

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
DIVISION OF DESIGN PROFESSIONALS
1511 PONTIAC AVENUE, BLDG. 68-2
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BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

MINUTES OF THE MEETING OF THE BOARD

DATE: 15 October 2008

**PLACE: Department of Business Regulation
1511 Pontiac Avenue, Building 69, Conference Room
69-1 Cranston, RI 02920**

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

**OTHERS PRESENT: Richard W. Berstein, Esq.
Brian Riggs, Department Budget Administrator
Lois Marshall, Administrative Assistant**

**CALLED TO ORDER: Chairman Smith called the meeting to order
at 12:09 PM to commence Board business.**

(1) NEW BUSINESS:

Secretary Bernardo made a motion to accept the minutes of the 17 September 2008 meeting. Mr. Fairbanks, Jr. seconded the motion. Motion carried. Secretary Bernardo made a motion to approve and seal the minutes of the Executive Sessions of 17 September 2008. Vice Chairman Capezza, Jr. seconded the motion. Motion carried.

(2) EXECUTIVE SESSION

Secretary Bernardo made a motion at 12:23 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 and §42-46-5 (a) (4) for investigative proceedings regarding allegations of civil or criminal misconduct. Vice Chairman Capezza, Jr. seconded the motion. Motion carried.

Mr. Fairbanks, Jr. moved to adjourn from executive session and reconvene to open meeting at 1:27 PM pursuant to R.I.G.L. §42-46(5) (a) (2) and §42-46-5 (a) (4). Vice Chairman Capezza, Jr. seconded the motion. Motion carried. Mr. Fairbanks, Jr. made a motion to seal the Minutes of the Executive Session and to record the votes taken in executive session in accordance with R.I.G.L. § 42-46(5) (a) (2) and §42-46-5 (a) (4) as follows. Mr. Fairbanks, Jr. made a motion to reaffirm in open session the votes that the Board decided to close the following: P2008-10 Gary Stepalavich, Cranston Building Inspector vs. James P. Stroke, PE, P2008-12 Kevin Cleary, PE, LSIT vs.

Innovative Site Design, P2008-17 The Board of Professional Engineers vs Timothy Stasiunas/Advanced Wastewater Technology and to close the complaint and probation period of C2007-5 George Calise Asst. Dep. State Fire Marshal vs. Brian Oatway and to expunge P2008-18. Secretary Bernardo seconded the motion. Motion carried.

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**(3) 2008-2009 NCEES – Northeast Zone Distinguished Service Award
Secretary Bernardo made a motion to nominate and prepare an application for L. Robert Smith for the 2008-2009 Northeast Zone Distinguished Service Award. Chairman Smith abstained. Mr. Fairbanks, Jr. seconded the motion. Motion carried.**

(4) PE and FE Examination Application Fee

There will be no fee collected for the April 2009 PE or FE examinations during the transition period. A fee will be determined at a later date.

(5) ELSE Contract

Chairman Smith informed the Board that the contract with ELSE has

been signed. The contract with ELSE will be starting with the April 2009 examinations and the venue will be Roger Williams University.

(6) Correspondence received regarding Class I Designers – Authority to Design Alternative/ Experimental Systems.

Correspondence was received from Joseph Frisella, PE, PLS and Richard Lipstiz, PLS Chairman opposing Class I designers designing Alternative/Experimental Systems. Mr. Fairbanks, Jr. made a motion to have Vice Chairman Capezza, Jr. send a letter to DEM on behalf of the Board in opposition to DEM's proposed changes. Secretary Bernardo seconded the motion. Motion carried.

(7) Nominations for NCEES National Awards

So noted and filed.

(8) Record Retention Schedule

Attorney Berstein informed the Board that Attorney Savage a DBR legal expert on Record Retention and she will discuss this matter with the Board at their 19 November 2009 meeting.

APPLICATIONS:

(9) Walsh, Mark A.

The Indiana Board provided the Board with additional information requested. Secretary Bernardo made a motion to approve Mr. Walsh in the Civil discipline. Mr. Fairbanks, Jr. seconded the motion. Motion carried.

(10) Jigar R. Shah

Mr. Shah sent the Board additional information regarding his education as requested by the Board. Mr. Fairbanks, Jr. made a motion to approve Mr. Shah in the Civil discipline. Vice Chairman Capezza, Jr. seconded the motion. Motion carried.

(11) David M. Leiffer

The Board asked Mr. Leiffer to clarify his work experience. Mr. Leiffer submitted additional information request by the Board. . Mr. Fairbanks, Jr. made a motion to approve Mr. Leiffer in the Mechanical discipline. Vice Chairman Capezza, Jr. seconded the motion. Motion carried.

(12) Andrew T. Haldane

Additional information requested by the Board was received from the North Carolina Board. Secretary Bernardo made a motion to approved Mr. Haldane in the Civil discipline. Mr. Fairbanks, Jr. seconded the motion. Motion carried.

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(13) Kenneth Tarlow

The Board reviewed Mr. Tarlow's correspondence requesting that the

Board change his discipline from Civil to Structural. The Board's original decision remains unchanged. Secretary Bernardo approved Mr. Tarlow in the Civil discipline again. Vice Capezza, Jr. seconded the motion. Motion carried.

(14) Radoslav Barac

Mr. Barac was denied registration and is asking the Board to reconsider their decision. Chairman Smith will review Mr. Barac's additional information and report his findings to the Board at their next scheduled meeting.

PE COMITY

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

**Andresen, Steven L. VA Mech. Peller, Holger H. ID Elec.
Faulkner, Jeffrey A. MA Civil Sifre, Pedro J. NY Struc.
Haase, Randall C. AR Elec. Theisen, Donald E. OH Civil
Johnson, Richard J. NJ Civil Tisdelle, Marc J. MA Civil
Kaput, Timothy J. OH Elec. Vanderweil, Shelley M. MA Elec.
Landers, Danielle M. DE Civil Verma, Rahul NY Civil**

PE COMITY DENIED

Mr. Fairbanks, Jr. made a motion to deny comity to Mr. Bray because the Board does not recognize Industrial, a Group II exam, as a

discipline. Mr. Fairbanks, Jr. made a motion to deny Mr. Yong-Kyung Shin registration due to the fact that Mr. Shin does not have the equivalent of an ABET/EAC Engineering Degree. Vice Chairman Capezza, Jr. seconded the motions. Motions carried.

Stephen A. Bray

Yong-Kyung Shin

PE EXAMINATION:

Mr. Fairbanks, Jr. made a motion to admit the following individual to the April 2009 Professional Engineering examination. Vice Chairman Capezza, Jr. seconded the motion. Motion carried.

Peter Johnson

C.O.A. APPLICATIONS;

Secretary Bernardo made a motion to approve the applications for Certificates of Authorizations listed on the 15 October 2008 list for Corporations, COA'S renewing, and Soles as noted in the specific disciplines mentioned with the exception of (0), which were denied. Mr. Fairbanks, Jr. seconded the motion. Motion carried.

ADJOURNED:

Chairman Smith informed the Board that the next meeting would be scheduled for 19 November 2008 at 12:00 noon. Vice Chairman Capezza, Jr. made a motion to adjourn the meeting at 1:56 PM. Mr. Duhamel seconded the motion. Motion carried.

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C. O. A. APPLICATIONS

Board Meeting of 15 October 2008

SOLES PAID COMMENTS

RODNEY D. GIBBLE 0 OK CIVIL

ANTHONY ROTONDO, JR 0 OK STRUCTURAL

GRANT E. SIMPSON 0 OK CIVIL

PARTNERSHIP

**A P D ENGINEERING AND ARCHITECTURE \$50 OK RENEW & NAME
CHANGE**

COA#4044 NAME CHANGE FROM A P D ENGINEERING

LIMITED LIABILITY PARTNERSHIP \$50 HOLD ADDITIONAL INFO.

NEEDED

RENEWAL FOR LLP 4 SKIDMORE, OWINGS & MERRILL LLP NEEDS BOARD APPROVAL TO ACQUIRE A LETTER LEGAL EXISTENCE FROM THE SECRETARY OF STATE'S OFFICE

CORPORATIONS

AXYS CONSULTANTS, INC \$125 OK STRUCTURAL

COUNSILMAN/HUNSAKER & ASSOCIATES \$125 OK CIVIL

ENVIRONMENTAL PARTNERS GROUP, INC. \$125 OK ENVIRONMENTAL

HART & HICKMAN, PC \$125 OK ENVIRONMENTAL

MDM TRANSPORTATION CONSULTANTS \$125. OK CIVIL

STRUCTURAL ENGINEERS, P.C. \$125 OK CIVIL

VULCRAFT OF NEW YORK \$125 DISCUSSED DOES NOT NEED COA

CUBELLIS, INC. \$50 OK NAME CHANGE

COA# 5765 NAME CHANGE FROM CUBELLIS ASSOCIATES, INC.

WITHDRAWALS

BENNETT ENGINEERING, INC. WITHDRAW

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