

**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: 11 June 2013

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

**MEMBERS PRESENT: Chair John Mensinger, Vice-Chair Richard S.
Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta
and Curtis M. Johnson**

**OTHERS PRESENT: Mrs. Lois Marshall, Administrative Assistant
Attorney Neena Sinha Savage, DBR Chief of Legal Services
(Present 1:10 p.m. to 2:25 p.m.)**

**CALLED TO ORDER: Chairman Mensinger called the meeting to order
at 1:10 p.m.**

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

Vice Chairman Lipsitz made a motion to approve the Regular Meeting Minutes of 14 May 2013. Member Johnson seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Curtis M. Johnson and Member Daniel R. Cotta.

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

(2) Member Johnson moved to adjourn from Executive Session and to reconvene to an open meeting at 2:23 p.m. pursuant to RI General Laws §42 46-4. Secretary Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

(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; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

6/11/2013, Page 1 of 4

(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. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

(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; five (5) in

favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

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

(8) Vice Chairman Lipsitz moved to approve and seal the Executive Session Meeting Minutes of April 2013 as published. Member Cotta seconded. Motion passed; four (4) in favors, one (1) abstained. 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 abstained from this vote.

C. CORRESPONDENCE (Review/Discuss/Take Action)

(1) Coastal Resources Management Council (CRMC) Notice – Proposed changes to their Rules and Regulations of the Coastal Resources Management Council.

So noted.

(2) Rhode Island Society of Professional Land Surveyors – General Membership Meeting and Individual Renewal Registrations –

So noted.

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 the latest updates to the Joint Informational Bulletin. The Board is awaiting a response from Chairman Duhamel of the Board Registration for Professional Engineers.

(2) Professional Development Hours (PDH) Approval Requests

(1) None at this time.

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

• 2013 NCEES Annual meeting.

Member Cotta and Johnson will be attending the 2013 NCEES Annual Meeting as voting delegates.

(4) Rules and Regulations

Attorney Savage was absent and therefore there was no status update.

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

• Joint Bill of the Division of Design Professionals to include in part:

• House Bill No. 5610 SUB A (Business Regulation)

No discussion at this time.

(6) PLS Examination

• Exam Database

Member Cotta is moving forward with the conversion of the Rhode Island portion of the PLS exam database to a digitalized format. He is in the process of codifying the format.

(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

Chairman Mensinger informed the Board that the Building Code matter is ongoing.

**• Rhode Island Department of Transportation Plan Conformance
Secretary McCormick informed the Board that this matter is ongoing.**

(9) 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

None at this time.

F. Applications (Review/Discuss/Take Action)

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

(A) Lee B. Gagnon and Douglas Faulds

Vice Chairman Lipsitz made a motion, seconded by Secretary McCormick, that the Board approves the Sole Proprietorship applications for the individuals listed above provided that the person in responsible charge is currently licensed, that the person in responsible charge is not listed on more than two (2) COAs, and that there is no disciplinary action. Motion passed; five (5) in favor, zero (0) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Curtis M. Johnson and Daniel J. Cotta.

(B) Tetra Tech, Inc.

Vice Chairman Lipsitz made a motion, seconded by Secretary McCormick, that the Board approve this application provided that person in responsible charge is currently licensed, that the person in responsible charge is not listed on more than two (2) COAs, that there is no disciplinary action and that a current “Certificate of Good Standing” from the Rhode Island Secretary of State’s office is received. Motion passed; five (5) in favor, zero (0) absent. Voting in

favor were Chair John Mensinger, Vice-Chairman Richard S. Lipsitz, Secretary Michael J. McCormick and Members Curtis M. Johnson and Daniel Cotta.

(C) Tauper Land Survey, Inc.

Vice Chairman Lipsitz made a motion, seconded by Secretary McCormick, to approve this renewal application provided that person in responsible charge is currently licensed, that the person in responsible charge is not listed on more than two (2) COAs, that there is no disciplinary action and that a current "Certificate of Good Standing" from the Rhode Island Secretary of State's office is received. Motion passed; five (5) in favor, zero (0) absent. Voting in favor were Chair John Mensinger, Vice-Chairman Richard S. Lipsitz, Secretary Michael J. McCormick and Members Curtis M. Johnson and Daniel Cotta.

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

None that this time.

6/11/2013, Page 3 of 4

G. Next Meeting 9 July 2013 Adjournment

Secretary Michael J. McCormick moved to adjourn the meeting at 3:18

p.m. Member Johnson seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

Posted on 9 July 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.