

680th Session
Board of Examiners for Professional Engineers and Land Surveyors
August 8, 2006

The scheduled meeting of August 8, 2006 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 9:25 am.

Attending the meeting were John DeWolf (1) PE, John Hallisey (2) PE, Anthony L D'Andrea (4) PELS, Robert L Doane (5) PELS, Rocco V Laraia (8) PM and Robert W Grossenbacher (12).

Absent were: Terry McCarthy (3) PE, William O Giel (10) LS and Curtiss B Smith (11) LS

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.

Mr. Grossenbacher was excused at 10:40 am.

John DeWolf stated that because of all the ethics issues in the state, either the law should be changed not to require public members or that the vacancies of the public members should be filled. Attorney Schwane will present the Board's concern to the commissioner's office and report at the next meeting.

Legal Division

Proposed legislation-Atty. Schwane stated that he spoke to Jerry Padula the department's legislative liaison, and will proceed with the draft that was presented last year. Atty. Schwane advised Mr. Padula that the best way to present the legislative proposal is to set up a meeting with Representative Stone and Senator Colapietro.

Robert Dahn, representative from CALS, stated that he met with Senator Colapietro in June and stated that there was a section that needed clarification that enumerates experience for land surveyors.

Tom Roy, representative from the Connecticut Society of Civil Engineers, stated that he spoke to a couple of representatives regarding this bill, and one concern that was expressed was that Central Connecticut State University, which has a technology program, would prohibit their students from becoming professional engineers. Mr. Roy stated that since this issue may be hang up for the legislative proposal to go forward, it would be beneficial to speak to the various representatives

ahead of time. The Board might consider a grandfathering clause for Central's graduates for a certain period in order to appease the representatives.

Chairman D'Andrea stated that what bothers the Board most is that they have no budget or lobbyist to get this legislative change through, yet this affects all the professionals. Therefore, any help from the societies would be appreciated, since this would be beneficial for everyone, especially to allow the professionals to work in any of the jurisdictions and ultimately would protect the public.

Atty. Schwane spoke with a contact at the State Library in regards to modifying the regulation on the filing of maps, which will be handled by the State Library. There will be meeting for all interested parties in regards to these regulations and Atty. Schwane will advise the Board to the date of this meeting.

AA-Correspondence Received

AA-1- Letter from Richard J Fontanilla dated 7/14/06 regarding his score on the April 2006 exam. (Dist.2)- Tabled from 7/18/06 meeting

The Board administrator will advise Mr. Fontanilla that his score will remain, since the Board is a member of NCEES and does not have the authority to override the passing score reported by NCEES

AA-2- Letter from Wayne T Bonhag dated 7/28/06 Re: Request for additional discipline. (Dist. 2)

The Board stated that Connecticut does not license by discipline specific and under the code of ethics can prepare work under the licensee's education and experience.

C-Old Business

C-1 - F-2 Docket No. 06-929- Hearing (Dist. 3) –Deliberations.

Chairman D'Andrea asked the Board's legal counsel, Asst. Attorney General, Peter Huntsman whether they may begin deliberations since some members of the land surveyor panel were not present at the hearing.

Atty. Huntsman advised the Board, that since all members of the surveying panel were not present for the hearing, they would not be eligible to vote unless they review the transcripts and exhibits. Therefore, those members not present at the hearing would be provided all information prior to the October 10, 2006. The land surveyor panel may then deliberate whether there was a violation within the context of the statutes and regulations, and if the surveyor involved, adhered to the applicable standard of care as required by the regulations and statutes.

D-New Business

D-1 Memo dated 8/1/06 from Atty. Steven Schwane to the Board. Re: NCEES Irregularity Report for the April Examinations (Dist. 2)

The National Council of Examiners for Engineering and Surveying (NCEES) sent the department an Irregularity Report for the April 2006 exam administration. The report indicated that two examinees who were seated at the same table had a high percentage of identical correct and incorrect answers. NCEES requested that the department investigate.

Atty. Schwane contacted both individuals where they both cooperated fully and answered questions under oath. Their answers were consistent with each other and other than the statistical similarity in their answers, Atty. Schwane found no evidence of collusion or copying. In addition, there was no proctor's report of any problems during the exam. Recommendation is for the department to notify NCEES of this finding and have them release the scores of these two candidates.

Motion made by (8) seconded by (5) to accept the recommendation. Motion carried.

E-Applications

The following applications were approved by 1, 2, 4, 5, 8 & 12 except as noted.

Permit CL 1 Exam

Howell, Howard J
Zeng, Hui-pending evaluation by ECEI

Permit CL 1 Exam-Credit Part 1

Abella, Ferdinand P A-EIT from CT
Kilty, Jason W-EIT from MA
Mackey, Jennifer R-EIT from PA
Perez, Edgardo-EIT from NJ
Phelan, Joseph T-EIT from NC
Rivera-Anglero, Orlando-EIT from PR
Sefcik, Joseph R -EIT from NY
Lussier, Donald R-EIT from CT
Pappano, Stacy M-EIT from NY
Robbins Jr., Don R-EIT from VA
Van Heiningen, Kurt T-EIT from VT
Bartels, Marie G-pending EIT from MA
McBurnie, Bernard L-EIT from NY
Pagan-Ortiz, Pedro-EIT from PR

Barnwell, Kenneth C –EIT from AK
Hubbard, Wendy H-EIT from MA
Lee, Da-Cheng-EIT from CT
Vose, Jesse E-EIT from C
Katala, Tshiamala-pending EIT from DE- **Deny- eligible for April 2007**
Oncu-Kerim K-EIT from CT-Tabled from 7/18/06- for update of experience
Akl, Roy-EIT from NY-**Deny- eligible for April 2007 Exam**
Chen, An-EIT from WV –**Deny- eligible for April 2007 Exam**

Permit CL 1A Exam-Waive Part 1

Mitkowski, Kenneth E
Murdoch, Karen- Tabled from 7/18/06 agenda for chronological order)

Permit CL 2 Exam

Germaine, Jeffrey P

Permit CL 2 Credit Part 1

Ma, Jun-EIT from OH –pending evaluation by ECEI (Dist. 2)
Osman, Tamer-EIT from CT
Sumani, Vipin-EIT from TX-pending evaluation by ECEI (Dist. 2)

Permit CL 3 Exam-Waive Part 1

Kagan, Antonia – **Experience does not equate education-Transfer to CL 2-Take Both Parts.**

Macaluso, Joseph J –tabled from 7/18/06 for clarification of education –**Deny –Due to lack of qualifying engineering degree. (Motion made by (1) seconded by (8). Motion carried.**

Mielec, Antonio S-pending certificate of ed from Alameda -**Deny-Based on lack of qualifying education. Motion made by (1) seconded by (8). Motion carried.**

Palomino, Wilfredo –**Transfer to CL 1A- approve**

Schmelter, Thomas M- **Deny- Experience does not equate to an undergraduate engineering degree. Motion to deny (1) seconded by (8). Aye- (1) (4) (5) (8) Nay-(2). Motion carried.**

Approve CL 4 License

Ahmad, Rashid –**Deny-Based on non-engineering degree and not taking and passing**

Bedard, Michael F
Castro, Rafael C
Chiurazzi, Andrew
Danner, Timothy W-**Subject to verification of current license**
Depew, James S
Dougherty, Kathy J
Fellenzer, John D
Foley, Thomas S
Fowler, Gregory S
Glenn, Royal D
Gustin, Harry L
Headd, Michael P
Ju, Sangwook,
Kopcow, Daniel R
Leber, Robert M
Lohman, John S
Longo, Christopher A
Matayas, James P-**Deny-Based on lack of engineering degree**
Meisel, Paul W
Nourzad, John H
Phipps Valerie J
Redford, John R
Riggs, Susan E
Samuel, Joseph M
Williams, John R
Williamson, John P

Permit CL 6 Exam

Abruzzo, John M

Cahill, Frank J-Tabled from 7/18/06 agenda for transcript

Permit CL 6 Exam-Credit Part 1

Cooper, Kenneth J-SIT from CT – **Motion made by (12) seconded by (5) to approve application for the LS exam. Motion carried with one abstention (4)**

Daugard, Jim A-SIT from CO

Permit CL 8 Exam

Jonietz, Adolf H (Reviewed by LS Members)

Permit CL 9 Exam

Bourdeau, Andrew T (UConn)
Carlson, Eric C (UConn)
Caswell, Sheryl L (UConn)
D'Ambrosio, Adam A (Carnegie Mellon)
Dauphinais, Michael R (UConn)
Detroy, David C (UConn)
Hussain, Muhammad A (US Masters-City College)
Lin, Patrick (Cornell)
Marsoli Jr., Robert A (Northeastern)
Mauro, Luke (Rensselaer)
Melo, Antonio S (U of Hartford)

Permit CL 9s Exam

Fahmi, Daniel M (UConn)
Mancini, Joseph S (UConn)
Andrews, Meredith L (UConn)
Phadnis, Aparna N (US Masters-U of Nevada)

Permit CL 8 Exam

Michaud, Christopher R-**Table for transcript**

Approve Certificate of Authorization for the Corporate Practice of Engineering

Celtic Energy, Inc.

202 Lancaster Rd (PE # 18200-Christopher F Halpin currently licensed)
Glastonbury CT 06033

GMA Architects and Engineers, P.C

d/b/a/ GMA Engineers, PC.

60 State Street (PE#16304-Michael J Phillips currently licensed-100% ownership)
Suite 700
Boston MA 02109

Shremshock Engineering Inc.

6130 S Sunbury Road (PE #25141-Reece A Prather PE#-25289-Jeromy T Perry-currently licensed in CT)
Westerville OH 43081

Approve Certificate of Authorization for the Corporate Practice of Land Surveying

Stantec Consulting Services

#200 10160-112 Street (Has LS for CT-Joe Paddock)
Edmonton AB Canada

Approve Certification of Authorization for the Joint Practice of Professional Engineering and Land Surveying

Hrica Associates LLC

82 West Street (PE & LS #18866-Kenneth S Hrica currently licensed-owns 100%)
Litchfield CT 06759

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

Paulus, Sokolowski & Sartor Architecture & Engineering Connecticut PC

67A Mountain Blvd Ext
Warren NJ 07079-

(ARI#-9965-Steven F DeRochi-94 Shares, PE#22818-Joseph J Lifrieri-94 shares, PE#21977-Todd R Heacock-94 shares currently licensed) Total shared 423 which 284 are issued to CT licensed architects and engineers.

Reinstatements

Rodkin, Semyon-License # 18966-License expired 1/31/97-Completed new application, paid appropriate fees and did not sign or seal during lapsed period. (Dist. 2)

Motion made by (1) seconded by (5) to approve reinstatement. Motion carried.

Reconsiderations

Permit CL 3 Exam-Waive Parts I & 11

Harris, Robert T (Dist. 2)-Item was tabled from 7/18/06-

Motion made by (1) seconded by (2) to affirm the Board's prior decision denying the waiver of the Fundamentals of Engineering and the Principles and Practice of Engineering exam based on his undergraduate degree in physics and allow him to sit for both exams. Motion carried with one abstention (5).

Permit CL 1 Exam-Credit Part 1

Maroudas, Nikolaos A-Denied at 7/18/06 meeting because of no engineering degree (Dist. 2)-

Motion made by (1) seconded by (8) to reaffirm Board's prior decision of denying application for PE exam based on lack of engineering degree. Motion carried.

F-Complaints

F-1 Subject 2005-4687 and 2006-1697- Memo from Atty. Steven Schwane to the Board regarding two complaints against a limited liability company. The company uses the term "Engineers" in its name and the company's main business is the installation of swimming pools. The company also advertises that they do dams, retaining walls and waterslides. (Dist. 2) This item was tabled from 7/18/06 agenda.

Attorney Schwane stated that this issue was continued from the July 18, 2006 meeting and since then received a letter from the respondent's attorney. The attorney's position is that the advertising is not misleading to the public, but that the company is willing to cooperate with the department to resolve this matter.

Attorney Schwane stated that from his point of view, that in the use of the name and other parts of the advertisement, it does raise an issue that it may be a violation of Section 20-302 and that the use of the term gives the impression that the person may be an engineer.

Chairman D'Andrea stated that in previous discussions, the use of the term engineering in the advertising text, clearly gives the connotation to the public that what they are offering, which is design services, and should be performed by licensed professional engineers.

Attorney Schwane stated that he will advise the respondent's attorney to the Board's position that that the company is using the term "engineers" improperly and if they reach an impasse, and then the department would proceed to a formal hearing.

Michael Cosmos, a partner of this limited liability company wanted to speak on behalf of his company that they do not do design work. Asst. Attorney General Peter Huntsman and Chairman D'Andrea stated that according to procedure, the Board could not continue to hear this matter, since it may go to a formal hearing.

Motion made by (5) and seconded by (8) to adjourn the meeting. Motion carried.

Meeting adjourned at 12:05 am

The next meeting is scheduled for October 10, 2006.

Respectfully reviewed by:

Respectfully submitted by:

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

Barbara Syp-Maziarz
Licensing & Applications Specialist

