

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

**MINUTES OF THE MEETING OF THE BOARD**

**DATE 13 February 2007**

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

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

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

**Mr. Matthew Cotta, RISPLS Liaison – Present 3:12 to 5:15**

**Mr. Thomas D. Drury, Jr. – Present 3:12 to 5:15**

**Mr. Thomas Owen, LSIT Applicant – Present 3:12 to 3:20**

**Mr. Michael Gavitt, PLS Applicant – Present 3:12 to 3:30**

**Mr. Dean Martin – PLS Applicant - Present 3:12 to 3:40**

**Mr. Kevin Blake – PLS Applicant - Present 3:18 to 3:52**

**CALLED TO ORDER Chairman Reddington called the meeting to order at 1:10 PM. All Board members, Attorney Dennehy and Ms.**

**Styron are present.**

**AGENDA ITEM #1 Vice Chairman Lipsitz made a motion, seconded by, Secretary Federici to Approval of Minutes approve the open minutes of the 9 January 2007 meeting pending**

**verbal clarification from Mr. Thomas Drury regarding Agenda Item #4 f..**

**The motion was passed unanimously.**

**Upon reconvening in open meeting and his arrival, Mr. Drury clarified that the word in question was the word “insurance” which will be inserted in that section of the 9 January 2007 minutes**

**Mr. DiOrio made a motion, seconded by Mr. Federici, to approve and seal the Executive Session minutes of the 9 January 2007 meeting. The motion was passed unanimously.**

**AGENDA ITEM #2 Because of the nature of the following items, Mr. DiOrio made a motion, Executive Session seconded by Secretary 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 unanimously at 1:14 PM.**

**Mr. DiOrio made a motion, seconded by Vice Chairman Lipsitz, to seal the Executive Session minutes and record the votes taken in Executive Session pursuant to RIGL§42-46-4 and §42-46-5. The motion was passed unanimously**

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

**Executive Agenda Item #1 - Secretary Federici made a motion, seconded by Mr. DiOrio to continue this matter. The motion was passed unanimously.**

**2-13-07**

**Page 1 of 7**

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

**MINUTES OF THE MEETING OF THE BOARD**

**Executive Agenda Item #2 - Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to have Secretary Federici continue his investigation and to invite four individuals involved in to discuss this matter at a special Executive Session meeting to be held on 27 March 2007. The motion was passed unanimously.**

**Executive Agenda Item #3 - Secretary Federici made a motion, seconded by Mr. DiOrio, to continue this matter. The motion was passed unanimously.**

**Executive Agenda Item #4 - Vice Chairman Lipsitz made a motion, seconded by Secretary Federici, to close this complaint file. The motion was passed unanimously.**

**Executive Agenda Item #5 - Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to continue this matter. The motion was passed unanimously.**

**Executive Agenda Item #6 – Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to have Attorney Dennehy send a letter inviting all the parties involved in for an investigative conference on 27 March 2007. The motion was passed; Secretary Federici did not vote as he had recused himself from the meeting room during discussion of this item.**

**Executive Agenda Item #7 - Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to send the a copy of the person named in this complaint's response to the complainants and to ask them to provide any comments, if any, in writing, to the Board's office within twenty days. The motion was passed; Secretary Federici did not vote as he had recused himself from the room during discussion of this item.**

**Executive Agenda Item 2 b.c. – Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to close this complaint file. The motion was passed unanimously.**

**Executive Agenda Item 2 b.d. – Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to continue this matter. The motion was passed unanimously.**

**Executive Agenda Item 2 b.e. – No motions were made regarding this matter.**

**Executive Agenda Item 2 b.f. - Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to accept the 2nd Day NCEES and RI Portion exam scores as presented. The motion was passed unanimously.**

**Mr. DiOrio made a motion at 3:07 PM, seconded by Secretary Federici,**

**to come out of Executive Session and reconvene to an open meeting pursuant to RIGL §42-46-4. The motion was passed unanimously.**

**End of record of votes taken in Executive Session**

**2-13-07**

**Page 2 of 7**

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

**MINUTES OF THE MEETING OF THE BOARD**

**\* Attorney Dennehy left the meeting room at 3:10 and returned at 4:09.**

**Due to the fact that the Board's Executive Session ran later than expected, Chairman Reddington changed the order of the agenda to hear Agenda Item #5 b. LSIT PLS Application Review. See AGENDA ITEM #5 b section of these minutes.**

**AGENDA ITEM #3 1. A copy of a letter was received from Mr. DiOrio**

**to TSI Appraisal Services**

**Correspondence regarding recruitment of survey members.**

**2. Notice of RIDEM Public Hearing was received. Mr. DiOrio plans on going to that meeting and he would like to present the Board's previous letter to Mr. Russell Chateauneuf.**

**3. A letter was received from Richard A. Bernardo, PE, Chairman, State Board of Registration for Professional Engineers asking this Board to support their nomination of L. "Larry" Robert Smith for the NCEES Treasurer's position.**

**Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to endorse Mr. Smith for NCEES Treasurer. The motion was passed unanimously.**

**5. A registration packet was received for the 2007 Northeast Zone Meeting to be held 3-5 May 2007 in Newport, RI.**

**6. A letter was received from John Libby, RISPLS President asking the Board to review their proposed legislative changes before their Board of Directors meeting is held this week.**

**7. NCEES Annual report was received.**

**8. A letter from NCEES was received regarding Proposed**

## **Amendments to the Constitution.**

**9. A copy of a letter sent to Governor Carcieri from the RISPLS endorsing Robert Cournoyer was received.**

**10. A copy of a letter sent to Governor Carcieri from the RISPLS endorsing Albert w. D'Orio (sic) was received. Ms. Styron informed the RISPLS secretary of the spelling error of Mr. DiOrio's name and they will correct it and send a new letter.**

**11. Letters were received from John "Jeff" and Janice Black dated January 9, 2007, January 24, 2007, January 25, 2007, January 26, 2007, January 28, 2007, February 4, 2007, February 8, 2007, February 9, 2007, February 10, 2007 and February 11, 2007 regarding Public Record Requests and their pending Executive Session complaints. Ms. Styron had forwarded these letter to the Board members. Attorney Dennehy reported that he has been responding to the records requests as required by the Access to Public Records Act.**

**2-13-07**

**Page 3 of 7**

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

**MINUTES OF THE MEETING OF THE BOARD**



**Several of these letters were mailed to the Board members as their home/business. Due to the fact that Secretary Federici has recused himself from these complaints, he returned the package of letters to the Board's office. Vice Chairman Lipsitz also returned the package. The Board instructed Attorney Dennehy to send the Blacks a letter asking them to please not send mail to their homes/businesses but to the Board's office.**

**\* Chairman Reddington left the room at 4:40 and returned at 4:44.**

#### **AGENDA ITEM #4 a. Legislation**

##### **Old Business**

- The Board members will take the RISPLS proposed legislative changes referenced in AGENDA ITEM #3 6. with them to review and comment on at the next meeting.**
- Comity There is no update on this matter.**
- Right of Entry – target 2008**
- Rules & Regulations – Attorney Dennehy urged the Board to review the old Rules and Regulations and make suggested changes as soon as possible so that new rules and regulations can be prepared.**

\* Attorney Dennehy and Mr. DiOrio left the meeting room at 4:54 and did not return.

**b. Statewide Planning/RIGIS**

The Board reviewed Mr. DiOrio's draft of the Informational Bulletin to the GIS people in every city/town outlining a few of the Board's concerns. them.

Vice Chairman Lipsitz, seconded by Secretary Federici, to send the informational bulletin out upon Mr. DiOrio's finalization of the letter.

T.

c. PDH review- The following courses were reviewed and recommended PDH value as follows:

**Sponsor Dates Seminar/Course Title PDH Value**

**FEMA/RI Elevation Certificates &**

**Emergency Letters of Map**

**Management Amendment/**

**Agency 2-20-07 Revision 2**

**University**

**of NH 2-28-07 Real Time Kinematic GPS 1**

**NBI 6-11-07 Practical Guide to Zoning  
And Land Use Law 7**

**2-13-07**

**Page 4 of 7**

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

**MINUTES OF THE MEETING OF THE BOARD**

**NBI 6-12-07 A Step-by-Step Guide to  
Understanding Easements 7**

**Wesley Grant, PLS, submitted a list of several workshops being offered by University of NH. Other than the above listed course, all others will be subject to individual review.**

**Secretary Federici made a motion seconded by Vice Chairman Lipsitz, to approve the above listed courses and PDH values as indicated. The motion was passed; Mr. DiOrio was not present.**

#### **d. Administrative Issues**

- **Website** – Mr. Federici indicated that the person in responsible charge is not listed on the COA list on the website. Ms. Styron had sent that information to the webmaster to have this corrected. She will check on the status.
- **BOR Schedule** – The schedule will be updated.

**e. NCEES** – There was no discussion on this agenda item.

#### **f. NSPS**

**Mr. Drury** reported that he will be attending the Annual Meeting in Missouri 9-13 March 2007.

**NSPS** is still working on the national surveyor's insurance issue.

#### **g. Education**

- **CCRI Update** – Secretary Lipsitz reported that a presentation is scheduled for this Friday. If that subcommittee approves this program, it will go to the full Board of Governors for their approval.

- 

#### **h. Pending Policies**

- **Interim (Emergency) COA – Attorney Dennehy is still working on language.**

- i. Unusual Plan Filing - There was no discussion on this agenda item.**

- j. Miscellaneous -**

- **RISPLS Advisory Committee regarding the Technical Standards & Code of Ethics - There was no discussion on this item.**

- **Vice Chairman Lipsitz brought a copy of a URI 2007 Training Workshop Schedule he received from John Mensinger, PLS, to the Board's attention; in particular, a new class entitled "Surveying Basics for the Onsite Wastewater Contractor. The Board will send a letter to Mr. Pinch asking him to submit a syllabus for this course with a pc to URI College of Environment and Life Sciences and to Mr. Mensinger.**

**2-13-07**

**Page 5 of 7**

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

**MINUTES OF THE MEETING OF THE BOARD**

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

### **New Business**

**The following application was reviewed:**

- 1. James W. Sewall Company – amending the person in responsible charge from Earl W. Raymond to Alfred John Lloyd**

**Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to approve the above listed COA. The motion was passed; Mr. DiOrio was not present.**

### **b. LSIT/PLS Application Review**

**Interview with Thomas Owen/LSIT Applicant – Mr. Owen appeared before the Board to further discuss his education and experience.**

**Interview with Michael Gavitt/PLS Applicant – Mr. Gavitt appeared before the Board to further discuss his education and experience.**

**Interview with Dean Martin/PLS Applicant – Mr. Martin appeared before the Board to further discuss his education and experience.**

**\*Mr. DiOrio left the meeting room at 3:41 and returned at 3:45.**

**Interview with Kevin Blake/PLS Applicant – Mr. Blake appeared before the Board to further discuss his education and experience.**

**Mr. DiOrio made a motion, seconded by Secretary Federici, to approve Thomas Owen to sit for the Spring 2007 LSIT exam. The motion was passed unanimously.**

**Vice Chairman Lipsitz made a motion, seconded by Mr. Federici, to approve Michael Gavitt to sit for the Spring 2007 2nd Day NCEES and RI Portion exams. The motion was passed unanimously.**

**Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to approve Dean Martin to sit or the Spring 2007 RI Portion exam. The motion was passed unanimously.**

**Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to approve Kevin Blake to sit for the Spring 2007 RI Portion exam. The motion was passed unanimously.**

**The Board re-reviewed William Theodore's LSIT application. Vice Chairman Lipsitz made a motion, seconded by Secretary Federici, because he is academically not qualified. The Board suggests that he speak to CCRI. The motion was passed unanimously.**

**2-13-07**

**Page 6 of 7**

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

**MINUTES OF THE MEETING OF THE BOARD**

- c. Miscellaneous - There was no discussion on this agenda item.**
- d. Comments from the General Public – There were no comments.**
- e. The next Board meeting will be 13 March 2007 at 1:00 PM.**

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

**approved unanimously at 5:15 PM.**





**2-13-07**

**Page 7 of 7**