

**RI BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS**

**MINUTES OF THE MEETING OF THE BOARD**

**DATE 13 December 2005**

**PLACE 1 Capitol Hill, 2nd Floor Conference Room B, Providence, RI**

**MEMBERS PRESENT Messrs. DiOrio, Federici, Lipsitz, Reddington and Sheldon**

**OTHERS PRESENT Ms. Christina Styron, Administrative Assistant  
Mr. Peter N. Dennehy, Esquire, Legal Counsel  
Mr. Thomas D. Drury, Jr.**

**CALLED TO ORDER Chairman DiOrio called the meeting to order at 1:06 PM.**

**AGENDA ITEM #1 Secretary Reddington made a motion, seconded by Mr. Lipsitz, to  
Approval of Minutes approve the Regular and Executive Session minutes of the 8 November**

**2005 meeting. The motion was passed unanimously.**

**AGENDA ITEM #2 Because of the nature of the following items, Secretary Reddington made Executive Session a motion at 1:07 PM, seconded by Mr. Federici, to hold an**

**Executive Session according to Section 42-46-5a of the Rhode Island**

**General Laws, for sessions or work sessions pertaining to collective**

**bargaining or litigation under Section 42-46-5(A)(2) and for investigative**

**proceedings regarding allegations of civil or criminal misconduct under**

**Section 42-46-5(A)(4) and the motion was passed. See Executive Session**

**Minutes Agenda.**

**Vice Chairman Sheldon made a motion at 2:31 PM, seconded Secretary Reddington, to come out of Executive Session. The motion was passed unanimously.**

**Vice Chairman Sheldon made a motion, seconded by Secretary Reddington, to seal the Executive Session minutes of today's (13 December 2005) meeting of the Board. The motion was passed unanimously.**

## **Record of Votes Taken in Executive Session**

**Executive Agenda Item #1 - Mr. Federici made a motion, seconded by Secretary Sheldon, to have Attorney Dennehy file a request for Injunctive Relief against the person 7 their company named in the complaint. The motion was passed unanimously**

**Executive Agenda Item #2 - Mr. Federici made a motion, seconded by Vice Chairman Sheldon, to continue this matter until the next meeting. The motion was passed unanimously.**

**Executive Agenda Item 3. - Mr. Federici made a motion, seconded by Vice Chairman Sheldon, to continue this matter until the next meeting. The motion was passed unanimously.**

**Executive Agenda Item 4 - Mr. Lipsitz made a motion, seconded by Vice Chairman Sheldon, to send the letter. The motion was passed unanimously.**

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**Executive Agenda Item 5 - Vice Chairman Sheldon made a motion, seconded by Secretary Reddington, to continue this matter until the next meeting. The motion was passed unanimously.**

**Executive Agenda Item 6 Vice Chairman Sheldon made a motion, seconded by Mr. Lipsitz, that: 1. We will request a certified copy of the recorded plan from the City of Newport's Recorder of Deeds; 2. We will get a copy of the Condominium Act and 3. We will possibly refer this matter to the State Board of Registration for Professional Engineers and the Examination and Registration Board for Architects. The motion was passed unanimously.**

**Executive Agenda Item 7 Mr. Lipsitz made a motion, seconded by Secretary Reddington, to close this complaint file. The motion was passed unanimously**

**Executive Agenda Item 8 - Mr. Federici made a motion, seconded by Mr. Lipsitz, to invite the complainant to the 14 February 2006 meeting. The motion was passed unanimously.**

**Executive Agenda Item 9 Mr. Lipsitz made a motion, seconded by Vice Chairman Sheldon, to invite the person named in the complaint to the 10 January 2006 meeting. We will tell him/her to bring samples of his/her latest plans for this site or a similar project that meets the current standards including his/her putting the correct certifications**

**on them. The motion was passed unanimously.**

**Executive Agenda Item 10 - Vice Chairman Sheldon mad a motion, seconded by Mr. Federici, to appoint Mr. Lipsitz as the Investigator and to possibly invite the principals of the firm to a meeting after the Investigation. The motion was passed unanimously.**

**Executive Agenda Item 11 - Mr. Federici made a motion, seconded by Mr. Lipsitz, to continue this matter until the next meeting. The motion was passed unanimously.**

**Executive Agenda Item 12 - Vice Chairman Sheldon made a motion, seconded by Secretary Reddington, to continue this matter until the next meeting. The motion was passed unanimously.**

**Executive Agenda Item b. a. - Mr. Lipsitz made a motion, seconded by Secretary Reddington, to have Ms. Styron send a letter and a copy of the plan to both Mr. Baron and Mr. Murgu asking them to explain why they have prepared this plan without a current COA. The motion was passed unanimously.**

**Executive Agenda Item b. b. - Mr. Federici made a motion, seconded by Secretary Reddington, to have Ms. Styron send a letter to the person on the plan telling him/her that this plan was brought to the Board's attention and that it appears that it looks like an existing conditions plan. Please explain where your information came from.**

**The motion was passed unanimously.**

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**AGENDA ITEM #3 1. There is no correspondence at this time.**

**Correspondence**

**AGENDA ITEM #4 a. Legislation**

**Old Business Continuing Education Exemption Repeal Bill - Mr. Federici has a representative who will introduce the continuing education exemption repeal. Ms. Styron will send Mr. Federici a list of those affected by this bill.**

**Interim COA - On a case-by-case basis for companies/individuals with an existing COA, we will have a person make a formal request to 1. Identify their problem, ask for a Temporary waiver of the statutes that exist in favor of continuing their work and ask the Board what we can do for them. The Board will have to notify the registrants under what conditions such as death, termination, retirement fall under this category.**

**Comity Applicants - Attorney Dennehy reviewed the New England States and New York statutes on comity and advised the Board that the current verbiage of our law allows for on a case by case basis to determine if that person meets all appropriate requirements of this chapter, based upon verified evidence, may, upon application be registered, only if they have passed the two (2) hour written Rhode Island legal portion.**

**The Board appointed Secretary Reddington and Mr. Federici to be a committee to develop a guideline as a policy. We will target March 2006 for re-visitation.**

**b. Statewide Planning/RIGIS - There is no update at this time.**

**c. CEU committee - Half Moon LLC is asking if a member of the Board would like to present a topic at their Legal Issues for RI Professional Land Surveyors to be held on 28 April 2006. The Board declined. Chairman DiOrio suggested that we should notify any organization that presents a seminar in RI that has anything to do with land surveying, must have a PLS on the faculty.**

**d. Administrative Issues/Budget - Ms. Styron notified the Board that the Board's office will be moving from the third floor to the second floor in March 2006.**

**e. CRMC - Chairman DiOrio - Chairman DiOrio drafted a letter to CRMC. We will get a copy of the proposed CRMC regulations which the Board will review. We will hold off on sending the letter.**

**f. NCEES - There is no update on this matter**

**g. NSPS - Mr. Drury gave a report on the convention held in November.**

**One of the topics discussed there was Trespass Law/Right of Entry - Ms. Styron will look into other state's laws regarding giving notification to property owners before going on the property...**

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**h. Education**

**- CCRI Update**

**Mr. Federici spoke to Mr. Cardin who stated that the school is hoping to finalize the program soon.**

**A letter was sent to Richard Cardin at CCRI inquiring as to when he thinks the degree program will be available. The certified letter was signed for on 28 November 2005 and we had asked that he respond within 30 days of the letter which would be 21 December 2005.**

**Vice Chairman Sheldon gave the Board a copy of the proposed land surveying curriculum for the Board to review and comment on.**

**i. City of Providence - Abandoned Streets**

**Mr. Federici gave a report on his findings. He is waiting to receive a package on how the City prepares these abandonments.**

**j. Miscellaneous - Nothing at this time.**

**AGENDA ITEM #5 a. COA Application Review**

**New Business**

**The following new COA application was reviewed by the Board:**

**Co Operative Land Surveyors LLC**

**This company is a LLC but their application reads that they are applying as a partnership. Mr. Federici made a motion, seconded by**

**Mr. Lipsitz, to have Ms. Styron will return the application for correction.**

**b. LSIT/PLS Application Review- There are no applications at this time.**

**c. Miscellaneous - There is nothing at this time.**

**d. Election of Officers**

**Mr. Lipsitz made a motion, seconded by Mr. Federici to re-elect the officers as is: Chairman DiOrio, Vice Chairman Sheldon and Secretary Reddington. The motion was passed unanimously.**

**e. Comments from the General Public - There is nothing at this time.**

**f. The next Board meeting will be 10 January 2006 at 1:00 PM.**

**ADJOURNMENT The meeting was adjourned on the appropriate motion and was**

**approved unanimously at 4:10 PM.**

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