

**STATE BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
Minutes of December 1, 2005
Public Session**

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by President James 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 Star Ledger, the Camden Press, and the Courier Post.

Present:

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

Absent: None

Others: Arthur Russo, Executive Director, Michelle Albertson, Deputy Attorney General, Joseph Grabowy, Assistant to the Executive Director, Barbara Cook, Managing Executive Director, Alok Jain, and staff members Ernest Gonzalez, Robert Welsh, and Yolanda Winston.

REVIEW OF MINUTES

October 20, 2005

The Board, on a motion by BM Kelly, second by VP Vernick, the Board unanimously voted to approve the minutes of October 20, 2005 as submitted.

REVIEW OF PROPOSED REGULATIONS

Regulatory Analyst, Patricia Schiripo, appeared before the Committee to discuss the comments received in response to the proposed regulations. After reviewing the responses to the comments the Board on a motion by BM Kelly, second by BM Purcell, unanimously voted to withdraw N.J.A.C. 13:40-3.2 (d), (e) and (f). The Board intends to seek comments from all interested parties for possible future rule-making on the issues related to the proposed regulations which have been withdrawn.

On a motion by VP Vernick, second by BM Kelly, the Board voted unanimously to adopt the regulations with the removal of the above sections and addition of the word "professional" in the definition section for land surveyors.

COMMITTEE REPORTS

Legislation

VP Vernick provided the Board with the following data:

S2776 - Requires licensed professional engineer on construction board of appeals members to possess a certified municipal engineer certificate - This bill was introduced and referred to the Senate Community and Urban Affairs Committee on November 10, 2005. A committee hearing is scheduled for December 1, 2005.

Proposed NJDEP amendments to Water Quality Management Plan - A public notice to amend most water quality management plans was published in the October 17, 2005 NJ Register. This is expected to have a significant impact on development in state designated planning areas 3, 4 and 5.

S2761 - Revises the scope of P.L.2004,c.89, expediting certain State permits in smart growth areas - This bill was introduced in the Senate and referred to the Senate Environment Committee on September 26, 2005. The Board, on a motion by VP Vernick, second by BM Frantz, unanimously oppose this bill as it relates to the Board's ability to license, suspend or revoke professional engineers.

Regulations

No report.

NCEES Representative

BM Raimondi expressed his concerns about ABET evaluating only courses and not the entire program of an academic institution.

Education

No report.

Finance

The Board, on a motion by BM Angeline, second by BM Frantz, unanimously voted to approve the billing invoice from the Division of Law for legal services rendered.

Executive Director Russo also stated that Darlene Kane, Budget Analyst, will appear at the Board's January 19, 2006 meeting to discuss its budget.

Examinations

No report.

Licensure Promotion Committee

Robert Welsh advised the Board that the meeting with the College of New Jersey is scheduled for December 8, 2005.

Website

Robert Welsh advised the Board that the agenda for today's meeting was posted timely to its website. In addition, he advised that the minutes of October 6, 2005 and the meeting dates for 2006 have been posted. He also stated that the Certificate of Authorization report, along with the list of continuing education

courses, will be updated shortly.

Newsletter

Joseph Grabowy indicated that a draft newsletter has been submitted by BP Valenti. It will now be edited and returned to the Newsletter Committee for final approval.

Joint Committee

No report.

Continuing Education Committee

No report.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

Executive Director Russo informed the Board that Barry Chalovsky, Chief of the Non-Point Pollution Bureau of DEP, will be appearing before the Board on December 15, 2005 to discuss the issue of septic system certifications.

He also informed the Board that there has been a change to the TOEFL and TSE examinations which now requires the Board to accept a new passing grade as part of the raw score conversion of the IBT (Internet Based Testing) examination. This matter will be further reviewed by the Board.

He stated that all preparations have been finalized for the 2006 examination site at NJIT.

Executive Director Russo mentioned that Board Member manuals will be sent to each Board member.

Executive Director Russo spoke about the cumbersome nature of accepting and printing an applicant's records when submitted by the National Council. BM Raimondi indicated that he would speak with Lee Frick, the NCEES representative familiar with this subject, and request that all applicants applying in New Jersey be required to submit their references and experience history on the Board's forms. However, it was noted that changes to the regulation require use of the Board application.

Incoming Correspondence

Julio Zeballos

RE: ECEI Evaluation

(October 17, 2005)

Mr. Zeballos wrote to the Board about his experience with ECEI in obtaining an evaluation of his foreign undergraduate degree. Further, correspondence from Muriel Zhou of ECEI was discussed regarding the procedures followed in connection with this applicant.

This correspondence was noted for the record.

Aubrey N. Smith

RE: Reciprocity for professional license

(October 24, 2005)

Mr. Smith wrote to the Board inquiring if it recognizes any documents from a UK organization for its requirements for licensure.

The Board will inform Mr. Smith that he must comply with the Board's statutes and regulations for licensure and complete and submit an application for Board review.

James Hoffman/ Engineered Design Group
RE: Advertisement
(November 3, 2005)

Mr. Hoffman submitted a response to the Board's previous request for a Certificate of Authorization.

The Board noted that this company has obtained a Certificate of Authorization.

David W. Leo, PE/ Suburban Consulting Engineers, Inc.
RE: Sealing of Plans and Specifications
(October 26, 2005)

Mr. Leo wrote to the Board requesting clarification on whether items going to bid or that are part of the contract documents are required to be sealed.

The Board will advise Mr. Leo that he must review its statutes and regulations, specifically N.J.A.C. 13:40-1.1, which enumerates all documents which must be signed and sealed.

Outgoing Correspondence

James S. Hsu, Executive Director/ Joint Committee of Architects & Professional Engineers
RE: Interpretation of the Site Plan Rule
(November 2, 2005)

The Board noted this outgoing correspondence for the record.

REVIEW OF APPLICATIONS

The Board, on a motion by BM Kelly, second by VP Vernick, unanimously voted on the following applications:

NAME	APPLICATION #	APPROVED/ADDITIONAL INFORMATION NEEDED
M. FEINBERG	1106042	TAKE P
D. SCHNAUDT	1113876	TAKE P
R. MODI	1104681	GRANT
R. REDPATH	1103425	GRANT
F. KEFLAS	1128338	GRANT
M. PETTINI	1122174	GRANT
M. TOTH	1120736	GRANT
B. OWENS	1130991	GRANT
S. CHIAVARI	1106878	GRANT
B. TURRENS	1119813	DENIED

K. DUCKETT	980469	DENIED
J. LEHMAN	1103408	DENIED
K. CONNELL	1084681	DENIED
A. SMITH	1114664	DENIED
S. BUTLER	1127082	GRANT
Q. DENG	1129755	DENIED
S. BUTLER	1127082	GRANT
A. PATEL	1116806	TAKE F
B.W. LIANG	1075550	TAKE F
X. HAISHENG	985471	GRANT
F. NALON	947481	TAKE F & P

Certificates of Authorization

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

RAYMOND L. GOODSON JR., INC.
5445 La Sierra, #300
Dallas, TX 75231
Application # 1147894

PENNELL LAND SURVEYING, INC.
327 Clems Run
Mullica Hill, NJ 08062
Application #1104045

PENN VALLEY ENGINEERING, LLC
1604 Columbia Avenue
Cinnaminson, NJ 08077
Application #1154109

ENERGY ENGINEERING ASSOCIATES, INC.
6615 Vaught Ranch Road, Ste. 200
Austin, TX 78730-2314
Application #1153761

TEMPLAR TECHNOLOGIES, INC.
% ATA 1621 N. Cedar Crest Blvd., Ste 105
Allentown, PA 18104
Application #1153793

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
333 Baldwin Road
Pittsburgh, PA 15205

Application #1153901

CD ENGINEERS, LLC
3 Ridgley Street
Hackettstown, NJ 07840
Application #1154598

KAPPA ENGINEERING, INC.
1 Maple Avenue, Ste. 2A
Notching, NJ 07857
Application #1154965

ENGINEERED DESIGN GROUP
35 Court Street
Freehold, NJ 07728
Application #1154598

BD ENGINEERING, LLC
72 Crest Drive
Howell, NJ 07731
Application #1155671

FRENCH ENGINEERING, INC.
4201 FM 1960 Rd., West, Ste. 300
Houston, TX 77068
Application #1155686

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DISCUSSION & INFORMATIONAL ITEMS

The following items were noted for the record:

TransAction 2006: 30th Annual NJ State Transportation Conference & Expo

NCEES: RE: Return of examination answer sheets

PENN State - "Engineering Graduates in 2004 Better Prepared Than Graduates of a Decade Earlier"

PUBLIC COMMENTS

None.

MOVE TO EXECUTIVE SESSION

On a motion by BM Kelly, second by BM Angeline, 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 Purcell, the Board unanimously voted to adjourn the meeting at 3:30pm.

APPROVED BY:

James K. Valenti, PE Arthur Russo
President Executive Director