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

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BUSINESS REGULATION

CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

Minutes of the December 17, 2015 Open Meeting

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

Board Members Present

Joel Goodmonson, PE, Chairman
Maurice Pillette, PE
Peter Hale, PLS, Secretary
Scott Cameron, PLS
John Duff Jr., PE
Daniel Caron, PE
Dennis Drumm, PLS
Edward Englander, Esq. Public Member
Paul Tyrell, PE, Vice Chairman @ 12:07 PM

Board Members Absent

Ronald Willey, PE

Division Staff Members present at various times during the meeting:

Sheila York, Board Counsel
Aidan McGrath, Board Administrator
Matthew Runge, Investigator

1. Chairman Joel Goodmonson opened the meeting at 9:02 AM and notified attendees of the new evacuation procedures.
2. Scott Cameron motioned, seconded by Peter Hale, to accept the November 19, 2015 public meeting minutes once they have been updated to more clearly explain the Board's amendments to the October 29th, 2015 minutes and the Board's discussion of their current policies regarding the six-examination limit for PE and PLS examinations and regarding the breakdowns of past PLS jurisprudence examinations by topic areas. Maurice Pillette was not present for the vote. Motion passed.
3. Joel Goodmonson addressed the Board regarding the "prescriptive process" currently available on the Massachusetts Department of Energy Resources ("DOER") website for use in determining the adequacy or ability of a building to support solar panels. The Board discussed whether or not the "prescriptive process" would qualify as the "practice of engineering." Sheila York agreed to contact the source of this information in order to learn more about what the Board is being asked to review and contact DOER to gather further information.
4. At 9:31AM the Board reviewed a potential comity applicant's request for the Board to accept unofficial copies of transcripts of the education he received nearly thirty years ago at the University of Sri Lanka and the Asian Institute of Technology. The Board has previously indicated that it will review requests to proceed with unofficial educational transcripts on a case-by-case basis. The applicant, S. Jakumaran, PhD, noted that the education at issue was completed nearly 30 years ago in foreign countries and, due to circumstances beyond the applicant's control, those foreign schools are no longer able to forward his original transcripts. Board members noted that the applicant's undergraduate education was accepted by Drexel University as sufficient to qualify him for admission to its PhD program, which he completed.



Given that Drexel University accepted the applicant's foreign transcripts at the time he was admitted to its PhD program, his successful completion of the PhD program, and his licensure in multiple states, Edward Englander moved to allow Mr. Jakumaran to proceed through the application process without providing original transcripts for his degrees from the University of Sri Lanka and from the Asian Institute of Technology and without having an NCEES equivalency determination performed on those transcripts. Dennis Drumm seconded. Motion passed.

5. At 9:37AM Dennis Drumm addressed the Board regarding the exam subcommittee's review of the October, 2015 Land Surveyor jurisprudence exams, as well as their review of the question bank for the jurisprudence exam. The committee recommends that for this examination, a passing score should be a 69.4%. 4 candidates passed. Peter Hale motioned, seconded by Scott Cameron, to accept the exam subcommittee's recommendation. Motion passed. The Board discussed that if in future meetings they need to use material pertaining to the exam question bank, such discussions will occur in Executive Session for the purpose of complying with the public records exemption to maintain the confidentiality of examination materials.
6. At 9:52AM Sheila York updated the Board regarding Executive Order 562. The Board's proposed EO 562 regulation changes have been submitted for review and Attorney York will update the Board when she has any further information.
7. At 9:57AM Joel Goodmonson addressed the Board regarding recent developments concerning the Board of Registration of Architects and the Board of Architects review of their regulations per Executive Order 562.
8. The Chair announced that for the next agenda item the Board would go into Executive Session pursuant to G.L. c. 30A, §21(a) (1) for the purpose of discussing character rather than professional competency of applicant, C.V., 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. Edward Englander moved to suspend the open meeting and enter into Executive Session for the purposes stated by the Chair. The motion was seconded by Scott Cameron and a roll call vote was taken. Roll call vote: Members in Favor: Joel Goodmonson, Peter Hale, Scott Cameron, John Duff Jr., Dennis Drumm, Edward Englander, Maurice Pilette; Members opposed: None. The Chair estimated that public session would resume in 10 minutes.
9. At 10:15 AM the Board resumed public session.
10. The Board reviewed EIT Jonathan Ellowitz's transcripts to determine which application classification he would eligible to apply under for the PE license. It was determined that Mr. Ellowitz was classification C.
11. At 10:38 AM, Scott Cameron motioned, seconded by Dennis Drumm, to suspend the public meeting and enter into Closed Investigative Session under G.L. c.112, §65C to discuss the recommendations of the Complaint Committee regarding the following investigative matters: 2015-001399-IT-ENF and EN-16-010. Motion passed.
12. At 10:42 AM the Board resumed public session.
13. Report of actions taken during closed investigative conference:
 - 2015-001399-IT-ENF: Dismiss without prejudice
 - EN 16-010: Dismiss without prejudice
14. The Board continued to review applications.

15. Maurice Pillette and John Duff left at 11:25AM.
16. Sheila York left at 11:50 AM.
17. At 12:07 PM Paul Tyrell arrived to assist with the review of applications.
18. Dan Caron left at 12:25 PM.
19. At 12:30 PM, the Chair noted that there were no further topics for the public Board meeting. Paul Tyrell moved to adjourn. The motion was seconded by Peter Hale. 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:

Draft Minutes of November 19, 2015 meeting

Draft Minutes of October 29, 2015 Open meeting

S. Jakumaran, PhD's Request regarding NCEES original transcript requirement

Prescriptive Process on Department of Environmental Resources website