



# **State Board of Professional Engineers and Land Surveyors**

**Minutes of December 19, 2002**

## **PUBLIC SESSION**

### **CALL TO ORDER**

The meeting of the State Board of Professional Engineers and Land Surveyors was called to order by President Pravin Patel at 9:00am 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 Patel 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 Courier Post and the Bergen Record.

### **ROLL CALL**

#### **BMs present:**

Louis Raimondi      James Kelly  
Albert Faraldi      James Valenti  
Edward Vernick      Robert Bogart  
Robert Marshall, Jr. Pravin Patel  
Richard Frantz

#### **BMs absent:** Rishi Raj

**Others present:** Arthur Russo, Executive Director, Deputy Attorney General Michelle Albertson, Joseph Grabowy, Ernest Gonzalez,, Yolanda Winston, and Martha Richardson, members of the staff.

### **COMMITTEE REPORTS**

#### **Legislation**

**A2949** - Requires release of bid list prior to bid date - Introduced on October 28, 2002 and referred to the Assembly Housing and Local Government Committee. After a discussion on this matter, the Board unanimously voted that this

issue does not materially affect the Board.

### **Administration**

No report.

### **Examinations**

No report.

### **Education**

BM Frantz requested that Board members inform the Education Committee of any information related to educational matters.

There was no further report.

### **Regulations**

No report.

### **Finance**

BM Faraldi informed the Board that the finances are good.

The Board also noted the NCEES 2001-2002 Fiscal Year Financial Statements for the record.

### **Special Committee Reports**

#### **Newsletter**

ED Russo informed the Board that the 5th edition of the newsletter is in the printing phase.

BM Raimondi stated that he is still finalizing the 6th edition of the newsletter and awaiting a few articles from other Board members.

#### **Joint Committee**

No report.

#### **Website**

No report.

#### **2003 NE Zone Meeting**

BM Raimondi mentioned that events are progressing smoothly in the preparation for this event to be held in Orlando, Florida on April 3, 4 and 5, 2003.

#### **Applications: Revisions & Design Experience**

ED Russo stated that the referenced applications are in the Director's Office awaiting review and approval.

#### **Licensure Promotion Committee**

ED Russo informed the Board that a letter was forwarded to Princeton University requesting that the deans and associate deans discuss with Board representatives ways to improve licensure promotion on a university level.

## **Soil Conservation Committee**

No report.

## **Disciplinary Action Committee**

BM Raimondi stated that the Committee is working on various questions for the examination that will be maintained in a question bank.

## **REPORT OF THE EXECUTIVE DIRECTOR**

### **Incoming Correspondence**

**Warren L. Fisk, PE, PLS, Chair, Committee on Awards/ NCEES**

**RE: Nominations for 2003 NCEES National Awards**

**(December 9, 2002)**

A notice to the Board regarding various nominations for awards and the elimination of some award categories at its 2003 Annual Meeting in Baltimore, Maryland was noted for the record.

**Nihal Bohra/ Parsons, Brinckelhoff, Quade & Douglas**

**RE: Copy of approved/denied list**

**(December 18, 2002)**

Mr. Bohra is requesting a list of the applications that have been approved and denied at the Board's January 4, 2001 meeting.

The Board noted this was a request for records which should be handled.

**Donald C. Meserlian, PE/ Voices of Safety International**

**RE: Eliminating ambiguity in engineering law**

**(December 11, 2002)**

Mr. Meserlian submitted an e-mail to the Board to clarify his previous letter of December 3, 2002 requesting that the word "establishing" be included in N.J.S.A. 45:8-28(e). He appears to have made a topographic survey for a proposed swimming pool location and believes that he should be permitted to do so by virtue of his engineering license.

After a lengthy discussion on this correspondence, the Board, on a motion by BM Faraldi, second by BM Kelly, will inform Mr. Meserlian that only licensed land surveyors may include boundary line and topographic information on plans pursuant to N.J.S.A. 45:8-28(e). Further, the Board disagrees with a proposed change to the statute and further notes that it has no authority to amend a statute.

**Jim Sadley/ State of New Jersey/ Department of Agriculture**

**RE: Soil Conservation District Soil Erosion**

**& Sediment Control Plan and OPRA requests (December 16, 2002)**

Mr. Sadley requests the Board's help in determining whether there are any prohibitions, restrictions or copyright issues related to making copies of Soil Conservation District certified soil erosion & sediment control plans in response to OPRA requests from the public.

After a discussion on this matter, the Board will inform Mr. Sadley that he will need to seek the appropriate advice from his department. However, the Board notes that there is no prohibition in its regulations against copying plans.

**Alan N. Walter, Esq.**

**RE: Fundamentals of Engineering examination  
(December 18, 2002)**

Mr. Walter, a New Jersey licensed attorney, states that he wishes to sit for the Fundamentals of Engineering examination for the sole purpose of taking the patent bar examination. He informs the Board that his undergraduate degree is in mathematics and philosophy. After review of this matter, the Board determined that he must meet the regulatory criteria for taking the examination.

Further, the Board requested that ED Russo contact NCEES to see if it could handle such a request. ED Russo was informed that it will not allow an individual to take the FE examination as a pre-requisite to sit for another examination in an unrelated field. The representative stated that if the individual wishes to take the examination, then he should contact other state boards to determine their requirements.

**Prof. Ir. and Dr. K.S. Kannan/ The Board of Engineers Malaysia**

**RE: Scheduled visit**

**(December 18, 2002)**

Prof. Kannan informed the Board that the Board of Engineers Malaysia is scheduled to visit with the New Jersey Board on March 28, 2003, which the Board noted for the record.

**APPLICATION REVIEW**

**Tariq M. Bashir - #891217**

BM Marshall informed the Board that the applicant received his undergraduate degree from a foreign country and had his transcripts evaluated. Upon review of the evaluation report, the Board noted that Mr. Bashir lacks four credits in basic math and sciences, but has numerous engineering design credits and a graduate degree.

On a motion by BM Marshall, second by VP Vernick, the Board unanimously voted to approve Mr. Bashir's application for licensure by comity.

**Jiwan H. Gandhi - #52049**

President Patel informed the Board that Mr. Gandhi, who is applying for licensure by comity, has been licensed in New York since 1997. Mr. Gandhi received his undergraduate degree in a foreign country. At the time that he applied, ECE was the Board-approved evaluation service. Upon review of his evaluation report, Pres. Patel stated that it did not include a breakdown of the courses taken, only a statement that the applicant's degree is equivalent to a bachelor of science degree in engineering.

The Board will request that Mr. Gandhi submit an evaluation from ECEI for a specific breakdown of his education credits.

**John David Strong - #887170**

President Patel stated that Mr. Strong's application was previously reviewed and the Board requested that he submit a reference form from a professional engineer who directly supervised 2 years of his design experience. James Franz, a professional engineer from Arizona, submitted a completed reference form on behalf of the applicant. Mr. Franz, who practices in Arizona, claims to have supervised John Strong while he was working in New Jersey.

The Board unanimously voted to request that James Franz further clarify how he could effectively supervise the applicant from such a distance. The Board will also request that he sign and seal his response.

**MOVE TO EXECUTIVE SESSION**

On a motion by BM Faraldi, second by BM Frantz, the Board unanimously voted to enter into Executive Session to review the Executive Session Agenda.

## **RETURN TO PUBLIC**

On a motion contained within the Executive Session minutes, the Board unanimously voted to return to Public Session for the purposes of adjourning.

## **ADJOURNMENT**

On a motion by BM Frantz, second by VP Vernick, the Board unanimously voted to adjourn at 12:30 p.m.

## **APPROVED BY:**

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Pravin H. Patel, PE	Arthur Russo
President	Executive Director

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*Posted June 2003*