

**State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION
1511 Pontiac Avenue, Bldg. 68-2
Cranston, Rhode Island 02920**

**Division of
Design Professionals STATE BOARD OF REGISTRATION FOR
PROFESSIONAL LAND SURVEYORS
MINUTES OF THE MEETING OF THE BOARD**

DATE: 14 May 2013

**PLACE: 1511 Pontiac Avenue, Building 68-1 Conference Room,
Cranston, RI**

**MEMBERS PRESENT: Chair John Mensinger, Vice-Chair Richard S.
Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta
(Arrived at 1:15) and Curtis M. Johnson**

**OTHERS PRESENT: Mrs. Lois Marshall, Administrative Assistant
Attorney Neena Sinha Savage, DBR Chief of Legal Services
(Present 1:15 p.m. to 2:25 p.m.)**

**CALLED TO ORDER: Chairman Mensinger called the meeting to order
at 1:07 p.m.**

A. MEETING MINUTES (Review/Discuss/Take Action)

Vice Chairman Lipsitz made a motion to approve the Regular Meeting Minutes of 9 April 2013. Member Johnson seconded. Motion passed; three (3) in favor, one (1) absent and one (1) abstained. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Member Curtis M. Johnson. Member Daniel R. Cotta was absent from this vote. Secretary Michael J. McCormick abstained.

B. EXECUTIVE SESSION

(1) Because of the nature of the following items, Member Johnson moved to convene into Executive Session at 1:10 p.m. pursuant to RI General Laws, §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. Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Member Curtis M. Johnson. Member Daniel R. Cotta was absent from this vote.

(2) Member Johnson moved to adjourn from Executive Session and to reconvene to an open meeting at 2:20 p.m. pursuant to RI General Laws §42 46-4. Secretary Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

(3) Member Johnson moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

5/14/2013, Page 1 of 4

(4) Member Johnson moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: Motions were made to continue the following agenda items B (C12-LS-2), C (C12-LS-4), D, E, F. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

(5) Member Johnson 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

§42-46-5(a). Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

(7) In Executive Session pending matters, there are five (5) pending matters, comprised of five (5) investigative matters with zero (0) recusals.

(8) Member Cotta moved to approve and seal the Executive Session Meeting Minutes of 9 April 2013 as published. Vice Chairman Lipsitz seconded. Motion passed; four (4) in favors, one (1) abstained. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Members Daniel R. Cotta and Curtis M. Johnson. Secretary Michael J. McCormick abstained from this vote.

C. CORRESPONDENCE (Review/Discuss/Take Action)

- No correspondence at this time.**

D. OLD BUSINESS (Review/Discuss/Take Action)

(1) Joint Informational Bulletin

Chairman Mensinger spoke with Chairman Duhamel of the Board of Professional of Engineers regarding updates to the Joint Informational Bulletin. Chairman Duhamel will distribute these latest updates to the members of the Engineering Board for review. Secretary McCormick moved to endorse the Joint Information

Bulletin dated May 2013. Member Johnson seconded.

Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

(2) Professional Development Hours (PDH) Approval Requests

(1) Timothy Kinder, PLS

• It was the Board's decision to send a reply to Mr. Kinder's stating that the documentation submitted is satisfactory to the Board.

(2) Jamie Sardelli

• The Board reviewed Mr. Sardelli's request for a waiver of a core requirement course under the current educational requirement. It is the Board's policy that they cannot waive a statutory requirement.

(3) National Council of Examiners for Engineers and Surveyors (NCEES)

• 2013 Northeast Zone Interim Meeting

Member Johnson attended the 2013 Northeast Zone Interim Meeting. Member Johnson informed the Board of the topics discussed at the meeting which included NCEES Enforcement database, the definition of Engineering surveys as defined in the Model Law and a discussion on the number of votes allotted each Board for resolutions presented at the Annual Meeting.

(4) Rules and Regulations

Attorney Savage informed the Board that she has had a two week work related delay regarding the Rules and Regulations. Attorney Savage hopes to have a draft for Board review by the 11 June 2013 Board meeting.

(5) The Department of Business Regulation (DBR) Legislation

- **Joint Bill of the Division of Design Professionals to include in part:**
- **NCEES Computer-Based Testing (CBT) – (Written and Length of Time)**

No discussion at this time.

- **Continuing Education Exemption –**

No discussion at this time.

(6) PLS Examination

- **Exam Database**

No discussion at this time. Item continued.

(8) Municipal Official's and State Regulatory Acceptance of Improper Plans

- **Follow-up on Letter to State Building Code Commissioner as a result from the Annual Building Officials Meeting**

No discussion at this time. Item continued.

- **Bathymetric Surveys**

No discussion at this time. Item continued.

- **Onsite Wastewater Treatment Systems (OWTS)**

No discussion at this time. Item continued

(9) Any other Old Business

There is no old business at this time.

E. NEW BUSINESS (Review/Discuss/Take Action)

(1) Any Other New Business

There is no other new business.

(2) Comments from the General Public

There has not been a member of the Society present at a meeting in approximately a year. The Board will speak at the Society meeting to tell the membership that the Board has proposed amended rules and regulations which will be set for public hearing which now include the standards.

F. Applications (Review/Discuss/Take Action)

(1) Certificate(s) of Authorization (COA) Application(s)

Tauper Land Survey, Inc. COA renewal received incomplete. No vote taken.

(2) Land Surveyor-in-Training/Professional Land Surveyor (LSIT/PLS) Application(s) by Examination and Comity

None that this time.

4/9/2013, Page 3 of 4

G. Next Meeting 11 June 2013 Adjournment

Secretary Michael J. McCormick moved to adjourn the meeting at 3:49 p.m. Member Johnson seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

Posted on 11 June 2013 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.