

Minutes of Professional Conduct Meeting—October 19, 2016



COMMONWEALTH OF MASSACHUSETTS
**Board of Registration
of
Hazardous Waste Site Cleanup Professionals**

ONE WINTER STREET, 3rd Floor
BOSTON, MA 02108

PHONE: (617) 556-1091 FAX: (617) 292-5872

PROFESSIONAL CONDUCT COMMITTEE

Minutes of Meeting on October 19, 2016

Approved on November 16, 2016

Prepared by: Beverly Coles-Roby

Meeting Location: MassDEP CERO
One Winter Street
Boston, MA 02108

List of Documents Used at the Meeting:

1. Agenda
 2. Draft Minutes of Meeting on September 21, 2016
 3. Active Case List
-
1. **Call to Order:** Co-chairperson James N. Smith called the meeting to order at approximately 1:05 p.m. The Board members in attendance were Maria Pinaud, Robert Rein, Debra Listernick, David Austin, Dr. Gail Batchelder, Farooq Siddique and Kathleen Campbell. Board members Dr. John Guswa and Kirk Franklin were absent. Staff members present were Beverly Coles-Roby and Lori Williamson. Also present were Wendy Rundle, Executive Director of the LSP Association (“LSPA”); and Wes Stimpson of WES Associates.
 2. **Previous Minutes:** The draft minutes of the meeting held on September 21, 2016, were approved as written. Mr. Siddique and Ms. Campbell abstained from voting to approve the minutes.
 3. **Old Business:**

Status of Complaint Review Teams and Active Case Table

At Mr. Smith’s request, the Complaint Review Teams (“CRT”) reported on progress made since the September 2016 meeting. Ms. Coles-Roby gave the reports on the status of each case as reflected in the Active Discipline Case List.

Ms. Coles-Roby reported on 05C-07 stating that LSPs brief is due on October 21, 2016.

Minutes of Professional Conduct Meeting—October 19, 2016

Ms. Coles-Roby also reported that 08C-03 was tried before Presiding Officer Tim Jones on October 12, 2016. She noted that the Prosecution's Closing Brief is due on November 18, 2016; the LSP's Closing Brief is due on December 18, 2016; and any Reply Brief from the prosecuting attorney is due on January 16, 2017.

The status of the case remains unchanged with regard to 10C-01, as set out in the Active Discipline Case List, with a date for finalization set by the Massachusetts Superior Court of April 16, 2018.

Ms. Coles-Roby informed the committee that the CRT will present its report in 11C-04 at the November 2016 Board meeting.

In the matter of 12C-01, Ms. Coles-Roby reminded the committee that this is the same LSP as in 05C-07. She said that she and Ms. Williamson are looking at dates to schedule the LSP's interview once oral argument in 05C-07 has taken place.

The CRT in 16C-01

is reviewing documents forwarded by Ms. Williamson. Ms. Coles-Roby added that the CRT needs to set a date for a conference call once that review is completed.

4. New Business:

No new business was discussed.

5. Future Meetings: November 16, 2016--MassDEP WERO.

6. Adjournment: The meeting was adjourned at approximately 1:12 p.m.