

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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
MEETING CONDUCTED VIA TELECONFERENCE**

TIME: 12:37 P.M.

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

May 13, 2020

1 State Registration Board for Professional
2 Engineers, Land Surveyors and Geologists
3 May 13, 2020
4
5

6 BOARD MEMBERS:
7

8 Francis J. Stanton Jr., PE, President
9 K. Kalonji Johnson, Acting Commissioner, Bureau of
10 Professional and Occupational Affairs
11 James J. Szalankiewicz, PE, PLS, Vice President
12 Michael F. Brinkash, PLS
13 Ronald N. Jumper Jr., Public Member
14 Robert P. Kudlawiec, PE
15 Joseph T. McNally, PG
16 Carol D. Sides, Public Member
17 Theodore Tesler, PG
18
19

20 BUREAU PERSONNEL:
21

22 C. William Fritz II, Esquire, Board Counsel
23 Glenn P. Masser, Esquire, Board Prosecution Liaison
24 Ray Michalowski, Esquire, Senior Prosecutor
25 Caroline A. Bailey, Esquire, Board Prosecutor
26 Jeannie Bronshtein, Board Administrator
27
28 Andrew LaFratte, MPA, Department of State
29 Marc Farrell, Deputy Policy Director, Department of
30 State
31 Theodore Stauffer, Executive Secretary, Bureau of
32 Professional and Occupational Affairs
33
34

35 ALSO PRESENT:
36

37 Ted Mowatt, Wanner Associates, Pennsylvania Society
38 of Land Surveyors/Pennsylvania Society of
39 Professional Engineers
40 Charles Hartwell, Esquire, present for Respondent
41 John G. Fuehrer II, Pennsylvania Society of Land
42 Surveyors, Chair, Education Committee
43 Jonathan Tabas, PLS, Pennsylvania Society of Land
44 Surveyors
45
46
47
48
49
50

1 ***

2 State Registration Board for Professional
3 Engineers, Land Surveyors, and Geologists

4 May 13, 2020

5 ***

6 The regularly scheduled meeting of the State
7 Registration Board for Professional Engineers, Land
8 Surveyors, and Geologists was held on Wednesday, May
9 13, 2020. Francis J. Stanton Jr., PE, President,
10 called the meeting to order at 12:37 p.m. Roll call
11 was taken.

12 ***

13 Introduction of Audience Members

14 [President Stanton requested the introduction of
15 audience members.]

16 ***

17 Approval of Minutes of the January 8, 2020 meeting

18 PRESIDENT STANTON:

19 I assume members of the Board have
20 reviewed the Minutes. Do we have a
21 motion to accept the Minutes if there's
22 no modifications?

23 Do I have a motion to approve?

24 MR. BRINKASH:

25 So moved.

1 MR. KUDLAWIEC:

2 Second.

3 PRESIDENT STANTON:

4 All in favor say aye. Any nays? Any
5 abstentions? Hearing none, the motion
6 carries.

7 [The motion carried unanimously.]

8 ***

9 Report of Board President - No Report

10 ***

11 Report of Board Members

12 [Michael F. Brinkash, PLS, Board Member, reported that
13 he and Mr. Szalankiewicz recently attended a meeting
14 with Pearson VUE and three subject matter experts
15 concerning the review of exam questions and the
16 content of the exam. Mr. Brinkash indicated, before
17 the COVID crisis hit, the next step was to review the
18 questions prepared by the three subject matter experts
19 for acceptability for insertion into the exams. He
20 thanked Mr. Szalankiewicz for his time and input.]

21 ***

22 [Joseph McNally, PG, Board Member, noted questions had
23 arose by the Pennsylvania Council for Professional
24 Geologists (PCPG) regarding the use of electronic
25 seals. Mr. McNally stated legal counsel prepared a

1 statement to clarify when electronic seals could be
2 used during the statewide emergency proclamation. He
3 thanked everyone who assisted in the distribution of
4 the information.

5 Mr. Fritz noted the regulation to approve
6 electronic seals had been approved by the AG's office
7 and a statement on the website summarizes the
8 permitted uses during the emergency crisis.

9 Mr. McNally indicated the ASBOG meeting scheduled
10 for April 16-18, 2020, was cancelled due to COVID.]

11 ***

12 Public Session

13 [John G. Fuehrer II, Pennsylvania Society of Land
14 Surveyors, Chair, Education Committee, noted, when the
15 testing was cancelled, no further instructions were
16 given. He questioned the next steps in the process
17 under the current circumstances. Mr. Brinkash
18 indicated the testing centers were shut down by order
19 of the Governor. As soon as the order was lifted,
20 Pearson VUE would be able to resume testing.

21 Jeannie Bronshtein, Board Administrator,
22 concurred that the testing centers would remain closed
23 until the Governor lifted the order.

24 It was noted that applications were still being
25 accepted, reviewed, and processed by the

1 administration.]

2

3 Report of Board Administrator

4 [Jeannie Bronshtein, Board Administrator, reported on
5 the closure of the DOS offices since March 16, 2020,
6 and all offices had been teleworking. She reiterated
7 that the applications were still being processed,
8 reviewed, and approved, and all Board business was
9 being conducted via email and virtual meetings.

10 Ms. Bronshtein indicated the test centers remain
11 closed at least through the end of May. Individuals
12 taking computer-based tests (CBTs), who were
13 originally registered to test, can test in another
14 state where test centers are open. She noted the 2020
15 audit had been frozen for the time being. The subject
16 matter experts were still working on questions.

17 Ms. Bronshtein reported this would be Mr.
18 Tesler's last meeting and thanked him for his service
19 to the Board. Other Board members and members of the
20 audience offered their congratulations as well.]

21

22 Report of Acting Commissioner

23 [Theodore Stauffer, Legal Assistant/Executive
24 Secretary, Bureau of Professional and Occupational
25 Affairs, on behalf of K. Kalonji Johnson, Acting

1 Commissioner, Bureau of Professional and Occupational
2 Affairs, indicated Acting Commissioner Johnson may
3 still attend the meeting and would provide a report at
4 that time.]

5

6 Report of Board Prosecution Division

7 [Glenn P. Masser, Esquire, Board Prosecution Liaison,
8 reported that COVID-related matters were being handled
9 first. Other matters were being teleworked, and
10 Consent Agreements were being emailed to Respondents.]

11

12 [Ronald Jumper, Jr., Public Member, exited the meeting
13 at 12:55 p.m.]

14

15 Report of Prosecutorial Division (Continued)

16 [Mr. Masser presented a Consent Agreement for File No.
17 19-47-016665.]

18

19 [Caroline A. Bailey, Esquire, Board Prosecutor,
20 presented a Consent Agreement for File No. 18-47-
21 03763.

22

Charles Hartwell, Esquire, Counsel for
23 Respondent, was also present for the discussion.]

24

25 Report of Board/Regulatory Counsel

1 [C. William Fritz II, Esquire, Board Counsel, noted
2 that Act 41 was currently out to stakeholders for
3 public comment, which would then be reviewed and
4 addressed by the Board at the next meeting.

5 Mr. McNally referred to New York's continuing
6 education requirements and reciprocal licensure for
7 further discussion.

8 He indicated an application would be discussed
9 during Executive Session.

10 Mr. Fritz noted a list of substantially
11 equivalent states for PEs would be forthcoming.]

12 ***

13 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
14 1:17 p.m. the Board entered into Executive Session
15 with C. William Fritz II, Esquire, Board Counsel, for
16 the purpose of conducting quasi-judicial deliberations
17 on matters that are currently pending before the Board
18 as well as receiving advice of Counsel. The Board
19 returned to open session at 2:11 p.m.]

20 ***

21 [K. Kalonji Johnson, Acting Commissioner, Bureau of
22 Professional and Occupational Affairs, entered the
23 meeting during Executive Session.]

24 ***

25 MOTIONS

1 MR. FRITZ:

2 The Board met in Executive Session and
3 conducted quasi-judicial deliberations
4 on the following matters:

5 The Board would entertain a motion
6 to approve the Consent Agreement at Case
7 No. 19-47-016665.

8 MR. BRINKASH:

9 So moved.

10 MR. KUDLAWIEC:

11 Second.

12 PRESIDENT STANTON:

13 All in favor? Any nays? Any
14 abstentions?

15 [The motion carried unanimously. The name of the
16 Respondent is Amy Patricia Cummings, P.E.]

17 ***

18 MR. FRITZ:

19 The Board would entertain a motion to
20 approve the Consent Agreement at Case
21 No. 18-47-03763.

22 MR. BRINKASH:

23 So moved.

24 MR. KUDLAWIEC:

25 Second.

1 PRESIDENT STANTON:

2 All in favor? Any nays? Any
3 abstentions?

4 [The motion carried unanimously. The name of the
5 Respondent is Daniel James Ianello, P.E.]

6 ***

7 MR. FRITZ:

8 The Board would entertain a motion
9 approving the Act 41 Provisional License
10 Application for Bradley Layton.

11 MR. BRINKASH:

12 So moved.

13 MR. KUDLAWIEC:

14 Second.

15 PRESIDENT STANTON:

16 All in favor? Any nays? Any
17 abstentions?

18 [The motion carried unanimously.]

19 ***

20 Adjournment

21 PRESIDENT STANTON:

22 That concludes the business for the
23 Board today. The next meeting is
24 meeting is July 8, 2020.

25 Motion to adjourn the meeting?

1 MR. BRINKASH:

2 So moved.

3 MR. KUDLAWIEC:

4 Second.

5 ***

6 New Business

7 [Mr. Tesler noted there had been discussion regarding
8 potentially reducing the continuing education credits
9 for this coming renewal cycle. It was noted the
10 matter would further be discussed at the next Board
11 meeting.]

12 ***

13 Adjournment (Continued)

14 PRESIDENT STANTON:

15 Motion to adjourn?

16 ACTING COMMISSIONER:

17 So moved.

18 [There was no second to the motion.]

19 ***

20 [There being no further business, the State Board of
21 Professional Engineers, Land Surveyors, and Geologists
22 Meeting adjourned at 2:17 p.m.]

23 ***

24

25

CERTIFICATE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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.



Alicia Gascoigne,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

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

May 13, 2020

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9		
10	12:37	Official Call to Order
11		
12	12:38	Roll Call/Introduction of Audience
13		Members
14		
15	12:40	Approval of Minutes
16		
17	12:41	Report of Board Members
18		
19	12:44	Public Session
20		
21	12:50	Report of Board Administrator
22		
23	12:54	Report of Board Prosecution Division
24		
25	1:08	Report of Board/Regulatory Counsel
26		
27	1:17	Executive Session
28	2:11	Return to Open Session
29		
30	2:11	Motions
31		
32	2:14	New Business
33		
34	2:17	Adjournment
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		