

RI BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS

MINUTES OF THE MEETING OF THE BOARD

DATE 10 April 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. Thomas D. Drury, Jr. – Present 2:00 to 3:22

CALLED TO ORDER Chairman Reddington called the meeting to order at 1:10 PM. Messrs. DiOrio, Lipsitz and Reddington, Attorney Dennehy and Ms. Styron were present. Secretary Federici arrived at 1:15 PM.

AGENDA ITEM #1 Vice Chairman Lipsitz made a motion, seconded by, Secretary Federici to Approval of Minutes approve the open

minutes of the 13 March 2007 with amendments on

Others Present; Matthew Cotta Present 2:18 to 3:45 and Agenda Item #3, 1.

A copy of a letter.....recruitment of survey members. The motion was passed unanimously.

Vice Chairman Lipsitz made a motion, seconded by Secretary Federici, to approve and seal the Executive Session minutes of the 13 March 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 Vice Chairman Lipsitz, 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 1:10 PM.

Record of Votes Taken in Executive Session

Executive Agenda Item #1 - Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to continue this matter until Secretary Federici and Attorney Dennehy prepare a formal and final report. The motion was passed unanimously.

Executive Agenda Item #2 - Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to continue this matter until the letter is sent. The motion was passed unanimously.

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

Executive Agenda Item #4 - Mr. DiOrio made a motion, seconded by Vice Chairman Lipsitz, to continue until submission of a final report at the next meeting. The motion was passed; Secretary Federici did not vote because he had recused himself and left the room prior to discussion of this matter.

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Executive Agenda Item #5 - Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to continue this matter to the next meeting pending receipt and review of Mr. Marrier's further response. The motion was passed; Secretary Federici did not vote because he had recused himself.

Executive Agenda Item #6 – Mr. DiOrio made a motion, seconded by Vice Chairman Lipsitz, to continue this matter. The motion was passed unanimously.

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

Executive Agenda Item #7 - Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to close this file. The motion was passed unanimously.

Mr. DiOrio made a motion at 2:16 PM, seconded by Vice Chairman Lipsitz, 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

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

AGENDA ITEM #3 1. A letter was received from ELSEES, an affiliate of NCEES, in which they Correspondence submitted a proposal to administer the NCEES examinations in RI regarding recruitment of survey members.

2. The Center Bulletin from the Center for Professional Engineering Education Services was received.

3.. Letters were received from John “Jeff” and Janice Black dated March 16, 2007, March 23, 2007, March 29, 2007, April 1, 2007April 5, 2007, April 6, 2007, April 7, 2007 April 8, 2007, April 9,2007 regarding Public Record Requests and their pending Executive Session complaints. Attorney Dennehy reported that he has been responding to the records requests as required by the Access to Public Records Act.

4. West Virginia Interchange newsletter was received.

5. A letter was received from the State Board of Registration for Professional Engineers announcing the nomination of L. “Larry”

Robert Smith, PE, for the NCEES Treasurer's position.

6. A letter was received from RIDEM regarding an initial review of a complaint filed against licensed ISDS designer Paul Coutu, PLS.

7. An attendance roster was received from Grow Smart RI for their 7 March 2007 seminar.

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8. An attendance roster was received from Half Moon LLC for their 15 February 2007 seminar.

AGENDA ITEM #4 a. Legislation

Old Business

• The Board members discussed the S-0877 RISPLS proposed legislative changes. The Board is very much opposed to these proposed changes in the requirements for registration. The Board

feels that, if passed, this legislation will compromise the CCRI Associates Degree Program which is set to be available in the fall and which the Board has worked on developing with a local college to develop for many years as well as the standards of surveying professionalism.

Secretary Federici and Attorney Dennehy will write a letter to Senator Badeau, Chairman of the Senate Labor Committee advising him of the Board's position on this matter.

- Comity - There is no update on this matter.

- Right of Entry – target 2008

- b. Statewide Planning/RIGIS - There is no update on this matter.

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

Sponsor Dates Seminar/Course Title PDH Value

LORMAN 4-10-07 Legal Aspects of Condominium & Homeowners Associations in Rhode Island 7

LORMAN 6-21-07 Current Issues in Storm

Water Management in RI 6

With the stipulation that the Board is provided a sign-in attendance sheet

RI Emergency Management

Agency 4-24-07 Flood Mitigation Conference 2

With the stipulation that if a PLS is audited, evidence of their cancelled check for the seminar will suffice as proof of attendance.

Chairman Reddington made a motion, seconded by Vice Chairman Lipsitz, to approve to approve the above listed courses and PDH values as indicated. The motion was passed unanimously.

d. Administrative Issues

Rules and Regulations – Karen Wall of the Secretary of State’s office had corresponded with Attorney Dennehy regarding a correction request from their office on the Board’s 9 January 2007 minutes Agenda Item 5 c..

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Chairman Reddington made a motion, seconded by Secretary Federici, to revise the 9 January 2007 minutes to say that “However, because these rules had been originally filed as emergency rules in 1992, these rules had previously expired. The Secretary of State’s office did not erroneously re-file them.” The motion was passed unanimously.

Ms. Styron reported that the registration renewal forms had been mailed over the last week and that she is continuing to update the website.

e. NCEES – Ms. Styron reminded the Board members to send in their registration form for the Northeast Zone meeting as soon as possible.

*** Vice Chairman Lipsitz left the meeting room at 2:32 for the day. There is still a quorum present.**

f. NSPS – Mr. Drury reported that NSPS is still working on the national surveyor’s insurance issue.

g. Education

- **CCRI Update - Secretary Federici reported that the college wants to have another meeting of the Advisory committee.**

- **Letter to John Gomes – Secretary is in the process of writing a letter to Mr. Gomes thanking him for all of his help in getting the Associates Degree program to this point.**

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h. Pending Policies

- **Interim (Emergency) COA – The Board asked Ms. Styron to prepare a draft of a proposed policy for keeping a person in responsible charge for certain projects after they have left an employer for whatever reason.**

*** Mr. DiOrio left the meeting room from 2:54 to 2:59.**

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

j. Miscellaneous -

- **RISPLS Advisory Committee regarding the Technical Standards & Code of Ethics**

A proposed draft will be presented to the RISPLS soon.

* Attorney Dennehy left the meeting room at 2:47 to attend to his other duties and did not return.

AGENDA ITEM #5 a. COA Application Review

New Business

The following applications were reviewed:

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- 1. The BSC Group, Inc. – adding James Peterson as a person in responsible charge along with Craig Field.**
- 2. Cataldo Associates, Inc. – adding George Corrente as a person in responsible charge along with Edward O'Brien.**
- 3. Michael R. Darveau – applying as a sole proprietor**

4. LRC Surveying, P. C. – applying as a corporation

5. James E. Peterson – applying as exempt.

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

b. LSIT/PLS Application Review – There are no applications for review.

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 8 May 2007 at 1:00 PM.

ADJOURNMENT Upon the appropriate motion, the meeting was adjourned at 3:22 PM.

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