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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE REGISTRATION BOARD FOR PROFESSIONAL
ENGINEERS, LAND SURVEYORS AND GEOLOGISTS**

TIME: 9:33 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

January 10, 2018

1 State Registration Board for Professional
2 Engineers, Land Surveyors and Geologists
3 January 10, 2018
4

5 BOARD MEMBERS:
6

7 Theodore Tesler, PG, President
8 Elizabeth A. Catania, PE, Vice President
9 Kathryn Waters, Deputy Commissioner of Professional
10 and Occupational Affairs
11 Michael F. Brinkash, PLS
12 Ronald Jumper Jr., Public Member
13 Robert Kudlawiec, PE
14 Carol Sides, Public Member
15 Francis J. Stanton Jr., PE
16
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19 BUREAU PERSONNEL:
20

21 Thomas Blackburn, Esquire, Senior Counsel in Charge
22 Ariel O'Malley, Esquire, Board Counsel
23 Mark R. Zogby, Esquire, Board Prosecution Liaison
24 Robert B. Armour, Esquire, Board Prosecutor
25 Jeannie Bronshtein, Board Administrator
26 Amanda Li, Interim Board Administrator
27
28 Kimberly A. Mattis, Director of the Bureau of Finance
29 and Operations
30 Julie Snader, Finance and Operations Manager
31 Kimberly Adams, Chief of Fiscal Management in the
32 Bureau of Finance and Operations
33 Bernard Cordial, Division Chief, Business Licensing
34
35
36

37 ALSO PRESENT:
38

39 Ted Mowatt, Wanner Associates on behalf of PSPE, PLS
40 Gunnar Norback, Applicant
41 Anthony S. Potter, Esquire, Powell Trachtman
42 John Cantwell, Assistant Counsel, PA Department of
43 Environmental Protection
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1 ***

2 State Registration Board for Professional
3 Engineers, Land Surveyors and Geologists
4 January 10, 2018

5 ***

6 The regularly scheduled meeting of the State
7 Registration Board for Professional Engineers, Land
8 Surveyors, and Geologists was held on Wednesday,
9 January 10, 2018. Theodore Tesler, PG, President,
10 called the meeting to order at 9:33 a.m. Roll call
11 was taken. A quorum was noted to be present.

12 ***

13 Approval of Minutes of the November 8, 2017 meeting
14 PRESIDENT TESLER:

15 I'd like to call for approval of the
16 November 8, 2017 Minutes.

17 MR. BRINKASH:

18 So moved.

19 MR. KUDLAWIEC:

20 Second.

21 PRESIDENT TESLER:

22 We have a motion and a second. I open
23 the floor to any discussion for approval
24 of the Minutes. No comments or
25 revisions? No discussion? All those in

1 favor of approving the Minutes, say aye?
2 All opposed? Hearing no opposition, the
3 motion carries and the Minutes are
4 approved.

5 [The motion carried unanimously.]

6 ***

7 Acknowledge Public

8 [President Tesler asked members of the public to
9 introduce themselves.]

10 ***

11 Appointment

12 Bureau of Finance and Operations Budget Presentation
13 [Kimberly A. Mattis, Director of the Bureau of Finance
14 and Operations, introduced Julie Snader, Finance and
15 Operations Manager , and Kimberly Adams, Chief of
16 Fiscal Management ,in the Bureau of Finance and
17 Operations.

18 Board members were referred to the Budget Packet
19 for further discussion and comparison of the licensee
20 counts, revenue from licensees, expenditures,
21 including Board member expenses, as well as budget
22 figures.

23 Deputy Commissioner Kathryn Waters commented that
24 no further positions will be gained throughout BPOA,
25 nor will any be reduced. She stated there are no

1 further changes noted for this Board.]

2 ***

3 Report of Board President - No Report.

4 ***

5 Report of Board Members - No Report.

6 ***

7 Report of BPOA Deputy Commissioner - No Report.

8 ***

9 Report of Board Administrator

10 [Jeannie Bronshtein, new Board Administrator, provided
11 a history of her professional background with the
12 Department of State.]

13 ***

14 Report of Prosecutorial Division

15 [Robert Armour, Esquire, Board Prosecutor, presented
16 Consent Agreements for File No. 14-47-02596, File No.
17 14-47-08756 and File No. 14-47-11876.]

18 ***

19 Report of Board Counsel

20 [Ariel O'Malley, Esquire, new Board Counsel, provided
21 a summary of her professional background.

22 Ms. O'Malley noted one Adjudication and Order for
23 discussion during Executive Session and two hearings
24 scheduled for later in the meeting.]

25 ***

1 Report of Regulatory Counsel

2 [Thomas Blackburn, Esquire, referred to the attached
3 Case Status Report, Status of Regs as well as the
4 proposed seals annex for further discussion. Mr.
5 Blackburn noted the renewal fee increase rulemaking
6 has been finalized as of October 1, 2017, and that
7 regulatory activity with regard to seals was still
8 pending.

9 Mr. Blackburn discussed the revised draft
10 concerning electronic or digital signing and sealing.
11 Mr. Blackburn will prepare a preamble which will offer
12 a further explanation and reach out to the societies
13 to address their concerns.

14 Ted Mowatt, PSLS, PSPE, discussed House Bill
15 1106, which would amend the registration law, define
16 aspects of land surveying and the practice of land
17 surveying. The bill passed the House and was
18 currently in the Senate. Mr. Tesler noted caution
19 with regard to the section concerning the NCES
20 definition of surveying.]

21 ***

22 [Kathryn Waters, Deputy Commissioner, exited the
23 meeting at 10:22 a.m.]

24 ***

25 [Pursuant to Section 708(a)(5) of the Sunshine Act, at

1 10:22 a.m. the Board entered into Executive Session
2 with Ariel O'Malley, Esquire, Board Counsel, for the
3 purpose of conducting quasi-judicial deliberations and
4 attorney/client consultations. The Board returned to
5 open session at 10:58 p.m.]

6 ***

7 [A Formal Hearing was held from 11:08 a.m. until 11:42
8 a.m. In the Commonwealth of Pennsylvania, Department
9 of State, Bureau of Professional and Occupational
10 Affairs vs. George Norback; File No. 17-47-11382,
11 Docket No. 2223-47-17.]

12 ***

13 [A Formal Hearing was held from 11:46 a.m. until 12:17
14 p.m. In the Commonwealth of Pennsylvania, Department
15 of State, Bureau of Professional and Occupational
16 Affairs vs. Robert Sorensen; File No. 17-47-12984,
17 Docket No. 2224-47-17.]

18 ***

19 [The Board recessed from 12:20 p.m. until 12:39 p.m.]

20 ***

21 [Kathryn Waters, Deputy Commissioner, re-entered the
22 meeting at 12:39 p.m. and exited at 12:40 p.m.]

23 ***

24 [Ms. Catania thanked Amanda Li for her service and
25 welcomed Jeannie Bronshtein as the Board

1 Administrator. She reminded Board members that the
2 third week of February 2018 is Engineer's Week with
3 this year's theme being Engineers: Inspiring Wonder.]

4 ***

5 MOTIONS

6 MS. O'MALLEY:

7 The first motion would be for the Board
8 to accept the Consent Agreement in the
9 case at File No. 14-47-02596 noting that
10 Ms. Catania is recused from this matter.

11 PRESIDENT TESLER:

12 Is there a motion? Do I hear a motion?

13 MR. JUMPER:

14 So moved.

15 MR. KUDLAWIEC:

16 Second.

17 PRESIDENT TESLER:

18 We have a motion and a second. Any
19 discussion? All in favor say aye? Any
20 opposed? Hearing none, the motion
21 carries.

22 [The motion carried. Ms. Catania recused from
23 deliberations and voting on the motion. The
24 Respondent's name is Danilo R. Salameda.]

25 ***

1 MS. O'MALLEY:

2 I believe the Board would entertain a
3 motion to accept the Consent Agreements
4 case final disposition of the cases at
5 File No. 14-47-08756 as well as File No.
6 14-47-11876.

7 MS. CATANIA:

8 So moved.

9 MR. STANTON:

10 Second.

11 PRESIDENT TESLER:

12 We have a motion and a second. Any
13 further discussion? All in favor say
14 aye? Any opposed? The motion carries.

15 [The motion carried unanimously. The Respondent's
16 name for File No. 14-47-08756 is Michael Damian Engel,
17 P.E. and the Respondent's name for File No. 14-47-
18 11875 is Robert Vivak Nangia, P.E.]

19 ***

20 MS. O'MALLEY:

21 I believe the Board would entertain a
22 motion to accept the Adjudication and
23 Order In the Matter of Merlyn Jenkins,
24 P.L.S., at File No. 15-47-06756.

25 MR. STANTON:

1 MS. O'MALLEY:

2 And finally, after the informal
3 conference this morning, I believe the
4 Board would entertain a motion to
5 provisionally deny the application of
6 Mr. Matthew Harper.

7 MR. STANTON:

8 So moved.

9 MS. CATANIA:

10 Second.

11 PRESIDENT TESLER:

12 We have a motion and a second. Any
13 further discussion? Hearing none, all
14 in favor say aye? Any dissents?
15 Hearing none, the motion carries.

16 [The motion carried unanimously.]

17 ***

18 Discussion Items

19 [Board members discussed the fact that applicants were
20 being approved to sit for the geology exam without an
21 evaluation of their educational transcripts, which
22 were later found to be deficient.]

23 MS. O'MALLEY:

24 What I would be seeking would be a
25 motion from the Board to grant the Board

1 staff the authority to approve
2 applications upon preliminary review
3 completed by the President to determine
4 that the appropriate education in
5 geology has been founded. Upon showing
6 proof of graduation, staff would be
7 allowed to issue the certificate.

8 MS. CATANIA:

9 I'll offer that motion; however, I would
10 not say the President. I would say the
11 professional geologist member.

12 PRESIDENT TESLER:

13 There's a motion on the table, the
14 amended motion.

15 MR. BRINKASH:

16 Second.

17 PRESIDENT TESLER:

18 We have a motion and a second. All in
19 favor say aye? Any dissent?

20 [The motion passed unanimously.]

21 ***

22 [The Board discussed forming an approving body for
23 geology curriculum programs.]

24 ***

25 Adjournment

1 PRESIDENT TESLER:

2 I'll entertain a motion to adjourn.

3 MR. BRINKASH:

4 So moved.

5 MR. KUDLAWIEC:

6 Second.

7 ***

8 [There being no further business, the State Board of
9 Professional Engineers, Land Surveyors, and Geologists
10 meeting adjourned at 12:53 p.m.]

11 ***

12 [The next meeting is scheduled for March 14, 2018.]

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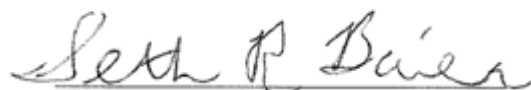
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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Registration Board for Professional Engineers, Land Surveyors and Geologists meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Registration Board for Professional Engineers, Land Surveyors and Geologists meeting.



Seth Baier,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE REGISTRATION BOARD FOR PROFESSIONAL
ENGINEERS, LAND SURVEYORS AND GEOLOGISTS
REFERENCE INDEX
January 10, 2018

TIME	AGENDA
9:33	Official Call to Order/Roll Call
9:34	Approval of Minutes
9:35	Acknowledge Public
9:37	Appointment - Bureau of Finance and Operations Budget Presentation
9:53	Report of Board Administrator
9:54	Report of Prosecutorial Division
10:06	Report of Board Counsel
10:07	Report of Regulatory Counsel
10:22	Executive Session
10:58	Return to Open Session
11:08	Formal Hearing - George Norback
11:46	Formal Hearing - Robert Sorensen
12:20	Recess
12:39	Return to Open Session
12:42	Motions
12:50	Discussion Items
12:53	Adjournment