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

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JOHN C. CHAPMAN  
UNDERSECRETARY OF  
CONSUMER AFFAIRS AND  
BUSINESS REGULATION

CHARLES BORSTEL  
DIRECTOR, DIVISION OF  
PROFESSIONAL LICENSURE

## Minutes of the May 28, 2015 Open Meeting

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

### Board Members Present

Dennis Drumm, PLS, Chairman  
Joel Goodmonson, PE, Vice Chair  
Peter Hale, PLS, Secretary  
Scott Cameron, PLS  
John Duff Jr., PE  
Daniel Caron, PE  
Maurice Pilette, PE  
Edward Englander, Esq. Public Member

### Board Members Absent

Paul Tyrell, PE-PLS  
Ronald Willey, PE

### Division Staff Members present at various times during the meeting:

Erin LeBel, Executive Director  
Sheila York, Board Counsel  
Susan Coco, Board Administrator

1. Chairman Dennis Drumm opened the meeting at 9:00.
2. The Chairman confirmed that all attendees were aware of the building's emergency evacuation procedures.
3. The Chairman opened the listening session. No members of the public were in attendance at the opening of the listening session and no interested parties appeared to submit oral comments. Written comments will be accepted until June 4<sup>th</sup>.
4. Scott Cameron moved, seconded by Edward Englander, to accept the minutes from the April 30, 2015 open meeting. Motion to accept the minutes passed.
5. The Board discussed an email from David Hilbern who requested that his score be changed to a passing grade because of a disruption that occurred when he took the land surveyor jurisprudence exam. The Board noted that the disruption described by Mr. Hilbern was unfortunate, but concluded that it does not warrant, and the public interest would not be served by, changing his score on the examination. The Board's Executive Director stated that she had notified the exam administrator of the incident and asked them to remind all proctors of the importance of preventing disruption of test takers. Mr. Hilbern will need to take the exam again and staff will inform the test administrator to assist him in scheduling another exam.



6. An Email from Dan Collier regarding standards of practice for survey work for a utility company to survey within the bound of their own property was discussed. The Board found nothing in the regulations or statutes enforced by the Board that would exempt survey work performed by a utility company on its own property from licensure requirements. The Board noted that an exemption set forth in G.L. c. 112, s. 81R(1) may apply to engineering work, but not land surveying. The Board further noted that there may be other rules, such as local ordinances, that may be relevant but the Board's response is limited to only the laws and regulations under its jurisdiction. Board Counsel will respond on behalf of the Board.
7. The Board of Architects had initially proposed regulations changes to Title 231 of the CMR, which could have impacted areas within the jurisdiction of the Board of Engineers and Land Surveyors. We have been advised that those changes may not be present in the most recent version of the Architect Board's proposed regulations. When the Architectural Board is able to provide an updated version of their proposed regulations, this Board will be ready to review them and provide input if warranted.
8. Dennis Drumm reported the Examination Committee met and scored 12 applicants who sat for the Jurisprudence Examination for Professional Land Surveyors. The committee recommends that the passing score be 70%. 6 candidates passed. Joel Goodmonson moved, seconded by Edward Englander, to accept the exam sub committee's recommendations. Motion passed.
9. Ms. LeBel informed the Board that the Division of Professional Licensure has a new Deputy Director Robert Fortes.
10. Joel Goodmonson reported that NCEES will be proposing 'PS 35 Future Education Requirements' at their annual meeting. He provided the Board with an outline of NCEES's proposed position. He indicated that Ron Willey, Paul Tyrell, Peter Hale and Dennis Drumm will be attending the meeting and asked what direction should the delegates vote? Maurice Pilette moved to oppose the NCEES proposal, and for delegates to continue to oppose increasing educational requirements, seconded by Dan Caron. Motion passed. Joel Goodmonson abstained from the vote.
11. At 10:35 Mr. Englander moved, seconded by Joel Goodmonson, to suspend the public meeting and enter into closed investigative session under G.L. c. 112, § 65C to discuss recommendations of the Complaint Committee regarding an investigative matter pertaining to Application No. 58021. Motion passed.

Public Session resumed at 10:35 am.

12. Report of actions taken in Investigative Conference:
  - John Duff Jr. moved, seconded by Edward Englander, to accept the sub committee's recommendation to close the investigation and approve Applicant No. 58021 to continue the licensing process.
13. Application 58021: John Duff Jr. moved, seconded by Edward Englander to approve Applicant No. 58021 for licensure by comity. Motion passed.

14. Applicant 1001448. Dan Caron informed the Board that this applicant is a Comity applicant under the 20 year experience classification who has passed all other requirements for licensure under Classification (e), including passing the PE examination. Mr. Caron moved to waive the personal interview of this applicant per 250 CMR 3.01(10), seconded by Edward Englander, Motion passed.
15. Applicant 1001806 obtained 4.2 years of qualifying work experience 2.6 years as PhD and 1.3 years dimensional modeling. This licensee needs to submit 6 month of additional qualifying engineering experience and documentation of any additional courses taken.
16. Licensees approved for reinstatement are 42884, 28608.
17. At 11:15, the Open Board meeting adjourned.



Susan Coco  
Board Administrator  
Board of Professional Engineers and Land Surveyors

Documents Used at the public session of the Board Meeting:

Agenda of May 28, 2015 meeting  
Draft Minutes of the April 30, 2015 Open meeting  
Email from Dave Hilbern dated 5/19/15  
Email from Dan Collier dated 5/18/15  
PS 35 Future Education requirements for Engineering Licensure