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CHARLES BORSTEL
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PROFESSIONAL LICENSURE

Minutes of the December 21, 2017 Open Meeting

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

Board Members Present

Paul Tyrell, PE, PLS Chairman
Dennis Drumm, PLS
Joel Goodmonson, PE
Paul Tsang, PE
Joanne Linowes, Public Member
Peter Hale, PLS, Secretary
Joyce Hastings, PLS

Board Members Absent

Ronald Willey, PE,
Daniel Caron, PE
Maurice Pilette, PE

Members of the Public Present

Abbie Goodman, TECET
Erin Joyce

Division Staff Members Present at Various Times during the Meeting:

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

1. Chairman Paul Tyrell opened the meeting at 10:07AM and notified attendees of the evacuation procedures.
2. Chairman Paul Tyrell and Executive Director Clinton Dick took a few minutes to welcome and provide a brief overview of the Board's duties to new members Joanne Linowes and Joyce Hastings as well as soon to be new member Erin Joyce.

Paul Tyrell acknowledged both Ed Englander and Scott Cameron and thanked them for their service to the Board. He further indicated that he would be speaking to them both personally.
3. The Board reviewed the minutes of the November 16, 2017 Open Meeting. Joanne Linowes moved, seconded by Joel Goodmonson, to accept the meeting minutes with a minor correction to Abbie Goodman's affiliation (TELET). Motion passed with a vote of 7-0.
4. Dennis Drumm provided an overview of the Exam Committee process for the benefit of the new members. He then gave an update on the October 2017 exam results. There is a recommendation to set the passing rate at 70%. There were eight exam



takers. Seven of the exam takers were MA residents and four were first time takers. Of the eight exam takers, 2 achieved a passing score of at least 70%. Joel Goodmonson motioned to accept the recommendation, seconded by P. Hale. Motion passed. Motion passed with a vote of 7-0.

5. Sheila York provided Board members with a copy of M.G.L. Chapter 112, Section 81D (Definitions); 250 CMR 5.08: Use of the Title Engineer or Land Surveyor; ACEC/MA request for written policy from the Board of Registration regarding Certain Job titles from September 2006; the October 2007 Draft Advisory Ruling regarding the Use of the Title "Engineer;" and the 2008 Advisory Ruling Pursuant 250 CMR 2.09 RE: Use of the title "Engineer." She informed the Board that this topic has come up several times in the past, as evidenced by the documents that were distributed, and it was raised again by Abbie Goodman earlier in 2017.

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.

Dennis Drumm stated that the issue comes up with respect to internal designations for pay grade purposes. He stated that while that practice may be acceptable, using those internal designations with the public is a problem.

Paul Tyrell asked if ACEC was requesting that the Board revise the policy. Sheila York stated that currently there is no policy and that the document in force is the regulations. She further asked the Board if they want to address this further via policy.

Paul Tyrell asked Abbie Goodman directly if her group was seeking clarification from the Board on this matter.

Dennis Drumm stated that any clarification from the Board be posted to our website. He further stated that internal titles/designations should never be used on business cards or in any public setting.

Paul Tyrell stated that the Industrial Exemption may already speak to this issue. He further stated that ACEC should provide the Board with a specific question that it can respond to regarding the matter.

Joel Goodmonson agreed that answering a specific question would allow the Board to provide clarity on the matter. Peter Hale stated that he was in agreement with this.

Sheila York informed the Board that additional review would be necessary to ensure compliance with the February 2015 North Carolina State Board of Dental Examiners v. Federal Trade Commission decision.

Sheila York stated that she would provide a draft to the Board for review and discussion.

6. Clinton Dick informed the Board there were two discussion items for the Executive Director's Report on the agenda.

The first item was removed from discussion as it was a good moral character issue not a self-report of discipline and had already been addressed via a good moral character review.

Clinton Dick stated that the Board received a Self-Report of discipline from Licensee #49738-C. The Licensee reported that he was disciplined by the LA Licensing Board and issued a \$200 fine and costs of \$325, also payable to the Board, for

offering/practicing engineering for an unregistered firm and for using a seal that contained a sub-discipline not recognized by that Board.

The Board determined that they will take no action at this time against Licensee regarding this out of state discipline.

7. Clinton Dick provided the Board with a copy of an email from Tim Miller, P.E., Director, Examination Services for NCEES, dated December 5, 2017, regarding upcoming changes to future exams. The email was informative and did not require discussion.
8. At 11:38 am, Dennis Drumm motioned, seconded by Joel Goodmonson 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 C. D. and pursuant to G.L. c. 30A, § 21(a)(7) for the purpose of complying with or exercising the Board's authority under G.L. C. 66, § 10; G.L. c. 4 § 7 para. 26(a) & (c) and G.L. c. 6, s. 172. Motion passed with roll call vote of 7-0. Members in Favor: Paul Tsang, Peter Hale, Dennis Drumm, Joel Goodmonson, Joyce Hastings, Joanne Linowes, and Paul Tyrell. Members opposed: None. The Chair estimated that public session would resume in five minutes.
9. Open session resumed at 11:43AM.
10. Paul Tyrell requested that for the benefit of the new Board members, the meeting date schedule for 2018 be reviewed for possible date conflict.

The February 22nd meeting date was moved to the 15th and the July 26th meeting date was moved to the 19th.
11. Paul Tyrell took a moment to acknowledge Joel Goodmonson. He thanked Joel for his many contributions and outstanding service to the Board over the years.

Clinton Dick advised the Board that Erin Joyce had been appointed to replace Joel Goodmonson.
12. At 12:10PM the Chair noted that there were no further topics for the public Board meeting. Peter Hale motioned to adjourn. Dennis Drumm seconded. Motion passed.

Respectfully submitted by,



Eric Funk

Board of Registration of Professional Engin...

Documents used at the public meeting

Agenda of the December 21, 2017 meeting

Nov. 16, 2017 draft minutes

M.G.L. Chapter 112, Section 81D (Definitions)

250 CMR 5.08: Use of the Title Engineer or Land Surveyor

ACEC/MA request for written policy from the Board of Registration regarding Certain Job titles from September 2006

October 2007 Draft Advisory Ruling regarding the Use of the Title "Engineer"

2008 Advisory Ruling Pursuant 250 CMR 2.09 RE: Use of the title "Engineer"

Email from Tim Miller, Director of Examination Services for NCEES, dated 12/5/17