

686th Session
Board of Examiners for Professional Engineers and Land Surveyors
June 12, 2007

The scheduled meeting of June 12, 2007 was held at the Board Office, 165 Capitol Avenue, Room 117 in the State Office Building, Hartford, Connecticut.

Anthony L D'Andrea, Chairman called the meeting to order at 9:15 am.

Attending the meeting were John DeWolf (1) PE, John Hallisey (2) PE, Terry McCarthy (3) PE Anthony L D'Andrea (4) PELS, Robert L Doane (5) PELS.

Absent was Rocco V Laraia (8) PM.

William O Giel (10) LS and Curtiss B Smith (11) LS and Robert W Grossenbacher (12) were excused due to lack of surveying business

There are three vacancies on the Board.

Also present were Steven Schwane, attorney for the Department of Consumer Protection, Peter Huntsman, Asst. Attorney General and Barbara Syp-Maziarz, Board Administrator.

Guests: Robert Dahn, CALS

Legal Division

Legislative update-Robert Dahn reported that the legislative proposal did not go through due to several factors: (1) Even though both committee chairs were in agreement with the bill, it was not clear, who would introduce the bill. Both chairs were laboring under the assumption that the other one would present the bill, which created a glitch from the beginning that was eventually resolved, where the specific language did not get introduced into the bill. Fortunately, a public hearing was held where the language was inserted into the bill. (2)General Law committee failed to get their bills posted in time, which meant that 10% of their bills did not go anywhere. This meant that we had to amend our legislation to an existing bill that had some sort of generic connection.

Mr. Dahn stated that there are meetings set up for next month, but has a concern that there may be a problem with the language, which no one has stepped up to say.

Mr. Hallisey stated that when he spoke to one of the senators on the general law committee, the senator stated that the language itself never got a public hearing. Even though it was presented at the hearing, it wasn't in the actual bill at the time and without the public hearing on the language, the legislative proposal would not get out of general law.

Mr. Dahn stated that Jerry Padula, the legislative liaison for the department, will join in the early meetings and by doing that, it will help iron out the specific language. Atty. Schwane will also work with Mr. Padula.

A-Correspondence Received

A-1 Memo from NCEES dated 4/30/07. Re: Future changes to NCEES Examinations and Supporting Materials. (Dist. 4)

For information only, no action required.

D-Items

New Policy: The Board established the policy that they will no longer grant the waiver of the Fundamentals of Engineering Exam (FE) regardless of the years of engineering experience. This policy is consistent with the Model Law on the National level.

E-Applications

The following applications were approved by 1, 2, 3, 4 & 5 except as noted.

Permit CL 1 Exam

Keough, Patrick A

Permit CL 1 Exam-Credit Part 1

Durban, Jared M-EIT from RI
Eitel, Christopher P-EIT from MA
Leight IV, Edward M-EIT from NY
Morales, Diega G-EIT from CT
Ozkurt, Ozlen-EIT from NY
Rodriguez, Roberto A-EIT from NY

Transfer from CL 1 to CL 2-Permit CL 2 Exam-Credit Part 1

Nirala, Amodh K-EIT from NY

Permit CL 1 Exam-Credit Part 1 & Part 11-Approve License

Zhao, Xizngjie-EIT from NY PE-CA

Wang, Jian –EIT from NY PE-OH

Permit CL 1A Exam-Waive Part 1

Leavstrom, Clifford E- Tabled from 4/10/07 meeting for discussion regarding waiver of FE Exam.

Motion made by (1) seconded by (2) to deny waiver and transfer application to Class 1-take both parts based on the established policy of the Board, not to grant the waiver of the FE Exam. Motion carried.

Approve CL 4 License

Anundson, Wade T
Ballew, Robert M
Barar, Pirooz
Beliveau, Stephen A
Bentz, Steven P
Black, William B
Bravo, Robert C
Buxton, Cory R
Cahill, Eileen M
Champagne, Robert R
Cullen, Christopher J
Draeger-Kunz, Linda L
Duval, Robert E
Ellinger, Jeffrey L
Fauteux, Rosalie T
Guglielminetti, Nicholas L
Guleria, Arganjan S
Halm, Patrick E
Henry, James H
Hollar, John P
Igo, Michael
Islam, Aamer
Jalil, Edward A
Kelley, Papul L
Kelley, Paul L
Kleyweg Jr., Donald N
Lederman, Erik T
Leitzinger, Michael P
Lopez, Robert A
Malachowski, Paul S
Matuszewski, John S
McCaffery, Kevin A
McCarthy, Gerald F
McClure, Christopher P
McElwain, Jonathan M
Meng, Ronald L

Mitchell III, Thomas E
Mongitore, Donald A
Murine, Timothy R
Myers Jr., Ronald D
Nguyen, Quoc A
Petrosyan, Smbat
Pierce, Rhonda S
Proios, Thomas G
Provencal, Brian J
Scott, Andrew J
Seamer, Bryan G
Smith, Jason D
Solatani, Alan A
Spengler, Tim P
Steiner, Richard R-Reconsideration- Previously denied because there was not verification of taking and passing FE Exam-
Sutyak, Gregory S
Tindal, Jerry R
Wampler, Thomas A
Warren, Kathryn L
Wheeler, Michael H
Wylie, Jeffrey L

Permit CL 9 Exam

Oberg, Robert L (SUNY)

Permit CL 9s Exam

Orfitelli, James R (UConn)

Transfer from CL 9 to CL 10-Permit CL 10 Exam

Rothmann, Jared M (Rochester Institute of Technology)

Approve CL 9 License

Andrews, Meredith L (UConn)
Beaulieu, Christopher S (UConn)
Downing, Jon M (U of Hartford)
Kelly, Trevor A (Fairfield University)
Matte, Ryan T (UConn)
Szymanski, Benjamin T (UConn)

Permit CL 10 Exam

Lacap, Vicente N

Approve Certificate of Authorization for the Corporate Practice of Engineering

Barge Waggoner & Sumner & Cannon, Inc.

211 Commerce Street

Suite 600 (PE# 25670-Robert M Williams currently licensed)

Nashville TN 37201

Bureau Veritas North America, Inc.

11860 West State Rd 84 (PE# 23236-William S Munoz currently licensed)

Fort Lauderdale FL 33325

Corrosion Probe Inc.

12 Industrial Park Rd (PE# 21641-Timothy O Riley currently licensed)

Centerbrook CT 06409

Food Tech Professional Services, LLC

2100 Washington St (PE# 24736-David S Wittliff currently licensed)

Hanover MA 02339

PT&C Forensic Consulting Services, PA Corp

2727 Paces Ferry Rd

Suite 1-1200 (PE#21782-Paul Morris, PE#21882-Dan Holtzman and PE#24091-Ron Cribbs currently licensed)

Atlanta GA 30339

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

The Stellar Architectural & Engineering Group, Inc.

2900 Hartley Road (Architect #9570-Anthony Lamell 33 1/3 % PE# 23040 Lee Robbins 33 1/3% currently licensed in CT)

Jacksonville FL 32257

Reinstatements

Boreshe, Sophie A-PE #16397-Lapsed 1/31/05. Paid appropriate fees, completed new application and provided statement of not signing or sealing in CT. (Dist. 2)

Chelton, Donald J-PE# 15069-Lapsed 1/31/02-Paid appropriate fees, completed new application and listed projects that were signed during lapsed period. (Dist. 2)

Montecillo, Nelson B-License lapsed 1/31/94-Completed new application, paid all appropriate fees and did not sign and seal during lapsed time. (Dist. 2)

Gardner Jr., Roland H- License lapsed 1/31/01- Completed new application, paid all appropriate fees and did not sign and seal during lapsed time. (Dist. 3)

Reconsideration

Approve CL 4 License

Wallen, John A-Denied at 1/23/07 Board meeting for not having a degree in engineering. Revised information from NCEES shows that he completed a BS degree in Civil Technolgy. (Dist. 2)

**Motion made by (2) seconded by (1) to approve. Votes: Aye 2, 3, 4 & 5 Nay: (1)
Motion carried**

F-Complaints

F-1 Docket No. 07-201-Settlement agreement (Dist. 3)

Table for 7/17/07 meeting, due to lack of land surveyor quorum.

F-2 Hearing-Docket 07-402 in the matter of Pool Engineers, LLC (Dist. 2)

The hearing proceeded at 9:50 am in room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT and ended at 10:34 am.

The Board held their deliberations after the hearing and concluded that all allegations were proven. The Board noted that the respondent company performs a good solid business, but unfortunately, the name and description of his company conveys the impression that they offer engineering services, which they do not hold a license to do so.

Motion made by (2) seconded by (5) to move to issue an order of immediate discontinuance pursuant to Connecticut General Statutes, Section 20-307a and 21a-7(2), that all the allegations of the complaint have been proven. Motion carried.

Atty. Huntsman will forward a draft of the Board's decision and options for the Board's review and approval.

**F-3 Hearing-Docket 07-403 in the matter of Innovative Engineered Systems, LLC
a/k/a Innovative Engineered Systems, Inc and Innovative Systems (Dist. 2)**

Atty. Schwane stated that Chairman D'Andrea, on behalf of the Engineering Board signed the administrative complaint to schedule a hearing. This matter was brought to the attention of Commissioner Farrell, who felt that this was an advertising issue, and asked Atty. Schwane to seek under the Unfair Trade Practice Act, an assurance of voluntary compliance. Atty. Schwane stated that the advertising, which was exclusively on the website, was taken down. Atty. Schwane presented the Board an assurance of voluntary compliance signed by Commissioner Farrell, which is an agreement form, where they agree to cease and desist from advertising engineering services and from using the terms and descriptions including engineer, engineering and engineered. Atty. Schwane stated that if the company was to violate this agreement, this can be brought to the Attorney General's office to any institute civil penalties. Therefore, based on this agreement, Atty. Schwane requested the Board to withdraw this complaint.

Motion made by (2) seconded by (3) to withdraw this complaint. Motion carried.

G-Other Items

Atty. Jerry Padula introduced himself as the legislative liaison for the Department of Consumer Protection along with Atty. Jim McCann who is the newest member of our legal division.

Chairman D'Andrea advised Atty. Padula that the Board has been working on getting their legislative changes for the past 10 years, and at today's meeting was advised that there was no public hearing for the language of the bill and asked Atty. Padula to explain why this hearing did not occur.

Mr. Padula stated that when the bill was drafted it was presented and goes through a law review within the office and then reviewed by the Governor's office and the Office of Policy and Management (OPM) who allows the department to introduce legislation. Chairman D'Andrea assumed that the Board's bill was not presented this way in this last session, which Mr. Padula confirmed.

Mr. Padula stated that it is the chairperson's call of the general law committee whether to go forward to a public hearing.

Chairman D'Andrea asked Mr. Padula if the Department would support the bill and help guide the Board through this process, which Mr. Padula stated that he would assist the Board.

Mr. DeWolf stated that this legislative proposal is so significant because our current regulations are so out of date that we are waiting for a disaster to happen before

anyone considers these changes. Mr. DeWolf explained that the Board put in a lot of time and work into developing these changes to match the National Model Law. Mr. DeWolf stated that the Board is disappointed that the Department has not supported the Board in the last 10 years in regards to the Board's proposed legislations.

Chairman D'Andrea concurred with Mr. DeWolf and stated that the Department of "Consumer Protection" should connote a need to listen to the Board. The Board is not making major changes, all the Board wants to do is get the definitions correct and allow us to comply with the National Standards and the Model Law that all the other states are doing, which is basically education.

Mr. Hallisey stated that every time the Board's legislative proposal comes up, the Department doesn't seem to get it into their package, although the Department may support it, it does not get into their bills. Mr. Hallisey requested a copy of the actual legislative proposal so that he may provide a copy to one of the senators on the general law committee, who can review it and become familiar with it. Atty. Schwane will provide the most current revision to Mr. Hallisey.

Mr. Padula stated that he understands that the Board's bill is important and will assist the Board.

Motion made by (1) and seconded by (5) to adjourn the meeting. Motion carried.

Meeting adjourned at 11:40 am

The next meeting for the Board is scheduled for July 17, 2007.

Respectfully reviewed by:

Respectfully submitted by:

Anthony L D'Andrea, P.E. & L.S.
Chairman

Barbara Syp-Maziarz
Licensing & Applications Specialist