

RI BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS

MINUTES OF THE MEETING OF THE BOARD

DATE 13 June 2006

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. Matthew Cotta, RISPLS Liaison**

CALLED TO ORDER Chairman DiOrio called the meeting to order at 1:02 PM.

AGENDA ITEM #1 Secretary Reddington made a motion, seconded by Mr. Federici, to

Approval of Minutes approve the Regular and Executive Session minutes of the 9 May

2006 meeting. The motion was passed unanimously.

AGENDA ITEM #2 Because of the nature of the following items, Vice Chairman Sheldon made Executive Session a motion at 1:04 PM, seconded by Secretary Reddington, 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 1:50 PM, seconded Secretary Reddington, to come out of Executive Session. The motion was passed unanimously.

Because of the nature of the following items, Vice Chairman Sheldon made a motion at 2:15 PM, seconded by Secretary Reddington, 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 2:45 PM, seconded Mr. Lipsitz, to come out of Executive Session. The motion was passed unanimously.

Record of Votes Taken in Executive Session

Executive Agenda Item #1 - Secretary Reddington made a motion, seconded by Vice Chairman Sheldon, to continue this matter until the next meeting. The motion was passed unanimously.

Executive Agenda Item 2 - Mr. Lipsitz made a motion, seconded by Vice Chairman Sheldon, to have Chairman DiOrio draft a letter to a person named in this complaint outlining the Board's position in this regard and to have Ms. Styron send a letter to another person named in this complaint notifying him that the Board accepts his plan and that he is no longer involved in this matter. The motion was passed unanimously.

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Mr. Lipsitz 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. Lipsitz made a motion, seconded by Mr. Federici, to continue this matter until the next meeting. The motion was passed unanimously.

Executive Agenda Item 4 - Secretary Reddington made a motion, seconded by Mr. Lipsitz, to have Vice Chairman Sheldon and Attorney Dennehy finalize the letter and send it. The motion was passed unanimously.

Mr. Federici made a motion, seconded by Mr. Lipsitz to continue this matter. The motion was passed unanimously.

Executive Agenda Item 5 - Vice Chairman Sheldon made a motion, seconded by Mr. Lipsitz, to have Attorney Dennehy draft a letter to a person named in this complaint telling her to submit 7 copies of each with the following information for the three projects brought to the Board's attention; Signed Contracts, Letters of authorization to perform the jobs from Bock & Clark & The Matthews Company,

Cancelled checks, Field Work notes, Computations and Completed Surveys. The motion was passed unanimously.

Executive Agenda Item 6 – Secretary Reddington made a motion, seconded by Mr. Lipsitz, to have Vice Chairman Sheldon and Attorney Dennehy finalize the letter and send it. The motion was passed unanimously.

Executive Agenda Item 7 - Mr. Federici made a motion, seconded by Mr. Lipsitz, to suspend this matter pending notification of the outcome of the Board of Registration for Professional Engineers' findings and the criminal charges. This item will no longer appear on the agenda until then. The motion was passed unanimously.

Executive Agenda Item 2 b.c. - Mr. Federici made a motion, seconded by Mr. Lipsitz, to send Mr. Depasquale a letter asking to him to send the letter to the Board and to continue this matter. The motion was passed unanimously.

Executive Agenda Item 2 b.d. - Secretary Reddington made a motion, seconded by Vice Chairman Sheldon, to have Attorney Dennehy will draft a letter to the person involved in this matter's attorney.

AGENDA ITEM #3 1. A memorandum from NCEES regarding NCEES Member Board Correspondence administrations and testing agents was received.

2. NCEES Licensure Exchange was received.

3. A memorandum from NCEES regarding the Deadlines for the Annual Meeting was received. Mr. Lipsitz made a motion, seconded by Secretary Reddington, that Ms. Styron will be the funded, voting delegate representing this Board. The motion was passed unanimously.

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4. A copy of the letter sent to Governor Carcieri regarding their endorsement for David Sheldon's reappointment to this Board from RISPLS was received.

5. RISPLS Newsletter was received.

6. Notice of CRMC Hearing was received.

AGENDA ITEM #4 a. Legislation - Attorney Dennehy gave a status report:

Old Business

Continuing Education Exemption Repeal Bill – On 26 April 2006, the House voted to recommit the bill back to House Corporations. No further action has been taken on it.

Increasing Fines Bill - House Bill No. 7575 - On 10 May 2006, it was referred to the Senate committee. No further action has been taken.

Comity Applicants - Secretary Reddington and Mr. Federici are still working on developing a guideline as a policy. We will target August for re-visitation.

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

c. CEU committee - There is no update at this time.

d. Administrative Issues/Budget -There is no update at this time.

e. NCEES – Mr. L. Robert Smith, PE, Vice President NCEES Northeast Zone Vice President, Member of the RI State Board of Registration for Professional Engineers, appeared before the Board to discuss preparations for the 2007 Northeast Zone meeting to be held in Rhode Island. Mr. Smith asked for all Board members participation in the planning and carrying out of this meeting.

Mr. Lipsitz made a motion, seconded by Mr. Federici, to support NCEES and join with the RI State Board of Registration for Professional Engineers in the planning and carrying out of this meeting. The motion was passed unanimously.

f. NSPS - Mr. Drury gave a brief report

g. Education

CCRI Update – Mr. Federici gave a brief update.

h. Pending Policies

- Interim (Emergency) COA – Ms. Styron will e-mail the Board’s proposed verbiage to Attorney Dennehy for his review.**

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***New Policy – Mr. Lipsitz made a motion, seconded by Mr. Federici, to amend the requirement of submitting an original Certificate of Good Standing from the Secretary of State with their COA renewals due to the price increase from \$5 to \$20/\$30. The policy will be as follows: A copy of the Certificate of Good Standing from the Secretary of State’s office will be acceptable if that copy is submitted as a result of renewing a PE and/or LA COA renewal which occurs at the same time of year.**

***New Policy – Mr. Federici made a motion, seconded by Mr. Lipsitz, to require that if a person is requested to provide any information to the Board regarding pending complaints, they are to submit seven (7) copies) of the information to the Board. The motion was passed unanimously.**

i. Miscellaneous -

Question of re-writing the Technical Standards & Code of Ethics – Secretary Reddington, Mr. Lipsitz have met and will continue to work on the rewrite over the next few months and make recommendations to the Board.

AGENDA ITEM #5 a. COA Application Review

New Business

The following applications were reviewed:

- 1. Boyer Associates adding Robert Boyer as a person in responsible charge.**
- 2. David T. Bray changing from a sole proprietor to exempt**
- 3. Engelhardt Surveying, LLC. – changing from a sole proprietor to a LLC.**
- 4. Garofalo & Associates, Inc. – taking Michael Fontaine off as a person in responsible charge.**
- 5. Flynn Surveys, Inc.**
- 6. Welch Associates Land Surveyors, Inc.**

Secretary Reddington made a motion, seconded by Vice Chairman Sheldon, to approve the above listed COA's. The motion was passed unanimously.

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

c. Miscellaneous - There is nothing at this time.

• BOR Schedule – Mr. Federici proposed that he and Ms. Styron work on putting together a yearly Board schedule. They will work on this.

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

e. The next Board meeting will be 11 July 2006 at 1:00 PM.

ADJOURNMENT The meeting was adjourned on the appropriate motion and was

approved unanimously at 4:06 PM.

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