

MAURA HEALEY GOVERNOR

KIM DRISCOLL LIEUTENANT GOVERNOR

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SECRETARY, EXECUTIVE OFFICE
OF ECONOMIC DEVELOPMENT

# **Commonwealth of Massachusetts Division of Occupational Licensure**

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LAYLA R. D'EMILIA UNDERSECRETARY, CONSUMER AFFAIRS AND BUSINESS REGULATION

SARAH R. WILKINSON COMMISSIONER, DIVISION OF OCCUPATIONAL LICENSURE

## Minutes of the December, 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 Paul Tsang, PE Nancy Gould, PE Kenneth Anderson, PLS Edward Englander, Esq., Public Member Shallan Fitzgerald, PE

#### **Board Members Not Present:**

#### Members of the Public Present

Abbie Goodman Sam Wilson Peter Hanson Guest

### <u>Division Staff Members Present</u> 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

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recorded.

- 2. At 9:05 A.M. Ron Willey moved, seconded by Edward Englander, to open the meeting. The Motion passed unanimously, with a vote of 10-0. Members in Favor: Shallan Fitzgerald, Nancy Gould, Joyce Hastings, Paul Tsang. Ronald Willey, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None. Members abstaining: None.
- 3. Chair noted an unanticipated item. NCEES recently created a philanthropic arm to support licensure. A letter of interest is currently out, with only 2 applicants nationally. The Chair urged members to consider submitting letters of interest.
- 4. Motion moved by Azu Etoniru seconded by Nancy Gould to carry current officers into 2025. Motion passed unanimously, with a vote of 10-0. Members in Favor: Shallan Fitzgerald, Nancy Gould, Joyce Hastings, Paul Tsang. Ronald Willey, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None. Members abstaining: Ron Wiley.
- 5. Chair took NCEES member Sam Wilson out of order to recognize him to discuss the Northeast Zone. Mr. Wilson provided an update on himself and various key positions within NCEES. Additionally, he thanked Azu for his work. Mr. Wilson stated that he cannot speak for the full Board but is concerned about the experience volunteers have had when engaging with NCEES. He wants individuals to feel good about their relationship with the organization. April 10-12 of 2025 Boston is hosting the Northeast Zone meeting. Elections will be held at the April meeting and endorsed Azu for Vice President of the Northeast region. He also noted he will be running for President.
- 6. Safety moment from the Chair. With the cold weather, ensure you are prepared with a proper clothing in the car, check your tire pressure, and other emergency supplies.
- 7. Chair would like to check calendars, confirmed quorum for the January meeting. Directed a calendar invite to be sent by Colleen Maloney for January 30<sup>th</sup>.
- 8. NCEES notice of changes for 2025 to the Exam was provided by the Chairman. Supporting memo was provided to members in their Board packet.
- 9. Ms. Joyce Hastings provided an overview of the JP exam, noting 7 of the 9 test takers passed the exam. Board discussed this higher-than-average pass rate. Motion moved by Edward Englander, seconded by Ken Anderson, to approve the report. Motion passed unanimously, with a vote of 10-0. Members in Favor: Shallan Fitzgerald, Nancy Gould, Joyce Hastings, Paul Tsang. Ronald Willey, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None.
- 10. Chair noted there is a 2-year cycle for zone northeast NCEES Vice President. There will be an election in April where Azu was nominated. To move forward he requires support from the MA Board. Motion moved by Shallan Fitzgerald, seconded by Dan Caron to approve his nomination. Motion passed unanimously, with a vote of 10-0. Members in Favor: Shallan Fitzgerald, Nancy Gould, Joyce Hastings, Paul Tsang. Ronald Willey, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None
- 11. Philip Chan, Board Counsel provided an update on the regulations but did note he has escalated this to the Deputy General Counsel.
- 12. Colleen Maloney noted that Katheen McNally is continuously working on the NCEES exchange and gave an overview of one consent agreement, 2023-000359-IT-ENF.
- 13. Edward Englander moved to approve applications, seconded by Ken Anderson. Motion passed unanimously, with a vote of 10-0. Members in Favor: Nancy Gould, Joyce Hastings, Paul Tsang. Ronald Willey, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None Abstentions: Shallan Fitzgerald
- 14. Chair noted no correspondence and opened it up for public comment. Abbie Goodman wished the group a happy holidays and thanked members for their service.
- 15. Philip Chan, Board Counsel added two items not reasonably anticipated, in Quasi-Judicial it will be 2024-000132-IT-ENF and in Investigative Conference it will be 2022-000311-IT-ENF but because they are open it will not be discussed in open session.

- 16. Motion to close at 9:36 am moved by Azu Etoniru and seconded by Edward Englander. Motion passed unanimously, with a vote of 10-0. Members in Favor: Shallan Fitzgerald, Nancy Gould, Joyce Hastings, Paul Tsang. Ronald Willey, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None
- 17. Quasi-Judicial Case Updates:

2024-000132-IT-ENF: adopted the decision.

Vote to close Quasi-Judicial at 9:48 and enter Investigative Conference. Motion passed unanimously, with a vote of 10-0. Members in Favor: Shallan Fitzgerald, Nancy Gould, Joyce Hastings, Paul Tsang. Ronald Willey, Dan Caron, Ken Anderson, and Ed Englander. Members opposed: None

1. Investigative Conference Case Status and Disposition Report:

2022-000311-IT-ENF: updated status 2024-000585-IT-ENF: refer to prosecution 2024-000695-IT-ENF: referred to prosecution

Motion to close the meeting at 10:16. 781-492-4956 Motion passed unanimously, with a vote of 10-0. Members in Favor: Shallan Fitzgerald, Nancy Gould, Joyce Hastings, Paul Tsang. Ronald Willey, 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

Colleen Maloney

- ➤ NCEES Memo Exam Changes
- ➤ Signed Consent Agreement in the Matter of 2023-000359-IT-ENF.

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