

**STATE BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
Minutes of December 6, 2007
Public Session**

CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by President Michael T. Angeline 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 Angeline 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: Michael Angeline Barry Jones
James Valenti Lawrence Koo
Edward Vernick Robert Marshall
Richard Frantz Perry Schwartz

Absent: James Cleary, James Purcell

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

REVIEW OF MINUTES

September 20, 2007
October 4, 2007
October 18, 2007

The minutes were provided to the Board at the meeting. Accordingly, on a motion by BP Angeline, second by VP Valenti, the Board unanimously voted to table the minutes for review.

APPEARANCE BY JAMES F. GALLAGHER, #50864 (PE COMITY APPLICANT)

Mr. Gallagher appeared before the Board without an attorney to discuss his design experience.

After discussing this matter, the Board on a motion by BM Vernick, second by BM Schwartz, voted to grant his application for licensure.

APPEARANCE BY JONATHAN S. GAMBETTA, #1113468 (PE COMITY APPLICANT)

Mr. Gambetta appeared before the Board without an attorney to discuss his design experience.

After discussing this matter, the Board on a motion by BM Vernick, second by BM Schwartz, voted unanimously that he does not yet meet the Board's requirements.

COMMITTEE REPORTS

Legislation/Regulations

The Board discussed A4595 which would require continuing professional competency for licensed professional engineers.

DAG Albertson advised the Board that she discussed this matter with the regulatory analyst, Patricia Schiripo, and provided comments on behalf of the Board. Further, Ms. Schiripo was present at the meeting and advised the Board that comments were being received with regard to the Board's proposed regulation.

Joint Committee

VP Valenti stated that the Joint Committee met on December 4, 2007 and that it was determined that licensed architects and professional engineers can prepare plans for a retaining wall.

VP Valenti reported that BM Vernick was appointed as Vice-Chair of the Joint Committee.

Licensure Promotion

The Board requested that the visit to Rutgers be scheduled for January/February 2008.

Education

BM Frantz discussed the events leading up to the Japanese attack at Pearl Harbor.

Continuing Education

On a motion by BM Jones, second by BM Schwartz, the Board voted to approve the following land surveying courses:

SPONSOR COURSE PDH COMMENTS

Massachusetts Association of LS and Civil Engineers Advanced Principle & Methods for Boundary Determination 8

Massachusetts Association of LS OSHA 10 Hour Construction Safety Training 10

PESI Real Property Resolving Conflicts of Survey Evidence 7

Garden State Land Surveyors Alliance, Inc. The Land Surveyor's Rule As An Expert Witness in Civil Litigation 8

Garden State Land Surveyors Alliance, Inc. Professional Ethics & Licensing Board Actions for Land Surveyors 8

Garden State Land Surveyors Alliance, Inc. Land Boundary Retracement Practice & Procedure for Land Surveyors 8

Synergis Technologies Inc. AutoCAD Essentials 30

Synergis Technologies Inc. AutoCAD Essentials Civil 3D 36

Synergis Technologies Inc. AutoCAD Civil 3D for Surveyors 12

Synergis Technologies Inc. Autodesk Map 3D 2008 12

Synergis Technologies Inc. Autodesk Map 3D Advanced 12

NBI, Inc., National Business Institute Road and Access Law: Successfully Handling Disputes 7

New York State Association of PLS The Implementation of a One Person Person Survey Operations and Robotics 4

New York State Association of PLS Adverse Possession - Are you the Master Of Your Domain 4

New York State Association of PLS Parcel-Based GIS System Development Concepts 4

New York State Association of PLS Applied Basic Survey Math 4

New York State Association of PLS Stormwater Management 4

New York State Association of PLS Surveying the Nanotechnology Horizon 4

New York State Association of PLS Survey's Handbook on Highway Law 4

New York State Association of PLS Laws and Regulations Governing the Practice of Land Surveying 2

New York State Association of PLS Surveying for Engineering Projects 2

New York State Association of PLS Staying Safe 2

New York State Association of PLS Legal Descriptions and Conveyances 4

New York State Association of PLS Dendrology for Dummies or Tree Identification for Surveyors 4

New York State Association of PLS World Trade Center Recovery Efforts - A Surveyor's Perspective 2

New York State Association of PLS Using and Understanding GPS for Survey Applications 4

New York State Association of PLS Eminent Domain - The State is Taking Power 4

New York State Association of PLS Rural Planning Issues 4

North Carolina Society of Surveyors Certified FloodPlain Surveyor Training 25

Lorman Education Services Eminent Domain Seminar 5.5

Pennsylvania Society of LS OSHA Inspection Process/OSHA Resource 2

Pennsylvania Society of LS Owning Your Own Firm 3.5

Pennsylvania Society of LS Life of Equipment-When to Lease or Purchase New 3.5

Pennsylvania Society of LS State Plane Coordinate Systems 3.5

Pennsylvania Society of LS GPS for the Field Surveyor 3.5

Pennsylvania Society of LS ALTA/ACSM Land Title 3.5

Pennsylvania Society of LS Improving Your Field Procedures 3.5

Pennsylvania Society of LS Introduction to FEMA and the National Flood Insurance Program 3.5

Pennsylvania Society of LS Managing & Marketing a Small Surveying Firm 3.5

Pennsylvania Society of LS How to Create a GIS Using Surveying Data in a Surveying Office Part 1& 2 7

Pennsylvania Society of LS Horizontal Control Survey with GPS 3.5

Pennsylvania Society of LS Horizontal Control Surveys 3.5

Pennsylvania Society of LS Records Research 3.5

Pennsylvania Society of LS FEMA Elevation Certificate 3.5

Pennsylvania Society of LS Surveying Equipment Adjustment 3.5

Pennsylvania Society of LS Business Writing Worth Reading 3.5

Pennsylvania Society of LS Static GPS Post-Processing 3.5

Pennsylvania Society of LS Legal Aspects of Roads 3.5

Pennsylvania Society of LS Surveying Measurement Analysis 3.5

Pennsylvania Society of LS Overview of the US Public Land Survey System 3.5

Pennsylvania Society of LS Contract Basics 3.5

Pennsylvania Society of LS Survey Cost Analysis Part 1 & 2 7

Pennsylvania Society of LS Real-Time Kinematic (RTK) Positioning Theory and Practice 3.5

Pennsylvania Society of LS Easements and Rights of Way 3.5

Pennsylvania Society of LS Unwritten Land Transfers 3.5

Pennsylvania Society of LS Evidence of Boundary Locations 3.5

Pennsylvania Society of LS Liability of Sharing Electronic Information 3.5

Pennsylvania Society of LS Virtual Reference Network - The How's and Why's 3.5

Pennsylvania Society of LS Dendrology & Forest Ecology 3.5

Pennsylvania Society of LS Wetlands Regulations & Permitting and Constructed Wetlands for Stormwater Management 3.5

Pennsylvania Society of LS Condo Law 3.5

New York State Association of PLS Pins, Cushions & the Law 8

New York State Association of PLS Implementing GPS Technology in Your Surveying Projects 8

New York State Association of PLS The Surveyor FEMA & Elevation Certificate 8

New York State Association of PLS NYSAPLS Fall Workshop: OGS - Riparian Littoral Rights & Mean High Water 8

Petition for Rulemaking Committee

No report.

Applications

The Board discussed its prior request for the Board Office to provide a draft letter for review which shall be sent to all applicants whose applications have been inactive for more than two (2) years.

Telecommunications Committee

No report.

REPORT OF THE EXECUTIVE DIRECTOR

The Board reviewed its contract with PCS which shall terminate after completion of the April 2008 exam. A committee was formed to determine the scope of services to be rendered in furtherance of the bidding process.

Incoming Correspondence

Ms. Sally A. Rinker

Re: Whether an Engineering Plan is Still Valid

November 7, 2007

Ms. Rinker advised that the engineer who prepared her plans is deceased and asks whether the plans are still valid. After a review of this matter, the Board voted to advise Ms. Rinker that more information would be required in order for a determination to be made.

John M. Becker, Attorney at Law, Thompson Becker & Bothwell, LLC

Re: Request for Advisory Opinion

November 21, 2007

Mr. Becker asks questions concerning the Professional Service Corporation Act.

After discussing Mr. Becker's letter, the Board voted to advise him that it does not regulate the names of corporations, but that licensees must comply with the Board's advertising regulations.

Joseph J. Feldman, N.J. P.L.S.

Re: Continuing Education Hours

November 13, 2007

Mr. Feldman's letter discusses continuing education credits for local board participation as in State Associations.

The Board voted to refer Mr. Feldman to its statutes and regulations regarding continuing education credits.

Ms. Maria M.

Re: State 's Requirements for Sealing

November 14, 2007

Ms. M. seeks to determine if a seal and/or signature is required when plans are under preliminary review.

The Board voted to refer her to the statutes and regulations regarding the signing and sealing of documents.

Anne Milgram, NJ State, Attorney General

Re: AG's Review Leads to Improvement Plan for 42 Licensing Boards

October 18, 2007

The Attorney General's Office notice addresses the implementation of an action plan to improve the services provided by 42 licensing boards to both licensees and consumers.

This correspondence was noted for the record.

Ralph Pacifico, PE Application #1259978

Re: Request to address the Board

November 13, 2007

Mr. Pacifico has requested an appearance before the Board to explain the references previously submitted in support of his comity application.

After reviewing Mr. Pacifico's letter, the Board requested that he provide an updated detailed statement of experience as well as additional references.

REINSTATEMENT APPLICATIONS

Theodore Persing, P. E.

The Board reviewed the reinstatement application provided by Mr. Persing. The Board, on a motion by BM Schwartz, second by BM Marshall, voted to reinstate Mr. Persing's license provided all other professional licenses are active and he does not have any prior disciplinary actions.

Daniel G. Longo, P. E.

The Board reviewed the reinstatement application provided by Mr. Longo. The Board, on a motion by BM Schwartz, second by BM Vernick, unanimously voted to reinstate Mr. Longo's license.

Richard Thomas Shaw, P. E.

The Board reviewed the reinstatement application provided by Mr. Shaw. The Board voted to request that Mr. Shaw provide additional information to demonstrate proficiency.

Dilip Asudee Kulkarni, P. E.

The Board reviewed the reinstatement application provided by Mr. Kulkarni and on a motion by BM Valenti, second by BM Vernick, voted to request additional information to demonstrate proficiency.

Bennett Lee Hearn, P. E.

The Board reviewed the reinstatement application provided by Mr. Hearn and on a motion by BM Valenti, second by BM Vernick, voted to request additional information to demonstrate proficiency.

Martin Robert Cerza, P. E.

The Board reviewed the reinstatement application provided by Mr. Cerza and on a motion by BM Schwartz, second by BM Marshall, voted to request additional information to demonstrate proficiency.

Ahmad N. Awan, P. E.

The Board reviewed the reinstatement application provided by Mr. Awan and on a motion by BM Marshall, second by BM Vernick, voted to request additional information to demonstrate proficiency.

REVIEW OF APPLICATIONS

The Board, on a motion by BM Vernick, second by BM Valenti, voted unanimously to take action as

follows:

NAME APPLICATION # PE\COMITY DECISION

S. BLUNI 1223822 COMITY GRANT
J. KORCZAK 1282789 COMITY GRANT
P.MILLER 1287946 COMITY GRANT
M. DLUGOSZ 1256698 COMITY GRANT
K. YORK 1260640 COMITY GRANT
E. DEEGAN 1262591 COMITY GRANT
J. HLADSKY 1258264 PE\EXAM TAKE F&P
J. RAI 1282831 COMITY AIN
J. KIMBLE 1286056 COMITY AIN
J. TIBBITTS 1253522 COMITY AIN
J. GAMBETTA 1113468 PE\EXAM AIN
H. TRIPATHI 1260611 PE\EXAM AIN
R. RAY 1262416 PE\EXAM AIN
J.ROBINSON 1280489 COMITY AIN
M. CHAN 1258220 COMITY AIN
L. LARCHE 1183772 COMITY AIN
K. ZIOBRON 1280473 COMITY AIN
B. LIGHT-FOOT 1282809 COMITY AIN
O. JOYNER 1256583 PE\EXAM AIN
B. BUSCH 1273044 COMITY GRANT
N. DEWITTE 1185306 COMITY GRANT
P. JENSON 1249137 COMITY GRANT
P. MALACHOWSKI 1284070 COMITY GRANT
R. MASTEN 1259950 COMITY GRANT
J. MILLER 1291344 COMITY GRANT
L. MCKNIGHT 1282807 COMITY GRANT
R. SCHAFFER 1282822 COMITY GRANT
K. WEINDEL 1282716 COMITY GRANT
J. WHEELER 1260131 COMITY GRANT
J. BOROWSKI 1287895 PE\EXAM TAKE P
J. FREEMAN 1286029 PE\EXAM TAKE P
H. OGBORN 1263980 PE\EXAM TAKE P
G. OLIVIA 1287964 PE\EXAM TAKE P
G. SMITH 1284297 PE\EXAM TAKE P
J. YELISEYEV 1259953 PE\EXAM TAKE P
D. DAVIES 1179101 PE\EXAM TAKE F&P
Y. PATEL 1228441 PE\EXAM TAKE F&P
H. BELLAGAMBA 1197461 COMITY GRANT
P. KROLL 1270282 COMITY GRANT
A. RAMAKRISHNA 1272627 COMITY GRANT
A. CRESSMAN 1270423 COMITY GRANT
I. POLYANSKIY 1254424 COMITY GRANT
M.BELL 1249188 COMITY GRANT
K.STATLER 1284101 COMITY GRANT
D. CHANDA 1287961 COMITY GRANT
M. CASH 1287855 COMITY GRANT
J. LIUZZO 1287848 COMITY GRANT
C. WHEELER 1258167 COMITY GRANT
R.COOPER 1260607 COMITY AIN
M. VINSON 1280492 COMITY AIN

N. CHAO 1272664 COMITY AIN
J. BAUR 1287909 COMITY AIN
P. GALLAGHER 1287904 COMITY AIN
C. HEFFERNAN 1284935 COMITY AIN
GREGORY XIKES 1287896 COMITY AIN
T,EDMUNDS 1256578 COMITY AIN
A. WELLS 1287843 COMITY AIN
R. VAUGHN 1280464 COMITY AIN
G. CHARLES 1272641 COMITY AIN
H. MCKIM 1270506 LS AIN
R. WILSON 1287883 LS AIN
W. SPIEZA 1245862 LS AIN
S. ATKINSON 1285899 COMITY GRANT
R. D'APUZZO 1286023 COMITY GRANT
D. SMITH 1287926 COMITY GRANT
Z.ZHENG 1264129 COMITY GRANT
J. TURNER 1263842 COMITY GRANT
C. BUCHANAN 1264127 COMITY GRANT
J.KOZUR 1270334 COMITY GRANT
J. BURRIS 1270213 COMITY GRANT
S. DAVIDOVITCH 1270143 PE\EXAM TAKE P WAIVE F
F.OLIVERI 1270252 COMITY AIN
Y, WANG 1264174 COMITY AIN
W. MOORE 1251442 COMITY GRANT
R. ST.OURS 1263764 COMITY AIN
T. LAM 1262940 COMITY AIN
HENRY BELLAGAMBA 11197461 COMITY GRANT
DHIRAJ M. CHANDA 1287961 COMITY GRANT

A.I.N. = Additional Information Needed

CERTIFICATES OF AUTHORIZATION

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

DEVITA & ASSOCIATES, INC.
1150 East Washington Street
Greenville, SC 29602
Application # 1300904

LANDTECH CONSULTING, LLC
1275 McGregor Way,
P.O. Box 193
Grawn, MI 49637
Application # 1301020

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SFCS ARCHITECTURE/ENGINEERING OF NEW JERSEY, INC.
305 So. Jefferson Street
Roanoke, VA 24011
Application # 1302230

ALTIERI SEBOR WIEBERNG, INC.

31 Knight Street
Norwalk, CT 06851
Application # 1302348

YELLOW PINE ASSOCIATES, INC.
2300 Kirkwood Highway, 2nd Fl.
Wilmington, DE 19805
Application # 1302486

MARCELLO ENGINEERING GROUP, LLC
3340 S. Lincoln Avenue
Vineland, NJ 08361
Application # 1304012

MCHUGH ENGINEERING ASSOCIATES, INC.
550 Pinetown Road, Ste. 205
Fort Washington, PA 19034
Application # 1304573

INFORMATIONAL/DISCUSSION ITEMS

The Board noted the following for the record:

Debating the Structure of Licensing Article
Additional - Education Debate Continues
NCEES Northeast Zone Update - October 2007
American Society of Civil Engineers (ASCE)

The Board requested that representatives from these companies appear before the Board.

- World Education Services, Inc.
- Josef Silny & Associates, Inc.

PUBLIC COMMENTS

Charles Blumeling, PE, PLS, discussed the need to maintain a record of all continuing education units earned in the event that professional engineers are required to take continuing education courses.

MOVE TO EXECUTIVE SESSION

On a motion by VP Valenti, second by BM Vernick, 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 Schwartz, the Board unanimously voted to adjourn the meeting at 3:00pm.

APPROVED BY:

Michael T. Angeline, PLS Arthur Russo

President

Executive Director