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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: 9:31 A.M.

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

July 12, 2017

1 State Registration Board for Professional
2 Engineers, Land Surveyors and Geologists
3 July 12, 2017
4

5 BOARD MEMBERS:
6

7 Michael F. Brinkash, PLS
8 Ian Harlow, Commissioner of Professional and
9 Occupational Affairs - Absent
10 Kathryn Waters, Esquire, Deputy Commissioner of
11 Professional and Occupational Affairs - Absent
12 Elizabeth A. Catania, PE, Vice President - Absent
13 Robert E. Garlitz, PLS
14 Thomas D. Gillespie, PG
15 Ronald Jumper Jr., Public Member
16 Robert Kudlawiec, PE - Absent
17 David Pennoni, PE - Absent
18 Carol Sides, Public Member
19 Francis J. Stanton Jr., PE
20 James J. Szalankiewicz, PE, PLS
21 Theodore Tesler, PG, President
22
23

24 BUREAU PERSONNEL:
25

26 Juan Ruiz, Esquire, Board Counsel
27 Ray Michalowski, Esquire, Board prosecution Liaison
28 Robert Armour, Esquire, Board Prosecutor
29 Robin Shearer, Board Administrator
30
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32 ALSO PRESENT:
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34 Ted Mowatt, Pennsylvania Society of Land Surveyors
35 John Wanner, Wanner Associates, PSPE, PLS
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2 State Registration Board for Professional
3 Engineers, Land Surveyors and Geologists

4 July 12, 2017

5 ***

6 The regularly scheduled meeting of the State
7 Registration Board for Professional Engineers, Land
8 Surveyors and Geologists was held on Wednesday, July
9 12, 2017. Theodore Tesler, PG, President, called the
10 meeting to order at 9:31 a.m. Roll call was taken. A
11 quorum was noted to be present.

12 ***

13 Approval of Minutes of the May 10, 2017 meeting

14 PRESIDENT TESLER:

15 The Chair will entertain a motion to
16 approve the minutes.

17 MR. SZALANKIEWICZ:

18 I'll make a motion to approve the
19 minutes as presented.

20 PRESIDENT TESLER:

21 Jim has made that motion.

22 MR. GARLITZ:

23 Second.

24 PRESIDENT TESLER:

25 Mr. Garlitz has seconded. Any

1 discussion or corrections to the
2 minutes? I hear no comments. Motion to
3 approve the Minutes. All in favor, say
4 aye. Any dissent? Hearing none, the
5 motion carries. The Minutes are
6 approved.

7 [The motion carried unanimously.]

8 ***

9 Report of Board President - No Report

10 ***

11 Report of Board Members

12 [Robert E. Garlitz, PLS, noted a WebEx meeting held
13 with Pearson VUE, which has contracted with (PTI)
14 Professional Testing Institute to administer the
15 Pennsylvania portion of the Professional Land
16 Surveyors' exam. Mr. Garlitz was pleased that the
17 Pennsylvania Society of Land Surveyors test format was
18 followed.

19 Mr. Garlitz discussed the Pennsylvania
20 Professional Practice, Unique Pennsylvania Legal
21 Aspects and Minor Engineering/Land Development design,
22 which are the three areas of the Pennsylvania
23 Professional Land Surveyors exam. He stated Pearson
24 VUE developed a good broad-based exam covering all of
25 the subcategories.]

1 ***

2 FYI

3 Senate Bill 354 and House Bill 1106

4 [John Wanner, PSPE/PSLS, informed Board members that
5 House Bill 1106 passed the House and was in the Senate
6 Consumer Protection & Professional Licensure Committee
7 for review.

8 Mr. Wanner stated this legislation deals with the
9 problems created by the (DRG) Davey Resource Group
10 case. He mentioned the new bill will have a new
11 amendment in the exemption section.

12 Mr. Szalankiewicz stated the Rural Electric unit
13 needs a PE or surveyor on their staff to let DRG do
14 the work. There was further discussion regarding the
15 matter.]

16 ***

17 Report of Commissioner - No report

18 ***

19 Report of Board Administrator

20 [Robin Shearer, Board Administrator, discussed the
21 renewal notices. Ms. Shearer noted the registration
22 deadlines for the geology exam to be on the August
23 7th, 2017, at 3:00 p.m. The (NCEES) National Council
24 of Examiners for Engineering and Surveying exam
25 registration deadline is August 31, 2017, at 3:00

1 p.m.]

2

3 Board of Prosecutorial Division - No Report

4

5 Report of Board Counsel

6 [Juan Ruiz, Esquire, Board Counsel, addressed Senate
7 Bill 354 and House Bill 1106. Mr. Ruiz explained
8 Senate Bill 354 amends Act 48 and was originally
9 intended to provide immediate temporary and automatic
10 suspensions of licenses. It also required the
11 licensees for all of the Boards to report convictions
12 or reciprocal discipline within 30 days. Mr. Ruiz
13 stated it passed the Senate and the House amended it
14 by providing for expungement of minor disciplinary
15 actions. He noted the bill passed the House as
16 amended and was back in the Senate.]

17

18 Report of Regulatory Counsel

19 [Juan Ruiz, Esquire, on behalf of Thomas Blackburn,
20 Esquire, Regulatory Counsel, noted the fee regulation
21 was delivered within the deadline and will be reviewed
22 by (IRRC) Independent Regulatory Review Commission at
23 its August meeting. He had no update with regard to
24 digital seals. Mr. Brinkash commented that PennDOT
25 may be requiring a specific form of electronic seals.]

1 ***

2 Applications

3 [President Tesler noted Applications for Review to be
4 discussed during Executive Session.]

5 ***

6 Miscellaneous

7 [Thomas D. Gillespie, PG, made the Board members aware
8 of his offering of advice to the Marcellus Shale
9 Coalition, which is embattled in argument with (DEP)
10 Department of Environmental Protection, regarding one
11 of the regional offices that is taking approximately
12 200 days to review sediment control plans.

13 Mr. Gillespie noted that reviewers at DEP are
14 also demanding engineering changes to the plans. He
15 stated some DEP employees who are not licensees are
16 practicing engineering. These engineers must become
17 one of the engineers of record and sign off on the
18 plan, which he noted as the same advice given to the
19 Marcellus Shale Coalition.

20 Mr. Ruiz explained that anyone can file a
21 complaint, including Board members, and then
22 prosecution will investigate. He further explained
23 that Board members would have to recuse themselves
24 from all deliberations regarding these matters. There
25 was further discussion regarding the matter.]

1 ***

2 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
3 10:00 a.m. the Board entered into Executive Session
4 with Juan Ruiz, Esquire, Board Counsel, for the
5 purpose of conducting quasi-judicial deliberations and
6 attorney/client consultations. The Board returned to
7 open session at 11:36 a.m.]

8 ***

9 MOTIONS

10 MR. RUIZ:

11 The Board was just in Executive Session
12 conducting quasi-judicial deliberations
13 on a number of matters currently pending
14 before the Board.

15 Is there a motion to approve the
16 Applications of Lewis Pegues, Mitchell
17 Labiche, and Rebecca Watt?

18 MR. GILLESPIE:

19 So moved.

20 MR. BRINKASH:

21 Second.

22 PRESIDENT TESLER:

23 All in favor, say aye. All opposed.

24 Hearing no opposition the motion passes.

25 [The motion carried unanimously.]

1 ***

2 MR. RUIZ:

3 Is there a motion to provisionally deny
4 the application of Mohammad Amin
5 Changizi?

6 MR. SZALANKIEWICZ:

7 So moved.

8 MR. STANTON:

9 Second.

10 PRESIDENT TESLER:

11 Motion offered and seconded. Any
12 discussion? All in favor, say aye.
13 Any dissent? Hearing none, motion
14 carries.

15 [The motion carried unanimously.

16 ***

17 [President Tesler, on behalf of the Board, thanked
18 Robin Shearer for her service to the Board.]

19 ***

20 Application Review

21 [Juan Ruiz, Esquire, Board Counsel addressed informal
22 conferences. He noted that Mr. Szalankiewicz and Mr.
23 Stanton met with three applicants today, two of which
24 were approved and one of which was provisionally
25 denied.]

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Adjournment

PRESIDENT TESLER:

The Chair will entertain a motion to
adjourn.

MR. GILLESPIE:

So moved.

MR. BRINKASH:

Second.

[The State Board of Professional Engineers, Land
Surveyors, and Geologists Meeting adjourned at 11:39
p.m.]

[The next meeting is September 13, 2017]

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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.



Danielle Obert,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

1 STATE REGISTRATION BOARD FOR PROFESSIONAL
2 ENGINEERS, LAND SURVEYORS AND GEOLOGISTS
3 REFERENCE INDEX
4 July 12, 2017
5

6 TIME	7 AGENDA
8 9:31	9 Official Call to Order
10 9:32	11 Approval of Minutes
12 9:33	13 Report of Board Members
14 9:40	15 FYI-Senate Bill 354/House Bill 1106
16 9:45	17 Report of Board Administrator
18 9:47	19 Report of Board Counsel
20 9:49	21 Report of Regulatory Counsel
22 9:51	23 Miscellaneous
24 10:00	25 Executive Session
26 11:36	27 Return to Open Session
28 11:36	29 Motions
30 11:36	31 Application Review
32 11:39	33 Adjournment
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