

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

MINUTES OF THE MEETING OF THE BOARD

DATE 9 February 2010

**PLACE 1511 Pontiac Avenue, Building 69-1 Conference Room,
Cranston, RI**

**MEMBERS PRESENT Chairman Tomas D. Drury, Jr., Vice Chairman
John Mensinger., Secretary Alfred W. DiOrio, Board Members Louis
Federici and Richard S. Lipsitz**

MEMBERS ABSENT: None

**OTHERS PRESENT Ms. Christina M. Styron, Administrative
Assistant**

Mr. Richard W. Berstein, Legal Counsel

Mr. Brian J. Riggs, DBR Department Budget Administrator

Ms. Nicole Courtemanche, RI.Gov

Mr. Thomas Viall, RI.Gov

Mr. Todd Andrews, PLS Applicant

John Macolini, PLS Applicant

CALLED TO ORDER Chairman Drury called the meeting to order at 1:01 PM.

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

Approval of Minutes approve the Regular and Executive Session minutes of the 12 January 2010

meeting. The motion was passed unanimously; five in favor.

Voting

in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio,

Mr. Federici and Mr. Lipsitz.

AGENDA ITEM #2 Because of the nature of the following items, Secretary DiOrio made a

Executive Session motion, seconded by Vice Chairman Mensinger, 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; five in favor. Voting in favor were

Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici

and Mr. Lipsitz at 1:02 PM.

Secretary DiOrio made a motion, seconded by Mr. 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; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Secretary DiOrio made a motion, seconded by Mr. Federici, pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a).

2-9-10

Page 1 of 5

STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND

SURVEYORS

MINUTES OF THE MEETING OF THE BOARD

Record of Votes Taken in Executive Session

Executive Agenda Item #s 2.a.1. - Mr. Federici made a motion, seconded by Secretary DiOrio, to continue this matter. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Executive Agenda Item #s 2.a.2. - Mr. Federici made a motion, seconded by Secretary DiOrio, to continue this matter. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Executive Agenda Item #s 2.a.3. - Mr. Federici made a motion, seconded by Secretary DiOrio, to continue this matter. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Executive Agenda Item #2.b.1. - Mr. Lipsitz made a motion, seconded by Mr. Federici, to have the person involved in this matter appear the 9 March 2009 meeting to discuss how his/her firm performs topography in violation of the RI professional land surveyor's law. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Executive Agenda Item #2.b.2. – Mr. Lipsitz made a motion, seconded by Mr. Federici, to continue this matter. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Executive Agenda Item #2.b.3. - Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to have the person involved in this matter send a letter to the Board that he/she recognizes and is sensitive to the land surveyor registration laws and that he/she will not engage in unauthorized practice in the future and to continue this matter. The motion was passed unanimously; five in favor. Voting in favor were, Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Executive Agenda Item #2.b.4. – Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to have Mr. Federici draft letters and to continue this matter. The motion was passed unanimously; five in favor.

Voting in favor were, Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Executive Agenda Item #2.b.5. - Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to have Ms. Styron send the letter and to close the matter of New England Land Survey, Inc.. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

2-9-10

Page 2 of 5

STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS

MINUTES OF THE MEETING OF THE BOARD

Executive Agenda Item #2.b.6. - Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to have the person involved in this matter appear at the 9 March 2010 meeting. The motion was passed; four in favor. Voting in favor were Chairman Drury, Secretary DiOrio, Mr. Federici and Mr. Lipsitz. Vice Chairman Mensinger did not vote as he was

recused.

Executive Agenda Item #2.b.7. - Mr. Federici made a motion, seconded by Secretary DiOrio, to accept the RI Portion Exam scores as presented. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

Adjournment Secretary DiOrio made a motion, seconded by Mr. Federici, to come out

of Executive Session and reconvene to an open meeting pursuant to RIGL

§42-46-4. The motion was passed unanimously at 2:05 PM; five in favor.

Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary

DiOrio, Mr. Federici and Mr. Lipsitz.

End of record of votes taken in Executive Session

AGENDA ITEM #3 1. Missouri Board Newsletter was received.

Correspondence

AGENDA ITEM #4 a. Legislation

Old Business

There is no update on the legislation that has been submitted.

b. PDH Approval Requests

Mr. Federici made a motion, seconded by Mr. Lipsitz, to have Vice Chairman Mensinger draft a policy regarding the percentage of on-line course that the Board will accept towards their Continuing Education requirement. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

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

d. NCEES –Ms. Styron will be attending the Joint Northeast/Southern Zone meeting in April.

e. NSPS – There was no discussion on this agenda item.

f. Miscellaneous

1. Ms. Nicole Courtemanche and Mr. Thomas Viall, from RI.Gov appeared and updated them on their progress on-line COA renewals.

2. NCEES Exam Review Policy – Mr. Federici is researching this.

2-9-10

Page 3 of 5

STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS

MINUTES OF THE MEETING OF THE BOARD

3. Social Security Number Requirement on Initial and Renewal Application – The number is required due to legislation that requires registrants to complete a Tax Payer Status Affidavit.

AGENDA ITEM #5 a. COA Application Review

New Business

The Board reviewed the following new COA applications:

Hancock Associates, Inc. listing Wayne Jalbert as the person in responsible charge.

Tauper Land Survey, Inc. listing David Grant as the person in responsible charge.

Mr. Lipsitz made a motion, seconded by Mr. Federici, to approve the above listed COA applications pending receipt of a Certificate of Good Standing from the RI Secretary of State's office. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

b. LSIT/PLS Application

Todd Andrews, PLS Reciprocity (CT) Applicant appeared before the Board to further discuss his experience and qualification.

Mr. Lipsitz made a motion, seconded by Mr. Federici, to approve Mr. Andrews to sit for the April 2010 RI Portion exam. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

John Macolini, PLS Reciprocity (MA) Applicant appeared before the Board to further discuss his experience and qualification.

Mr. Lipsitz made a motion, seconded by Mr. Federici, to approve Mr. Macolini to sit for the April 2010 RI Portion exam. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

c. Miscellaneous

Procedural & Technical Standards – The Board asked Ms. Styron to find out about posting for the Public Hearing. They would like to hold it in April. We will see if we can hold it in a bigger conference room.

d. Comments from the General Public – None at this time.

Mr. McCormick discussed a presentation that he will be giving to interested City & Town Officials regarding the Procedural & Technical Standards.

e. The next Board meeting is scheduled for 9 March 2010 at 1:00 PM.

2-9-10

Page 4 of 5

STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS

MINUTES OF THE MEETING OF THE BOARD

AGENDA ITEM #6 Upon the appropriate motion, the meeting was adjourned at 4:16 PM.

Adjournment

Mr. Federici made a motion, seconded by Mr. Lipsitz, to adjourn the meeting. The motion was passed unanimously; five in favor. Voting in favor were Chairman Drury, Vice Chairman Mensinger, Secretary DiOrio, Mr. Federici and Mr. Lipsitz.

2-9-10

Page 5 of 5