

**State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION
1511 Pontiac Avenue, Bldg. 68-2
Cranston, Rhode Island 02920**

Division of

**Design Professionals STATE BOARD OF REGISTRATION FOR
PROFESSIONAL LAND SURVEYORS
MINUTES OF THE MEETING OF THE BOARD**

DATE: 12 March 2013

**PLACE: 1511 Pontiac Avenue, Building 68-1 Conference Room,
Cranston, RI**

**MEMBERS PRESENT: Chair John Mensinger, Secretary Michael J.
McCormick, Members Daniel R. Cotta (Present 1:15) and Curtis M.
Johnson**

MEMBERS ABSENT: Vice-Chair Richard S. Lipsitz

OTHERS PRESENT: Mrs. Dawne Broadfield, Board Administrator

Mrs. Lois Marshall, Administrative Assistant

Attorney Neena Sinha Savage, DBR Chief of Legal Services

(Present 1:10 p.m. to 2:51p.m.)

OTHERS ABSENT: None

CALLED TO ORDER: Chairman Mensinger called the meeting to order

at 1:10 p.m.

A. MEETING MINUTES (Review/Discuss/Take Action)

Secretary McCormick made a motion to approve the Regular Meeting Minutes of 12 February 2013. Member Johnson seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

B. EXECUTIVE SESSION

(1) Because of the nature of the following items, Member Johnson moved to convene into Executive Session at 1:12 p.m. pursuant to RI General Laws, §42-46-5(a)(2), for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick, and Members Curtis M. Johnson and Daniel R. Cotta. Member Vice-Chair Richard S. Lipsitz was absent from this vote.

(2) Member Johnson moved to adjourn from Executive Session and to reconvene to an open meeting at 2:46 p.m. pursuant to RI General Laws §42 46-4. Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John

Mensingher, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

(3) Member Johnson moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

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(4) Member Johnson moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: Motions were made to continue the following agenda items B (C12-LS-2), C (C12-LS-4), E, F and G and to close agenda item D. Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

(5) Member Johnson moved 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). Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

(6) In Executive Session closed matters, there was a vote to close one (1) matter.

(7) In Executive Session pending matters, there are five (5) pending matters, comprised of five (5) investigative matters with zero (0) recusals.

(8) Member Cotta moved to approve and seal the Executive Session Meeting Minutes of 12 February 2013 as published. Member Johnson seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

C. CORRESPONDENCE (Review/Discuss/Take Action)

- (1) Coastal Resources Management Council (CRMC) Notice – Extension of 60-day Public Notice – None at this time.

D. OLD BUSINESS (Review/Discuss/Take Action)

(1) Joint Professional Engineers/Professional Land Surveyors

(PE/PLS) Committee - "Tasks"

Members reviewed the latest draft of the joint informational bulletin prepared by Member Cotta. Member Johnson made a motion to approve and send the latest draft to the Board of Professional Engineers. Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

(2) Professional Development Hours (PDH) Approval Requests

(1) Charles R. Hampton, PLS, CFM

- None at this time.

(3) National Council of Examiners for Engineers and Surveyors (NCEES)

- 2013 Northeast Zone Interim Meeting

Member Johnson will attend.

- Requirement of Social Security Numbers

No discussion at this time. Item continued.

(4) Rules and Regulations

Attorney Savage informed the Board that she will file a notice to schedule a public hearing for the rules and regulations. This notice will be scheduled for May 14, 2013 in order to give the public 90 days to response. Attorney Savage will draft a notice to appeal existing

rules and regulations and will explain in a “concise explanatory statement” how the new rules and regulations differ from the old rules and regulations.”

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(6) The Department of Business Regulation (DBR) Legislation

- **Joint Bill of the Division of Design Professionals to include in part:**
- **NCEES Computer-Based Testing (CBT) – (Written and Length of Time)**
- **DBR Director Authority**
- **Continuing Education Exemption –**

Chair Mensinger informed the Board that both he and Vice Chairman Lipsitz were in attendance and that it was being held for further study.

(7) PLS Examination

- **Exam Database**

No discussion at this time. Item continued.

(7) Proposed Informational Bulletins

- **None at this time.**

(8) Municipal Official’s and State Regulatory Acceptance of Improper

Plans

- **Follow-up on Letter to State Building Code Commissioner as a result from the Annual Building Officials Meeting**

No discussion at this time. Item continued.

- **Bathymetric Surveys**

No discussion at this time. Item continued.

- **Onsite Wastewater Treatment Systems (OWTS)**

No discussion at this time. Item continued.

(10) Rhode Island Geographic Information System (RIGIS) – Memorandum of Understanding (MOU)

Chair Mensinger informed the Board that he had spoken to Shane White at the Society meeting and stated that the Board had agreed to extend the MOU for another two years.

(10) Any other Old Business

There is no old business at this time.

E. NEW BUSINESS (Review/Discuss/Take Action)

(1) Any Other New Business

There is no other new business.

(2) Comments from the General Public

There has not been a member of the Society present at a meeting in

approximately a year. The Board will speak at the Society meeting to tell the membership that the Board has proposed amended rules and regulations which will be set for public hearing which now include the standards.

F. Applications (Review/Discuss/Take Action)

(1) Certificate(s) of Authorization (COA) Application(s)

(A) Cliff Land Surveying-LLC

Secretary McCormick moved to accept “conditionally” pending receipt of the “Certificate of Good Standing” from the Rhode Island Secretary of State’s office. Member Johnson seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick, Members Curtis M. Johnson and Daniel R. Cotta. Vice-Chair Richard S. Lipsitz was absent for this vote.

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(B) Tetra Tech, Inc.

Chairman Mensinger asked that the COA for Tetra Tech, Inc. be placed on hold. Secretary McCormick prepare a letter to Mr. Charles E. Lent, RIPLS #1947 questioning how he is going to meet the standard of being in responsible charge of work in Rhode Island given the location of his residence. Member Johnson seconded.

Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick, Members Curtis M. Johnson and Daniel R. Cotta. Vice Chairman Lipsitz was absent for this vote.

(2) Land Surveyor-in-Training/Professional Land Surveyor (LSIT/PLS) Application(s) by Examination and Comity

(A) Lee Baron Gagnon

Secretary McCormick moved to approve and accept Mr. Gagnon to take the RI Portion Examination by Comity. Member Johnson seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

G. Next Meeting 9 April 2013 Adjournment

Member Johnson moved to adjourn the meeting at 3:54 p.m. Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Lipsitz was absent from this vote.

Posted on 11 April 2013 electronically on Secretary of State's Office

website; pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.

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