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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: 11:00 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

July 24, 2024

1 State Registration Board for Professional
2 Engineers, Land Surveyors, and Geologists
3 July 24, 2024
4
5

6 BOARD MEMBERS:
7

8 Arion R. Claggett, Acting Commissioner, Bureau of
9 Professional and Occupational Affairs
10 Joseph T. McNally, PG, President
11 Robert P. Kudlawiec, PE, Vice President
12 James J. Szalankiewicz, PE, PLS, Professional
13 Member - Absent
14 Martin F. Helmke, PhD, PG, Professional
15 Member
16 Lisa Peterson, PhD, PE, Professional Member
17 Jason Snyder, PE, Professional Member - Absent
18 John J. Luciani, PE, PLS, Professional Member
19 G. Windsor Tracy Jr., PLS, Professional Member
20 Scott Reeser, PLS, Professional Member
21 Carol D. Sides, Public Member
22
23

24 BUREAU PERSONNEL:
25

26 Ashley Goshert, Esquire, Board Counsel
27 Ray J. Michalowski, Esquire, Senior Board Prosecutor
28 and Board Prosecution Liaison
29 Angela L. Solomon, Esquire, Board Prosecutor
30 Kristel Hennessy Hemler, Board Administrator
31 Marc Farrell, Esquire, Regulatory Counsel,
32 Office of Chief Counsel, Department of State
33 Sara Jackson, Clerical Assistant 3, Department of
34 State
35 Alteira Steele, Licensing and Certification
36 Evaluator, Department of State
37
38

39 ALSO PRESENT:
40

41 John G. Fuehrer II, PE, PLS, Pennsylvania Society of
42 Land Surveyors
43 Ted Mowatt, CAE, Vice President, Wanner Associates,
44 on behalf of the Pennsylvania Society of
45 Professional Engineers
46 Julia Wanner, Marketing and Communications Project
47 Manager, Wanner Associates
48 Wanner Associates Intern
49 Jasper Masciocchi, Innovative Education Training
50 Specialist at University of Florida

1 ***

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

4 July 24, 2024

5 ***

6 [Pursuant to Section 708(a)(5) of the Sunshine Act,
7 at 9:00 a.m., the Board entered into Executive
8 Session with Ashley B. Goshert, Esquire, Board
9 Counsel, for the purpose of conducting quasi-judicial
10 deliberations and to receive the advice of counsel on
11 matters currently pending before the Board. The
12 Board returned to open session at 11:00 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 Wednesday, July
17 24, 2024. Joseph T. McNally, PG, President, called
18 the meeting to order at 11:00 a.m.

19 ***

20 Roll Call

21 [Kristel Hennessy Hemler, Board Administrator,
22 provided a roll call of Board members.]

23 ***

24 Introduction of Attendees

25 [Kristel Hennessy Hemler, Board Administrator,

1 provided an introduction of attendees.]

2

3 [Joseph T. McNally, PG, President, asked new Board
4 member, Scott Reeser, to introduce himself.

5

6 Mr. Reeser provided a summary of his
7 professional background.

7

8 President McNally thanked Mr. Reeser for his
9 involvement and participation on the Board.

9

10 President McNally also informed Board members
11 that Mr. Hartman has accepted a job with another
12 organization and is no longer on the Board. He
13 thanked Mr. Hartman for this active involvement and
14 wished him the best in the future.]

14

15 [Ashley B. Goshert, Esquire, Board Counsel, reminded
16 everyone that the meeting was being recorded and
17 voluntary participation constituted consent to be
18 recorded.

19

20 Ms. Goshert also noted the Board entered into
21 Executive Session with Board Counsel for the purpose
22 of conducting quasi-judicial deliberations and to
23 receive the advice of counsel.]

23

24 Approval of minutes of the May 29, 2024 meeting

25 PRESIDENT MCNALLY:

1 The first item on the agenda is
2 approval of the minutes from the May
3 29, 2024 meeting. Do we have any
4 comments or edits to the minutes?
5 Hearing none.

6 Can we have a motion to accept the
7 minutes as presented?

8 DR. HELMKE:

9 So moved.

10 MR. TRACY:

11 Second.

12 PRESIDENT MCNALLY:

13 Is there any discussion? Hearing none.
14 May we have a roll call vote, please?

15
16 Arion Claggett, aye; Joseph McNally,
17 yes; Robert Kudlawiec, aye; Martin
18 Helmke, aye; Lisa Peterson, aye;
19 Windsor Tracy, aye; Scott Reeser,
20 abstain; Carol Sides, yes.

21 [The motion carried. Scott Reeser abstained from
22 voting on the motion. John Luciani experienced
23 technical difficulty and did not vote on the motion.]

24 ***

25 Report of Board President - No Report

1 Report of Board Members

2 [Lisa Peterson, PhD, PE, Professional Member,
3 addressed her attendance at the National Council of
4 Examiners for Engineering and Surveying (NCEES)
5 Northeast Region Meeting in May. She noted providing
6 an update at the last meeting and informed Board
7 members that a committee was formed to draft language
8 for a proposed nationwide Engineering Technology
9 Accreditation Commission (ETAC) degree pathway, which
10 would be presented at the upcoming NCEES Conference.
11

12 Dr. Peterson reported that the Northeast Region
13 Committee has not met and will have to see what comes
14 of that when they attend the meeting in person in
15 August 2024.

16 President McNally mentioned that a number of
17 Board members will be attending the meeting in
18 August, noting it to be terrific to have Board member
19 participation at that level with NCEES.]

20 ***

21 Report of Acting Commissioner

22 [Arion R. Claggett, Acting Commissioner, Bureau of
23 Professional and Occupational Affairs, informed Board
24 members that licensees can now print their own
25 license as of May 31, 2024. He also announced that

1 the Board website was
2 updated.]

3 ***
4 Report of Board Administrator
5 [Kristel Hennessy Hemler, Board Administrator,
6 provided an on-screen view of the new Department of
7 State website at dos.pa.gov. She showed an overview
8 of Board resources and documents for information
9 pertaining to application submission and forms. She
10 also noted the announcement and FAQ sections and
11 reported that the information was recently updated
12 and added to the site.

13 President McNally thanked everyone involved in
14 updating the site.]

15 ***
16 Report of Prosecutorial Division
17 [Angela L. Solomon, Esquire, Board Prosecution
18 Liaison, presented the Consent Agreement for Case No.
19 24-47-003363.]

20 MS. GOSHERT:

21 I believe at item 2 on the agenda,
22 based on Executive Session
23 deliberations, the Board would
24 entertain a motion to approve the
25 Consent Agreement at Case No. 24-47-

1 003363.

2 DR. HELMKE:

3 So moved.

4 MR. TRACY:

5 Second.

6 PRESIDENT MCNALLY:

7 Is there any discussion? Hearing none.

8 May we have a roll call vote, please?

9

10 Arion Claggett, aye; Joseph McNally,
11 yes; Robert Kudlawiec, aye; Martin
12 Helmke, aye; Lisa Peterson, aye; John
13 Luciani, aye; Windsor Tracy, aye; Scott
14 Reeser, yes; Carol Sides, yes.

15 [The motion carried unanimously. The Respondent's
16 name at Case No. 24-47-003363 is Rafael Arismendi
17 Blanco, PE.]

18 ***

19 Report of Board Counsel - Final Adjudication and
20 Order

21 [Ashley B. Goshert, Esquire, Board Counsel, noted
22 item 3 will be tabled until the next Board meeting.]

23 ***

24 Report of Board Counsel - Legislative Update

25 [Ashley B. Goshert, Esquire, Board Counsel, informed

1 Board members that Senate Bill 403 passed and is now
2 Act 32 of 2024, which allows the required four years
3 of work experience for obtaining a professional
4 engineer or professional land surveyor license to be
5 completed before or after receiving the engineer
6 intern license or land surveyor-in-training license.

7 Ms. Goshert stated it was signed by Governor
8 Shapiro on June 28, 2024, and will become law on
9 August 26, 2024.]

10 ***

11 Regulatory Update

12 [Ashley B. Goshert, Esquire, Board Counsel, noted the
13 Board does not have any regulations in the works.
14 She stated there was prior Board discussion regarding
15 clarification related to the land surveyors state-
16 specific examination, and she and Mr. Farrell will be
17 looking into that for the Board.

18 President McNally mentioned that some questions
19 have come up with regard to modification to some of
20 the courses for professional development hours
21 (PDHs).

22 Dr. Helmke requested information regarding the
23 process of adding 1 hour of professional development
24 in the area of ethics for licensees to their
25 regulations. He stated many of their professionals

1 are very well-trained technically and have a great
2 deal of experience but may not receive training in
3 professional ethics.

4 Marc Farrell, Esquire, Regulatory Counsel, Office
5 of Chief Counsel, Department of State, explained that
6 the first threshold is making sure the Board has the
7 statutory authority to pursue the change and the
8 Practice Act gives them the latitude to change the
9 regulations. He further explained that regulatory
10 promulgation would be next, like the digital seals
11 and Act 41 licensure by endorsement regulations.

12 Mr. Farrell mentioned that as a result of Act 32
13 that there are a couple of regulatory changes needed
14 to make the language in the regulations consistent
15 with what the statute now says. He noted that the
16 Board already has an excuse to open a new regulatory
17 matter and could put some of those things in there.

18 President McNally stated the Board may want to
19 pursue those steps and have further discussion. He
20 asked Mr. Farrell to keep that on the table and look
21 into it further.

22 Mr. Farrell mentioned that any information the
23 Board has regarding what other states are doing would
24 be helpful. He informed Board members that he would
25 conduct additional research on the statutory

1 authority and review information from other states.
2 He mentioned that it sounded like a simple change but
3 was unsure of any policy ramifications.

4 President McNally requested the next step be
5 taken and offered to have Board members provide
6 information through the Board administrator.

7 Ms. Goshert informed Board members that she meets
8 with Mr. Farrell regularly to discuss issues and
9 would place the additional 1 hour of professional
10 development in the area of ethics within the 24
11 required hours on their list for discussion, along
12 with continuing to have regulatory reports for the
13 Board at every meeting until a decision is made on
14 moving forward.

15 Mr. Michalowski suggested the Board reach out to
16 national associations who usually have a wealth of
17 information on other states for all three professions
18 while Mr. Farrell and Ms. Goshert look at the
19 Practice Act, so the two sets of information can
20 connect and allow the Board to move forward.]

21

22 Matters for Discussion - ASBOG Fall 2024 Conference
23 [Kristel Hennessy Hemler, Board Administrator, asked
24 whether any Board members were interested in
25 attending the 2024 National Association of State

1 Boards of Geology (ASBOG) Conference in Fort Collins,
2 CO, October 22-26.

3 Dr. Helmke commented that the Association of
4 State Boards of Geology is a national organization.
5 He mentioned there are 32 ASBOG states often
6 represented at their meetings, and it is an
7 opportunity to learn about issues facing other
8 boards. He mentioned that part of this workshop is
9 an exam approval process, noting ASBOG writes and
10 grades the national examination for geologists.

11 Dr. Helmke believed the executive committee
12 meeting may go from the 21st all the way through the
13 26th and includes a workshop for administrators with
14 the official annual meeting on October 23, 2024. He
15 mentioned being the coordinator for the geology field
16 trip in Fort Collins, CO, and there will be a
17 workshop October 25 and 26, 2024. He requested Board
18 approval to attend, along with President McNally.]

19 MS. GOSHERT:

20 Would the Board entertain a motion to
21 approve to send and fund Joseph McNally
22 and Martin Helmke to attend the 2024
23 ASBOG Fall Conference to be held in
24 Fort Collins, Colorado, with the date
25 of the conference being October 22-26,

1 2024?

2 DR. HELMKE:

3 So moved.

4 MR. TRACY:

5 Second.

6 PRESIDENT MCNALLY:

7 Any discussion? May we have a roll
8 call vote, please?

9

10 Arion Claggett, aye; Joseph McNally,
11 yes; Robert Kudlawiec, aye; Martin
12 Helmke, yes; Lisa Peterson, aye; John
13 Luciani, aye; Windsor Tracy, aye; Scott
14 Reeser, yes; Carol Sides, yes.

15 [The motion carried unanimously.]

16

17 Matters for Discussion - Remote Location Board

18 Meeting

19 [Joseph T. McNally, PG, President, stated there was
20 prior Board discussion of having one of the future
21 Board meetings at a more remote location. He
22 mentioned that other boards have remote meetings, and
23 the idea would be educational or may be held at a
24 university to allow students and faculty to become
25 more involved with the operations of the Board.

1 President McNally mentioned that the remote
2 meeting is exploratory at this point but welcomed
3 suggestions on where the meeting may be held. He
4 noted the meetings are typically held at a university
5 or college within Pennsylvania, where there might be
6 engineering, geology, or land surveying disciplines
7 present.

8 President McNally also wanted to invite anyone
9 who is interested and asked everyone in attendance to
10 suggest some names and venues, so there is a
11 mechanism within the Board staff to begin to look at
12 this in more detail.

13 Dr. Helmke stated the objective would be to find
14 a location and perhaps an academic institution that
15 offers programs in all three respective fields. He
16 mentioned that Penn State is centrally located and
17 might be a good location. He noted the remote
18 meeting would be a great opportunity for the public
19 and perhaps students or junior professionals
20 interested in learning about licensure and the
21 licensure process.

22 Acting Commissioner Claggett asked Board members
23 to provide contact information for Penn State so the
24 staff could start working on a venue.

25 Dr. Peterson suggested the Board consider up to

1 two remote meetings a year with one of those meetings
2 at a more distant location like Pittsburgh so that
3 different regions have the opportunity to participate
4 live.

5 Acting Commission Claggett stated the Department
6 can definitely accommodate one and would check on
7 two. He believed it to be a great idea, noting some
8 of the other boards have asked to go out to
9 Pittsburgh as well.

10 Mr. Luciani agreed with the Pittsburgh location
11 and mentioned that Drexel offers engineering and
12 geology but did not believe they offer surveying.

13 Ms. Hennessy Hemler asked everyone to email her
14 all of the information so it could be presented at
15 the next Board meeting for discussion.]

16 ***

17 Application for Review

18 MS. GOSHERT:

19 I believe, in accordance with
20 discussions in Executive Session, the
21 Board would entertain a motion to
22 provisionally deny the Application of
23 Bishal Thapalia, Application No.
24 AA0005506071.

25 DR. HELMKE:

1 So moved.

2 MR. TRACY:

3 Second.

4 PRESIDENT MCNALLY:

5 Do we have any discussion? Hearing
6 none. May we have a roll call vote,
7 please?

8

9 Arion Claggett, aye; Joseph McNally,
10 yes; Robert Kudlawiec, aye; Martin
11 Helmke, aye; Lisa Peterson, aye; John
12 Luciani, aye; Windsor Tracy, aye; Scott
13 Reeser, aye; Carol Sides, yes.

14 [The motion carried unanimously.]

15 ***

16 Miscellaneous - Ratifications

17 MS. GOSHERT:

18 We'll do items 8 through 11
19 collectively. I believe in accordance
20 with discussions in Executive Session,
21 the Board would entertain a Motion to
22 Ratify the Approvals for Licensure for
23 the following licensees: Jiangbo Yu,
24 William MacDonald, Oday Fageer, and
25 Venkata Panchumarthi.

1 PRESIDENT MCNALLY:

2 Motion to ratify?

3 DR. HELMKE:

4 So moved.

5 MR. TRACY:

6 Second.

7 PRESIDENT MCNALLY:

8 Is there any discussion on these
9 individuals? Hearing none. May we
10 have a roll call vote, please?

11

12 Arion Claggett, aye; Joseph McNally,
13 yes; Robert Kudlawiec, aye; Martin
14 Helmke, aye; Lisa Peterson, aye; John
15 Luciani, aye; Windsor Tracy, aye; Scott
16 Reeser, aye; Carol Sides, yes.

17 [The motion carried unanimously.]

18

19 Public Comment

20 [John G. Fuehrer II, PE, PLS, Pennsylvania Society of
21 Land Surveyors, mentioned that he recently had been
22 looking at some drawings for construction with no
23 seals. He explained that individuals are using
24 surveys that are referenced by date and using
25 surveyors work without contacting the surveyor.]

1 Mr. Fuehrer asked whether the Board could let
2 people in the profession know that those things are
3 not ethical or correct. He believed it to be an
4 ongoing concern, and a lot of the stuff comes through
5 architects putting plans together. He also mentioned
6 seeing engineering work that does not have
7 professional engineering seals on it also.

8 Mr. Fuehrer also expressed concern with
9 municipalities hiring engineers to review plans who
10 do not know how to look at site plans. He noted that
11 the municipality hires them and believes whatever
12 they say. He mentioned that he had to put a note on
13 a plan that the change was required by the
14 municipality, because he did not agree from a
15 professional that they were correct in order to get
16 the plan approved.

17 Mr. Fuehrer believed the Board could distribute
18 newsletters or something that defines what the
19 profession can and cannot do under the Registration
20 Act.

21 President McNally stated there is a mechanism for
22 individual cases where there may be improprieties for
23 individuals to report to the Board.

24 Mr. Fuehrer addressed the difficulties of one
25 professional filing a complaint against another. He

1 recommended having a communication system set up to
2 to provide better guidelines than what they currently
3 have. He noted the Registration Law is fine,
4 although there are some differences in
5 interpretation.

6 President McNally referred to the earlier
7 discussion concerning the ethics course, where they
8 may be able to include some of those issues as the
9 curriculum is developed.

10 Dr. Helmke asked whether the Pennsylvania
11 Society of Professional Engineers (PSPE) could assist
12 with this issue.

13 Mr. Fuehrer stated there was discussion with PSPE
14 and the Pennsylvania Society of Land Surveyors
15 (PSLS), and it is a difficult subject to deal with
16 unless someone has a way of providing actions that
17 work.

18 Ms. Goshert explained that the issue as far as a
19 newsletter or any specifics is that the Board is
20 unable to provide an advisory opinion. She further
21 explained that the only way a Board can look at a
22 case is through a complaint.

23 Mr. Michalowski mentioned that the Board accepts
24 anonymous complaints, noting those complaints are
25 more difficult because the staff cannot reach out to

1 anybody. He noted that document-related cases often
2 do not need the person who files the complaint to
3 ever come forward in a hearing. He mentioned that
4 people always guess who filed the complaint and are
5 wrong 75% of the time.

6 Mr. Michalowski noted the municipality issue is
7 outside of their range but did mention training done
8 by the Department of Labor and Industry of some of
9 the local staffing of inspectors.

10 Mr. Michalowski mentioned having connections to
11 that agency before COVID, more through the Architect
12 Board, but believed all three design boards should
13 connect with those individuals to help with training
14 people to spot things like seal slapping and may be
15 an area where collaboration between two state
16 agencies in the future could be a good thing.

17 President McNally thanked Mr. Fuehrer for raising
18 awareness of the topic.]

19 ***

20 Adjournment

21 PRESIDENT MCNALLY:

22 Could we have a motion for adjournment?

23 DR. HELMKE:

24 So moved.

25 MR. TRACY:

1 Second.

2 PRESIDENT MCNALLY:

3 Meeting adjourned.

4 ***

5 [There being no further business, the State Board of
6 Professional Engineers, Land Surveyors, and
7 Geologists Meeting adjourned at 11:39 a.m.]

8 ***

9
10 CERTIFICATE

11
12 I hereby certify that the foregoing summary
13 minutes of the State Registration Board for
14 Professional Engineers, Land Surveyors and Geologists
15 meeting, was reduced to writing by me or under my
16 supervision, and that the minutes accurately
17 summarize the substance of the State Registration
18 Board for Professional Engineers, Land Surveyors and
19 Geologists meeting.

20
21 

22 Rachel Wilber-Adams,

23 Minute Clerk

24 Sargent's Court Reporting
25 Service, Inc.
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STATE REGISTRATION BOARD FOR PROFESSIONAL
ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS
REFERENCE INDEX

July 24, 2024

TIME

AGENDA

- 9:00 Executive Session
- 11:00 Return to Open Session
- 11:00 Official Call to Order
- 11:01 Roll Call
- 11:01 Introduction of Attendees
- 11:06 Approval of Minutes
- 11:07 Report of Board Members
- 11:08 Report of Acting Commissioner
- 11:08 Report of Board Administrator
- 11:10 Report of Prosecutorial Division
- 11:13 Report of Board Counsel
- 11:14 Regulatory Updates
- 11:22 Matters for Discussion
- 11:28 Applications for Review
- 11:31 Public Comment
- 11:39 Adjournment