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Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF REGISTRATION OF PROFESSIONAL
ENGINEERS AND LAND SURVEYORS

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UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

Minutes of the September 22, 2016 Open Meeting

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

Board Members Present

Joel Goodmonson, PE, Chairman
Paul Tyrell, PE, Vice Chairman
Ronald Willey, PE
Dennis Drumm, PLS
Maurice Pilette, PE
Edward Englander, Esq. Public Member
Paul Tsang, PE
Peter Hale, PLS, Secretary
Scott Cameron, PLS
Daniel Caron, PE

Board Members Absent

Members of the Public Present

Daniel Salls
Philip Boucher
Abbie Goodman

Division Staff Members present at various times during the meeting:

Sheila York, Board Counsel
Clinton Dick, Executive Director
Aidan McGrath, Board Administrator

1. Chairman Joel Goodmonson opened the meeting at 9:30am and notified attendees of the evacuation procedures.
2. The Board reviewed the minutes of the June 23rd, 2016 and July 28th, 2016 Board meetings. Dan Caron moved, seconded by Scott Cameron, to accept the June 23rd, 2016 meeting minutes. Motion passed. Scott Cameron moved, seconded by Edward Englander, to accept the July 28th, 2016 meeting minutes. Motion passed.
3. Paul Tsang and Paul Tyrell provided the Board with an update from the annual NCEES meeting. They noted that NCEES was looking into the possible financial merits lowering the registration fee for the FE exam.
4. The Board discussed the recent changes made to NCEES's records system, and the new format of the records themselves. The Board specifically had concerns regarding NCEES's transition to this new system causing unreasonable delays in the application process for some individuals.
5. Dennis Drumm updated the Board regarding the decisions made by the Land Surveyor Interview subcommittee at their August 9th, 2016 meetings. It was the recommendation of the subcommittee to approve all those interviewed for the PLS and Jurisprudence exams. Ron Willey moved, seconded by Scott Cameron, to approve



applicants 1003829, 1004334 and 1004232 to sit for the PLS and Jurisprudence exam. Motion passed.

6. Paul Tyrell updated the Board regarding the decisions made by the Engineer Interview subcommittee at their August 9th, 2016 meeting. It was the recommendation of the subcommittee that applicants 1003030 and 1003756 be approved to sit for the PE exam. Peter Hale moved, seconded by Edward Englander, to approve applicants 1003030 and 1003756 to sit for the PE exam. Motion passed.
7. The Executive Director updated the Board regarding renewals of licenses that had self-reported discipline taken against their licenses in other jurisdictions. The Board took the following actions for each respective license:
 - License No. 39636-EN-C: No further action
 - License No. 45822-EN-ST: No further action
 - License No. 33546-EN-ST: Open a staff assignment
 - License No. 35242-EN-M: No further action
8. The Board Counsel updated the Board on the proposed amendments to the regulations at 250 CMR. She informed the Board that no written comments about the regulations had been received as part of the formal comment period and that one person provided comment at the public hearing. The person providing comment at the hearing was Abbie Goodman, Executive Director of the Engineering Center, who offered her organization's support for the regulations with the caveat that the Engineering Center and its membership organizations also support a continuing education requirement. Ron Willey noted that at the NCEES meeting, those present had discussed decoupling the PE exam and the work experience requirement. The Board did not believe that any changes to the regulations were necessary to accommodate this possible decoupling. Board Counsel asked whether clarification was necessary regarding denial of licensure after multiple examination failures. Board members determined no further changes were necessary. Dennis Drumm moved, seconded by Ron Willey, to approve the proposed regulations as presented for promulgation as final regulations. Motion passed. Board Counsel explained that the revised regulations would not take effect until published in the Massachusetts Registrar and it may be a month or longer before that happens.
9. The Board Counsel informed the Board that Governor Baker had received a letter from Attorney Robert M. Hynes, discussing a prior letter that he had written to the Board. The Board had reviewed his letter in August, 2014 and had asked Board Counsel to request further details about the situation that prompted his advisory request. Board Counsel relayed that information to Attorney Hynes, who was going to consult his client as to whether further information could be provided. Board Counsel never received any further information. Board Counsel indicated that the Board had asked her to draft a response for further Board discussion and that she was awaiting the more specific information from the requestor. Some board members had questions about the initial letter. Board Counsel indicated that she would distribute Attorney Hynes's letter regarding the M.G.L c.112 §81R(a) trade exemption before the Board's next meeting so that the Board could have a more complete understanding of the matter.
10. Dan Caron and Paul Tyrell left the meeting at 10:53 to interview applicant 1003070, whose meeting with the Engineer Interview subcommittee had been scheduled that morning.
11. Abbie Goodman and Daniel Salls exited the room. At 10:55, Maurice Pilette moved, seconded by Scott Cameron, to suspend the public meeting and enter into Closed

Investigative Session under G.L. c. 112, § 65C to discuss recommendations of the Complaint Committee. All in favor.

12. At 11:01am the Board resumed open session.
13. Report of actions taken during closed, investigative session:
 - EN-15-021: Dismiss with an Advisory Letter
 - EN-15-1526: Dismiss without prejudice
 - EN-15-1471: Forward to the Office of Prosecutions
14. Dan Caron and Paul Tyrell returned at 11:12am. The Board reviewed the information provided for the proposed supervisor required as part of the discipline involved in EN-15-001. The Board agreed that they should invite the proposed supervisor to discuss the nature of the licensee's discipline with them as well as to explain the role the Board expects the supervisor to have.
15. Dan Caron informed the Board of the Engineer Interview subcommittee's recommendation not to approve applicant 1003070 for the PE exam. Dennis Drumm moved, seconded by Scott Cameron, to accept the recommendation of the subcommittee. Motion passed.
16. The Board discussed NCEES's educational evaluations and how to review applications whose education had been found by NCEES to be lacking in General Education credits. Joel Goodmonson commented that he felt applicants should be required to satisfy NCEES's General Education requirement before the Board can consider their education as having met the requirements of 250 CMR 3.04(4) Table I application classification (b).
17. The Board discussed the inquiry of W.B. concerning the use of courses taken on services like Coursera for the purpose of meeting the educational requirements for entry into a Master's degree program. The Board stated that they would accept these courses if the school W.B. was applying to would also accept those courses.
18. The Board discussed the emails of F.T. and A.T. (which email was received the morning of the Board meeting and is being treated as a matter received within 48 hours of the meeting not reasonably anticipated by the Chair). The emails described each individual's inability to obtain an NCEES record due to circumstances outside of the applicant's control, which prevented the individual from obtaining original transcripts from their university. The Board discussed its comity requirements which state that an NCEES record, or its "Board approved equivalent" is required. On rare occasions in the past, when hardship prevented applicant from obtaining NCEES record, the Board has allowed comity applicants to demonstrate their licensure qualifications through the Board approved equivalent of documenting their experience and education requirements directly to the Board. After reviewing each inquiry, the Board agreed to allow F.T. and A.T. to apply for licensure without an NCEES record on the understanding that circumstances did not allow the individual to obtain their transcripts. These applicants will be required to document their experience and education to the Board's satisfaction similar to initial applicants.
19. The Board reviewed the email from M.F. regarding the acceptability of educational evaluations performed by Evaluation World, LLC. The Board reviewed the evaluation, but decided that it would not accept evaluations from Evaluation World, LLC because evaluations by Evaluation World, LLC do not evaluate education using NCEES or ABET standards. The Board further stipulated that acceptable evaluations

could come only from NCEES, or from organizations that specifically evaluate education to determine equivalency with ABET educational standards.

20. The Board reviewed the correspondence from the Structural Engineers Licensure Coalition.
21. The Board reviewed the letter from PE license number 45170 discussing the expiration of their PE license and her request to have the reinstatement application process waived, even though the license had been lapsed for more than two years. The Board discussed its reinstatement regulation at 250 CMR 5.07 which clearly states that an individual whose license has lapsed for more than two years must meet the reinstatement requirements. The Board agreed to continue with precedent and as required by board regulation to require the licensee to submit a reinstatement application.
22. Daniel Salls addressed the Board, informing the Board that he had enjoyed witnessing the Board meeting, and to state that, should they have any questions while reviewing his application, he would be happy to address those questions. The Board stated that they did not have any questions for Mr. Salls.
23. At 12:11am the Chair noted that there were no further topics for the public Board meeting. Edward Englander motioned to adjourn. Ron Willey seconded. Motion passed.

Respectfully submitted by,



Aidan McGrath

Board of Registration of Professional Engineers and Professional Land Surveyors

Documents Used at the public session of the Board Meeting:

Minutes of the June 23rd, 2016 Board meeting
Minutes of the July 28th, 2016 Board meeting
Email from W.B. dated July 27, 2016
Email from F.T., dated August 7, 2016,
Email from M.F., dated September 9th, 2016
Email from A.T., dated September 21, 2016
Letter from the Structural Engineers Licensure Coalition, dated June 30, 2016
Letter from PE license number 45170, dated September 3, 2016
Amended Regulations 250 CMR
Letter Regarding the Proposed Supervisor in EN-15-001