

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

**MINUTES OF THE MEETING OF THE BOARD**

**DATE 14 June 2011**

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

**MEMBERS PRESENT Chairman John Mensinger. Vice Chairman  
Louis Federici, Secretary Alfred W. DiOrio, Board Members Richard S.  
Lipsitz and Michael J. McCormick**

**MEMBERS ABSENT: None**

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

**Mr. Brian J. Riggs, DBR Administrator, Financial Management  
(Present 1:11 to 3:35**

**Mr. Michael P. Hayes, RISPLS Liaison (Present 2:18 to 4:00)**

**CALLED TO ORDER Chairman Mensinger called the meeting to order  
at 1:25 PM.**

**AGENDA ITEM #1 Vice Chairman Federici made a motion, seconded by Secretary DiOrio, to**

**Approval of Minutes approve the Regular and Executive minutes of the 8 March 2011 and the 12**

**April 2011 meetings. The motion was passed unanimously; five in favor.**

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

**AGENDA ITEM #2 Because of the nature of the following items, Mr. McCormick made a**

**Executive Session motion, seconded by Secretary DiOrio, 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 Mensinger, Vice Chairman Federici, Secretary**

**DiOrio, Mr. Lipsitz and Mr. McCormick at 1:11 PM.**

**Mr. McCormick made a motion, seconded by Secretary DiOrio, 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 Mensinger, Vice Chairman Federici, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick.**

**Mr. McCormick made a motion, seconded by Secretary DiOrio, 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). The motion was passed unanimously; five in favor. Voting in favor were Chairman Mensinger, Vice Chairman Federici, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick.**

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

**Executive Agenda Item #s 2a – No votes were taken.**

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**Executive Agenda Item #s 2.b.1. – Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to close the matter of James Wishart vs. Cataldo Associates. The motion was passed; three in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio and Mr. Lipsitz. Vice Chairman Federici and Mr. McCormick abstained.**

**Executive Agenda Item #2.b.2 – No votes were taken.**

**Executive Agenda Item #2.c.1 – No votes were taken.**

**Executive Agenda Item #2.c.2 - Mr. Lipsitz made a motion, seconded by Vice Chairman Federici, to accept the NCEES FS exam score as presented. The motion was passed unanimously; five in favor. Voting in favor were Chairman Mensinger, Vice Chairman Federici, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick.**

**Adjournment Mr. McCormick made a motion, seconded by Vice Chairman Federici, to**

**come out of Executive Session and reconvene to an open meeting**

**pursuant**

**to RIGL §42 46-4. The motion was passed unanimously; five in favor.**

**Voting in favor were Chairman Mensinger, Vice Chairman Federici,**

**Secretary DiOrio Mr. Lipsitz and Mr. McCormick at 1:35 PM.**

**In Executive Session pending matters, there are now two (2) pending matters, comprised of two (3) investigative matters, with two (2) abstentions on a vote in one (1) closed matter.**

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

**AGENDA ITEM #3 There was no correspondence.**

**Correspondence**

**AGENDA ITEM #4 a. Legislation**

**Old Business**

**H5470 - Engineering surveys bill – The bill is being held for further study. Chairman Mensinger revised the language which the State Board of Registration for Professional Engineers voted to approve.**

**Chairman Mensinger made a motion, seconded by Mr. Lipsitz, that while we, as the State Board of Registration for Professional Land Surveyors, remain opposed to any legislation that seeks to enact a concept of engineering surveys as part of a broader new definition of**

**what constitutes engineering in the State of Rhode Island but that should this legislation move forward, this Board would prefer in its place that the revised language be substituted. The motion was passed unanimously; five in favor. Voting in favor were Chairman Mensinger, Vice Chairman Federici, Secretary DiOrio Mr. Lipsitz and Mr. McCormick.**

**Chairman Mensinger made a motion, seconded by Mr. Lipsitz, to amend the above motion to include that should this language be adopted by the House, the two Boards will need to work together to define what incidental to engineering design encompasses**

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**b. PDH Approval Requests**

**Previous McKissock request – We received a response. This will be addressed at the next meeting.**

**c. Administrative Issues**

**1. Website - There is no update.**

**2. Any Other Administrative Issues - There are no other Administrative issues.**

**d. NCEES**

**The 90th NCEES Annual Meeting will be held in Providence, RI – 24-27**

**August 2011.**

**The Board members asked Ms. Styron to find out when the Colonial States Boards of Registration meeting is scheduled for during the Annual Meeting.**

**e. Procedural & Technical Standards**

**The Board will schedule a workshop on the Standards.**

**f. Regulatory Agencies**

**1. Statutory Enforcement Strategies – There is no update.**

**g. PLS Exam**

**The Board members will submit new questions on a regular basis.**

**h. Proposed Informational Bulletins**

- 1. Guidelines regarding PLS procedures with regard to joint ventures with firms not holding COA's both local and out-of-state, including plan requirements**

**Mr. Lipsitz is working on drafting this.**

- 2. Elevation Certificates – There is no update.**

**i.. Response to State Board of Registration for Professional Engineers regarding so-called “Task List” – this will no longer appear as an Agenda Item.**

**j. Distribution of digital plans by municipalities**

**Ms. Styron sent an e-mail to the NCEES mba listserv to inquire what policies other Boards have regarding the distribution of digital plans by municipalities and has not received any responses.**

**k. Any Other Old Business - There was no other old business.**



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

**New Business**

**The Board reviewed the following amended COA applications:**

**Coler & Colantonio, Inc. – Adding Eric Poreda as a person in responsible charge along with existing persons in responsible charge Ronald Coler and John Macolini**

**Mr. Lipsitz made a motion, seconded by Chairman Mensinger, to approve the above listed COA amendment. The motion was passed unanimously; five in favor. Voting in favor were Chairman Mensinger, Vice Chairman Federici, Secretary DiOrio Mr. Lipsitz and Mr. McCormick.**

**The Board reviewed the following initial COA applications:**

**Shawn L. Crawford – Sole Proprietor – listing Shawn L. Crawford as**

**the person in responsible charge**

**Mr. Lipsitz made a motion, seconded by Mr. McCormick, to approve the above listed COA application. The motion was passed unanimously; five in favor. Voting in favor were Chairman Mensinger, Vice Chairman Federici, Secretary DiOrio Mr. Lipsitz and Mr. McCormick.**

**Millstone Engineering, P.C. – listing Timothy H. Kinder as the person in responsible charge**

**Site Design Engineering, LLC dba Land Development Engineering & Consulting, LLC – listing Wayne L. Mory as the person in responsible charge**

**Mr. Lipsitz made a motion, seconded by Mr. McCormick, 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 Mensinger, Vice Chairman Federici, Secretary DiOrio Mr. Lipsitz and Mr. McCormick.**

**b. LSIT/PLS Application review**

**Matthew T. Insana – PLS applicant – Mr. Insana appeared before the Board to further discuss his experience and qualifications.**

**The Board advised Mr. Insana that he does not meet the educational and experience requirements at this time.**

**David A. Waterman – PLS applicant – Mr. Waterman appeared before the Board to further discuss his experience and qualifications.**

**The Board advised Mr. Waterman that he does not meet the educational and experience requirements at this time.**

**c. Miscellaneous**

- 1. There was no other new business.**

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**d. Comments from the General Public**

**There were no comments.**

## **e. Next Meeting**

**The next Board meeting is scheduled for 12 July 2011 at 1:00 PM.**

**AGENDA ITEM #6 Upon the appropriate motion, the meeting was adjourned at 4:00 PM.**

### **Adjournment**

**Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to adjourn the meeting. The motion was passed; five in favor.**

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

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