

Agenda

Eminent Domain Overview of Eminent Domain law <ul style="list-style-type: none">• Source of power• Traditional public projects (ie. road widening, public school, ect.) and redevelopment projects• Modification or revocation of highway access Overview of legal process to take property <ul style="list-style-type: none">• Access modification and revocation notices and hearings• Litigating the right to take property• Litigating amount of just compensation Engineers and surveyors – what is your role? <ul style="list-style-type: none">• Highway access issues - traffic engineers• Pre-litigation analysis• Highest and best use analysis generally drives value• “Reasonable probability”• Testifying as an expert witness Tips and pitfalls for acting as an expert witness	T. Duggan
Site Contamination Law Discovering existing soil and/or groundwater contamination Understanding applicable rules and regulations Understanding liability issues Exploring remediation and brownfield redevelopment	S. Humphreys
Land Use Law Understanding land use law Governmental power and authority to zone Comprehensive land use planning and zoning Planning Board and Zoning Board of Adjustment jurisdiction Finding existing land use laws and regulations Seeking zoning variances or rezoning Local housing and redevelopment law Post-approval Participating in land use litigation and appeals Affordable housing Two takeaways – simple and important, but often skipped	G. Forshner
Complying with Rules of Professional Conduct Complying with New Jersey rules of professional conduct Sealing of documents Standards for responsible charge of engineering work Unauthorized practice of engineering National Society of Professional Engineers Codes and Canons	W. Testa
Understanding Adverse Possession Different forms of possession What gives rise to this claim What is its effect on either clarifying or further muddying the chain of title that surveyors must follow? Is there a difference between adverse possession claims and trespassing? Is it true that there can be no adverse claims against a governmental entity?	W. Lathrop

New Jersey Land Laws and Ethics for Civil Engineers

Live, Interactive Webinar - Tuesday, October 17, 2023

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Learning Objectives

You'll be able to:

Learn the role of the engineer in eminent domain law and condemnation actions.

Understand applicable state and federal site contamination laws, and explore remediation and redevelopment.

Get tips on finding existing land use regulations and learn about seeking zoning variances or rezoning.

Learn to comply with New Jersey rules of professional conduct.

Examine the law of adverse possession.



HalfMoon Education Live Webinars

New Jersey Land Laws and Ethics for Civil Engineers

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Study eminent domain and the condemnation process	Study eminent domain and the condemnation process
Identify state and federal site contamination laws and explore the liability issues	Learn to comply with New Jersey rules of professional conduct
Learn about governmental land use powers and the authority to zone	Discuss different forms of adverse possession

Continuing Education Credits

Professional Engineers
6.5 PDHs, including 1.0 Ethics Hour



Webinar Information

Log into Webinar 8:00 - 8:30 am EDT	Break 12:40 - 1:10 pm EDT
Morning Session 8:30 am - 12:40 pm EDT	Afternoon Session 1:10 - 3:50 pm EDT

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Faculty

Timothy P. Duggan *Attorney with Stark & Stark*
Mr. Duggan is chair of Stark & Stark’s Eminent Domain and Real Estate Tax Appeal Group. He represents individuals and businesses in eminent domain proceedings and has substantial experience litigating issues involving highway access management, relocation assistance and valuation. Mr. Duggan also represents certain public entities in road widening projects which enables him to have a unique perspective when negotiating settlements. He prosecutes real estate tax appeals for most types of real estate, including shopping centers, apartment buildings, office buildings and warehouses. Mr. Duggan is a frequent speaker and author on topics related to bankruptcy, eminent domain and tax appeal matters.

Steven Humphreys *Kelley Drye & Warren LLP*
Mr. Humphreys is an attorney with the law firm of Kelley Drye & Warren LLP, where he concentrates his practice on all aspects of environmental law and related counseling of businesses. He advises businesses on regulatory compliance and management of environmental risk in matters arising under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); the federal Resource Conservation and Recovery Act (RCRA); the Clean Air Act; the Clean Water Act; and various other federal, state and local environmental laws, as well as the environmental aspects of business transactions.

Gary S. Forshner *Law Office of Gary S. Forshner*
Mr. Forshner concentrates his practice in residential and commercial real estate development, redevelopment, land use and real estate development. Mr. Forshner represents owners and developers regarding development, mixed-use, affordable housing, residential, industrial, retail and office development projects. He has extensive experience in the telecommunications industry, including zoning and planning, leasing, and municipal bidding. His practice includes representation of national, international, and local developers and businesses as well as charitable and religious organizations. Mr. Forshner served as special land use counsel to municipalities and to the New Jersey Builders Association. He is the former chair of the New Jersey State Bar Association’s Land Use Section. Mr. Forshner regularly speaks on zoning and planning, redevelopment, affordable housing, sustainable energy, land use, eminent domain, and land real estate transactions.

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Wendy Testa *Partner at Wilson Elser*
Ms. Testa focuses her legal practice on insurance coverage and defense litigation as well as risk management services in the areas of professional liability; construction/construction defect; general liability; product liability; contract drafting, negotiating and disputes; and employment practices. She has also litigated matters alleging violations of the Fair Debt Collection Practices Act and advised clients on best practices in this area of the law. Ms. Testa is experienced in the defense of architects, engineers and surveyors and is a member of the firm’s design professional practice. She performs contract review and drafting services for design professionals and engages in contract negotiations on behalf of these clients. Ms. Testa received her J.D. from Widener University School of Law.

Wendy Lathrop, PLS, CFM, CFS *President and Owner of Cadastral Consulting, LLC*
Ms. Lathrop is licensed as a professional land surveyor in New Jersey, Pennsylvania, Delaware, and Maryland, and as a professional planner in New Jersey. She holds a master’s degree in Environmental Policy and has been involved in surveying since 1974 in projects ranging from construction to boundary to environmental land use disputes. Ms. Lathrop is also a certified floodplain manager through the Association of State Flood Plain Managers (ASFPM) and a Certified floodplain surveyor through the New Jersey Society of Professional Land Surveyors. A former adjunct instructor at Mercer County College in New Jersey, she has also taught as part of the team for the licensing exam review course at Drexel University in Pennsylvania. Ms. Lathrop has been teaching seminars for surveyors since 1986 and has been writing articles for surveyors since 1983. She is also on the faculty of GeoLearn, a web-based educational provider. Ms. Lathrop is a past president of the New Jersey Society of Professional Land Surveyors and of the National Society of Professional Surveyors, and she has served on the Board of Directors for the American Association for Geodetic Surveying.

Additional Learning

New Jersey Practical Site Engineering: Science and Techniques
Online | Wednesday, September 20, 2023 | 9:00 am - 4:30 pm EDT
Credits:
Professional Engineers: 6.0 PDHs | Architects: 6.0 HSW CE Hours
AIA: 6.0 HSW LUs | Landscape Architects: 6.0 HSW CE Hours
LA CES: 6.0 HSW PDHS | International Code Council: .6 CEUs (Sitework)

New Jersey Water Rights and Regulation
Online | Tuesday, September 26, 2023 | 8:30 am - 4:30 pm EDT
Credits:
Professional Engineers: 6.5 PDHs | Architects: 6.5 HSW CE Hours
AIA: 6.5 HSW LUs | Landscape Architects: Up to 6.5 HSW CE Hours
LA CES: 6.5 HSW PDHS | Floodplain Managers: 6.5 ASFPM CECs
Certified Planners: CM | 6.5 | Attorneys: 7.5 CLE Hours

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