

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
DIVISION OF DESIGN PROFESSIONALS
1511 PONTIAC AVENUE, BLDG. 68-1
CRANSTON, RI 02920
(401) 462-9592 Fax: (401) 462-9532 www.bdp.state.ri.us**

MINUTES OF THE MEETING OF THE BOARD

DATE: 21 April 2010

**PLACE: Department of Business Regulation
1511 Pontiac Avenue, Building 68, Conference Room
68-1 Cranston, RI 02920**

TIME: 12:00 PM

**MEMBERS PRESENT: Chairman L. Robert Smith, PE, Vice Chairman
Richard A. Bernardo, PE, and Messer. Robert W. Fairbanks, Jr., PE
and Wayne D. Moore, PE, Board Members**

MEMBER ABSENT: Christopher Duhamel, PE, PLS, Secretary

**OTHERS PRESENT: Richard W. Berstein, Esq.
Brian Riggs, Department Budget Administrator
Lois Marshall, Administrative Assistant**

CALLED TO ORDER: Chairman Smith called the meeting to order at 12:07 PM to commence Board business.

Mr. Fairbanks, Jr. left at 2:00PM

(1) NEW BUSINESS:

Vice Chairman Bernardo made a motion to accept the minutes of the 17 March 2010 Board meeting. Mr. Fairbanks, Jr. seconded the motion. The motions passed unanimously, four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore Board Members. Absent was Mr. Duhamel, Secretary. Vice Chairman Bernardo made a motion to approve and seal the minutes of the Executive Session of 17 March 2010. Mr. Fairbanks, Jr. seconded the motion. The motions passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore Board Members. Absent was Mr. Duhamel, Secretary.

EXECUTIVE SESSION

Vice Chairman Bernardo made a motion to convene into executive session at 12:09 PM pursuant to RI General Laws, Section §42-46(5)(a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-(5)(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr.

and Moore Board Members. Absent was Mr. Duhamel, Secretary.

Vice Chairman Bernardo moved to adjourn from executive session and to reconvene to open meeting at 12:55 PM pursuant to R.I.G.L. §42-46-4. Mr. Fairbanks, Jr. seconded the motion. The motions passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore Board Members. Absent was Mr. Duhamel, Secretary.

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Vice Chairman Bernardo moved to seal the executive session pursuant to R.I.G.L. §42-46-4 and §42-46-45 and to record the votes taken in executive session in accordance with RI General Laws, §42-46-4 to move P2010-1 to monitoring and not to pursue P2010-11 Michael Zimmerman, PE#5288. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore, Board Members. Absent was Mr. Duhamel, Secretary. Vice Chairman Bernardo stated for the record that he recused himself from two matters in executive session.

Vice Chairman Bernardo moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy,

negotiation, or investigation undertaken concerning RI General Law §42-46-45(a). Mr. Mr. Fairbanks, Jr. seconded the motion. The motion passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore Board Members. Absent was Mr. Duhamel Board Secretary.

In Executive Session pending matters, there are eighteen (18) pending matters, comprised of thirteen (13) potential litigation-related matters and five (5) investigative matters, with one (1) recusal in two (2) matters.

Vice Chairman Bernardo made a motion to reconvene into executive session at 2:05 PM pursuant to RI General Laws, Section §42-46(5)(a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-(5)(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Mr. Moore. seconded the motion. The motion passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Mr. Moore Board Member. Absent was Mr. Duhamel, Secretary. Mr. Fairbanks, Jr. left at 2:00PM.

Vice Chairman Bernardo moved to adjourn from Executive Session at 2:35 PM pursuant to RI General Laws §42-46-4. Mr. Moore seconded the motion. The motion passed unanimously; three in favor one absent, one member left early. Voting in favor were Chairman Smith,

Vice Chairman Bernardo, and Mr. Moore, Board Member. Absent was Mr. Duhamel, Secretary. Mr. Fairbanks, Jr. Board Member left at 2:00PM.

Vice Chairman Bernardo moved to seal the minutes of the executive session and record that there were no additional votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5.

Mr. Moore seconded the motion. The motion passed unanimously; three in favor one absent, one member left early. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Mr. Moore, Board Member. Absent was Mr. Duhamel, Secretary. Mr. Fairbanks, Jr. Board Member left at 2:00PM.

(3) Discussion of the Task List

Mr. Ron Blanchard, PE, attend the meeting to discuss the Task List. Mr. Fairbanks, Jr. explained to him that due to the absence of Secretary Duhamel there was no new information.

(4) NCEES Examinee Management System

A recent amendment to NCEES Exam Administration Policy 1 calls for examinees to obtain a unique identification number during the registration process starting with the October 2010 examinations. This will allow NCEES to track national how many times a candidate takes the FE or PE examinations.

(5) NCEES renames FE exam module

The Other/General module will be known as the Other Disciplines

module beginning with the April 2010 exam.

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(6) Proposed Amendment to NCEES Bylaws

The Board reviewed correspondence reflecting the amendments that will be offered at the 2010 Annual Meeting.

(7) Providence Building Electronic Submissions

The City of Providence Building Official is accepting electronic seals. The matter was continued to the 16 May 2010 meeting for further discussion.

(8) NCEES Joint Northeast Zone Meeting Report

Chairman Smith informed the Board of on going discussions at the NCEES Joint Northeast Zone meeting regarding unlicensed people performing engineering services. Attorney Berstein has introduced bills H7091 House Bill and S2664 Senate Bill that would address unlicensed people performing engineering services.

(9) Revisions to the application form

Chairman Smith asked that the Department of Business Regulation's (DBR) technology department (IT) add numbers to each page of the application for registration by comity and move the tax affidavit and supplemental information forms from the end of the application package to be included in the numbered pages.

(10) Board for Design Professionals Website

Chairman Smith is concerned that the link from the Board's website to the Secretary of State's website is incorrect and asked that the DBR's IT department make the necessary correction.

(11) Discussion on Comity Fee

Chairman Smith stated that the fee for the Board's comity application has been changed to \$150 per year. Chairman Smith has asked that these changes be instituted by DBR's IT department.

(12) Article from the Magazine for Professional Engineers

Chairman Smith submitted copies of an article in "The Magazine for Professional Engineers" for Board members review.

(13) NCEES 2010 Annual Meeting Funded Delegate

Mr. Moore will be the person designated to represent the Board as a Funded Delegate at the 2010 Annual Meeting.

(14) NCEES Request for Proposals for 2019 Annual Meeting

So noted and filed.

(15) University of Delaware wins 2010 NCEES Engineering Award

So noted and filed.

(16) NCEES Engineering Education Standards

Correspondence was received regarding applicants having engineering degrees from programs that are not accredited by the EAC/ABET must meet certain educational standards.

(17) Correspondence from Eva-Angela Adan, Director of Credentials Evaluations

Correspondence was received from Eva-Angela Adan regarding evaluations of technology. Degrees. She stated that the Center can only evaluate if the technology college is accredited but not whether or not the course studies meet the educational requirements of an EAC/ABET degree.

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(18) Correspondence from Falgun Surani, PE

Mr. Surani was questioning whether or not the new NCEES 16 hour structural engineering examination would affect the Rhode Island requirements to be registered as a structural engineer. It was the Board's decision that a registrant previously registered as a structural engineer in Rhode Island prior to the change in the exam format will be unaffected. After the transition, Rhode Island will require that all registrants will have to take the NCEES 16 hour structural examination.

APPLICATIONS:

(19) William F. Baker

Mr. Baker asked the Board to change his discipline from civil to structural based on an examination that he took in California. It was the Board's decision that they do not accept the California Structural examination as a basis for registration as a structural engineer in Rhode Island. If Mr. Baker wishes to become registered as a structural engineer in Rhode Island then he will have to take the NCEES Structural examination.

P.E. COMITY:

Mr. Moore made a motion to grant comity to the following individuals in the disciplines specified. Vice Chairman Bernardo seconded the motion. The motions passed unanimously, four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore, Board Members. Absent was Mr. Duhamel, Board Secretary.

**BELK, EDWIN D. NC ELEC. NAGLE, CONOR P. MA CIVIL
COMMANDER, BRETT C. CO STRUC. PEIRENT, ROBERT VT CIVIL
DESANTOS, TED J. CT CIVIL PERANTEAU, JACLYN NY CIVIL
DRITZ, WILLIAM L. TX CIVIL PERRY, JOHN M. MA CIVIL
DUNLAP, CHRISTOPHER E. NH CIVIL PIIK, CHRISTOPHER. ME MECH
FARMER, KEVIN L. AL CIVIL PIMENTEL, BENJAMIN NY CIVIL
FREBER, BRIAN W. WI CIVIL PINTEK, JASON CT ELECT
HENRY, PHILIP R. NH CIVIL SEIBEL, ANDREW P. WI CIVIL
JOHNSON, DENNIS E. KS ELECT. SEIDEL, DARIN T. KS ELECT
JOHNSON, SEAN M. OH ELECT. SHEFFIELD, DONALD GA MECH**

**KHANNA, VISHAL G. NE MECH. SOUZA, BENJAMIN J. CT STRUC
LANCASHIRE, DOUGLAS S. OH MECH. TIMPERIO,
ANTHONY MA CIVIL
MALAMED, BEN NY CIVIL WARZECKI, TODD M. MA CIVIL
MCCOWAN, DEREK B. MA STRUC. WATERMAN, MICHAEL,
MA STRUC.
MCGRATH, WILLIAM P. MA CIVIL WEDAN, BRYAN D. MN STRUC.
MEREDITH, MICHAEL D. WA MECH. (ONLY) WEISKOPF, JOHN
D. KS STRUC.
MUNOZ, PEDRO R. NJ CIVIL WEST, STEPHEN A. SC CIVIL**

PE. COMITY DENIED:

Mr. Fairbanks, Jr. made a motion to deny comity registration to Mr. Barter who took a Group II examination, which the Board does not recognize. Mr. Bohrer was denied registration by comity due to the fact that in accordance with the guidelines established by the Board's law, rules and regulations he had failed the PE exam more than four times. Mr. Edgar and Mr. Eslinger were denied due to the fact that in accordance with the guidelines established by the Board's law, rules and regulations, they do not have the equivalent of a four-year EAC/ABET engineering degree. Vice Chairman Bernardo seconded the motion. The motions passed unanimously, four in favor one absent. Voting in favor were Chairman Smith, Secretary Bernardo, and Messer. Fairbanks, Jr. and Moore, Board Members. Absent was Mr. Duhamel, Secretary.

BARTER, MICHAEL P.

**BOHRER, MICHAEL N.
EDGAR, CHRISTOPHER W.
ESLINGER, EDGAR C.**

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REINTSTATEMENT:

Mr. Fairbanks, Jr. made a motion to reinstated Mr. Osborne in the Electrical discipline and Mr. Woods in the Civil discipline pending payment of all back fees and penalties. Vice Chairman Bernardo seconded the motion. The motion passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore, Board Members. Absent was Mr. Duhamel, Secretary.

**OSBORNE, THOMAS M.
WOODS, DONALD R.**

E.I.T. COMITY:

Mr. Fairbanks, Jr. made a motion to accept Mr. Tavares and issue his E.I.T. certificate. Vice Chairman Bernardo seconded the motion. The motion passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Secretary Bernardo, and Messer. Fairbanks, Jr. and Moore, Board Members. Absent was Mr. Duhamel, Board Secretary

TAVARES, BENJAMIN

C.O.A. APPLICATIONS;

Mr. Fairbanks, Jr. made a motion to approve the applications for Certificates of Authorization listed on the 21 April 2010 lists for Corporations, COA'S renewing, and Soles as noted in the specific disciplines mentioned with the exception of (0), which was denied. Vice Chairman Bernardo seconded the motion. The motion passed unanimously; four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore, Board Members. Absent was Mr. Duhamel, Secretary.

ADJOURNED:

Chairman Smith informed the Board that the next Board meeting would be scheduled for 19 May 2010 at 12:00 noon. Mr. Fairbanks, Jr. made a motion to adjourn the meeting at 2:35 PM. Secretary Bernardo seconded the motion. The motions passed unanimously, four in favor one absent. Voting in favor were Chairman Smith, Vice Chairman Bernardo, and Messer. Fairbanks, Jr. and Moore, Board Members. Absent was Mr. Duhamel, Secretary.

Posted on May 21, 2010 (as a) electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or

may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.

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C. O. A. APPLICATIONS

BOARD MEETING OF 21 APRIL 2010

SOLES PAID COMMENTS

DAVID W. FISH 0 OK CIVIL

ERNEST O. RABIDEAU 0 OK CIVIL

SALK ENGINEERING 0 OK ELECTRICAL

COA#1427 INACTIVE 6/30/2002

LIMITED LIABILITY CORPORATIONS

MICHAEL A. BEACH & ASSOCIATES, LLC \$150

CORPORATIONS

BAY STATE ARCH. & ENG. SERVICES, P.C. \$150 OK CIVIL

BSI ENGINEERING, INC. \$150 RETURN INCOMPLETE.

DUCKS UNLIMITED, INC. \$150 OK CIVIL

NELSON ARCHITECTURAL ENG, INC. \$150 OK STRUCTURAL

SCHNACKEL ENGINEERS, INC. \$150 OK

SHEPHERD ENGINEERING, INC. \$150 RETURN INCOMPLETE

SRG ENGINEERING, INC. 0 OK CIVIL

STERESCON LIMITED \$150 OK STRUCTURAL

COA 5102 RESURCE CONTROL ASSOC., INC. 0 OK

REMOVE RICHARD CHIODINI AND ADD BRIAN THALMANN

COA 5984 RIST-FROST-SHUMWAY ENGINEERING, P.C. OK

ADD PHILIP G. WHITTON, JR. IN RESP. CHARGE. 0

COA 5286 MCFARLAND-JOHNSON, INC 0 OK

**REMOVE THOMAS F. BOLL ADD DARREN M. BENOIT IN RESP.
CHARGE**

**COA 5759 INDUSTRIAL SERVICES & ENG \$50 OK NAME CHANGE
TO ISE ENGINEERING, INC.**

**COA 5753 STAHLMANN CONSULTING, LLC. 0 OK
ADD TIMOTHY L. MCKENNEY IN RESP. CHARGE.**

**COA LLC 81 STAHLMANN GROUP, INC. 0 OK
ADD TIMOTHY L. MCKENNEY IN RESP. CHARGE.**

**WITHDRAW COA 5448 FISH ENGINEERING, INC. REQUEST TO
FILING AS A SOLE PROPRIETORSHIP OK**

WITHDRAW COA 5649 SOIL REINFORCEMENT DESIGN, INC. OK

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