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Commonwealth of Massachusetts
Division of Professional Licensure
Board of Registration of Professional Engineers
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UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Minutes of the January 28, 2021 Open Meeting

Meeting was held remotely by video conference and telephone as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 suspending certain provisions of the open meeting law.

The following attendance was recorded:

Board Members Present

Paul Tyrell, PE, PLS, Chairman
Ronald Willey, PE, Vice Chairman
Erin Joyce, PE
Daniel Caron, PE
Joyce Hastings, PLS
Azu Etoniru, PE, PLS
Maurice Pilette, PE
Paul Tsang, PE
Kenneth Anderson, PLS

Board Members Absent

Shannon Slaughter, Public Member

Members of the Public Present

Division Staff Members Present

at Various Times during the Meeting:

Matthew Keigan, Executive Director
Sheila York, Board Counsel
Eric Funk, Board Administrator
James Reed, Chief Prosecutor
Jenna Hentoff, Prosecuting Counsel
Seth Henderson, Prosecuting Counsel

1. Chairman Paul Tyrell opened the meeting at 9:02AM and reminded members that it is important to have an evacuation plan for where you live.
2. The Board reviewed the minutes of the December 22, 2020 Open Meeting. Ronald Willey moved, seconded by Dan Caron, to accept the meeting minutes with a minor edit on page 4 in section 16. Motion passed with a vote of 9-0. Members in Favor: Paul Tyrell, Joyce Hastings, Maurice Pilette, Dan Caron, Azu Etoniru, Paul Tsang, Erin Joyce, Ronald Willey, and Kenneth Anderson. Members opposed: none.



3. Chairman Paul Tyrell informed the Board that the next meeting is scheduled to take place on February 25, 2021. Vice Chairman Ronald Willey will chair the meeting as Chairman Paul Tyrell will not be able to be in attendance.
4. There were no new safety protocols or remote meeting protocols discussed.
5. Chairman Paul Tyrell reminded the Board that the NCEES 2021 Member Board Administrators' Meeting & Board Presidents' Assembly, which is usually held in Atlanta, GA, would take place virtually on January 29, 2021. Chairman Paul Tyrell, Azu Etoniru, Executive Director Matthew Keigan, and Eric Funk will attend.
6. Chairman Paul Tyrell informed the Board that the March meeting date is scheduled for March 25, 2021. No Board members reported conflicts with that date.
7. Sheila York advised the members that the nomination and election of Board Chair, Vice Chair, and Secretary are to be considered.

Dan Caron motioned to keep the current leadership of Chairman Paul Tyrell, Vice Chair Ron Willey, and Azu Etoniru as Secretary. Motion was seconded by Joyce Hastings. Motion passed with a roll call vote of 9-0. Members in favor: Erin Joyce, Ken Anderson, Dan Caron, Ronald Willey, Paul Tsang, Maurice Pilette, Paul Tyrell, Joyce Hastings, and Azu Etoniru. Members opposed: None.

8. Sheila York updated the Board on the status of draft language regarding Continuing Professional Competency (CPC). She informed the Board that upper management requested that she complete a procedural form. Once completed she indicated that the draft should then be approved and the Board given the go ahead to hold public hearings.
9. Sheila York provided the Board with an update on the email from James Hall, dated November 9, 2020, regarding the Swansea Board of Health's proposal for "local licensure." She informed the Board that the matter had been escalated to DPL General Counsel for review but that a response has not yet been received.

Sheila York further stated that she would check with Abbie Goodman to see if there had been any new developments with the Swansea Board of Health.
10. Sheila York informed the Board that the upcoming adjudicatory Hearing scheduled for January 29, 2021 had been moved to March 16, 2021. Dan Caron indicated that he still plans to attend the hearing. Chairman Paul Tyrell stated that he would check his availability as well.
11. Sheila York stated that there were no further pending legal matters for discussion.
12. Executive Director Matthew Keigan informed the Board that ten (10) licensees reported discipline to the NCEES Enforcement Exchange and will be monitored for to notify Massachusetts of the discipline in another jurisdiction within the thirty (30) day window to report such discipline as outlined in the regulations.
13. Executive Director Matthew Keigan informed the Board that the current case tracking spreadsheet that was distributed to all members had been updated to reflect the seven (7) new cases that will be reviewed by the Complaint Committee at the next meeting.
14. Executive Director Matthew Keigan informed the Board that per the Consent Agreement in the matter of Docket No. 2019-000166-IT-ENF, the one (1) year license suspension for Licensee No. 50150-EN-C was automatically lifted.

There was no action taken by the Board.

15. Chairman Paul Tyrell presented the application review report provided by Eric Funk for Board consideration. Ronald Willey motioned, seconded by Joyce Hastings to accept the report and ratify the application approvals. Motion passed with a vote of 9-0. Members in Favor: Paul Tyrell, Ronald Willey, Dan Caron, Kenneth Anderson, Joyce Hastings, Maurice Pilette, Azu Etoniru, Paul Tsang, and Erin Joyce. Members opposed: none.
16. Sheila York advised the Board that it had received two (2) applications indicating out-of-state convictions where the applicant did not provide documentation of the resolution of said matters. She indicated that in such instances, the Board requests that the applicant provide a copy of the court documentation or obtain a copy of their criminal history from the state where the incidents occurred.

Sheila York informed the Board that she reached out to the DPL's new CORI Counsel for guidance as to what CORI documentation the Boards should insist on receiving to verify the accuracy of out-of-state convictions as it would be helpful for the Board to have a standard unwavering response to applicants in these situations. At this time, the issue is still under review within DPL.


Chairman Paul Tyrell agreed that both of the applicants should attempt to obtain documentation detailing the resolutions of the matters for Board consideration.

17. Chairman Paul Tyrell announced that he would be giving a presentation to MALSCE on the Board complaint process on January 29, 2021.
18. Chairman Paul Tyrell noted that there was no correspondence for Board discussion.
19. At 9:28AM, Ronald Willey motioned, seconded by Azu Etoniru, to end the Open Session of the video conference call and enter into Closed Investigative Session under M.G.L. c. 112 §65C. Motion passed with a vote of 9-0. Members in Favor: Paul Tyrell, Ronald Willey, Dan Caron, Kenneth Anderson, Joyce Hastings, Azu Etoniru, Maurice Pilette, Paul Tsang, and Erin Joyce. Members opposed: none.

Report of actions taken during closed investigate conference:

- 2020-000516-IT-ENF: Refer to Prosecutions
- 2020-000721-IT-ENF: Dismiss without Prejudice
- 2020-000957-IT-ENF: Dismiss without Prejudice
- 2020-001144-IT-ENF: Refer to Prosecutions
- 2020-000247-IT-ENF: Refer back to Prosecutions
- 2020-000207-IT-ENF: Refer back to Prosecutions

Respectfully submitted by,

X 

Eric Funk
Board of Registration of Professional Enqin...

Documents used at the public meeting

- Agenda for January 28, 2021 Meeting
- Draft Minutes of December 22, 2020 Open Meeting