

STATE BOARD FOR ENGINEERING, LAND SURVEYING AND GEOLOGY

New York State Education Department
Office of Professions
Virtual Meeting

March 10, 2022

OPEN SESSION MINUTES

Board Members Present: Chair - M. Noviello, Vice Chair - J. Martin, D. D'Angelo, D. Franzi, B. Holbritter, W. Kelly, R. Frandina, J. Patota, L. Woods, A. Friedman, T. Mitchell (*arrival at 1:05p*)

Board Member Absent: None.

Extended Members Present: K. Giles, E. Haas

Former Members Present: H. Palmer, J. Berger

Department Personnel: R. Lopez – Acting Executive Secretary, N. Wiley - Associate in Professional Education

Guests: John Nadeau, Executive Director for the New York State Council of Professional Geologists (NYSCPG), Emily Whalen (NYSAPLS), Mark Kriss (NYSSPE)

Call to Order – Open Session

Chair Noviello called the Open Session to order at 9:31 a.m.

Welcome and Introductions of Guests and Board Members

Board Members and Guests introduced themselves.

Approval of Minutes of the Previous Meeting

On a motion by Member Martin, Seconded by Member Kelly, the minutes of the November 18, 2021 open meeting were reviewed and unanimously approved, with the correction of Member Frandina as present at the meeting.

Chair Report – Chair Noviello reported that he received state licensure statistics from NCEES. He will be checking his calendar to advise if he can make the NCEES Annual Meeting in August. Members were reminded that all communication should go through the Board office, including questions from applicants or an applicant's status. All other items to be covered under committee reports.

Vice Chair Report – Vice Chair Martin led a discussion regarding the new engineering education law. On a motion by Member Martin, Seconded by Member Friedman, the Board unanimously recommended that non-ABET accredited baccalaureate programs in engineering technology will not permit an applicant to achieve licensure in New York and that the existing licensure chart dated October 12, 2021 should remain unchanged.

Executive Secretary Report – The Acting Executive Secretary reported that the search for Executive Secretary candidates continues and asked Board members to encourage qualified candidates to apply. Interviews are scheduled for mid-March.

The Acting Executive Secretary announced the upcoming retirement of Nancy Wiley and he congratulated her on her retirement and thanked her for her service to the Board.

The Board is currently in need of one engineering Board member and should begin a search for geology Board members, with the terms for all three current geology members expiring in March 2025. Board members should send any potential candidates to the board office.

The Acting Executive Secretary discussed the State Board’s statutory role in giving assistance and advice to the Department and stressed the importance of the hard work that they perform. He reminded the Board that they should not directly communicate with associations and that all communications should be coordinated through the Board office. Board members should refrain from expressing opinions or positions outside of Board meetings, and he confirmed that they cannot hold officer positions within professional associations.

COMMITTEE REPORTS

Access to the Professions – Committee Chair Patota reported that she has been asked to present and participate as a judge at a virtual science fair. Additionally, she is pursuing licensure presentations with the NYC DDC and DEC and would like to have an engineering Board member assist.

Legislation – Committee Chair Martin indicated that the committee worked on the PE education law previously discussed.

Land Surveying – Committee Chair Holbriiter reported on the following activities:

- The committee met on January 25th to review exam challenges from the October 2021 NYS LS exam.
- Committee Chair Holbriiter requested that the committee meet to work solely on Minimum Technical Standards (MTS) in early April. The Active Executive Secretary circulated the AIA standard Owner/Land Surveyor agreement that may be of use to the committee members in its work on the MTS document.

Professional Engineering – The Acting Executive Secretary advised the Board that the Regents will be reviewing the education regulations at their April meeting for emergency action. Once finalized, he will circulate the draft regulations to ensure that they address the four pathways as

identified on the licensure chart dated October 12, 2021. A rapid response to the draft will be required.

Education, Experience & Examinations – The committee continues to review and provide recommendations to the Board and the Department on proposed engineering, land surveying and geology programs. The committee will hold meetings in between Board meetings to review documents and responses that PEPR receives from the institutions. Geology Board members will be asked to join the committee to review any geology program proposals. The committee’s report will be covered in Executive Session.

Environmental – Committee Chair Patota reported that there is no legislation that affects the three professions.

Continuing Education – Member Woods reported that the changes to the CE requirements for engineering and land surveying and implementation of the CE requirement for geology became effective January 1, 2022. The continuing education (CE) sponsor application has been amended to include professional geologists. CE FAQs for geologists have been posted to SED website. The other professions’ FAQs will be updated soon.

Project Delivery Methods – Committee Chair D’Angelo reported that he would like the committee to meet soon to discuss this topic. He is not aware of any pending legislation but reported that there are some issues happening on the federal level that will need to be monitored. The current budget proposal from the Executive proposes a straight five-year extender to the Investment Infrastructure Act.

Geology Committee – Committee Chair Kelly reported that the ASBOG meeting will be held in Albany the first week of April. Geology members will be participating in the event. Member Patota reported that efforts are underway to develop Practice Guidelines for Geology, using engineering and land surveying as a guide and assistance from Board members will be needed.

Construction Supervision Committee - Committee Chair D’Angelo reported that he will try to schedule a meeting prior to the June 2022 Board meeting.

CONTINUING BUSINESS

Budget, Staff, Technology Update – The Acting Executive Secretary reported on the Executive budget proposal, which contains language to move most of the health professions out of the Department and into DOH, while maintaining the design/business professions and a handful of health professions in the Department. The Department spoke at the legislative budget hearings on why the professions should remain in place and strongly opposes the effort.

NCEES – The Acting Executive Secretary reported that the Annual Meeting will be held August 23-26. NCEES member boards, including New York, will meet to conduct Council business. He asked that Board members check their calendars should they wish to attend if Chair Noviello cannot do so.

NEW BUSINESS

- New York State Department of State Part 1203 Rule – new requirements for design professionals to include in their drawings when submitting to code enforcement officials as of the end of 2022 were presented.
- The next meeting is tentatively scheduled for Thursday, June 9, 2022 at 9:30 in Albany.

RESOLUTION FOR EXECUTIVE SESSION – On a motion by Member Patota and seconded by Member Martin, pursuant to Section 95 of the Open Meetings Law, the Board voted to move into Executive Session to consider examination, education, experience, and disciplinary matters at 11:08 am.

ADJOURNMENT– On a motion by Member Mitchell, seconded by Member Martin, the meeting was adjourned at 2:40 pm.

Respectfully submitted,

Robert Lopez, RA
Acting Executive Secretary