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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  
VIA VIDEOCONFERENCE**

TIME: 10:32 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

January 21, 2022

1                   State Registration Board for Professional  
2                   Engineers, Land Surveyors, and Geologists  
3                                   January 21, 2022  
4  
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6 BOARD MEMBERS:  
7

8 James J. Szalankiewicz, PE, PLS, President  
9 Arion Claggett, Acting Commissioner, Bureau of  
10 Professional and Occupational Affairs  
11 Michael F. Brinkash, PLS  
12 Martin F. Helmke, PhD, PG - Absent  
13 Ronald N. Jumper Jr., Public Member - Absent  
14 Robert P. Kudlawiec, PE  
15 Joseph T. McNally, PG, Vice President  
16 Carol D. Sides, Public Member  
17 Francis J. Stanton Jr., PE  
18 Jonathan J. Tabas, PE, PLS  
19  
20

21 BUREAU PERSONNEL:  
22

23 Dean F. Picarella, Esquire, Senior Board Counsel  
24 C. William Fritz II, Esquire, Board Counsel  
25 Ray Michalowski, Esquire, Senior Board Prosecution  
26 Liaison  
27 Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution  
28 Division  
29 Alice Glasser, Esquire, Board Prosecutor  
30 Jeannie Bronshtein, Board Administrator  
31 Danie Bendesky, Director of Intergovernmental Affairs,  
32 Department of State  
33 Rebecca Albert, PG, Coordinating Committee on  
34 Professional Practices, Department of Environmental  
35 Protection  
36  
37

38 ALSO PRESENT:  
39

40 John G. Fuehrer II, Chair, Education Committee,  
41 Pennsylvania Society of Land Surveyors  
42 Samantha Sabatini  
43 Wesley J. Rish, Esquire, Rish Law Office, LLC  
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2 State Registration Board for Professional  
3 Engineers, Land Surveyors, and Geologists

4 January 21, 2022

5 \*\*\*

6 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
7 9:00 a.m. the Board entered into executive session  
8 with C. William Fritz II, Esquire, Board Counsel, for  
9 the purpose of conducting quasi-judicial deliberations  
10 and to receive legal advice from Board counsel on  
11 matters that are currently pending before the Board.  
12 The Board returned to open session at 10:30 a.m.]

13 \*\*\*

14 The regularly scheduled meeting of the State  
15 Registration Board for Professional Engineers, Land  
16 Surveyors, and Geologists was held on Friday, January  
17 21, 2022. James Szalankiewicz, PE, PLS, President,  
18 called the meeting to order at 10:32 a.m.

19 \*\*\*

20 [C. William Fritz II, Esquire, Board Counsel, informed  
21 everyone that the Board met in executive session and  
22 conducted quasi-judicial deliberations.

23 Mr. Fritz also noted the meeting was being  
24 recorded, and those who continued to participate were  
25 giving their consent to be recorded.]

1 \*\*\*

2 Approval of minutes of the October 8, 2021 meeting

3 PRESIDENT SZALANKIEWICZ:

4 I assume everybody had a chance to look  
5 at the minutes.

6 Are there any corrections? If not,  
7 could I have a motion to approve the  
8 minutes as presented?

9 MR. BRINKASH:

10 So moved.

11 MR. KUDLAWIEC:

12 Second.

13 PRESIDENT SZALANKIEWICZ:

14 Approved and seconded. The minutes are  
15 accepted as published.

16 MR. FRITZ:

17 There has been a motion and a second to  
18 approve the minutes.

19  
20 Mr. Szalankiewicz, yea; Mr. Claggett,  
21 yea; Mr. Brinkash, yes; Mr. Kudlawiec,  
22 yea and present; Mr. McNally, present;  
23 Ms. Sides, present and yes; Mr. Stanton,  
24 yes I am here and yes for the minutes;  
25 Mr. Tabas, yes to both; McNally, yes



1 only 10 sponsors of the proposal.

2 Mr. Stanton commented that a handful of those  
3 boards had comments, including Maine stating that they  
4 were against it because increasing the specialization  
5 and parting of the engineering disciplines exam does  
6 not really serve the interest of the licensees.

7 Mr. Stanton agreed and did not believe having  
8 more segmented exams was good for licensees, the  
9 profession, or for NCEES because licensees would have  
10 to spend money and resources and hold the exams. He  
11 mentioned that the Board did not formally respond to  
12 the survey but requested a motion as to whether the  
13 Board would support a separate plumbing and  
14 engineering exam under the mechanical discipline.

15 President Szalankiewicz thanked Mr. Stanton for  
16 the research, noting it was discussed several times  
17 during executive session and believed the Board was  
18 not interested in proceeding with that examination.]

19 MR. STANTON:

20 I make a motion that the Pennsylvania  
21 Registration Board is not officially  
22 endorsing the plumbing mechanical exam.

23 MR. TABAS:

24 I'll second the motion.

25 PRESIDENT SZALANKIEWICZ:

1 Motion made and seconded. All in favor  
2 in our decision to not participate in  
3 the exam?

4  
5 Kudlawiec, aye; aye; aye; McNally, aye;  
6 Szalankiewicz, aye; Tabas, aye. Any  
7 nays? Recusals? Abstentions?

8 [The motion carried unanimously.]

9 \*\*\*

10 [Michael F. Brinkash, PLS, addressed House Bill 609.  
11 He mentioned speaking to Amy Hopkins, the president of  
12 Pennsylvania Society of Land Surveyors (PSLS), who  
13 noted it to be stuck in committee. He mentioned it  
14 has been seven years and was all out of the Davey  
15 Resource Group (DRG) case. He stated certain items in  
16 their registration law are in limbo, and it would be  
17 difficult for the Board to rule on certain practices  
18 if a case came before the Board.

19 President Szalankiewicz thanked Mr. Brinkash for  
20 his efforts and the update.

21 Mr. Michalowski noted Bill 609 is listed as being  
22 in the Senate Consumer Protection & Professional  
23 Licensure Committee at this time.

24 Mr. Brinkash expressed concern with their current  
25 registration law lacking a lot of enforcement due to

1 the decisions of the courts in Pennsylvania. He  
2 opined that large parts of the standard practice of  
3 survey between engineers and land surveyors were  
4 misread and misinterpreted and added all new  
5 definitions to that section, which would probably make  
6 a lot of violations not legal at the current time.]

7

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8 [Joseph T. McNally, PG, commented that the Board has  
9 two geologists, who are members of the National  
10 Association of State Boards of Geology (ASBOG), which  
11 is the organization that provides national exams for  
12 the fundamentals and practice of geology. He stated  
13 twice a year ASBOG holds Council of Examiners Meetings  
14 following the exams to review the exam that was just  
15 provided and to preview the exam that will be coming  
16 up in the next six months. He mentioned that he and  
17 Dr. Helmke attended the meetings in the past to have  
18 input in the exams and have a voice in actually  
19 reviewing those exams.

20 Mr. McNally and Dr. Helmke requested to attend  
21 the next ASBOG Council of Examiners Meeting in Albany,  
22 NY.]

23 PRESIDENT SZALANKIEWICZ:

24 ASBOG fuels NCEES. It is very important  
25 that we contribute as a state and you



1 two gentlemen as our representatives and  
2 in the interest of our state at that  
3 time.

4 Would it be proper to make a motion  
5 to approve that you fellows, if you're  
6 willing, attend the meeting in Albany?

7 MR. BRINKASH:

8 So moved.

9 MR. KUDLAWIEC:

10 Second.

11 PRESIDENT SZALANKIEWICZ:

12 Any nays? Any abstained?

13

14 Brinkash, yes; Szalankiewicz, yes;  
15 Kudlawiec, yes; Tabas, yes; McNally,  
16 yes; Claggett, yes; Stanton, yes.

17 [The motion carried unanimously.]

18

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19 Report of Acting Commissioner

20 [Arion Claggett, Acting Commissioner, Bureau of  
21 Professional and Occupational Affairs, introduced  
22 himself and provided a summary of his professional  
23 background.

24 President Szalankiewicz commented that Acting  
25 Commissioner Claggett had a wonderful mentor with

1 Commissioner Johnson, noting he contributed so much to  
2 the Board with all of his support working with Ms.  
3 Bronshtein and Mr. Fritz.

4 President Szalankiewicz thanked Acting  
5 Commissioner Claggett.]

6 \*\*\*

7 Report of Board Administrator

8 [Jeannie Bronshtein, Board Administrator, informed the  
9 Board that the January 1 Pearson VUE publishing date  
10 for the new state-specific land surveyor exam has been  
11 delayed, but the content developer ensured her it  
12 would be soon.

13 Ms. Bronshtein stated all engineer exams are  
14 computer-based except for the 16-Hour Structural  
15 Engineer (SE). She noted October will be the last  
16 paper and pencil exam, and ASBOG will be going to new  
17 computer-based testing in 2023 with Prometric.]

18 \*\*\*

19 Report of Board Prosecution Division

20 [Ray Michalowski, Esquire, Senior Board Prosecution  
21 Liaison, had no consent agreements to present.

22 Mr. Michalowski addressed the NCEES enforcement  
23 presentations, noting the presentations are videotaped  
24 and all prosecutors would have a chance to view those  
25 presentations. He mentioned currently being in a busy

1 season right now because the Board just finished  
2 renewals in the fall of last year.]

3

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4 Prosecution Division Annual Report Presentation  
5 [Carolyn A. DeLaurentis, Esquire, Deputy Chief  
6 Counsel, Prosecution Division, provided a summary of  
7 the prosecution division's caseload during 2021.

8 Ms. DeLaurentis informed the Board that 189 cases  
9 were opened in 2021 for the State Board of  
10 Professional Engineers, Land Surveyors, and  
11 Geologists, which is an increase from 143 cases in  
12 2020. She noted closing 144 cases in 2021 and 155 in  
13 2020. She reported 133 open cases for the Board as of  
14 January 1, 2022.

15 Ms. DeLaurentis addressed enforcement actions,  
16 noting 9 cases resulted in discipline. She noted 3  
17 cases resulted in fines, 3 Act 48 citation fines, 1  
18 automatic suspension, 2 revocations or voluntary  
19 surrenders, and 1 probation. She thanked prosecutors,  
20 counsel, and the Board for collaborating with each  
21 other to protect the safety of the public and the  
22 integrity of the profession.

23 Ms. DeLaurentis noted the prosecution division  
24 opened 1,223 COVID-related cases in 2020 with 0 of  
25 those cases for Board. She reported 543 COVID cases

1 were opened in 2021 with 0 of those cases for the  
2 Board.

3 Ms. DeLaurentis reported 18,363 cases were opened  
4 in 2021, which is an increase from 2020 at 13,394.  
5 She thanked the administrative assistant staff for  
6 opening and managing all of those cases. She also  
7 reported closing 15,994 files for 2021 and 13,274 in  
8 2020. She mentioned being proud of the prosecutors,  
9 counsel attorneys, and all of the Boards for working  
10 together to manage the increase in cases.

11 Ms. DeLaurentis noted the total number of open  
12 cases for the office as of January 1, 2022, is 15,141.

13 Mr. Brinkash asked Ms. DeLaurentis who determines  
14 when there is a violation of professional practice.

15 Ms. DeLaurentis explained that cases are reviewed  
16 by a paralegal, legal analyst, or an attorney to  
17 determine whether an investigation is necessary or a  
18 request of records. She noted the attorneys are  
19 involved when determining whether there is a  
20 violation, and Mr. Michalowski would be involved in  
21 determining whether there is a violation of the  
22 practice act or regulations.

23 Mr. Brinkash suggested Ms. DeLaurentis clarify  
24 what comes before the Board if everything comes before  
25 the board. He referred to a case where an unlicensed

1 land surveyor, who is a professional engineer, was  
2 performing land boundary surveys and a gentleman in  
3 the area was doing a survey against the survey the  
4 unlicensed engineer performed.

5 Mr. Brinkash stated the engineer did a  
6 subdivision, created two new deeds for the property  
7 owners to do a quitclaim deed of release and exchange  
8 of land between the two property owners to settle an  
9 adverse possession and boundary use. He noted being  
10 contacted by the surveyor who filed the complaint,  
11 where there was no prosecution and no violation found.  
12 He expressed concern with people being allowed to  
13 continue to practice when the Board is supposed to  
14 protect the public.

15 Ms. DeLaurentis clarified when she said things  
16 come before the Board she meant disciplinary action.  
17 She stated there are many cases reviewed by the  
18 prosecution division that do not come before the  
19 Board, where there may not be a finding of a  
20 violation. She noted there could be various reasons  
21 why cases are closed, where sometimes it could be  
22 evidentiary or related to witness availability or  
23 cooperation.

24 Mr. Michalowski commented that prosecution had  
25 the evidence that was presented at the time of the

1 original complaint to make a decision. He noted not  
2 being able to discuss any additional facts in the  
3 matter being discussed but mentioned receiving  
4 additional correspondence and additional facts that  
5 were not present the first time.

6 Mr. Michalowski addressed a process called  
7 rereview or a reinvestigation depending on if the  
8 person simply wants another prosecutor to review the  
9 same facts or if additional facts could be provided.  
10 He stated letters never say prosecution did not find  
11 any violation but notes whether or not prosecution was  
12 able to prosecute.

13 Mr. Michalowski explained that some cases cannot  
14 be prosecuted because the evidence is lacking, and  
15 there is no finding and no dispute or additional  
16 information provided by the original complainant in a  
17 lot of cases that are completely closed.

18 Mr. Michalowski stated additional information was  
19 provided in this case, and the matter is ongoing and  
20 currently in reinvestigation and should not talk about  
21 it any further.

22 Acting Commissioner Claggett commented that  
23 talking about the case may not be appropriate at the  
24 present time.

25 Mr. Tabas asked whether it is not enough evidence

1 by itself if a subdivision plan, plan of survey, or  
2 plan of property is prepared and signed by an engineer  
3 who is not licensed as a land surveyor.

4 Ms. DeLaurentis stated prosecution cannot give  
5 advisory opinions or answer a legal question at this  
6 time and agreed with Acting Commissioner Claggett that  
7 it is best to move on.

8 Mr. Brinkash apologized for getting too much into  
9 the specifics of a case but just wanted prosecution to  
10 be aware of the frustrations because prosecution is  
11 the group the public is contacting with complaints and  
12 viewing them as a do-nothing Board.

13 Acting Commissioner Claggett suggesting having  
14 Board member training, where prosecution could explain  
15 what its staff does while providing an opportunity for  
16 discussion.

17 Mr. Brinkash mentioned that he already had the  
18 prosecution training and noted the importance of  
19 speaking his mind as a Board member on behalf of the  
20 public.

21 John G. Fuehrer II, Chair, Education Committee,  
22 Pennsylvania Society of Land Surveyors, also heard a  
23 lot of surveyors with that same complaint, where  
24 complaints have been submitted with engineers doing  
25 survey work but never get any further than being

1 submitted. He noted a big problem is that people who  
2 submit them cannot find real answers, which is a  
3 problem that goes beyond the Board, but the Board  
4 needs to understand that concern and do something.

5 President Szalankiewicz commented that people  
6 also contact him with complaints because they do not  
7 realize the Board never sees these items until the  
8 process is completely done. He noted telling  
9 individuals to file a complaint but understands Mr.  
10 Brinkash's frustration and hopes the investigators on  
11 these cases understand the law and do recognize the  
12 violation of the law and act promptly on it. He  
13 agreed with Mr. Brinkash, where surveyors and  
14 engineers do not think the Board is doing their job.]

15 \*\*\*

16 Report of Board Counsel

17 MR. FRITZ:

18 Based on discussions held in executive  
19 session, the Board would entertain a  
20 motion to adopt the Proposed  
21 Adjudication and Order in the Matter of  
22 the Commonwealth v. David D. Klepadlo,  
23 Case No. 18-47-00053.

24 MR. BRINKASH:

25 So moved.



1 PRESIDENT SZALANKIEWICZ:

2                   Second. All in favor? Nay and then  
3                   Yea.

4

5                   Brinkash, aye; Kudlawiec, yes;  
6                   Szalankiewicz, yes; McNally, yes;  
7                   Stanton, yes; Claggett, yes; Tabas, yea.  
8                   Any nays?

9 [The motion carried unanimously. Carol Sides was not  
10 present.]

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12 MR. FRITZ:

13                   The Board would entertain a motion to  
14                   approve the Final Adjudication and Order  
15                   in the Matter of Robert Viszneki, Case  
16                   No. 19-47-008803.

17 MR. BRINKASH:

18                   So moved.

19 MR. KUDLAWIEC:

20                   Second.

21 PRESIDENT SZALANKIEWICZ:

22                   All in favor?

23

24                   Szalankiewicz, yea; Brinkash, yea;  
25                   Kudlawiec, yes; McNally, yes; Stanton,

1                   yes; Claggett, yes; Tabas, yes.

2                   Any nays?

3 [The motion carried unanimously. Carol Sides was not  
4 present.]

5   \*\*\*

6 Report of Regulatory Counsel

7 [C. William Fritz II, Esquire, Board Counsel, noted  
8 the Act 41 regulation is final. He mentioned his goal  
9 is to have the electronic seals and signatures  
10 regulation done this year for the Board, Architect  
11 Licensure Board, and Landscape Architects Board. He  
12 informed the Board that the final version will be on  
13 the next agenda for approval and a vote.

14           Mr. Stanton suggested the current version be  
15 circulated for the Board's review.

16           Mr. Fritz offered to send Board members the  
17 version the Board voted on last time, but the Board  
18 will also have an opportunity to edit the final  
19 version when it is presented at the next meeting.]

20   \*\*\*

21 Miscellaneous

22 [Francis J. Stanton Jr., PE, referred to the NCEES law  
23 enforcement sessions and asked prosecution whether  
24 there was anything worth implementing. He mentioned a  
25 presentation regarding Ohio, where they found

1 industrial gas companies or companies within the gas  
2 industry doing projects and not submitting certain  
3 permits or sign and seal drawings by outside  
4 professional engineers and doing everything  
5 internally.

6 Mr. Stanton stated they did an outreach program  
7 to educate engineers from out of state working in Ohio  
8 that they needed a certificate of authorization, need  
9 to register with the state, and have professional  
10 engineers (PEs) who are licensed in the state because  
11 of a slew of violations. He noted not hearing  
12 anything come across in Pennsylvania but stated he  
13 knows it is happening because he practices in 24  
14 different jurisdictions.

15 Mr. Stanton commented that Ohio did a proactive  
16 approach and asked whether prosecution walked away  
17 with any new approaches or lessons learned from some  
18 of those sessions.

19 Mr. Michalowski noted attending the sessions. He  
20 stated the Architects Licensure Board asked for  
21 outreach pre-COVID on licensing issues. He mentioned  
22 that the staff from the Department of Labor & Industry  
23 who oversee plans that go through them on the  
24 architecture side would involve engineering. He  
25 stated they attended the Architects Licensure Board

1 Meeting, and he felt it was important to attend the  
2 Professional Engineers, Land Surveyors, and Geologists  
3 Board Meeting to get the full story and view of both  
4 boards.

5 Mr. Michalowski commented that prosecution does  
6 receive referrals from the Department of Environmental  
7 Protection (DEP) but receive more referrals about DEP  
8 engineers than referrals from DEP. He mentioned the  
9 Board could do outreach, where someone from DEP could  
10 discuss what they are seeing on their side of things  
11 and what they could refer to prosecution.

12 Mr. Michalowski stated Ohio, along with other  
13 states, has a standalone board that controls  
14 everything and has authority over all three sections  
15 of what would be three different agencies in  
16 Pennsylvania. He commented that outreach by the Board  
17 and inviting the Department of Environmental  
18 Protection and Department of Labor & Industry  
19 enforcement staff or approval staff to come in front  
20 of the Board to know what can be sent to the Board,  
21 where the Board could also give their legal experience  
22 and educate those agencies as to what the Board sees.

23 Mr. Michalowski recommended inviting the  
24 Department of Conservation & Natural Resources (DCNR),  
25 Department of Labor & Industry, and Department of

1 Environmental Protection to a public session for  
2 questioning back and forth to let them know the  
3 Board's capabilities and limitations and invite them  
4 to send more complaints. He mentioned that DEP and  
5 the Department of Labor & Industry handle things  
6 through their own administrative and judicatory  
7 processes.

8 Mr. Michalowski commented that the Department of  
9 Labor & Industry may be able to help the Board find  
10 seal slapping violations. He mentioned that it would  
11 be a good idea for the Department of Labor & Industry  
12 to visit both the Architects Licensure Board and  
13 Professional Engineers, Land Surveyors, and Geologists  
14 Board together, where Board members could educate them  
15 on what they see in the profession.

16 Mr. Michalowski addressed seal slapping, where  
17 people are essentially using other people's seals and  
18 can be a silent crime because drawings submitted, get  
19 approved, and filed in the courthouse if nobody  
20 catches it. He stated code enforcement officers catch  
21 those, but they are typically caught in smaller  
22 counties because everybody knows who the engineers and  
23 architects are in the local area compared to larger  
24 areas.

25 Mr. Michalowski noted being disturbed by not

1 seeing more complaints and would be a good offshoot  
2 from NCEES. He stated the Department of Labor &  
3 Industry would be a very valuable group to partner  
4 with because they see it at the state level and also  
5 oversee the local code enforcement. He noted L&I does  
6 the training for local code enforcement staff, and  
7 would be a good idea to develop a training to look for  
8 things in an improper seal.

9 Mr. Michalowski suggested L&I visit both or all  
10 three design boards to receive an overall view of the  
11 design professions because there is some overlap  
12 between an architect and engineer and issues between  
13 engineers and land surveyors. He mentioned that a lot  
14 of people do not know what geologists do and would be  
15 more of a DEP issue, where complaints received at DEP  
16 can be both engineer and geology.

17 Rebecca Albert, PG, Department of Environmental  
18 Protection, mentioned having a Coordinating Committee  
19 on Professional Practices, made up of both PEs and PGs  
20 within the department and seconded the idea of sharing  
21 information with DEP. She noted the information would  
22 be useful to be able to share with the PEs and PGs  
23 within the department.

24 Mr. Stanton noted not being concerned with the  
25 agencies. He noted doing private projects and

1 receiving geotechnical reports. He stated the first  
2 report he received for a Philadelphia manufacturing  
3 facility was signed and sealed by an engineer in New  
4 Jersey. He mentioned that he complained and wanted a  
5 geologist seal for PA but received a civil engineer  
6 seal.

7 Mr. Stanton stated way below the radar of an  
8 agency it seems like it is right for abuse by  
9 professional engineers who may not know the geology as  
10 well as licensed geologists. He agreed with Mr.  
11 Brinkash that abuse is not being caught. He stated  
12 the agency aspect is good but is not where the  
13 problems are, and the whole private industry is being  
14 missed.

15 Mr. Stanton commented that there are abuses  
16 through ignorance in a lot of cases and a specialist  
17 who does not work for a company and is consulting and  
18 providing specialty technical or engineering services  
19 have to be licensed, whether they sign or seal  
20 anything. He mentioned that it does not matter if it  
21 goes to the municipality, L&I, or DEP because they are  
22 consulting without a license and not being caught. He  
23 noted that figuring out a way to address that would  
24 enhance enforcement.

25 Ms. Michalowski agreed, noting that prosecution

1 does not receive a lot of professional complaints, and  
2 the vast majority of practice-related complaints are  
3 land surveyor or survey-related complaints. He stated  
4 the vast majority of complaints tend to be public  
5 complaints as opposed to professional complaints.

6 Mr. Michalowski noted that it sounds like there  
7 are more complaints than what he recalls seeing. He  
8 stated the vast majority of the complaints for the  
9 Board are either generated by the Board itself during  
10 renewal time, lapsed licenses cases, or practice cases  
11 mostly by public complaints. He noted having experts  
12 like Mr. Fuehrer who help review cases and experts for  
13 litigation to testify and prepare reports.

14 Mr. Stanton referred to a case that came before  
15 the Board maybe two years ago, where an engineer was  
16 able to seal 200 buildings on an expired license. He  
17 stated a blind eye is turned toward an engineer who  
18 has retired from a major company and has been hired  
19 back into that company or a competitor and selling his  
20 services, which is a widespread problem.

21 Mr. Stanton suggested an education session with  
22 L&I, DEP, and local officials to come up with a  
23 strategy on how to outreach to industry to remind them  
24 that they need to also be aware of the registration  
25 act when they are hiring consultants.



1           Mr. Michalowski noted that to be a fabulous idea  
2 and suggested reaching out to professional  
3 associations and having them send an invite for the  
4 Board to participate in meetings. He mentioned having  
5 L&I, DEP, and the Board together perhaps present and  
6 encouraged all of the Board members to reach out to  
7 their professional associations.

8           President Szalankiewicz commented that the  
9 profession needs to get better at policing themselves.  
10 He mentioned telling individuals to file complaints,  
11 but they do not want to be the one who files. He  
12 noted the need for responsibility, either through  
13 organizations or individually, because of being  
14 obligated to follow that complaint.

15           Mr. Brinkash noted a turnaround, where it used to  
16 be that prosecution could not do anything if there was  
17 not a complaint filed, now coming from the other side  
18 saying why should I file a complaint if they do not do  
19 anything anyway.

20           Mr. Michalowski disagreed, noting that he sees  
21 every single complaint that comes through the office.  
22 He noted people tell other boards that they filed  
23 complaints and people will complain about another  
24 professional to other professionals, but the complaint  
25 never makes it to prosecution because they are worried

1 the person they complain about will find out who filed  
2 the complaint.

3 Mr. Michalowski stated all complainants are kept  
4 anonymous, and prosecution never reveals the name of  
5 the complainant unless the matter goes to a hearing.

6 Mr. Fuehrer agreed, noting he did a presentation  
7 on how to file a complaint, and the bottom line is  
8 that individuals are afraid to file a complaint  
9 against people they work with because of fear of  
10 retaliation.

11 Mr. Brinkash expressed concern when no action is  
12 taken on a case where the public was hurt by deeds  
13 being put on record in error and an encumbrance has  
14 been placed on the title of two property owners. He  
15 emphasized the importance of the Board being there for  
16 the public and protecting the land owner from somebody  
17 who is not qualified.

18 Mr. Michalowski again stated the investigation  
19 has been reopened, and the process is working.

20 Mr. Stanton noted looking forward to having a  
21 learning session or educational session discussed  
22 earlier.

23 Mr. Brinkash thanked Mr. Michalowski for all of  
24 the information and time spent with the Board today.]

25

\*\*\*

1 Adjournment

2 PRESIDENT SZALANKIEWICZ:

3 Do I have a motion to adjourn?

4 MR. TABAS:

5 So moved.

6 MR. KUDLAWIEC:

7 Second.

8 PRESIDENT SZALANKIEWICZ:

9 Meeting is adjourned.

10 [The motion carried unanimously.]

11 \*\*\*

12 [There being no further business, the State Board of  
13 Professional Engineers, Land Surveyors, and Geologists  
14 Meeting adjourned at 12 p.m.]

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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.



Samantha Sabatini,  
Minute Clerk  
Sargent's Court Reporting  
Service, Inc.

1 STATE REGISTRATION BOARD FOR PROFESSIONAL  
2 ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS  
3 REFERENCE INDEX  
4

5 January 21, 2022  
6

7  
8 TIME

AGENDA

9  
10 9:00 Executive Session  
11 10:30 Return to Open Session  
12  
13 10:32 Official Call to Order  
14  
15 10:32 Approval of Minutes/Roll Call  
16  
17 10:35 Acknowledge Public  
18  
19 10:38 Report of Board Members  
20  
21 10:52 Report of Commissioner  
22  
23 10:54 Report of Board Administrator  
24  
25 10:55 Report of Board Prosecution Division/  
26 Carolyn A. DeLaurentis, Esquire,  
27 Deputy Chief Counsel, Prosecution  
28 Division Annual Report Presentation  
29  
30 11:16 Report of Board Counsel  
31  
32 11:18 Report Regulatory Counsel  
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34 11:22 Miscellaneous  
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36 12:00 Adjournment  
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