

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

MINUTES OF THE MEETING OF THE BOARD

DATE 12 July 2011

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

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

MEMBERS ABSENT: Vice Chairman Louis Federici

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

**Mr. Brian J. Riggs, DBR Administrator, Financial Management
(Present 1:03 to 2:26**

**CALLED TO ORDER Chairman Mensinger called the meeting to order
at 1:03 PM.**

AGENDA ITEM #1 Mr. Lipsitz made a motion, seconded by Secretary

DiOrio, to

Approval of Minutes approve the Regular Minutes of the 14 June 2011 meeting. The motion was

passed; four in favor. Voting in favor were Chairman Mensinger, Secretary

DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici was not present.

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; four in favor. Voting in favor were Chairman

Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. at 1:04 PM.

Vice Chairman Federici was absent from this vote.

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; four in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici was absent from this vote.

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). absent from this vote.

Record of Votes Taken in Executive Session

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

Executive Agenda Item #s 2.b.1. – No votes were taken.

Executive Agenda Item #2.c.1. - Site Engineering, Inc./Ron T. Blanchard, PE #6016 Plan - Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to take this item off of the Executive Agenda assuming that there will be

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further discussions with the State Board of Registration for Professional Engineers and to use this plan as an example during the discussions regarding incidental practice. The motion was passed; four in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici was absent from this vote.

Executive Agenda Item #2.c.2. – James Wishart vs. Cataldo Associates -

This matter was closed at the 14 June 2011 meeting. A letter was received on 1 July 2011 from Mr. Wishart's attorney Susan Chiariello. She is requesting that the warning letter sent to Mr. Wishart on 1 June 2011 not become part of Mr. Wishart's permanent record. Mr. Lipsitz made a motion, seconded by Secretary DiOrio, that this warning letter will remain part of Mr. Wishart's permanent record. The motion was passed; four in favor. Voting in favor were Chairman Mensinger,

Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici was absent from this vote.

Adjournment - Mr. McCormick made a motion, seconded by Secretary DiOrio, to come out of Executive Session and reconvene to an open meeting pursuant to RIGL §42 46-4. The motion was passed; four in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. at 1:35 PM. . Vice Chairman Federici was absent from this vote.

In Executive Session pending matters, there are now two (2) pending matters, comprised of two (2) investigative matters.

End of record of votes taken in Executive Session

AGENDA ITEM #3 Secretary DiOrio made a motion, seconded by Mr. McCormick, to approve

Approval of Executive the Executive Session Minutes of the 14 June 2011 meeting. The motion

SessionMinutes was passed; four in favor. Voting in favor were Chairman Mensinger,

Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici

was absent from this vote.

AGENDA ITEM #4 1. NCEES Licensure Exchange was received.

Correspondence

2. A request for Honorary PLS Membership was received from Russell F. Geisser, PLS #1722. Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to grant Mr. Geisser Honorary Membership effective 1 July 2011. The motion was passed; four in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici was absent from this vote.

3. An e-mail inquiring about Class I surveys from Attorney James Parmentier was received. After discussion, the Board asked Ms. Styron to draft a response which Chairman Mensinger will review prior to sending.

4. An e-mail from the NCEES mbalistserv regarding a company named Survey Land Express was received. After discussion, Mr. McCormick offered to draft a response.

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AGENDA ITEM #4 a. Legislation

Old Business

H5470 - Engineering surveys bill – The Board is still trying to schedule a meeting with the State Board of Registration for Professional Engineers regarding this issue.

b. PDH Approval Requests

The Board reviewed a letter from William Maloney asking for an exemption from the continuing education requirements for this renewal period due to health issues. A letter from Mr. Maloney's doctor confirming his health issues was also received. Mr. Lipsitz made a motion, seconded by Mr. McCormick, to approve Mr. Maloney's request. A letter will be sent informing him that any request for future exemption has to be made at the beginning of a renewal cycle. The motion was passed; four in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici was absent from this vote.

The Board reviewed a letter from Walter Skorupski asking for partial relief in the amount of 3 ½ credits due to medical issues. Mr. McCormick made a motion, seconded by Secretary DiOrio, to send Mr. Skorupski a letter informing him that he must have a doctor's note submitted to the Board and that per the Continuing Education Requirements, he has six months (31 December 2011) to correct the

deficiencies and he cannot carry-over any PDH's from this renewal period to the next renewal period. The motion was passed: four in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici was absent from this vote.

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.

e. Procedural & Technical Standards

1. Review plan standards

2. Review Data Accumulation, Control and Compilation Sections

3. Schedule workshop

The Board will schedule a workshop on the Standards.

f. Rules and Regulations

The Board will come to the next meeting prepared to discuss this agenda item.

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f. Rules and Regulations

The Board will come to the next meeting prepared to discuss this agenda item.

g. Regulatory Agencies

1. Statutory Enforcement Strategies – There is no update.

h. PLS Exam

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

i. 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.**

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 received few responses.

k. Miscellaneous

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

AGENDA ITEM #5 a. COA Application Review

New Business

There were no applications for review.

b. LSIT/PLS Application review

A PLS registration renewal forms, Continuing Education reporting forms, Certificate of Authorization application and all fees due were received from Charles R. Holland, PLS #1801 whose registration lapsed as of 1 July 2009.

Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to approve Mr. Holland's PLS #1801 registration reinstatement and Certificate of Authorization application. The motion was passed: four in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr. McCormick. Vice Chairman Federici was absent from this vote.

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Byron Andrews whose PLS application was previously denied had asked the Board what courses he would need to take to meet the education requirement. The Board asked Ms. Styron to send him a letter and the section of law with the core curriculum and advise him that it's his responsibility to determine what is necessary.

c. Miscellaneous

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

d. Comments from the General Public

There were no comments.

e. Next Meeting

The next Board meeting is scheduled for 9 August 2011 at 1:00 PM. The Board will consider cancelling this meeting.

AGENDA ITEM #6 Upon the appropriate motion, the meeting was adjourned at 2:26 PM.

Adjournment

Mr. Lipsitz made a motion, seconded by Secretary DiOrio, to adjourn the meeting. The motion was passed: four in favor. Voting in favor were Chairman Mensinger, Secretary DiOrio, Mr. Lipsitz and Mr.

McCormick. Vice Chairman Federici was absent from this vote.

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