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Division of Occupational Licensure
Board of Registration of Professional Engineers
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OCCUPATIONAL LICENSURE

Minutes of the April 28, 2022 Open Meeting

Meeting was held remotely by video conference and telephone pursuant to Chapter 22 of the Acts of 2022: *An Act Making Appropriations for the Fiscal Year 2022 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects* signed into law on February 12, 2022.

The following attendance was recorded:

Board Members Present

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

Board Members Absent

Members of the Public Present

Abbie Goodman, TECET
Richard Biagini, PE Comity Applicant
Herb Singleton
Todd Clark, BSCE

Division Staff Members Present

at Various Times during the Meeting:

Jenna Hentoff, Board Counsel
Eric Funk, Board Administrator

1. At 9:02AM, Dan Caron motioned, seconded by Azu Etoniru, to open the meeting. Motion passed with a vote of 10-0. Members in Favor: Dan Caron, Erin Joyce, Ronald Willey, Paul Tyrell, Azu Etoniru, Joyce Hastings, Shannon Slaughter, Kenneth Anderson, Maurice Pilette, and Paul Tsang. Members opposed: None.
2. Chairman Paul Tyrell opened the meeting and reminded the Board that with the warmer summer months approaching, it's important to remember to wear sunscreen or sun protection when participating in outside activities.
3. The Board reviewed the minutes of the March 24, 2022 Open Meeting. Azu Etoniru moved, seconded by Kenneth Anderson, to accept the meeting minutes as written. Motion passed with a vote of 9-0-1. Members in Favor: Dan Caron, Erin Joyce, Ronald

Willey, Paul Tyrell, Azu Etoniru, Joyce Hastings, Kenneth Anderson, Maurice Pilette, and Paul Tsang. Members opposed: None. Members abstaining: Shannon Slaughter.

4. Chairman Paul Tyrell informed the Board that the next meeting is scheduled to take place on May 26, 2022. No conflicts were noted among the Board.
5. Eric Funk reminded the Board that the 2022 NCEES Annual Meeting would be taking place on August 23-26 in Carlsbad, CA with in-person participation available. He stated that NCEES has set a deadline of May 2, 2022 to provide them with a list of funded delegates for the Board.

Erin Joyce, Azu Etoniru, and Paul Tsang indicated that they would attend as funded delegates.

6. Maurice Pilette had another engagement and logged out of the meeting.
7. Eric Funk informed the Board that due to a number of logistical issues, no additional conversations have taken place with PCS regarding the conversion of the State Specific Jurisprudence (JP) exam to CBT (computer-based testing) format. He further stated that an email would be sent to PCS regarding a possible date and time for further discussion on the topic.
8. Chairman Paul Tyrell advised the Board that he received an email from Dan Bremser, MALSCE President, about the use of the word "certify" in the revised FAQ regarding PE Certification of Site Plans that was recently posted to the Board's website. The request was for the Board to consider amending the word "certify" to "stamp and sign" to alleviate any possible misinterpretation.

The Board considered the request and decided to table further discussion until the May 26, 2022 meeting to allow for Board Counsel Jenna Hentoff to review and provide possible edits to the previously approved language or a disclaimer addressing the term "certify."

9. Chairman Paul Tyrell informed the Board that he participated in a Law Enforcement training put on by NCEES that he believed the Division of Occupational Licensure (DOL) Prosecutors may find beneficial. The training was presented by Executive Director (ED) John Greenhalge, Ohio Board of Engineers and Surveyors. Chairman Paul Tyrell stated that either he or ED Greenhalge could provide the training to DOL Prosecutorial staff so that they are aware of the full complement of resources that are available from NCEES.

Board Counsel Jenna Hentoff indicated that the topic would be passed along to DOL General Counsel for consideration.

10. Board members were provided with the final version of an advisory drafted by the subcommittee working to clarify areas of "common" practice between the PLS and Civil PE for review and approval to post on the Board's website. Eric Funk summarized the work of the subcommittee and Board members reviewed and discussed the chart.

Kenneth Anderson moved, seconded by Azu Etoniru, to accept and post the advisory to the Board's website. Motion passed with a vote of 9-0. Members in Favor: Dan Caron, Erin Joyce, Ronald Willey, Paul Tyrell, Azu Etoniru, Joyce Hastings, Shannon Slaughter, Kenneth Anderson, and Paul Tsang. Members opposed: None.

11. The Jurisprudence (JP) Education Exam Subcommittee informed the Board that they needed to replace one of their members who had stepped down. Dennis Drumm,

Subcommittee Chair, stated that he would provide the Board with the CV and pertinent background information of the potential new subcommittee member for consideration by the Board. Chairman Paul Tyrell reminded the Board that the authority to approve or appoint subcommittee members fell to the Board Chair and he would review the documentation from Dennis Drumm once received.

The topic was tabled until the May 2022 meeting should further discussion by the Board be necessary.

12. Board Counsel Jenna Hentoff informed the Board that the Swansea Board of Health's proposal for "local licensure" was still under review by General Counsel Clinton Dick as discussed at previous Board meetings. She further stated that General Counsel Clinton Dick requested that she compile information about potential options for Board/DOL action and any possible issues that could arise from such action for presentation to the Commissioner.

Chairman Paul Tyrell again reiterated that this matter is of great concern to the Board.

13. Board Counsel Jenna Hentoff informed the Board that there was no new update on the status of draft language regarding Continuing Professional Competency (CPC) regulations. She stated that she requested an update and was told that they were still under review.
14. Board Counsel Jenna Hentoff informed the Board that a redlined version of the updated draft language in "Professional Practice: A Guide to the Practice of Architecture, Engineering, and Land Surveying in Massachusetts" was provided in the Board packet for their review. Board Counsel Jenna Hentoff requested that any comments should be emailed to her and Eric Funk for review and discussion at the next Board meeting.
15. Board Counsel Jenna Hentoff stated that there were no further legal topics for discussion.
16. Eric Funk informed the Board that after review of the NCEES Enforcement Exchange, there were no new complaints opened against licensees for failure to notify Massachusetts of discipline in another jurisdiction within the thirty (30) day window to report such discipline as outlined in the regulations.
17. Eric Funk advised the Board that an update to the case tracking spreadsheet would hopefully be available for distribution for the May 26, 2022 meeting, pending access to the enforcement side of the Board's database system.
18. Chairman Paul Tyrell presented the application review report provided by Eric Funk for Board consideration. Azu Etoniru moved, seconded by Kenneth Anderson, to accept the report and ratify the application approvals. Motion passed with a vote of 9-0. Members in Favor: Dan Caron, Erin Joyce, Ronald Willey, Paul Tyrell, Azu Etoniru, Joyce Hastings, Shannon Slaughter, Kenneth Anderson, and Paul Tsang. Members opposed: None.
19. Chairman Paul Tyrell opened the meeting for Public Comment.

There were no comments from the public.
20. Chairman Paul Tyrell noted that there were no further topics for discussion at the Open Session of the Public Meeting.
21. At 10:00AM, Azu Etoniru moved, seconded by Kenneth Anderson, to adjourn the meeting. Motion passed with a vote of 9-0. Members in Favor: Dan Caron, Erin Joyce,

Ronald Willey, Paul Tyrell, Azu Etoniru, Joyce Hastings, Shannon Slaughter, Kenneth Anderson, and Paul Tsang. Members opposed: None.

Respectfully submitted by,



Eric Funk
Board Administrator

Documents used at the public meeting

- Agenda for April 28, 2022 Meeting
- Draft Minutes of March 24, 2022 Open Meeting
- Draft FAQ regarding PE Certification of Site Plans