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Division of Professional Licensure  
BOARD OF REGISTRATION OF PROFESSIONAL  
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## Minutes of the September 24, 2015 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-PLS Vice Chair  
Peter Hale, PLS, Secretary  
Scott Cameron, PLS  
John Duff Jr., PE  
Daniel Caron, PE  
Dennis Drumm, PLS  
Ronald Willey, PE  
Edward Englander, Esq. Public Member  
Maurice Pilette, PE

### Board Members Absent

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

Clinton Dick, Executive Director  
Sheila York, Board Counsel  
Eboni Lewis, Board Administrator  
Fayette Mong, Prosecutor

### Members of the Public

Jason Mintz, PE Applicant  
Abbie Goodman

1. Chairman Joel Goodmonson opened the meeting at 9:05 AM.
2. Scott Cameron motioned to accept the August 27, 2015 meeting minutes; Edward Englander seconded. Motion Passed.
3. Asa Mintz addressed the Board with questions about qualifying and non-qualifying work experience. Dennis Drumm suggested submitting a current job description for Board review. Joel Goodmonson encouraged the applicant to submit a written request to the Board to justify his work experience and to request an interview if necessary.
4. Paul Tyrell spoke about attending the Architect Board listening session and inquired about the current status of their regulations. Clinton Dick notified the Board that the Architect Board has determined that proposed changes to sections 2-3 of their regulations are okay to proceed with and section 4 is still under review. Sheila York explained that Executive Order 562 allows partial regulations to be submitted prior to the completion of all sections of the regulations. Sheila York and Paul Tyrell will review the Architect Board's proposed changes to Section 2 and 3 and update the Board at next meeting.



5. Joel Goodmonson recused himself at 9:22 AM.
6. Dennis Drumm updated the Board on the 9/8/15 Continuing Professional Competency (CPC) committee meeting. The Committee has not yet completed their draft for submission to the Board. Per the CPC Committee's mission statement, Committee members still need to evaluate whether there is a current need for continuing education in Massachusetts. Committee members and staff will look into CE requirements in other jurisdictions and the need/cost of requiring CPC for the renewal and reinstatement of licenses. Sheila York is going to look into whether the Board may create an inactive status of licensure other than expired status.

John Duff does not feel that requiring CPCs will aid the industry. Daniel Caron would like to know how the Committee will assess the needs and costs of requiring CPCs. Dennis Drumm explained that the Committee has not yet developed a process concerning the research of the needs and costs of requiring CPCs and also explained that the Committee needs to meet the entirety of the mission statement before it can present a report to the Board.

Maurice Pilette would like to make sure that the requirements benefit all disciplines equally as less popular disciplines may have more difficulty in obtaining suitable courses to satisfy the requirements.

Abbie Goodman mentioned Engineers.org website as a resource for continuing education requirements in other states.

The CPC meeting was scheduled to meet on 10/13/15 but Sheila York has a scheduling conflict and requested that the meeting be cancelled. The next CPC meeting will be the second Tuesday in November.

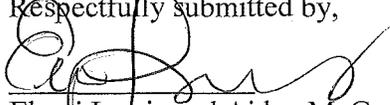
7. At 9:40 AM Joel Goodmonson returned.
8. Clinton Dick informed the Board that the eLicensure system for Engineers and Land Surveyors is set to go live on 10/13/15. As such, he agrees with cancelling the CPC meeting for that day.
9. Eboni Lewis informed the Board that the eLicensure system will not have any effect on the current method for application approval. PCS will continue processing applications as before, and will submit them to the Board for review and approval.
10. Joel Goodmonson would like the Board to be updated on the expiration date of the contract with PCS.
11. John Duff inquired as to whether eLicensing will require licensees to submit all documentation electronically. Clinton Dick confirmed that the Board will still be accepting paper documents, including paper renewal applications.

12. Scott Cameron motioned to accept the 2016 Board meeting dates, including February 9, 2016 and August 9, 2016 interview dates. The motion was seconded by Edward Englander. Motion passed.
13. Sheila York notified the Board that the next step in the Executive Order 562 regulation review process is for her to inform senior management that this Board determined at prior meetings that the Board's current regulations are in compliance with EO 562 standards and the Board recommends that the regulations be retained without change. Dennis Drumm asked whether it would be possible to include as part of the EO 562 process the minor technical changes that he had proposed prior to the issuance of EO 562. Sheila York stated that she will review those minor changes. She had not intended to propose those changes as part of the EO 562 review because they were more technical in nature, however, if it is possible to do so, she will update the Board at next meeting.
14. Reinstatement #4962E Kevin Rettich approved for reinstatement.
15. Reinstatement #42435ST Robert Landry approved for reinstatement.
16. Ron Willey 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 regarding the following investigative matters: EN 15-022; EN 16-006; and EN 15-001. Motion passed.
17. Ronald Willey left the Board meeting at 10:50am.
18. Scott Cameron motioned to return to Open Session at 11:25AM. The motion was seconded by John Duff. Public Session resumed at 11:25 AM.
19. Report of actions taken in Investigative Conference:
  - EN 15-022: Schedule an Investigative Conference
  - EN 16-006: Schedule an Investigative Conference
  - EN 15-001: Met with Prosecutor Fayette Mong to discuss counteroffer
20. Edward Englander motioned to table review of TR Application# 53694. The motion was seconded by John Duff. Motion passed.
21. The Board reviewed a letter from SG dated 8/21/15 requesting a hearing on the Board's denial of his PLS license application due to his repeated failure to pass the jurisprudence examination. The Board noted that the applicant also requested additional information about his most recent examination attempt. We can provide the applicant with a summary breakdown of his performance in each exam-item classification. The Board asked staff to schedule SG to appear before the Board.
22. The Board reviewed emails from GB dated 8/13/15 and from JB dated 9/10/15, requesting information about the scope of professional engineering practice and local building officials. The Board had a standard response to these types of questions in the past, but that response may need to be updated because some of the regulation cites have changed. The BBRS also has an Official

Interpretation No. 38-94 which also may be helpful, but needs updating as well. The Board noted that GB and JB should be informed that this Board is the only regulatory agency with the ability to determine if an individual has met the minimal competency standards required to practice as an engineer or land surveyor in the Commonwealth. This Board does not, however, have authority over local building inspectors. The licensee should be advised to consult the Board competency regulations, which permit a licensee to practice outside his or her discipline provided the services are within the licensee's areas of personal competency. Board Counsel will attempt to draft a FAQ response for this subject for Board review at next meeting.

23. The Board reviewed the email from LB dated 9/9/15 requesting that the Board review the program curricula from a school in Nevada. The response from the Board was tabled until the next Board meeting.
24. The Board discussed creating a policy regarding the six exam attempt limit. The regulations state that an applicant may be notified after multiple failures that their next attempt will be their last, but the regulation does not set a specific number of allowed attempts. The Board's precedent has been that after five failed exams, the applicant will be notified of their final chance to exam. After the sixth failed exam, his or her application will be denied.
25. At 12:05 Daniel Caron left.
26. Edward Englander moved to suspend the open meeting to enter into Executive Session pursuant to G.L. c. 30A, §21(a) (1) for the Board to discuss character rather than professional competency of an applicant. The motion was seconded by Scott Cameron and a roll call vote was taken. Roll call vote: Members in Favor: Joel Goodmonson, Paul Tyrell, Peter Hale, Scott Cameron, John Duff Jr., Dennis Drumm, Edward Englander, Maurice Pilette; Members opposed: None.
27. At 12:35 Paul Tyrell left.
28. At 12:36, public session resumed.
29. At 12:37 the meeting adjourned.

Respectfully submitted by,



Eboni Lewis



Aidan McGrath

Eboni Lewis and Aidan McGrath

Board of Professional Engineers and Professional Land Surveyors

Documents Used at the public session of the Board Meeting:

Agenda of September 24, 2015 meeting  
Draft Minutes of the August 27, 2015 Open meeting  
Letter from SG dated August 21, 2015  
Email from GB dated August 13, 2015  
Email from LB dated September 9, 2015