
L. CASINELLI	1133128	COMITY	GRANT
L. LARSON	1204512	COMITY	A.I.N.
L. MCKINNEY	1203886	COMITY	GRANT
M. ABAUN	1189382	COMITY	GRANT
M. BAIG	1191037	PE\EXAM	TAKE P
M. FABIANO	1199497	COMITY	GRANT
P. HILGER	969062	COMITY	GRANT
P. JONHSON	1201965	COMITY	GRANT
R. FOSTER	1197457	COMITY	A.I.N.
R.FIGUERIDO	1207749	COMITY	GRANT
S. COSABOON	1189664	PE\EXAM	TAKE P
S. WHITE	1213877	COMITY	A.I.N.
S.MARKOS	1191015	PE\EXAM	A.I.N.
T. FRASER	1160504	COMITY	A.I.N.
TAM NGUYEN	1155776	COMITY	GRANT
TEDDY YIME	1085406	PE\EXAM	TAKE P
V. NADOT	1112152	PE\EXAM	A.I.N.
W.WEAVER	1207746	COMITY	GRANT
Y. SINHA	1189641	PE\EXAM	TAKE F&P

A.I.N. = Additional Information Needed

## CERTIFICATES OF AUTHORIZATION

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

STRUCTURAL DESIGN GROUP, LTD.  
12 South Summit Avenue, Ste. 110  
Gaithersburg, MD 20877  
Application # 1229852

B&B HI-TECH SOLUTIONS, LLC  
409 Bloomfield Drive., Ste. 3  
West Berlin, NJ 08091  
Application # 1229490

WORKING BUILDINGS, LLC  
4501 Circle 75 Pkwy, Ste. B-2200  
Atlanta, GA 30339  
Application # 1228799

STORMWATER COMPLIANCE SOLUTIONS, LLC  
180 Main Street - P.O. Box 572  
Chester, NJ 07930  
Application # 1228794

CAGLEY & ASSOCIATES, INC.  
6141 Executive Blvd.  
Rockville, MD 20852  
Application # 1228790

EDH ENGINEERING SERVICES, LLC  
446 Burke Road  
Jackson, NJ 08527  
Application # 1230202

POTOMAC-HUDSON ENGINEERING, INC.  
106 Apple St., Ste. 102  
Tinton Falls, NJ 07724  
Application # 1230260

INTENTIONALLY LEFT BLANK

## **INFORMATIONAL ITEMS**

The Board noted the following items:

\* Desiree Talbert, Editor/ NCEES RE: Annual Meeting News Release (Modifications to the Model Rules, not Model Law)

\* Desiree Talbert, Editor/ NCEES RE: NCEES Announces Registered Continuing Education Providers Program

\* Donald L. Hiatte, PE, Chair, Committee on Awards/ NCEES RE: Nominations for NCEES National Awards

## **PUBLIC COMMENTS**

Charles Blumeling stated that he will provide information at the next meeting regarding home inspectors and heating loss calculations.

Mr. Blumeling suggested that ABET accreditation be withheld from engineering schools where less than 60% of professors are licensed as professional engineers.

### **MOVE TO EXECUTIVE SESSION**

On a motion by BM Marshall, second by BM Koo, the Board 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 Frantz, second by BM Marshall, the Board unanimously voted to adjourn the meeting at 1:00pm.

### **APPROVED BY:**

Edward Vernick, PE  
Arthur Russo  
President Executive Director