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REGULATION

LAYLA R. D'EMILIA
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PROFESSIONAL LICENSURE

Minutes of the July 22, 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
Shannon Slaughter, Public Member
Daniel Caron, PE
Joyce Hastings, PLS
Azu Etoniru, PE, PLS
Maurice Pilette, PE
Paul Tsang, PE
Kenneth Anderson, PLS
Erin Joyce, PE

Board Members Absent

Members of the Public Present

Abbie Goodman, TECET
Todd Clark, BSCES

Division Staff Members Present at Various Times during the Meeting:

Matthew Keigan, Executive Director
Julie Brady, Prosecuting Counsel
Eric Funk, Board Administrator

1. Chairman Paul Tyrell opened the meeting at 9:05AM and advised members to be aware of rip tides (undertow)/rip currents when swimming. It is important to remember to never fight the current but to swim or float parallel to shore or with the current until released or brought back to shore.
2. The Board reviewed the minutes of the June 24, 2021 Open Meeting. Vice Chairman Ronald Willey moved, seconded by Azu Etoniru, to accept the meeting minutes as written. Motion passed with a vote of 10-0. Members in Favor: Paul Tyrell, Kenneth Anderson, Joyce Hastings, Shannon Slaughter, Ronald Willey, Maurice Pilette, Azu Etoniru, Dan Caron, Paul Tsang, and Erin Joyce. Members opposed: None.
3. Chairman Paul Tyrell informed the Board that the next meeting is scheduled to take place on August 26, 2021. No conflicts were noted by the Board.



4. Chairman Paul Tyrell reminded the Board that monthly meetings would continue to be held remotely until such time that the DPL can accommodate a return to in-person meetings.

Executive Director Matthew Keigan stated that the Governor had extended to Executive Order allowing for Board Meetings to be held remotely through April 1, 2022. He stated that while Board staff are back in the office full time, there may be a transition to a hybrid model of in-person and remote work later this year. He advised the Board that due to numerous factors (parking; construction noise; new building security protocols; lack of Wi-Fi, internet, and telephone service in conference rooms; etc.) the Board would continue holding remote meetings at least through the August 26, 2021 meeting at which time a discussion will take place regarding future meetings.

Kenneth Anderson again stated that it does not seem practical to resume in-person meetings until the building construction has been completed, technology issue addressed, and the parking situation has improved.

Joyce Hastings concurred with Kenneth Anderson's assessment.

5. Vice Chairman Ronald Willey and Executive Director Matthew Keigan provided the Board with an update on the transition of the paper and pencil State Specific Jurisprudence (JP) exam to a Computer Based Testing (CBT) format.

Vice Chairman Ronald Willey informed the Board that the subcommittee had not met since the June 11, 2021 meeting so there was nothing new to report at this time. He further stated that as reflected in the June 24, 2021 meeting minutes, Sheila York would be connecting with the DPL's Procurement Counsel to update him on the subcommittee's discussions and obtain guidance on next steps.

Azu Etoniru stated that there were still a few items that required additional research and discussion, such as, how to address the use of reference materials with the CBT format as well as exam security.

Joyce Hastings informed the Board that the Jurisprudence Exam Committee was briefed in part on the progress of the subcommittee but further discussion would be needed.

Chairman Paul Tyrell stated that CBT exams require reference materials to be made available electronically so the Board and the Jurisprudence Exam Committee would need to have discussions about what materials should be converted to electronic reference materials.

Vice Chairman Ronald Willey stated that the next subcommittee meeting would be placed on hold until Sheila York was able to meet with the DPL's Procurement Counsel.

This topic will remain on the Board's agenda moving forward.

6. There was no Board Counsel Legal Report this month.
7. Executive Director Matthew Keigan informed the Board after review of the NCEES Enforcement Exchange, there were no (0) new complaints opened against licensees for failure to notify Massachusetts of the discipline in another jurisdiction within the thirty (30) day window to report such discipline as outlined in the regulations. He further stated that there were no items that required monitoring this month.
8. Executive Director Matthew Keigan advised the Board that the case tracking spreadsheet that was distributed to all members had been updated.

9. Executive Director Matthew Keigan briefed the Board regarding licensee #55920-M who was disciplined, along with his firm, by the Oklahoma State Board for failure to obtain a Certificate of Authorization to Offer and/or Practice Engineering in the State of Oklahoma prior to providing engineering services in the state.

There was no action taken by the Board.

10. Executive Director Matthew Keigan briefed the Board regarding licensee #53249-E who was disciplined, along with his firm, by the Oklahoma State Board for failure to obtain a Certificate of Authorization to Offer and/or Practice Engineering in the State of Oklahoma prior to providing engineering services in the state.

There was no action taken by the Board.

11. Chairman Paul Tyrell presented the application review report provided by Eric Funk for Board consideration. Ronald Willey motioned, seconded by Azu Etoniru to accept the report and ratify the application approvals. Motion passed with a vote of 10-0. Members in Favor: Paul Tyrell, Kenneth Anderson, Joyce Hastings, Shannon Slaughter, Ronald Willey, Maurice Pilette, Azu Etoniru, Dan Caron, Paul Tsang, and Erin Joyce. Members opposed: None.

12. Abbie Goodman inquired about the topics normally reported on by Sheila York during her Board Counsel Legal Report (Local Registered Engineering Licenses; proposed Continuing Professional Competency regulations; Joint Policy on Professional Practice).

Executive Director Matthew Keigan informed her that those topics were still active however, considering that Sheila York was unable to attend the meeting, there were no updates available at this time. He further stated that the topics would be on the August 26, 2021 meeting agenda.

13. Chairman Paul Tyrell noted that there were no further topics for discussion at the Open Meeting Session.

14. Kenneth Anderson motioned, seconded by Vice Chairman Ronald Willey, to enter into Closed Investigative Session under M.G.L. c. 112 §65C. Motion passed with a vote of 10-0. Members in Favor: Paul Tyrell, Kenneth Anderson, Joyce Hastings, Shannon Slaughter, Ronald Willey, Maurice Pilette, Azu Etoniru, Dan Caron, Paul Tsang, and Erin Joyce. Members opposed: None.

Report of actions taken during closed investigate conference:

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| ➤ 2019-001058-IT-ENF: | Refer Back to Prosecutions |
| ➤ 2021-000336-IT-ENF: | Dismiss with Advisory Letter |
| ➤ 2021-000320-IT-ENF: | Refer to Prosecutions |
| ➤ 2021-000312-IT-ENF: | Dismiss with Advisory Letter |

Respectfully submitted by,


Eric Funk
Board Administrator

Documents used at the public meeting

- **Agenda for July 22, 2021 Meeting**
- **Draft Minutes of June 24, 2021 Open Meeting**
- **July 2021 Application Review report**