

**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: 8 October 2013

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

**MEMBERS PRESENT: Vice-Chair Richard S. Lipsitz, Secretary
Michael J. McCormick, Member Daniel R. Cotta, Member Curtis M.
Johnson and Member Mark D. Boyer, (arrived at 1:30 p.m.)**

**OTHERS PRESENT: Mrs. Lois Marshall, Administrative Assistant
Attorney Neena Sinha Savage, DBR Chief of Legal Services (arrived
at 1:36 p.m. and left at 2:10 p.m.)**

**CALLED TO ORDER: Vice Chairman Lipsitz called the meeting to
order at 1:06 p.m.**

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

Member Cotta made a motion to approve the Regular Meeting Minutes of 10 September 2013. Member Curtis Johnson seconded. Motion passed; four (4) in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.

B. EXECUTIVE SESSION

(1) Because of the nature of the following items, Member Curtis moved to convene into Executive Session at 1:07 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. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.

(2) Member Johnson moved to adjourn from Executive Session and to reconvene to an open meeting at 1:11 p.m. pursuant to RI General Laws §42 46-4. Member Cotta seconded. Motion passed; four (4) in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member 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; four (4) in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.

(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, C, D. Member Cotta seconded. Motion passed; four (4) in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.

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

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

(7) Member Cotta moved to approve and seal the Executive Session Meeting Minutes of September 10, 2013 as published. Member Johnson seconded. Motion passed; four (4) in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta and Member Curtis M. Johnson.

C. CORRESPONDENCE (Review/Discuss/Take Action)

(1) Correspondence received from NCEES regarding CBT.

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

(1) Joint Informational Bulletin

The Board reviewed changes received from the chairman of the Board of Registration for Professional Engineers. Vice Chairman Lipstiz moved to approve the Joint Information Bulletin with the amendments discussed and forward the document to the chairman of the Board of Registration for Professional Engineers. Member Cotta seconded. Motion passed; five in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta, Member Curtis M. Johnson and Member Mark D. Boyer.

(2) Professional Development Hours (PDH) Approval Requests

Correspondence from T.S. Madison, attorney for LSS Seminars & Publishing Company which offers online Continuing Education Units.

Vice Chairman Lipstiz moved to send correspondence to Mr. Madison requesting a syllabus on the courses his company is offering.

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

- NCEES CBT exams**

Vice Chairman Lipstiz moved to have Ms. Marshall research prior Board minutes pertaining to the Board's decision regarding NCEES options to register candidates for the FS computer based testing examination. Member Johnson seconded. Motion passed; five in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta, Member Curtis M. Johnson and Member Mark D. Boyer.

(4) Rules and Regulations

Attorney Savage is suggesting design and formatting styles as well as other substitutive suggestions. Attorney Savages goal is to have the Board's Rules and Regulations look like other divisions within the Department of Business Regulations. Attorney Savage will continue to work on the Board's Rules and Regulation.

(5) 2014 Legislation

Vice Chairman Lipsitz continues to have a discussion with officials at the Building Code Commissions regarding 2013 legislation.

(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.

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(7) 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**

Vice Chairman Lipstiz 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.

(8) 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.

(3) Election of Officers

Secretary McCormick proposed a nominating slate of Chair, Vice-Chair and Secretary as the three (3) members that have served the longest as follows: Richard S. Lipsitz, Chair; Michael J. McCormick Vice-Chair; and Daniel Cotta. Secretary for the upcoming year. Member Boyer seconded. Motion passed; five in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta, Member Curtis M. Johnson and Member Mark D. Boyer.

F. Applications (Review/Discuss/Take Action)

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

(A) Gilbert & Maloney

Secretary McCormick made a motion, seconded by Member Johnson, 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 in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta, Member Curtis M. Johnson and Member Mark D. Boyer.

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

(A) Robert Babcock

Vice Chairman Lipstiz moved to allow Mr. Babcock to take for the Rhode Island Portion Exam provided he submits missing verification prior to the October 2013 exam. Member Cotta seconded. Motion passed; five in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta, Member Curtis M. Johnson and Member Mark D. Boyer.

G. Next Meeting 12 November Adjournment

Secretary McCormick moved to adjourn the meeting at 3:11 p.m. Member Cotta seconded. Motion passed; five in favor. Voting in favor were Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Member Daniel R. Cotta, Member Curtis M. Johnson and Member Mark D. Boyer.

Posted on 12 November 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.