

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

**MINUTES OF THE MEETING OF THE BOARD**

**DATE 12 August 2008**

**PLACE 1511 Pontiac Avenue, Building 69-2 Conference Room,  
Cranston, RI**

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

**OTHERS PRESENT Ms. Christina Styron, Administrative Assistant  
Mr. Richard W. Berstein, Legal Counsel  
Mr. Brian J. Riggs, DBR Department Budget Administrator**

**CALLED TO ORDER Chairman Lipsitz called the meeting to order at  
1:05 PM.**

**AGENDA ITEM #1 Mr. Reddington made a motion, seconded by Vice  
Chairman Drury, to Approval of Minutes approve the Regular and  
Executive Session minutes of the 15 July 2008**

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

**AGENDA ITEM #2 Because of the nature of the following items, Secretary DiOrio made a Executive Session motion, seconded by Mr. 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 unanimously at 1:06 PM.**

**Secretary DiOrio made a motion, seconded by Mr. Reddington, to come out of Executive Session and reconvene to an open meeting pursuant to RIGL §42-46-4. The motion was passed unanimously at 3:30 PM.**

**Secretary DiOrio made a motion, seconded by Mr. Reddington, 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.**

**Record of Votes Taken in Executive Session**

**Executive Agenda Item #1 - Mr. Reddington made a motion, seconded by Vice Chairman Drury, to continue this matter until the 9 September 2008 meeting. If no response has been received by that time, the Board may have to call for a Hearing. The motion was passed; Mr. Federici did not vote as he was recused.**

**Executive Agenda Item #2 - Vice Chairman Drury made a motion, seconded by Mr. Reddington, to close this complaint file. The motion was passed unanimously.**

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**Executive Agenda Item #3 - Chairman Lipsitz made a motion, seconded by Mr. Reddington, to have Attorney Bernstein to work with**

**the individual named in this matter to enter into a Consent Agreement with the Board and we will send a letter to the complainant no survey done. Should either one of the parties pursue civil action that's their decision. The motion was passed unanimously.**

**Chairman Lipsitz made a motion, seconded by Secretary DiOrio, to have the other individual named in this matter to appear to further discuss this matter. The motion was passed unanimously.**

**Executive Agenda Item #4 - Chairman Lipsitz made a motion, seconded by Mr. Reddington, to have Attorney Bernstein to work with the individual named in this matter to enter into a Consent Agreement with the Board; we will send a letter to the complainant stating that that no survey was done, no bill owed.**

**Chairman Lipsitz made a motion, seconded by Secretary DiOrio, to have the other individual named in this matter to appear to further discuss this matter. The motion was passed unanimously.**

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

**Executive Agenda Item #6 - Vice Chairman Drury made a motion, seconded by Mr. Federici, to send a copy of the letter sent to the complainant and the individual named in this matter and to continue**

**this matter. The motion was passed unanimously.**

**Executive Agenda Item #7 - Chairman Lipsitz made a motion, seconded by Secretary DiOrio, to send letters to the complainant and the individual named in this matter informing them of the Investigators assigned to this matter. The motion was passed unanimously.**

**Executive Agenda Item #8 - Vice Chairman Drury made a motion, seconded by Mr. Reddington, to continue this matter until the next meeting. The motion was passed unanimously.**

**Executive Agenda Item #9 - Mr. Reddington made a motion, seconded by Mr. Federici, to continue this matter until the next meeting.**

**Executive Agenda Item #10 – Chairman Lipsitz made a motion, seconded by Secretary DiOrio, to have Mr. Federici and Ms. Styron draft a letter to the a certain Post Office stating that it appears you have an individual using a post office portraying professional services illegally. The motion was passed unanimously.**

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**Executive Agenda Item #2. b. c – No motions were made regarding these agenda items.**

**Executive Agenda Item #2.d. - Chairman Lipsitz made a motion, seconded by Secretary DiOrio, to have Attorney Bernstein work with the individual named in this matter and his/her attorney to enter into a Consent Agreement with the Board.**

**Executive Agenda Item #2.e. - Chairman Lipsitz made a motion, seconded by Mr. Reddington, to close this complaint file. The motion was passed; Mr. Federici did not vote as he was recused.**

**Executive Agenda Item #2.f. - Chairman Lipsitz made a motion, seconded by Mr. Federici to have Ms. Styron and himself draft a letter to the firm involved in this matter.**

**Executive Agenda Item #2.g. - Chairman Lipsitz made a motion, seconded by Mr. Reddington, to send the firm involved in this matter a letter asking them how they are licensed to do floor plans for condominiums and send them a copy of Mr. Federici's letter. The motion was passed; Mr. Federici did not vote.**

**Executive Agenda Item #2.h. - Chairman Lipsitz made a motion, seconded by Mr. Reddington, to send them a letter informing the firm involved in this matter that they cannot advertise land surveying in RI and if they don't have RIDEM license, we will forward this information to RIDEM. The motion was passed unanimously.**

**Executive Agenda Item #2.i. - Mr. Reddington made a motion, seconded by Secretary DiOrio, to accept the RI Exam Portion exam score as presented. The motion was passed unanimously.**

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

**AGENDA ITEM #3 1. ELSES Proctor Post newsletter was received.**

**Correspondence**

**2. RISPLS newsletter was received.**

**3. NCEES Licensure Exchange was received.**

**AGENDA ITEM #4 a. Legislation**

**Old Business**

**Attorney Dennehy reported that S2115 revising registration requirements read and passed by the Senate, referred to House Labor but did not get out of House Labor and therefore, did not pass.**

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

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

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

**CALS 6-14, 21, 28 GNSS Positioning  
& 7-26-08 Short Course 16**

**CALS 6-7-08 Guidelines for Operation  
& Use of Real Time Networks 4**

**LORMAN 9-12-08 Current Issues in Storm  
Water Regulation 7**

**LORMAN 11-13-08 Subdivision & Land  
Development Law in RI 7**



**Mr. Reddington made a motion, seconded by Mr. Federici, to approve the above listed course and PDH values as indicated. The motion was passed unanimously.**

**Mr. Reddington made a motion, seconded by Secretary DiOrio, to approve the above listed courses and PDH values as indicated with proof attendance required. The motion was passed unanimously.**

**d. Administrative Issues - There was no discussion on this agenda item.**

**e. NCEES – Ms. Styron will be attending the NCEES Annual Meeting this week.**

**f. NSPS – Vice Chairman Drury reported that he will be attending the NSPS meeting to be held in Maryland in September.**

**g. Miscellaneous**

**1. RISPLS Advisory Committee regarding the Technical Standards & Code of Ethics – Chairman Lipsitz reported that there is a meeting tonight.**

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

**New Business**

**The following new applications were reviewed:**

**Merlyn J. Jenkins & Associates, Inc. -David A. Annino in responsible charge**

**Mr. Reddington made a motion, seconded by Secretary DiOrio, to conditionally approve the above listed COA application pending receipt of a Certificate of Good Standing from the RI Secretary of State's office. The motion was passed unanimously.**

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**A letter was received from Bryant Associates, Inc., asking for a waiver of the late fee because the Secretary of State's office took over a month to send him a Certificate of Good Standing. The Board will waive it this time. In the future, the Board will send a notice that the application & affidavit must be received postmarked by May 31st and proof of requesting a Certificate of Good Standing must accompany the application.**

**b. LSIT/PLS Application**

## **Steven V. Michaud – PLS Reciprocity Application**

**Mr. Michaud appeared to further discuss his experience and qualifications. The Board will research previous decisions comparable to Mr. Michaud's qualifications before making a decision on his application.**

**c. Miscellaneous**

**d. Comments from the General Public – There were no comments.**

**e. The next Board meeting is scheduled for 9 September 2008 at 1:00 PM.**

**AGENDA ITEM #6 Upon the appropriate motion, the meeting was adjourned at 4:02 PM.**

**Adjournment**

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