

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

MINUTES OF THE MEETING OF THE BOARD

DATE: 20 October 2004

**PLACE: Department of Administration
1 Capitol Hill 2nd floor, Conference Room B
Providence, RI 02908**

MEMBERS PRESENT: Messieurs: Smith, Bernardo, Moore, Fairbanks, Jr. and Capezza

OTHERS PRESENT: Thomas Palombo, Legal Counsel, and Attorney General

**Sean Fontes, Legal Counsel, Attorney General
Lois Marshall, Administrative Assistant**

CALLED TO ORDER: Chairman Smith called the meeting to order at 12:05 PM to commence Board business.

1:00 P.M. FORMAL HEARING

(C2003-3 John & Jennifer Patrie vs Robert C. Schultz, PE)

Present were: Robert C. Schultz, PE #6107, Robert C. Schultz, Jr., John Patrie, Jennifer Patrie and Attorney John B. Harwood, Attorney Michael E. Sendley, Attorney Richard A. Boren, Attorney Henry Boezi, Attorney Thomas Palombo, Attorney Sean Fontes and A-1 Court Reporters, Inc. (Transcript attached at the end of these minutes)

Secretary Moore was recused from the formal hearing. A motion was made by Mr. Capezza to continue the formal hearing to 9 November 2004 at 9:00AM. Motion seconded by Mr. Fairbanks, Jr. Motion carried.

NEW BUSINESS:

(1) Motion was made by Mr. Capezza to accept the minutes of the 15 September 2004 meeting. Mr. Fairbanks, Jr. seconded the motion. Motion carried.

(2) Motion was made by Secretary Moore to approve and seal the minutes of the Executive Session of 15 September 2004. Mr. Fairbanks, Jr. seconded the motion. Motion carried.

EXECUTIVE SESSION

A motion was made by Vice Chairman Bernardo at 12:30 PM to move into Executive Session pursuant to RI General Laws, Section §42-46(5)(a)(2) for sessions pertaining to collective bargaining or litigation. Secretary Moore seconded the motion. Motion carried.

Vice Chairman Bernardo moved to adjourn from executive session and reconvene to open meeting at 12:49PM pursuant to R.I.G.L. §42-46-4. Motion seconded by Secretary Moore. Motion carried.

A motion was made by Vice Chairman Bernardo at 12:49 PM to reconvene to Open Meeting in accordance with R.I.G.L. § 42-46(5(a)(2) and seal the Minutes of the Executive Session. Secretary Moore seconded the motion. Motion carried.

(3) Nominations for NCEES National Awards

So noted and filed.

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(4) 2005 NCEES Board Presidents Assembly

Chairman Smith will be attending the 2005 NCEES Board Presidents Assembly.

APPLICATIONS;

(5) Mohammad Jafari

The Board interviewed Mr. Jafari and reviewed additional correspondence submitted by him. Mr. Jafari passed the EIT exam in April of 2004 and is requesting that the Board waive the requirement for a copy of his original BS degree from Sharif University in Iran. Secretary Moore made a motion that the Board accepts a copy of his transcripts as equivalent to the BS degree requirement and that the Board issue Mr. Jafari's EIT certificate. Motion seconded by Mr. Fairbanks, Jr. Motion carried.

(6) Garry T. Ferrari

The Board reviewed an additional reference submitted by Mr. Ferrari. A motion was made by Mr. Capezza to register Mr. Ferrari by comity in the Civil discipline. Motion seconded by Secretary Moore. Motion carried.

(7) Philip M. Fusco, PE

The Board reviewed correspondence from Mr. Fusco's physician regarding his medical condition during the time he took the PE exam. Mr. Fairbanks's Jr. made a motion that the Board waives Mr. Fusco's previous failures because he did not have ADA accommodations although a medical condition did exist at the time he took the PE exam. Motion seconded by Secretary Moore. Motion carried.

P.E. COMITY:

Vice Chairman Bernardo made a motion to grant comity to the following individuals in the disciplines specified. Mr. Capezza seconded the motion. Motion carried.

Barry, March T. AR Structural Manos, Jordan T. MD Structural

Clements, Barbara B. AL Structural Muir, Larry S. GA Civil

Cooper, James E. AZ Fire Protection O'Brien, Mark E. MA Mechanical

Dalto, Anthony E. NY Civil Schneider, John M. VA Civil

Drozadek, John M. CA Civil Schwieter, Edward W. OH Civil

Evans, Mark E. OK Mechanical Sullivan, John K. MA Structural

Fusco, Philip M. MA Civil Wheeler, James R. MA Civil

Kohout, Francis J. IL Mechanical Zdinak, Lawrence R. VA Civil

Laramee, Scott T. MD Fire Protection

P.E. COMITY DENIED:

Vice Chairman Bernardo made a motion to deny comity to the following individual due to the fact that Mr. Adams had taken the Professional Engineering exam more than four times. Mr. Capezza seconded the motion. Motion carried.

Adams, Sherman W.

P.E. COMITY DENIED:

Vice Chairman Bernardo made a motion to deny comity to the following individual due to the fact that Mr. Mirabito, Jr. had taken the Traffic Professional Engineering Book II exam which the Board does not recognize. Mr. Capezza seconded the motion. Motion carried.

Mirabito, Jr., John R.

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ENGINEER-IN-TRAINING EXAMINATION:

Vice Chairman Bernardo made a motion to admit the following individuals to the April 2005 Engineering-In-Training examination.

Motion seconded by Mr. Capezza. Motion carried.

Cooper, Sando

Reilly, Nicole M.W.

Snyder, Robert L.

PE EXAMINATION:

Vice Chairman Bernardo made a motion to admit the following individual to the April 2005 Professional Engineering examination.

Motion seconded by Mr. Capezza. Motion carried.

Earls, Eric J.

ENGINEER-IN-TRAINING RECIPROCITY:

Vice Chairman Bernardo made motion to grant E.I.T. comity to the following individual. Mr. Capezza seconded the motion. Motion carried.

Blanchard, Mark A.

C.O.A. APPLICATIONS;

Motion was made by Vice Chairman Bernardo to approve the applications for Certificates of Authorization listed on the October 20, 2004 list for Corporations, COA'S renewing, and Soles as noted in the specific disciplines mentioned with the exception of (5), which were denied. Motions seconded by Secretary Moore. Motion carried.

ADJOURNED:

Chairman Smith informed the Board that the next Board meeting

would be scheduled for 17 November 2004 at 12:00 noon. Motion was made by Vice Chairman Bernardo to adjourn the meeting at 2:03 PM. Motion seconded by Mr. Capezza. Motion carried.

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C. O. A. APPLICATIONS

Board Meeting of 20 October 2004

SOLES PAID COMMENTS

**WILLIAM H. ALLEN - 0 - Approved in Mechanical & Electrical -
10/20/04**

**RONALD GOLAY d/b/a MARATHON ENGINEERING - 0 - Approved in
Mechanical - 10/20/04**

LIMITED LIABILITY COMPANY

**ARDEN ENGINEERING CONSTRUCTORS LLC \$125. Approved in
Mechanical - 10/20/04**

**ASPEN DESIGN GROUP \$125. Approved in Mechanical, Elec., FP -
10/20/04**

**THE BENHAM COMPANIES, LLC \$125. Approved in Mechanical -
10/20/04**

WATERMAN SURVEYING, LLC d/b/a

WATERMAN ENGINEERING CO. \$125. Approved in Civil - 10/20/04

LIMITED LIABILITY PARTNERSHIP

CORPORATIONS

AKAL ENGINEERING INC. - 0 - Approved in Mechanical - 10/20/04

C & S ENGINEERS, INC. \$125. Approved in Civil - 10/20/04

**RICHARD D. KIMBALL CO., INC. \$125. Approved in Mechanical, Elec.
& FP - 10/20/04**

**KOHR'S LONNEMANN HEIL ENGINEERS, P.S.C. \$125. Approved in
Mechanical & Electrical - 10/20/04**

FOR DENIAL - NO RESPONSE TO FINAL NOTICE

EDWARDS & ZUCK , P.C. DENIED - 10/20/04

GENESIS ENGINEERS, INC. DENIED - 10/20/04

MacLeod STRUCTURAL ENGINEERS PA DENIED - 10/20/04

POWER DELIVERY CONSULTANTS, INC. DENIED - 10/20/04

**SHIELD ENVIRONMENTAL ASSOCIATES MIDWEST INC. DENIED -
10/20/04**

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