

**ENGINEERS COMMITTEE OF THE UNIFIED BOARD OF THE DIVISION
OF DESIGN PROFESSIONALS**

MINUTES OF THE MEETING OF THE ENGINEERING COMMITTEE

DATE: 27 February 2008

PLACE: Department of Administration

1 Capitol Hill 3rd floor, Conference Room 3F

Providence, RI 02908

**MEMBERS PRESENT: Messieurs: Bernardo, Capezza, Jr., Fairbanks,
Jr. and Smith**

OTHERS PRESENT: Peter N. Dennehy, Esq.

Richard W. Berstein, Esq.

Lois Marshall, Administrative Assistant

**CALLED TO ORDER: Chairman Bernardo called the meeting to order
at 12:10 PM to commence Board business.**

NEW BUSINESS:

**(1) The Unified Board Division of Design Professionals approved this
committee's 16 January 2008 regular and executive minutes at its' 23
January 2008 meeting.**

EXECUTIVE SESSION

A motion was made by Mr. Smith at 12:11 PM to move into Executive Session pursuant to RI General Laws, Section §42-46(5)(a)(2) for sessions pertaining to collective bargaining or litigation and §42-46-5 (a) (4) for investigative proceedings regarding allegations of civil or criminal misconduct. Secretary Capezza, Jr. seconded the motion. Motion carried.

Mr. Fairbanks, Jr. moved to adjourn from executive session and reconvene to open meeting at 12:44 PM pursuant to R.I.G.L. §42-46(5) (a) (2) and §42-46-5 (a) (4). Secretary Capezza, Jr. seconded the motion. Motion carried.

A motion was made by Mr. Fairbanks, Jr. at 12:44 PM to reconvene to Open Meeting in accordance with R.I.G.L. § 42-46(5) (a) (2) and §42-46-5 (a) (4) and seal the Minutes of the Executive Session. Secretary Capezza, Jr. seconded the motion. Motion carried.

Mr. Fairbanks, Jr. moved to record the votes taken in executive session in accordance with R.I.G.L. § 42-46(5) (a) (2) and §42-46-5 (a) (4) as follows. Mr. Fairbanks, Jr. made a motion to reaffirm in open session the votes to close the following: C2007-6 Stephen Muschiano, PE vs. Bryan Dundon/Portsmouth Target, P2008-1 Fire Systems Solutions/Robert S. Wilkinson, P2008-2 Cintas Fire Protection, Inc., P2008-4 Gary Storm, PE/Thornton-Tomasetti Dunkin Donut Ctr. and C2007-7 The Board of Engineers vs. Drawings by your Design and to refer this complaint to the Attorney General's office.

Secretary Capezza, Jr. seconded the motion. Motion carried.

(3) Correspondence from Jerry Carter, NCEES Executive Director

So noted and filed.

(4) NCEES Annual Report 2006-2007

So noted and filed.

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(5) NCEES Proposed Amendment to NCEES Constitution and Bylaws

Mr. Smith will be attending the Annual Meeting and as such will be the Board's voting delegate.

(6) Proposed Merger of the NCEES Constitution and Bylaws

Mr. Smith informed the Board that the NCEES Constitution and Bylaws are being combined. The major issue is that presently it takes a two-thirds vote for a Constitution change and it takes a simple majority for a Bylaws change.

(7) Northeast Zone Meeting Information

Mr. Smith will be attending the Northeast Zone Meeting in Quincy, Massachusetts.

(8) ELSE Proposal

Chairman Bernardo will be reviewing the ELSE proposal and reporting his findings to the Board at their next scheduled meeting.

(9) Correspondence received from Adam Sholes, Special Assistant Attorney General

Attorney Sholes informed the Board that the Attorney General's office has received a response from the Associate General Counsel of IDEARC Media (the Yellow Pages) that they have agreed to verify that individuals and companies listed under the Engineers sections are properly licensed in Rhode Island. The Attorney General's office is still waiting for a response from Yellow Book.

Mr. Smith asked that Ms. Marshall check on why the statement informing the general public where they can call to inquire about Engineers was removed from the Yellow Pages and if it can be replaced.

(10) The 2008 NCEES Annual Meeting

The 2008 NCEES Annual Meeting will be held in Minneapolis, MN. Mr. Smith will be attending.

(11) The 2008 April PE and EIT Exams

The 2008 PE and EIT exams will be held April 11 and 12. Mr. Smith will assist the administrative staff with the Friday morning PE exams and Secretary Capezza, Jr. will assist at the Friday afternoon PE exams. Chairman Bernardo will assist at the Saturday morning EIT exams.

(12) Professional Engineering Committee's Rules and Regulations

Chairman Bernardo has assigned Vice Chairman Smith to work with Attorney Dennehy on reviewing the Rules and Regulations of the PE committee.

(13) Election of Vice Chairman

Vice Chairman Moore's term expired leaving the Vice Chairman's position empty. Secretary Capezza, Jr. made a motion to elect Mr. Smith to the position of Vice Chairman. Chairman Bernardo seconded the motion. Motion carried.

APPLICATIONS

(14) G.W. Preiss and Son, LLC

Mr. Fairbanks, Jr. made a motion to reinstate Mr. Preiss firm's Certificate of Authorization to full Professional Engineering services based on additional information received. Secretary Capezza, Jr. seconded the motion. Motion carried.

(15) Kevin M. Sullivan

The Board reviewed information received from the Massachusetts' Board. Secretary Capezza made a motion to register Mr. Sullivan in the Electrical discipline. Mr. Fairbanks, Jr. seconded the motion. Motion carried.

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(16) Stephen R. Mushiano

Chairman Bernardo asked that Mr. Smith address Mr. Mushiano's procedural issues in writing.

(17) Robert J. Leichti, PhD

The Board reviewed correspondence date 4 February 2008 submitted by Mr. Leichti. It was the Board decision that their original decision to deny Mr. Leichti to sit for the EIT exam remains unchanged.

(18) Division Titles

Motion was made by Vice-Chairman Smith to amend the motion to add a discussion on the Engineers Committee title. Secretary Capezza, Jr. seconded the motion. Motion carried.

Vice-Chairman Smith suggested to Attorney Berstein that for a more powerful and more proper form that the Engineers Committee is referred to as the "Professional Engineers board" a committee of the Unified Board of the Division of Design Professionals for the purpose of signing as the "Board" and for the statutory right. Attorney Berstein will discuss with this title change with the Director.

C.O.A. APPLICATIONS;

Motion was made by Mr. Smith to approve the applications for Certificates of Authorization listed on the 27 February 2008 list for Corporations, COA'S renewing, and Soles as noted in the specific

disciplines mentioned with the exception of (3), which were denied. Secretary Capezza, Jr. seconded the motion. Motion carried.

ADJOURNED:

Chairman Bernardo informed the Board that the next Board meeting would be scheduled for 26 March 2008 at 12:00 noon. Motion was made by Secretary Capezza, Jr. to adjourn the meeting at 1:30 PM. Motion seconded by Mr. Smith. Motion carried.

C. O. A. APPLICATIONS

Board Meeting of 27 February 2008

SOLES PAID COMMENTS

PARTNERSHIP

LIMITED LIABILITY COMPANY

HGA ARCHITECTS AND ENGINEERS, LLC \$125.00 OK CIVIL ONLY

LIMITED LIABILITY PARTNERSHIP

NATIONAL ENGINEERING, LTD. \$125.00 OK MECHANICAL & FIRE PROTECTION

CORPORATIONS

PLANMARK, INC.

COA#5687 Remove Cathy Kray as resp charge 0 OK CHANGE IN RESP. CHARGE

GOULD ENGINEERING ASSOCIATES, INC. 0 OK ELECTRICAL

PIER STRUCTURAL ENGINEERING CORPORATION \$125 OK CIVIL

CH2M HILL ENGINEERS, INC. \$125 OK ELECTRICAL

CB&I Inc. \$125 OK CIVIL & MECHANICAL

RICHMOND SO ENGINEERS, INC. \$125 OK STRUCTURAL

X-NTH, INC. \$125 OK ELECTRICAL

ATC GROUP SERVICES INC. d/b/a ATC ASSOC., INC. \$125 OK CIVIL

SCHOOR DEPALMA INC.

COA #5688 Name Change \$50 OK NAME CHANGE

UP FOR DENIAL –(No response to request for Good Standing)`

MACRITCHIE ENGINEERING INC. DENY

SYSKA HENNESSY GROUP IN. DENY

WHITMAN & BINGHAM ASSOCIATES, LLC DENY

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