



**MAURA HEALEY**  
GOVERNOR

**KIM DRISCOLL**  
LIEUTENANT GOVERNOR

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**Division of Occupational Licensure**

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COMMISSIONER, DIVISION OF  
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**BOARD OF ENGINEERS AND LAND SURVEYORS**  
**Minutes of the OCTOBER 31, 2024, 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  
Joyce Hastings, PLS  
Nancy Gould, PE  
Kenneth Anderson, PLS  
Edward Englander, Esq., Public Member

**Board Members Not Present:**

Paul Tsang, PE  
Shallan Fitzgerald, PE

**Members of the Public Present**

Abbie Goodman  
Kenayo Lala

**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  
Kathleen McNally, Executive Director of Engineer and Land Surveyor Board

1. At 9:02 A.M. Executive Director Kathleen McNally announced the opening of the meeting and that a quorum is present. She provided notice that pursuant to M.G.L. Ch. 30A, § 20, the meeting would be recorded.
2. At 9:03 A.M. Azu Etoniru moved, seconded by Nancy Gould, to open the meeting. The



Motion passed unanimously, with a vote of 7-0. Members in Favor: Nancy Gould, Ronald Willey, Dan Caron, Ken Anderson, Ed Englander, Azu Etoniru, and Paul Tyrell. Members opposed: None. Members abstaining: Joyce Hastings.

3. The Board reviewed the Draft Minutes from the September 26, 2024, Open Meeting. Azu Etoniru moved, seconded by Ed Englander to accept the minutes. The motion passed unanimously, with a vote of 8-0. Members in Favor: Nancy Gould, Ronald Willey, Dan Caron, Ken Anderson, Ed Englander, Azu Etoniru, and Paul Tyrell, Members opposed: None. Members abstaining: None.
4. Chair Paul Tyrell introduced the safety moment topic in his comments. He discussed the change of season and temperature with suggestions to check homes and motor vehicles, especially tires, to prepare for winter. He also advised the public to be extremely careful when removing leaves, especially from homes and roof gutters.
5. Chair Tyrell informed the Board that the next meeting date is scheduled for Thursday, November 21, 2024, and asked if any Board members had a conflict with this date, and would be unable to attend resulting in not having a quorum. Several Board Members stated conflicts with that meeting date. The new date of Wednesday, November 20, 2024, was suggested and approved as the November 2024 Public meeting date.
6. Board Counsel Philip Chan presented his legal report. He reported on the status of the CPC Regulations. Attorney Chan spoke to the Agency General Counsel, and reported there has not been any new status about which to inform the Board. The CPC Regulations remain in the same status as was reported at the prior board meeting, which is they are pending with the Office of Administration and Finance (A&F), until this issue is resolved.
7. Board Counsel Phil Chan stated that he is reviewing various existing board policies to ensure that the Board is being properly served by the current policies. Chair Tyrell stated that possibly the Board form a subcommittee to study the current policies to determine if any need to be updated. Board member Ken Anderson stated that he does not believe that any current policies need to be updated. Chair Tyrell advised Board Counsel to review the policies with a fresh perspective, and to advise the Board if any policies need to be modified.
8. Board Counsel Phil Chan informed the Board that there were no further legal topics for discussion.
9. Executive Director Kathleen McNally presented the Executive Director report and advised the Board that she continues to work through the NCEES Enforcement Exchange backlog and uploading case outcomes to the NCEES Enforcement database. She reported that she works in NCEES database every day verifying licenses and updating disciplinary actions.
10. Executive Director McNally informed the Board that at this time the complaint tracking spreadsheet is current, and she awaits any new inquiries for statuses from Complaint Committee Chair, Dan Caron.

11. Kathleen McNally also reported that she received a packet from PCS/Virtual Inc with new pricing components and costs to convert the written Land Surveying JP exam and to CBT (computer-based testing). She reported that she still needs to reach out to the JP Exam subcommittee and convene a meeting with that group to discuss the conversion and to discuss the contract for the conversion with DOL upper management.
12. Kathleen McNally stated that there were no consent agreements or final orders and decisions to report to the Board this month.
13. Kathleen McNally reported to the Board that the DOL Agency will be moving in March of 2025 to One Federal Street, Boston, Massachusetts, and that this is a fluid situation with additional state agencies involved. The date of the move may change; however, she will keep the Board apprised of new details and developments.
14. Paul Tyrell stated that he has been asked to speak at a conference involving Civil Engineers and Land Surveyors, He has been asked to speak about investigative complaints against engineers and land surveyors. He asked Board Counsel if he can discuss the complaints when they are closed and resolved. Board Counsel advised him that the Chair can discuss issues that are resolved, as they are public record, but if the complaints are pending, they are not public record and cannot be discussed. Board Counsel stated that consent and legal agreements that are resolved are subject to the public records request rules and law, and personal information will be redacted from the disposition documents. Chair Tyrell also inquired about complaints that are dismissed by the Board and asked if these can be discussed, as they also become public record once dismissed. Board Counsel advised the Chair that once the complaints are dismissed by the Board, they are subject to the public records law.
15. Review of application of Mr. Kenayo Lala, was submitted to Chairman Tyrell for review. The Chair requested that this application be presented and reviewed by the other Board members to determine the outcome of the application for re-licensure as Mr. Lala's prior license was revoked. Mr. Lala was present during the board meeting to answer any questions from the Board. Eric Funk, Board administrator, informed the Board that Mr. Lala previously held a Civil Professional Engineer (P.E) license which was revoked. Mr. Lala is currently applying for a license to become a structural engineer and to take the structural engineer exam. Questions had previously arisen with Mr. Lala's responses to prior responses in his application. Mr. Lala responded to those questions and is now before the Board to answer any additional questions. Chair Tyrell stated that he was concerned with some of the answers to the questions provided by Mr. Lala. Chair Tyrell asked for Mr. Lala's NCEES record. Mr. Funk stated that all of the information for the application is contained in the file submitted in the board meeting packet. Dan Caron asked a question regarding the articles of incorporation that state that the company where Mr. Lala works is called Lala Engineering. Mr. Caron pointed out that Mr. Lala is not an engineer, and the Board is concerned that he is using the title of engineer when Mr. Lala is not currently an engineer. Mr. Lala responded that there are three engineers in his office and his brother is an engineer in Maryland, and Mr. Lala is also a licensed engineer in New York. He has other partners who are licensed engineers, and they decided to keep the name of Lala Engineers. The firm previously removed the term architect from their website, as they do minor architecture practice, but have no licensed architects in the firm. Mr. Lala explained about the job that was involved with his license discipline. Dan Caron asked if Mr. Lala is approved to take the engineering exam, can his new license be issued for an initial probationary period to ensure this does not occur again. Board counsel stated that a conditional license can be issued to the applicant to place him on a

probationary period. Nancy Gould stated that she did not find more than one reference in his application. Azu Etoniru asked if Mr. Lala has been working, stamping plans, and holding himself out as an engineer since his license has been revoked. Mr. Lala responded that he has not stamped any plans and has not held himself out as an engineer and works under the direction of a licensed structural engineer. The Board requested that Mr. Lala upload additional references to his application, and when the references are submitted, the application will be reviewed by the Board. The Chair requested that Mr. Lala read the relevant statutes and regulations regarding the scope of practice within which an engineer can practice and remain within the legal parameters of their license. Azu Etoniru stated that he is concerned about some of Mr. Lala's comments and hopes that he learns from his prior mistakes. Mr. Lala stated that he uploaded his references to NCEES. Mr. Funk stated that Mr. Lala was required to upload his references to PCS for the Board to review his complete application and that Mr. Lala needs to submit five references to PCS to complete his application. Board Counsel stated that if the Board wishes to impose any conditions regarding Mr. Lala's professional competence, this can be done in public session. However, if the discussion is Mr. Lala's character, this needs to be done in executive session. Ken Anderson stated that this should be tabled until Mr. Lala submits a complete application. Mr. Funk stated that Mr. Lala does not have a complete application before the Board, so this needs to be tabled until Mr. Lala submits a complete application. When there is a complete application submitted, it will be brought before the Board to proceed in the normal application approval process. Mr. Funk advised Mr. Lala that his references need to submit their reference letters directly to PCS, and not send them to Mr. Lala. Mr. Lala's application will be tabled and reviewed at a future date when he submits a complete application.

16. The Chair asked for dates to be provided to schedule the Land Surveying Oral Exam. There were no issues or questions to discuss regarding applicant suitability. Eric stated that they need to pick a date between the first of November and the 20<sup>th</sup> of November, so they may be provided results at the next board meeting. The agreed upon date for the Land Surveyor Oral Exam is November 13, 2024.
17. The Chair asked if there were any questions regarding the application report. Azu Etoniru moved to accept the application report, Nancy Gould seconded the motion. The motion passed unanimously, with a vote of 8-0. Members in Favor: Nancy Gould, Ronald Willey, Dan Caron, Ken Anderson, Ed Englander, Azu Etoniru, Joyce Hastings and Paul Tyrell, Members opposed: None. Members abstaining: None.
18. There were no topics submitted in correspondence to the Board for discussion.
19. Chair Tyrell asked for public comments during the meeting. Dan Caron addressed the Board with a question and a topic that he wants to be discussed by the Board. The question is if an engineer signs and seals a set of drawings or plans, is the licensee required to oversee the installation. Chair Tyrell replied that from a civil engineer's perspective he does not oversee the installation of his designs or plans. Ron Willey stated that he does oversee installation to ensure it is as he designed. Dan Caron asked if this is a legal requirement in our rules and regulations that the installation be overseen by the licensee who designs, stamps, and signs the plans. Nancy Gould stated that it is required in the construction control document that is given in the end of the project. Dan Caron asked that this topic be placed on the November agenda as a topic for discussion.
20. Dan Caron moved, and Ed Englander seconded, to close the public session and move into Closed Investigative Conference. Members in Favor: Nancy Gould, Ronald Willey, Azu Etoniru, Dan

Caron, Ken Andeson, Edward Englander, Joyce Hastings, and Paul Tyrell. Vote passed unanimously, 8-0. Members Opposed: None. Members Abstaining: None.

21. Kathleen McNally announced the Open meeting session closed at 9:57 A.M. and the recording was turned off. Open Session Meeting concluded at 9:57 A.M.

22. Investigative Conference Case Status and Disposition Report:

- 2024-000337-IT-ENF Refer to Prosecution
- 2024-000363-IT-ENF Dismiss
- 2024-000428-IT-ENF Dismiss with Advisory Letter
- 2024-000474-IT-ENF Dismiss with Advisory Letter

Respectfully submitted by,

  
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Colleen Maloney,  
Associate Deputy Commissioner

Documents use at the public meeting:

- Agenda for October 31, 2024, Meeting
- Draft Minutes from September 26, 2024, Open Meeting
- Application of Mr. Kenayo Lala

