

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

**MINUTES OF THE MEETING OF THE BOARD**

**DATE 10 July 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 – Present 1:11 to 3:26**

**Mr. Thomas D. Drury, Jr. – Present 3:23 to 3:51**

**Mr. Norbert Therien – Present during discussion of Executive Agenda Item #9 only**

**Mr. Deron Millman – Present during discussion of Executive Agenda Item #11. only**

**Mr. John McIntosh - Present during discussion of Executive Agenda Item #11. only**

**Mr. Dennis Carley, Esquire – Present during discussion of Executive Agenda Item #11. only**

**CALLED TO ORDER** Chairman Reddington called the meeting to order at 1:11 PM. Messrs. DiOrio, Federici, Lipsitz and Reddington, Attorney Dennehy and Ms. Styron were present.

**AGENDA ITEM #1** Secretary Federici made a motion, seconded by Mr. DiOrio, to approve the Approval of Minutes open minutes of the 12 June 2007 meeting. The motion was passed unanimously.

Secretary Federici made a motion, seconded by Chairman, to approve and seal the Executive Session minutes of the 12 June 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 1:13 PM.

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

**Executive Agenda Item #1 – Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to close this complaint file until/unless another case appears subsequent to the letters being sent.. The motion was passed unanimously.**

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**Executive Agenda Item #2 – Vice Chairman Lipsitz made a motion, seconded by Secretary Federici, to continue this matter. The motion was passed unanimously.**

**Executive Agenda Item #3 – Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to conceptually approve and send the Consent Agreement and if the signed Consent Agreement, as is, is received within thirty days, their COA will be reviewed and approved**

**and this complaint file will be closed. The motion was passed unanimously.**

**Executive Agenda Item #4 – Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to continue this matter. The motion was passed with three members approving; Secretary Federici did not vote because he had recused himself and left the room prior to discussion of this matter.**

**Executive Agenda Item #5 – Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to continue this matter.**

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

**Executive Agenda Item #7 – Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to send Ms. Rojas a letter thanking her for her response and to close this file. The motion was passed unanimously.**

**Executive Agenda Item #8 – Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to send Mr. Nader a letter thanking him for his response and to close this file. The motion was passed unanimously.**

**Executive Agenda Item #9 – Vice Chairman Lipsitz made a motion, seconded by Secretary Federici, that due his explanations and actions, to send a letter to Mr. Therien, telling him to make this plan meet some Class and conform to the Standards. Make it right, send a copy to the Board and his client along with a letter explaining his actions including the requirements under the plan specification. The motion was passed unanimously.**

**Executive Agenda Item #10 - Vice Chairman Lipsitz made a motion, seconded by Mr. DiOrio, to continue this matter.**

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**Executive Agenda Item #11 – Vice Chairman Lipsitz made a motion, seconded by Secretary Federici, that the Board will entertain Millman Surveying, Inc.’s COA at the appropriate time during Regular Session today, if the paperwork is in order, the Board will approve it, and a letter will be sent along with the approval letter stating that they should contact their clients and let them know that due to their misunderstanding of the COA law, they were technically not in compliance with the COA law. If it causes any of their clients concern, they will update the surveys now that they have a current, valid COA in place. The motion was passed unanimously.**

**Executive Agenda Item #12 - Vice Chairman send VIZCAD and the East Providence Zoning and Building Officials a letter to appear at the why plans are being created, submitted and may be being accepted that don't meet state statutes for professional licensure. A photocopy of the letter will be sent to the Kanes along with a letter telling them that this plan has been brought before the Board and that they may attend the informal conference if they are interested. The motion was passed unanimously.**

**Executive Agenda Item Miscellaneous a. - No motions were made regarding this agenda item.**

**Mr. DiOrio made a motion, 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 at 3:22 PM.**

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

**Mr. DiOrio made a motion, seconded by Secretary Federici, to seal the executive session and record the votes taken in executive session pursuant to RIGL §42-46-4 and §42-46-5. The motion was passed unanimously.**

**\*\* Secretary Federici made a motion, seconded by Vice Chairman Lipsitz, to hold the Executive Session last beginning with the 14 August 2007 meeting.**

**AGENDA ITEM #3 1. Center for Professional Engineering Education Services was received.**

#### **Correspondence**

**2.. A letter from John Cook, PLS, was received requesting Honorary Membership. Vice Chairman Lipsitz made a motion, seconded by Secretary Federici, to grant Mr. Cook Honorary Membership effective 1 July 2007. The motion was passed unanimously.**

**3. FARB 15th Annual Attorney Certification Seminar notification was received.**

**4. A letter from PESI was received regarding Deeds, Descriptions &**

**the Law Seminar Attendance..**

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**5. A memorandum from NCEES was received regarding Revised Candidate Information Agreement**

**6. Letters were received from John and Janice Black dated June 13 and June 16, June 19, June 23, June 25, July 3, July 7, July 10 2007 regarding Public Record Requests and their pending Executive Session complaints. Attorney Dennehy reported that he has been responding to the records requests pursuant to the Access to Public Records Act. The letters regarding their complaints were reviewed in Executive Session.**

**7. NCEES Licensure Exchange was received.**

**AGENDA ITEM #4 a. Legislation**

**Old Business**

**A letter was received from John Libby, RISPLS President, requesting that a few Board members meet with Robert Cournoyer and Matthew Cotta to come up with a Bill that is endorsed by both parties. We will send a letter to John Libby; cc: to Senator Badeau, notifying them that Secretary Federici and Mr. DiOrio will arrange to meet with them.**

- b. Statewide Planning/RIGIS - There is no update on this matter.**
  
- c. PDH review - There are no seminars/courses for review at this time.**
  
- d. Administrative Issues – There is no update on this matter.**
  
- e. NCEES - – There is no update on this matter.**
  
- f. NSPS – There is no update on this matter.**
  
- g. Miscellaneous -**
  - RISPLS Advisory Committee regarding the Technical Standards & Code of Ethics – They will be a meeting in two weeks.**

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

**New Business**

**The following new application was reviewed:**

**Aerial Spectrum, Inc.**

**Millman Surveying, Inc.**

**The following amended application was reviewed:**

**Cullinan Engineering Co., Inc. – Removing Robert B. Cullinan and keeping Wayne L. Mory in responsible charge.**

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

**Reney Moran & Tivnan, Inc. – This COA application will be tabled pending the outcome of Executive Session Agenda Item 3.**

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

**A letter was received from Ian Wisuri asking the Board if they felt he was eligible to apply for the LS exam. We will send him a letter telling him that he is not because he doesn't have a degree.**

**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 14 August 2007 at 1:00 PM.**

**ADJOURNMENT Upon the appropriate motion, the meeting was adjourned at 4:02 PM.**

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