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STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS Minutes of December 15, 2011 Public Session

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CALL TO ORDER

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by Board President, James K. 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

Board 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 Newark Star-Ledger, Trenton Times, the Camden Courier Post, Bergen Record, and the Atlantic City Press.

Present:	James Valenti	Lawrence Koo
	Perry Schwartz	James Purcell
	James Cleary	Richard Smith, Jr.
	Barry Jones	Edward Vernick

Absent: Richard Frantz and Robert Marshall

Others: Joseph Grabowy, Acting Executive Director, Michelle Albertson, Deputy Attorney General, staff members Martha Richardson, Yolanda Winston, and four members of the public; Charles V. Bell, Jr., President - Elect, NJSPLS, William P. Delisky, PE, Director, NJSPE, Charles Blumeling, PE, PLS, GSLSA and Raymond J. Wojcik, Retired PE.

REVIEW OF THE MINUTES

September 15, 2011 - (For information purposes)

The Board noted the September 15, 2011 minutes for the record.

October 20, 2011 - (For information purposes)

The Board noted the October 20, 2011 minutes for the record.

November 17, 2011 - (Review) BM Cleary - Abstained

After reviewing the minutes of November 17, 2011, the Board on a motion by VP Schwartz, second by BM Jones, voted to approve these minutes as amended.

APPEARANCES

Elizabeth Greenblatt, Regulatory Analyst

Ms. Greenblatt appeared before the Board to discuss S2271, which requires the owner of a building advised of structural safety concern discovered during a private inspection to notify the municipal code official and the DCA. It also requires the DCA to schedule an emergency inspection of that municipal dwelling within 24 hours. Failure to provide such report shall be deemed professional misconduct without a hearing before this Board.

The Board agreed that this proposed practice does not comport with how it operates and that it cannot be bound by another Agency. On a motion by BM Purcell, second by BM Vernick, the Board voted to request the removal of the last sentence regarding professional misconduct, quoted in 1(b) of the bill.

REPORT OF THE EXECUTIVE DIRECTOR

General Report

Acting Executive Director, Joseph Grabowy reviewed the Fiscal Year 2011, final budget Report, which was noted for the record. Overall, the Board's finances are in sound fiscal condition.

AED Grabowy informed the Board that NCEES has released the October 2012 score results for the following examinations:

- Fundamentals of Engineering (FE);
- Fundamentals of Land Surveying (FLS);
- Principles of Engineering (PE);
- Principles of Land Surveying (PLS)

A.E.D. Grabowy stated that Metro Scanning continues to scan and index the professional engineers, dual licensees, engineer-in-training, and home inspector licensure files.

An updated Notice regarding continuing professional credits for professional engineers and dual licensees was posted to the Board's website.

The Board reviewed the revised list of NCEES' Appointment of Associate and Emeritus Members, and noted it for the record.

INCOMING CORRESPONDENCE

Charles V. Bell, Jr., PLS
Re: Release of Projects Records - N.J.A.C. 13:40-3.4

The Board discussed this correspondence regarding the release of project records to a client. The Board voted to issue a letter which will be presented at the January 2012 meeting.

Robert Roennigke, PE

Re: Federal Projects - Licensing Exemption - N.J.A.C. 13:40-3.4

The Board reviewed this matter and will advise Mr. Roennigke that the Board does not provide legal advice, and that an exemption from licensure is afforded to officers and employees of the Government of the United States while engaged within this State in the practice of professional engineering or land surveying, for said government, pursuant to N.J.S.A. 45:8-40(4).

Victorino B. Zabat, PE
Re: Request a Waiver of Continuing Education Credit

The Board discussed this correspondence will inform Mr. Zabat that he will be expected to comply with its continuing education requirements and thus, denied his request for a waiver therefrom.

OUTGOING CORRESPONDENCE

James K. McCormick
James I. Meyer
Elizabeth Greenblatt, Esq.
Dr. M. Garlock

The above correspondence was noted for the record.

7. COMMITTEE REPORTS

a. Standing Committees:

I Legislation:

BM Vernick discussed with the Board the following bills:

- A2565 - Revises law relating to title recordation.
- A3929 - Requires certain civil actions against certain licensed persons to be brought within two years.
- A4384 - Revises law concerning certain professional and occupational licenses.

ii Regulations Committee:

Continuing Education Regulations -

The proposed professional engineer continuing education regulation is now in the Office of the Administrative Law, and is expected to be published on January 3, 2012 in the New Jersey Register for public comment.

The Board mentioned that after comments are received for the proposed engineering

regulations, it will begin its review of the land surveyor's continuing education regulations.

iii Education Committee

No report

iv Joint Committee of Architects & Engineer

VP Schwartz reported that the next scheduled Joint Committee meeting is in January 10, 2012.

v Digital signature Committee

No report

vi NCEES and Reports

Tim Miller, PE, Dir., Exam Services
Re: Notice of Changes to future NCEES Examinations and Supporting Material

This correspondence was noted for the record.

Jerry Carter, Exec. Dir.
Re: Funded Delegate Notification for the 2012 Northeast zone Interim Meeting

On a motion by BM Jones, second by VP Schwartz, the Board voted to approve BM Smith to attend as the Funded Delegate at the NCEES 2012 Northeast zone Interim Meeting in Dover, Delaware, which will be held on May 3-5, 2012. BM Purcell indicated that he will also be attending as a representative of the Law Enforcement Committee.

REVIEW OF APPLICATIONS

Licensure:

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

<u>Name</u>	<u>Application #</u>	<u>Comity/Exam.</u>	<u>Decision</u>
Barker, Christopher	1558733	Comity	Grant License
Beeler, Christopher	1582717	Comity	AIN
Benitez, Luis	1612035	Comity	Grant License
Bickerstaff, William	1600108	Comity	Grant License

Brodowski, David	1617192	Comity	AIN
Brooks, Thomas	1602133	Comity	AIN
Catino, Kenneth	1518078	Comity	Grant License
Cholwka, Raymond	1596713	Comity	Grant License
Cotter, Michael	1483901	Comity	AIN
Crazier, Ralph	1603753	Comity	AIN
Crenshaw, James	1584398	Comity	AIN
Donohue, Steven	1575912	Exam.	Take P
Dunn, Ronald	1603269	Exam.	AIN
Faber, Timothy	1580977	Comity	Grant License
Farish, William	1602693	Comity	Grant License
German, Ryan	1571901	Exam.	Take P
Gieda, Brian	1619655	Exam.	Take P
Greeb, Scott	1609578	Comity	Grant License
Gupta, Atul	1588499	Exam.	AIN
Hernandez, Nelson	1602740	Comity	Grant License
Hyman, Lennox	1579556	Exam.	Take P
Iverson, Don	1611031	Comity	Grant License
Jafolla, Andrew	1579625	Exam.	Take P
Kopping, Bradley	1580974	Comity	AIN
Lu, David	1562536	Comity	AIN
Martin, Jonathan	1573258	Comity	Grant License
Mosley, Kyrra	1506846	Exam.	Take P
Muse, Tommy	1584361	Comity	Grant License
Nader, Marwan	1551623	Comity	Grant License
Nealis, Matthew	1541990	Comity	Grant License
Osmundson, Brian	1582811	Comity	Grant License
Peleg, Amnan	1224834	Comity	Grant License
Ramanan, Nagarajan	1479448	Comity	AIN
Refai, Alaaeldin	1388969	Comity	Grant License
Ritchie, Melissa	1551018	Comity	Grant License
Rock, Dennis	1602696	Comity	Grant License
Sandouka, Layth	1609092	Exam.	Take P
Schwartz, Charles	1479461	Comity	AIN
Sotura, Michel	1577089	Comity	AIN
Stafford, Donald	1603677	Comity	Grant License
Stovner, Eric	1604616	Comity	Grant License
Uecke, Steven	1612007	Comity	Grant License
Wedekind, Andrew	1603955	Comity	Grant License
Wilkie, Gregory	1562501	Comity	AIN
Williams, James	1600385	Comity	AIN

AIN: Additional Information Needed.

Full Board Review:

None

Continuing Education Courses:

On a motion by BM Smith, second by BM Cleary, the Board voted to approve the following continuing education courses for Professional Land Surveyors:

<u>Sponsor</u>	<u>Courses</u>	<u>PDH</u>
New Jersey Society of Professional Land Surveyors	Comparative Ethics (Survey 2012 Conference	
New Jersey Society of Professional Land Surveyors	Monumental Surveyors - Surveyors in Monumental Carvings and Surveyors Working on Them	4
New Jersey Society of Professional Land Surveyors	How the States Got Their Shapes or Why a Straight Line is Crooked	4
New Jersey Society of Professional Land Surveyors	The Newest Letter of Map Change: The FEMA eLOMA	4
New Jersey Society of Professional Land Surveyors	What an Amberg Trolley Can Really Do!	4
New Jersey Society of Professional Land Surveyors	You Knew It as TDS Survey Pro	4
New Jersey Society of Professional Land Surveyors	Tax Map Intergration into GIS	4
New Jersey Society of Professional Land Surveyors	GPS 101 A Look at How we Obtain Accurate Positions from the Satellites	4
New Jersey Society of Professional Land Surveyors	GPS 202 - Dealing with Field Conditions to Obtain Accurate Positions	4
New Jersey Society of Professional Land Surveyors	Basic Logic for Land Surveyors and Engineers	4
New Jersey Society of Professional Land Surveyors	Communication Skills for Surveyors and Engineers	4
New Jersey Society of Professional Land Surveyors	Charm School for Professional Engineers and Surveyors	4
New Jersey Society of Professional Land Surveyors	Thinking Beyond Technology	4
New Jersey Society of Professional Land Surveyors	Development of the Horizontal & Vertical Geodetic Datums of the US	4
New Jersey Society of Professional Land Surveyors	The Surveyor's Library: Resources for the Well Read Professional	4
New Jersey Society of Professional Land Surveyors	The Surveyor's Library	4
New Jersey Society of Professional Land Surveyors	Recognizing, Analyzing and Solving Out-LAND-ish Boundaries	8
New Jersey Society of Professional Land Surveyors	Railroad Surveying 101	8
New Jersey Society of Professional Land Surveyors	New Jersey Tidelands Claims	4
New Jersey Society of Professional Land Surveyors	The Interfacing between Land Surveyors and Engineers for Design Projects	4
New Jersey Society of Professional Land Surveyors	The National Geodetic Survey Toolkit: OPUS Improvement and Plans	4
New Jersey Society of Professional Land Surveyors	Analytical Methods in GIS	4
New Jersey Society of Professional Land Surveyors	Uncertainties and Quality Issues in GIS	4
New Jersey Society of Professional Land Surveyors	AutoCAD Civil 3D Survey Essentials	4
New Jersey Society of Professional Land Surveyors	Laser Scanning 101 - Fundamentals and Applications	4
New Jersey Society of Professional Land Surveyors	Proposal Writing - An Art and a Science for the Surveyor & Engineer	4

New Jersey Society of Professional Land Surveyors	Survey Cost Analysis for Surveying & Engineering Projects	4
New Jersey Society of Professional Land Surveyors	NA2011 - Better Positions and Improved Access to the NSRS	4
New Jersey Society of Professional Land Surveyors	Protecting Your Practice - Contracts for Land Surveyors	4
Professional Development Seminars, Inc.	Acreage Boundary Surveys	4
Professional Development Seminars, Inc.	Surveying Ethics	4
Professional Development Seminars, Inc.	FEMA and the Elevation Certificate	4
Professional Development Seminars, Inc.	FEMA's Elevation Certificate and Occupational Safety and Health Concerns	4
Professional Development Seminars, Inc.	GIS for Surveyors	4
Professional Development Seminars, Inc.	GPS Projects	4
Professional Development Seminars, Inc.	Historical Figures of Surveying	4
Professional Development Seminars, Inc.	The History of American Surveying	4
Professional Development Seminars, Inc.	Land Planning for Surveyors & Mappers	4
Professional Development Seminars, Inc.	Legal Descriptions	4
Professional Development Seminars, Inc.	Lot & Block Surveys	4
Professional Development Seminars, Inc.	Surveying Relationships	4
Professional Development Seminars, Inc.	Occupational Safety and Health Concerns related to the Profession of Surveying and Mapping	4
Professional Development Seminars, Inc.	Starting and Operating a Survey Business	4
Professional Development Seminars, Inc.	Surveying Water Bodies and MHWL	4

Reinstatements:

Charles Haskell Gross, PE

The Board reviewed Mr. Gross' request for reinstatement and on a motion by BM Purcell, second by BM Cleary, voted to approve it. In addition, Mr. Gross will be sent an application for a Certificate of Authorization for his company, Charles H. Gross, PE, LLC.

Certificates of Authorizations:

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

HARDESTY & HANOVER HOLDING, LLC 1501 Broadway New York, NY 10036 Application # 1625947	HARDESTY & HANOVER, LLC 1501 Broadway New York, NY 10036 Application # 1625965
HARDESTY & HANOVER CONSTRUCTION SERVICES, LLC 1501 Broadway New York, NY 10036 Application # 1625956	S&C ELECTRIC COMPANY 6601 N. RIDGE BLVD. Philadelphia, PA 19103 Application # 1614525
SUPERSTRUCTURES ENGINEERING + ARCHITECTURE, LLC 32 Avenue of the Americas New York, NY 10013 Application # 1625930	DELL PRODUCT and PROCESS INNOVATION SERVICES CORP One Dell Way MSRR 8-50 Round Rock, TX 78682 Application #1625926
MEYER, BORGMAN and JOHNSON, INC. 12 South 6 th Street, Ste. 810 Minneapolis, MN 55402 Application # 1627624	WENDLER ENGINEERING SERVICES, INC. 698 Timber Creek Road Dixon, IL 61021 Application # 1627628

INFORMATIONAL/DISCUSSION ITEMS

NCEES - Report of Board of Directors Meeting of Nov. 11-12, 2011

This correspondence was noted for the record.

Audit: Record number of licensed NJ accountants are lying about education

This correspondence was noted for the record.

Licensed NJ workers owe state \$13.8M in overdue fines

This correspondence was noted for the record.

PUBLIC COMMENTS

Charles V. Bell, Jr., President - Elect, NJSPLS, spoke about the increasing number of land surveyors completing their studies at NJIT.

Raymond J. Wojcik, Retired PE, spoke about the general lack of Board communication and public notice with its professional engineer licensees regarding its continuing professional competency requirements. He also spoke about the applicability of reciprocity/qualifying continuing education courses with other licensing Boards.

Charles Blumeling, PE, PLS, spoke about digital signatures.

MOVE TO EXECUTIVE SESSION

The Board, on a motion by BM Purcell, second by BM Smith, 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 Jones, the Board unanimously voted to adjourn the meeting at 2:30 pm.

APPROVED BY:

**James K. Valenti
President**

**Joseph P. Grabowy
Acting Executive Director**