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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 November 19, 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
Maurice Pillette, PE

Board Members Absent

Edward Englander, Esq. Public Member
Ronald Willey, PE

Division Staff Members present at various times during the meeting:

Clinton Dick, Executive Director
Sheila York, Board Counsel
Aidan McGrath, Board Administrator
Matthew Runge, Investigator
Christopher Carroll, Chief Investigator

Members of the Public present at various times

Michael Bartley, PE Reinstatement Applicant
Abbie Goodman

1. Chairman Joel Goodmonson opened the meeting at 9:09 AM and reminded the Board of the evacuation procedures.
2. The Board discussed the minutes from the October 29th, 2015 Board meeting, and specifically reviewed the minutes regarding their decision regarding the programs at Greater Basin College. Scott Cameron motioned, seconded by Peter Hale, to accept the October 29th, 2015 meeting minutes once they have been updated to reflect both the Board's decision to accept the courses from Greater Basin College and to reflect that the application associated with Docket Number EN 15-022 will be placed on hold pending the outcome of the associated complaint. Motion passed.
3. Chris Carroll addressed the Board regarding the Office of Investigations. He reminded the Board that he and his investigators stand ready to assist the Board in prosecuting matters.
4. Chris Carroll left at 9:28 AM.
5. Dennis Drumm moved, seconded by Scott Cameron, to approve the Executive Session minutes from the October 29th, 2015 meeting and to keep them



confidential until the purpose of the Executive Session transpires. Motion passed.

6. Joel Goodmonson recused himself at 9:29 AM.
7. Paul Tyrell addressed the Board regarding the proposed changes to the Board of Architects' regulations. The Executive Director confirmed that the Board of Architects, at their November meeting, inserted the statutory definition of "the practice of Architecture" in their regulations.
8. Joel Goodmonson returned at 9:34 AM.
9. Joel Goodmonson drew the Board's attention to their handout regarding the Proposed Revisions to Criteria for Accrediting Engineering Programs from the Engineering Accrediting Commission and the memo from Tim Miller, Director of Examinations for the National Council of Examiners for Engineering and Surveying (NCEES) regarding Future Changes to NCEES Exams and Supporting Material. Joel Goodmonson specifically notified the Board that NCEES would be accepting feedback from licensing boards until June of 2016. No action was taken.
10. The Executive Director asked the Board about the NCEES request for architectural engineers to complete an online survey. The Chairman asked the Executive Director to provide the handout to Abbie Goodman, who would be able to disseminate it to architectural engineers.
11. The Board Counsel addressed the Board regarding the proposed changes to the Board's regulations per Executive Order 562. At 9:44 AM Peter Hale motioned, seconded by Dennis Drumm, to accept the proposed changes to 250 CMR as the Board's proposed EO 562 changes. Motion passed. Board Counsel will keep the Board informed on the status of these proposed regulation changes.
12. John Duff recused himself at 9:45 AM.
13. The Board reviewed letters from J Vela dated 5/26/2015, 9/23/15, 9/24/15, 11/7/15, 11/9/15, 11/10/15, 11/11/15, 11/12/15, 11/13/15, 11/14/15, and 11/16/15. The Board agreed that the letters introduced no new information and asked the Board Counsel to respond accordingly.
14. At 9:59 AM John Duff returned.
15. At 10:00 AM the Board discussed application questions and began reviewing the reinstatement applications.
16. Reinstatement applicant Michael Bartley, expired PE No. 47844, addressed the Board regarding his self-disclosed practice with an expired license. Paul Tyrell asked Mr. Bartley if he stamped any drawings when his license was expired and Mr. Bartley responded that he has not done so.
17. The Board approved the following applications for reinstatement:

- PE #36022
- PE #47844
- PE #47177
- PE #33699

18. Dennis Drumm addressed the Board regarding the current policies for the handling of requests for hand scoring of Land Surveyor Jurisprudence exams. The Board determined that, upon request, the Board will provide hand scoring for only an individual's two most recently taken examinations, assuming that both those examinations were taken in the past three years.
19. The Board discussed adding their policy on allowing only six examination attempts to the regulations, which currently allow the Board to limit retakes but do not specify the six exam limit. While that regulation already permits the Board to limit re-takes, adding the specific number of allowed attempts that the Board has previously agreed upon by policy would clarify the requirement for applicants. The Board further discussed whether failure of a sixth exam should result in a lifetime ban from taking an exam in Massachusetts or if the applicant can request another chance after a certain time period if the applicant demonstrates significant changed circumstances relevant to his or her qualifications to sit for the examination and likelihood of success. Board Counsel reminded the Board that she would be inviting in an applicant who has been prohibited from taking the jurisprudence due to multiple failures. Sheila York will add language regarding the six-exam limitation to the current draft of the regulations under review per Executive Order 562 for the Board to review.
20. John Duff addressed the Board regarding PE Applicant 1000794, A.P. Upon reviewing the contents of the application, it was decided that in order to obtain a second licensure in another discipline, the applicant would need to demonstrate a passing score on an 8 hour, NCEES sanctioned examination in the discipline applied for.
21. Abbie Goodman and Michael Bartley exited the room at 10:36 AM.
22. At 10:37 AM, Maurice Pillette moved, seconded by S. 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 15-017; EN 15-018; and EN 15-023. Motion passed.
23. Open Session resumed at 11:00 AM
24. Report of actions taken during closed investigative conference:
 - EN 15-017: Dismiss without prejudice
 - EN 15-018: Dismiss without prejudice
 - EN 15-023: Dismiss without prejudice
 - EN 15-020: Forward to the Office of Prosecutions
25. At 11:00 AM Maurice Pillette moved to adjourn. The motion was seconded by Dan Caron. Motion passed.

Respectfully submitted by,



Aidan McGrath

Board of Professional Engineers and Professional Land Surveyors

Documents Used at the public session of the Board Meeting:

- Agenda of November 19, 2015 meeting
- Draft Minutes of October 29, 2015 Open meeting
- Draft Minutes of October 29, 2015 Executive Session
- Letters from Joseph Vela dated 5/26/2015, 9/23/15, 9/24/15, 11/7/15, 11/9/15, 11/10/15, 11/11/15, 11/12/15, 11/13/15, 11/14/15, and 11/16/15
- Proposed Revisions to Criteria for Accrediting Engineering Programs from the Engineering Accrediting Commission
- Memo from Tim Miller, Director of Examinations for NCEES regarding Future Changes to NCEES Exams and Supporting Material