

662<sup>nd</sup> Session  
Board of Examiners for Professional Engineers and Land Surveyors  
May 11, 2004

The scheduled meeting of May 11, 2004 was held at the Board Office, 165 Capitol Avenue, Room 179 in the State Office Building, Hartford, Connecticut.

Anthony L D'Andrea, Chairman called the meeting to order at 9:45 am.

Attending the meeting were John DeWolf (1) PE, Terry McCarthy (3) PE, Anthony L D'Andrea (4) PELS, Robert L Doane (5) PELS, Rocco V Laraia (8) PM and Leonard Grabowski (9) PM, William O Giel (10) LS, Curtiss B Smith (11) LS, & Robert W Grossenbacher (12) LS.

Absent was John Hallisey (2) PE.

There are two vacancies on the Board.

Mr. Laraia departed at 10:10 am

Mr. DeWolf departed at 10:20 am

Also present were Steven Schwane and Vicky Bullock attorneys for the Department of Consumer Protection, Peter Huntsman from the Attorney General's office and Barbara Syp-Maziarz, Board Administrator.

**Motion made by (8) seconded by (9) to approve the minutes of February 17, 2004 with edits. Motion carried.**

**Motion made by (5) seconded by (12) to approved the minutes of March 9, 2004 with edits. Motion carried.**

**Chairman D'Andrea stated that there was ceremony at the State Capitol for newly licensed engineers that was sponsored by the Connecticut Society of Professional Engineers.**

**CHRO- Applications**  
**None**

**Consumer Protection Legal Department**

**Report from Atty. Vicky Bullock**

**Complaint # 2001-6013 tabled from February 17, 2004 meeting because there was no land surveyor quorum. This complaint was forwarded to an outside party for**

review. The complainant had claimed that in 1983 a survey map was incorrect. Recommendation was to dismiss the complaint.

Motion made by (10) seconded by (9) to dismiss the complaint. Motion carried.

Complaint #2001-3348 & CM- 130- John DeWolf stepped down to review this complaint. The complaint alleged that the calculations were incorrect. A compliance meeting was held and based on the meeting and documentation reviewed; there was a recommendation to dismiss the complaint.

Motion made by (2) seconded by (5) to dismiss the complaint with one abstention (1). Motion carried.

### Report from Atty. Schwane

Atty. Schwane advised the Board that the Board's legislative changes did not pass. Atty. Schwane stated that he would speak with Vanessa Ramierz, who is the new legislative liaison and go over some strategies to have these legislative changes passed and report to the Board.

Complaint #2003-7229- This was a land surveyor complaint regarding a boundary dispute alleging collusion between the land surveyors. Robert Doane stepped down to review this complaint and concurred with Special Investigator Gregory Carver and Atty. Schwane that there was no issue and recommended to dismiss this complaint.

Motion made by (10) and seconded by (11) to dismiss the complaint with one abstention (5). Motion carried.

### A-Correspondence Received

A-1 Memorandum dated April 21, 2004 from John Q Adams, III, PE. Re: Notice of future changes to NCEES Examinations. (Dist. 2)

**For information only, no action required.**

A-2 Memorandum dated April 26, 2004 from Betsy Browne, Executive Director, NCEES. Re: Funded delegate for the 2004 NCEES Annual Meeting. (Dist. 2)

**Chairman D'Andrea stated that he will attend the annual meeting in Cleveland, Ohio.**

### C-Old Business

**Complaint # 2002-3730-** The complaint originally started out against a town engineer and further investigation raised an issue as to whether or not the land surveyor exceeded the authority of his license as a land surveyor by preparing

grading plans by showing topography and proposed grading and drainage for his client. The engineering members of the Board reviewed a draft to the Department of Consumer Protection Legal staff at their April 20, 2004 meeting which recommended a letter of caution to be forwarded to the land surveyor.

Chairman D'Andrea stated that he also wanted the input from the land surveying members of the Board regarding his recommendation of issuing a letter of caution. The letter of caution is to remind the licensee that under current statutes and regulations the preparation of grading and drainage plans by a land surveyor is beyond the scope of his license. Chairman D'Andrea stated that the Board has considered these issues on a case-by-case basis and will continue to do so.

Motion made by (10) seconded by (11) to direct the Atty. Schwane of the Department of Consumer Protection legal staff to draft a letter of caution to the land surveyor referenced in complaint #2002-3730. Motion carried.

### **E-Applications**

The following applications were approved by 1, 3, 4, 5, 8, & 9 except as noted.

#### **Permit CL 1 Exam**

Clermont, Jean F  
Frohock, John R

#### **Approve CL 4 Exam**

Baron, Jeffrey A  
Bonhag, Wayne T  
Brown, John S  
Carter, Mary D  
Dunlap, Mark W  
Gent, Brian T  
Hesselbacher Jr, Kenneth E  
Kholodenko, Ilya  
McCarthy, John R  
McLaren, Michael J  
McNulty-LoPiccolo, Susan M  
Radoyevich, Charles  
Ramsey, Brian L  
Reddick, Christopher

#### **Permit CL 10 Exam**

Dominguez, George

#### **Approve Certificate of Authorization for the Corporate Practice of Engineering**

**Aker Kvaerner Pharmaceuticals, Inc.**  
7909 Parkwood Circle Drive (PEs currently licensed)  
Houston TX 77036

**High Point Consultants, LLC**  
19 Lancelot Drive (PE currently licensed)  
North Haven CT 06473

**Approve Certificate of Authorization for the Joint Practice of Architecture and Professional Engineering**

McKim & Creed-Connecticut LLC  
850 Main Street 8<sup>th</sup> Floor (PE & Architect currently licensed)  
Bridgeport CT 06604

**Reinstatement**

**Ninnie, Eugene D- License lapsed 1/31/96-** Tabled by the Board on 1/20/04 for additional information. (Dist. 2)

**Motion made by (5) seconded by (8) to approve reinstatement. Motion carried**

**G-Other Items**

**Assistant Attorney General Peter Huntsman reviewed the statutes regarding limited liability partnerships (LLP). Atty. Huntsman stated that he was not able to find any mention in the statutes that permits or does not permit ownership interests. Because there is nothing, which explicitly permits or regulates the ownership interests, the conservative interpretation is that all the members of the LLP must be Connecticut licensees.**

**Motion made by (10) and seconded by (12) to adjourn the meeting. Motion carried.**

**Meeting adjourned at 10:40 am**

**The next meeting is scheduled for June 8, 2004.**

Respectfully reviewed by:

Respectfully submitted by:

Anthony L D'Andrea, PELS  
Chairman

Barbara Syp-Maziarz  
Licensing & Applications Specialist

