

**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: 9 April 2013

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

**MEMBERS PRESENT: Chair John Mensinger, Vice-Chair Richard S.
Lipsitz (Present 1:06 p.m. to 3:15 p.m., Members Daniel R. Cotta
(Present 1:15) and Curtis M. Johnson**

MEMBERS ABSENT: Secretary Michael J. McCormick

**OTHERS PRESENT: Mrs. Lois Marshall, Administrative Assistant
Attorney Neena Sinha Savage, DBR Chief of Legal Services
(Present 1:10 p.m. to 3:50 p.m.)**

CALLED TO ORDER: Chairman Mensinger called the meeting to order

at 1:06 p.m.

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

Member Johnson made a motion to approve the Regular Meeting Minutes of 12 March 2013 with the amendment to change Member Johnson's middle initial from J. to M. Member Cotta seconded. Motion passed; three (3) in favor, one (1) absent and one (1) abstained. Voting in favor were Chair John Mensinger and Members Daniel R. Cotta and Curtis M. Johnson. Secretary Michael J. McCormick was absent from this vote. Vice-Chair Richard S. Lipsitz abstained

B. EXECUTIVE SESSION

(1) Because of the nature of the following items, Member Johnson moved to convene into Executive Session at 1:11 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. Member Cotta seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, and Members Curtis M. Johnson and Daniel R. Cotta. Secretary Michael J. McCormick was absent from this vote.

(2) Member Johnson moved to adjourn from Executive Session and to reconvene to an open meeting at 2:48 p.m. pursuant to RI General

Laws §42 46-4. Secretary Member Cotta seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Members Daniel R. Cotta and Curtis M. Johnson. Secretary Michael J. McCormick 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. Member Cotta seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Members Daniel R. Cotta and Curtis M. Johnson. Secretary Michael J. McCormick 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), D, E, F. Motion to close the following agenda items G and H. Member Cotta seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Members Daniel R. Cotta and Curtis M. Johnson. Secretary Michael J. McCormick 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). Member Cotta seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Members Daniel R. Cotta and Curtis M. Johnson. Secretary Michael J. McCormick was absent from this vote.

(6) In Executive Session closed matters, there was a vote to close two (2) matters.

(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 9 April 2013 as published. Member Johnson seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Members Daniel R. Cotta and Curtis M. Johnson. Secretary Michael J. McCormick was absent from this vote.

C. CORRESPONDENCE (Review/Discuss/Take Action)

- (1) Coastal Resources Management Council (CRMC) Notice –**

Extension of 60-day Public Notice – Forward all correspondence to the Board members and if they feel it necessary to discuss they will bring it to the meeting.

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

(1) Joint Informational Bulletin

Chairman Mensinger spoke with Chairman Duhamel of the Board of Professional of Engineers regarding language from the New Jersey statute that may resolve some of the outstanding issues between the two Boards. Chairman Mensinger will work on incorporating this language into the Joint Informational Bulletin for the next meeting.

(2) Professional Development Hours (PDH) Approval Requests

(1) Michael J. Juliano, PE, PLS

• Mr. Juliano of Eaglebrook Engineering & Survey, LLC. submitted descriptions of seminars being offered at the University of New Hampshire and is asking the Board if these seminars qualify as CEUs for Rhode Island. Chairman Mensinger assigned Member Johnson to review future continuing education request and report his findings to the Board.

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

• 2013 Northeast Zone Interim Meeting

Member Johnson will attend.

- **Requirement of Social Security Numbers**

Chairman Mensinger asked Administrator Marshall to contact Pam Powell, Director of Exam Administration Services for NCEES to ask her what other jurisdictions are using to identify exam candidates.

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(4) Rules and Regulations

Attorney Savage informed the Board that she has had a two week work related delay regarding the Rules and Regulations.

(5) 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)**

No discussion at this time.

- **DBR Director Authority**

Attorney Savage passed along information from Attorney DeQuattro that the Department of Business Regulation testified before the Senate and the House and both committees have held the legislation

for further study.

- **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.

(6) 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

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

Vice Chairman Richard S. Lipsitz made a motion to sign an extension of the MOU for another five years. Member Johnson seconded the motion. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Members Daniel R. Cotta and Curtis M. Johnson. Secretary Michael J. McCormick Vice-Chair Lipsitz was absent from this vote.

(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.

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(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)

None at this time.

(B)

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

None that this time.

G. Next Meeting 14 May 2013 Adjournment

Member Johnson moved to adjourn the meeting at 3:55 p.m. Member Cotta seconded. Motion passed; four (3) in favor, two (2) absent. Voting in favor were Chair John Mensinger and Members Daniel R. Cotta and Curtis M. Johnson. Vice-Chair Richard S. Lipsitz and Secretary Michael J. McCormick were absent from this vote.

Posted on 3 June 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.