



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
1000 Washington Street • Boston • Massachusetts • 02118

JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Minutes of the October 26, 2017 Open Meeting

Board members arrive early and begin processing applications. The following attendance was recorded:

Board Members Present

Ron Willey, PE, Vice Chair
Daniel Caron, PE
Paul Tsang, PE
Joanne Linowes, Public Member
Maurice Pilette, PE
Scott Cameron, PLS
Dennis Drumm, PLS
Peter Hale, PLS, Secretary

Board Members Absent

Paul Tyrell, PE, Chairman
Joel Goodmonson, PE

Members of the Public Present

Abbie Goodman, ACEC/MA
Ken Anderson, TELET/MALSCE
Joyce Hastings, GLM Eng. Cons.
David Humphrey, Schofield Bros.
Peter Lothian, Schofield Bros.
Paul Moyer, TELET/MALSCE

Division Staff Members Present at Various Times during the Meeting:

Sheila York, Board Counsel
Clinton Dick, Executive Director
Eric Funk, Board Administrator
Jenna Hentoff, Prosecuting Counsel

1. Acting Chairman Ron Willey, opened the meeting at 9:04 AM and notified attendees of the evacuation procedures.
2. The Board reviewed the minutes of the September 28, 2017 Open Meeting. Scott Cameron moved, seconded by Peter Hale, to accept the meeting minutes. Motion passed with a vote of 6-0. Dan Caron and Joanne Linowes abstained from the vote as neither were in attendance at the September meeting.
3. Dennis Drumm informed the Board that the edits to the Continuing Professional Competency (CPC) Subcommittee's draft regulatory changes to 250 CMR were not yet ready for distribution.



Sheila York stated that once the revised draft was complete it would be distributed to each member for their review. Sheila provided the Board with a brief overview of where the draft stands and the topics that were still being fleshed out.

Ron Willey asked the members of the public in attendance if they wished to provide any comments.

Ken Anderson stated that the Board should postpone any further discussion of the draft policy until such time that the full Board was in attendance and all the edits had been made to the draft language.

Abbie Goodman indicated that the Board should consider some type of audit process as the agency has the tools in place to do so and other states perform some type of audit on their licensees. She further stated that she has seen how the audit process works with the Architect Board.

Ken Anderson stated that as he understood from previous meetings, the Board would not have a specific audit requirement nor would it accept a complaint based solely on an alleged violation of the CE requirement. He further stated that if a complaint was filed on a separate issue, the Board could conduct an audit of the CEs.

Clinton Dick reminded all attendees that the process would not be to conduct an audit, rather, the assigned investigator could request proof of CE compliance during the investigatory process.

Both Abbie Goodman and Ken Anderson stated that the NCEES Model Law Continuing Professional Competency (CPC) guidelines feature auditing of licensee compliance and they both support that as well.

David Humphrey stated that he supports the Board's decision to move forward with CPC as he feels that it adds a perception of professionalism and credibility.

Paul Moyer stated that he supports the draft regulations which he believes are important given the rapidly changing technological advances in the industry.

Peter Lothian stated that he was surprised that the draft language does not address work experience as a means to earn CE credits. He further stated that in Maine, work experience can be counted towards a small portion of CE hours.

Dennis Drumm informed the attendees that during the course of their research, he does not recall finding any state that provides CE credits for work experience. He further stated that the Model Law also does not account for such earned credits.

Sheila York stated that from an enforcement standpoint, this would be tricky to apply across the multiple disciplines that the Board licenses.

Ron Willey thanked all of the attendees for providing their comments.

4. Sheila York informed the Board that the draft policy language regarding the use of the title Engineer has not yet been finalized but the item should remain on the agenda. She further stated that she would redistribute the background emails to all Board members as the target for discussion of the draft is the December meeting.

Paul Moyer stated that many individuals that call themselves an engineer are not licensed. He specifically stated that at MassDOT and other State Agencies this term is widely used despite the fact that those using it are not licensed engineers.

Dennis Drumm stated that MassDOT is a public agency and the term is often used for pay grade determination inside companies. He further stated that this will be taken into consideration as the draft is finalized.

5. Clinton Dick informed the Board that there is a push within the DPL to go paperless over the next couple of years. He further stated that this would mean that licensees would no longer receive a paper renewal letter and coupon in the mail, possibly for the 2020 renewal cycle. Additionally, he stated that applicants would continue to submit paper applications for review by the Board.

Dan Caron stated that he is licensed in multiple states and he receives an email renewal notification. He stated that without such notice, he would never be able to keep track of all the varying renewal dates for his licenses.

Abbie Goodman stated that her organization would be happy to help spread the word and could post information on their website.

6. Clinton Dick provided the Board with a copy of an email dated October 11, 2017, regarding minimum standards of practice that a professional engineer must follow to properly examine solar panel installation.

Ron Willey stated that this is a topic that should be discussed when the civil engineer members of the Board are present to provide input and the item was tabled until the November 16, 2017 meeting.

7. Ron Willey asked the attendees if there were any topics that they would like to make the Board aware of.

Ken Anderson stated that MassDOT is not complying with state standards with respect to the stamping of documents. He stated that he would provide an email to the Board with greater detail.

Ron Willey indicated that once the information was received, the item could be added to a future agenda for discussion.

8. At 10:00 AM, Dennis Drumm motioned, seconded by Scott Cameron to enter into Executive Session pursuant to G.L. c. 30A, §21(a) (1) for the purpose of discussing the character rather than professional competency of licensee S.O. The Acting Chair announced that he expected to be in executive session for approximately twenty minutes.

9. Open session resumed at 10:23AM.

10. At 10:50 AM, Dennis Drumm motioned, seconded by Scott Cameron to suspend the open session and enter into Closed Investigative Session under M.G.L. c. 112 §65C. Motion was unanimous.

11. Report of actions taken during closed investigate conference:

- 2017-000238-IT-ENF: Discussed settlement offer with Prosecuting Counsel
- 2017-000740-IT-ENF: Dismiss without prejudice
- 2017-000673-IT-ENF: Dismiss without prejudice
- 2017-000692-IT-ENF: Dismiss without prejudice

12. Open session resumed at 11:03AM.

13. At 11:10AM the Acting Chair noted that there were no further topics for the public Board meeting. Dan Caron motioned to adjourn. Peter Hale seconded. Motion passed.

Respectfully submitted by,



Eric Funk

Board of Registration of Professional Engin...

Documents used at the meeting:

- Agenda of the October 26, 2017 Meeting
- Draft minutes of the September 28, 2017 Open Meeting
- Draft regulations for 250 CMR regarding continuing education
- Email from R.A., dated October 11, 2017, regarding minimum standards of practice that a professional engineer must follow to properly examine a solar panel installation