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SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Minutes of the January 30, 2025 Open Meeting

Meeting was held remotely by video conference and telephone pursuant to Chapter 2 of the Acts of 2023: *An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects*, signed into law on March 29, 2023.

The following attendance was recorded:

Board Members Present Remotely:

Paul Tyrell, PE, PLS, Chairman
Ronald Willey, PE, Vice Chairman
Azu Etoniru, PE, PLS Secretary
Daniel Caron, PE
Paul Tsang, PE
Nancy Gould, PE
Kenneth Anderson, PLS
Edward Englander, Esq., Public Member
Shallan Fitzgerald, PE

Board Members Not Present:

Joyce Hastings, PLS

Members of the Public Present

Abbie Goodman
Sam Wilson
Peter Hanson
Guest

Division Staff Members Present

at Various Times during the Meeting:

Colleen Maloney, Deputy Commissioner of Boards and Policy
Philip Chan, Board Counsel
Eric Funk, Board Administrator

1. At 9:05 A.M. Associate Deputy Commissioner Colleen Maloney announced the opening of the meeting, that there was a quorum present. She provided notice that pursuant to M.G.L. Ch. 30A, § 20, the meeting would be recorded via a cell phone.
2. At 9:05 A.M. Ken Anderson moved, seconded by Edward Englander, to open the meeting. Motion passed unanimously, with a vote of 7-0. Members in Favor: Shallan Fitzgerald, Paul Tyrell, Nancy Gould, Paul Tsang, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None

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<http://www.mass.gov/dpl>

3. Chair noted Kathleen McNally's retirement, thanked her for her service, and thanked Deputy Commissioner



- Colleen Maloney for stepping in.
4. Motion for minutes moved. Motion passed, with a vote of 6-0. Members in Favor: Shallan Fitzgerald, Paul Tyrell, Nancy Gould, Paul Tsang, Dan Caron, and Ed Englander. Members opposed: None. Members abstaining: Ken Anderson.
 5. Chair took a safety moment and noted ice has been an issue lately, and reminded the Board and public to be cautious.
 6. Chair noted that the Registry subcommittee has been meeting and discussed related Open Meeting Law issues. Board Counsel noted a presentation is forthcoming. Chairman requested a high-level summary, and Board Counsel provided some topline requests. Chair inquired about a specific issue regarding email correspondence.
 7. Ron Willey joined the meeting at 9:16 A.M.
 8. BC report: no movement on the regulations but will keep the board updated. Ed Englander asked about when individuals can discuss cases they are recused from. Board Counsel confirmed it is once the case is closed.
 9. Chairman noted Abbie utilized the chat, which Board Counsel noted it should not be utilized. Chair said without statute he would like to continue using it. Board Counsel noted it is agency guidance.
 10. Azu Etoniru joined the meeting at 9:26 A.M.
 11. ED report: Agency is reviewing ethics training requirements and notices, and Acting ED confirmed is a 2-year cycle. Acting ED also requested guidance on consent agreements and will provide additional documents in the packet going forward. Dan confirmed he is tracking cases and the Board would like to better track compliance.
 12. Acting ED provided an overview of the registry audit, and noted they have met and will meet again Feb 11th. The Agency is working on the best way to review and docket the complaints. Board requested guidance on what can and cannot be discussed. The subcommittee will move into executive session once cases are docketed.
 13. Azu moved to approve Professional Land Surveyor applications, seconded by Ed. Motion passed unanimously, with a vote of 9-0. Members in Favor: Shallan Fitzgerald, Paul Tyrell, Nancy Gould, Paul Tsang, Ronald Willey, Azu Etoniru, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None
 14. Chair opened the floor to correspondence from a licensure candidate, with a question about classes already taken and if they fit the math and science requirements. Eric noted the overview of the concerns. Board stated he should speak with his advisors. Chair stated that the Board does not confirm courses.
 15. Motion to close the public meeting and move into Quasi-Judicial then enter Investigative conference, closing from there made by Ed Englander, seconded by Nancy Gould. Motion passed unanimously, with a vote of 9-0. Members in Favor: Shallan Fitzgerald, Paul Tyrell, Nancy Gould, Paul Tsang, Ronald Willey, Azu Etoniru, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None
 16. Public Session closed at 9:55a.m.
 17. Quasi-Judicial Case Updates:
 - a. 2024-000337-IT-ENF: guidance given to Prosecution
 18. Investigative Conference Case Status and Disposition Report:
 - a. 2023-000373-IT-ENF: dismiss
 - b. 2023-000409-IT-ENF: dismiss with advisory
 - c. 2024-000652-IT-ENF, dismiss
 - d. 2024-000678-IT-ENF: dismiss with advisory
 - e. 2024-000721-IT-ENF: dismiss with advisory
 - f. 2024-000745-IT-ENF: refer to prosecutions
 - g. 2024-000752-IT-ENF: dismiss with advisory
 - h. 2024-000756-IT-ENF: refer to prosecutions
 - i. 2024-000759-IT-ENF: refer to prosecutions
 - j. 2024-000779-IT-ENF: refer to prosecutions
 19. Motion to close the meeting at 10:50. Motion passed unanimously, with a vote of 9-0. Members in Favor: Shallan Fitzgerald, Paul Tyrell, Nancy Gould, Paul Tsang, Ronald Willey, Azu Etoniru, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None

Respectfully submitted by,

Colleen Maloney,
Associate Deputy Commissioner

Documents use at the public meeting:

- Agenda for December 19th, 2024, Meeting
- NCEES Memo – Exam Changes
- Signed Consent Agreement in the Matter of 2023-000359-IT-ENF

