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Division of Professional Licensure
Board of Registration of Professional
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UNDERSECRETARY OF
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BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

Minutes of the March 23, 2017 Open Meeting

Board members arrive early and begin processing applications. The following attendance was recorded:

Board Members Present

Paul Tyrell, PE, PLS, Chairman
Joel Goodmonson, PE
Ronald Willey, PE
Dennis Drumm, PLS
Maurice Pilette, PE
Edward Englander, Esq., Public Member
Paul Tsang, PE
Peter Hale, PLS, Secretary
Scott Cameron, PLS
Daniel Caron, PE

Members of the Public Present

Abbie Goodman
Kenneth Anderson
Shallan Fitzgerald

**Division Staff Members Present
at Various Times during the Meeting:**

Sheila York, Board Counsel
Clinton Dick, Executive Director
Eric Funk, Board Administrator

1. Chairman Paul Tyrell opened the meeting at 9:35am and notified attendees of the evacuation procedures.
2. The Board reviewed the minutes of the February 16, 2017 Open Meeting. Scott Cameron moved, seconded by Ed Englander, to accept the meeting minutes. Motion passed unanimously.
3. Chairman Paul Tyrell confirmed that the April Board Meeting was moved from April 27, 2017 to April 20, 2017 to accommodate the 2017 Northeast/Southern Zone Joint Interim Meeting for the National Council of Examiners for Engineering and Surveying (NCEES).

Executive Director Clinton Dick indicated that the meeting was moved to April 20, 2017 and informed the Board members that he was still awaiting word on approval of their travel for the NCEES Zone meeting.

4. Sheila York provided an update on the following topics; (1) Early PE Exam Takers; (2) Use of the Title Engineer; (3) Educational Requirement for Licensure; (4) Continuing Professional Competency Committee.



Sheila York stated that she had completed the draft policy based on the recommendations of the Continuing Professional Competency Committee and it would be presented to the Board for review at the April 20, 2017 meeting.

Sheila York stated that the other topics were not ready for distribution as of yet but would provide an update at the April 20, 2017 Board meeting.

5. Sheila informed the Board that she would report her recommendation first to the Continuing Professional Competency Committee, but that her recommendation likely would be not to adopt or create an inactive status for Professional Engineer or Professional Land Surveyor licenses.

6. Clinton Dick stated that the Board received a Self-Report of discipline from Licensee #38874-C. The Licensee had failed to report to the NC Licensing Board that disciplinary action had been taken against his license in VA. The discipline was related to continuing education in VA.

The Board determined that they will take no action against the Licensee if he had reported the VA discipline to the Board.

7. Clinton Dick presented an applicant question regarding providing sufficient work experience when submitting confidential/redacted information to the Board for consideration.

Joel Goodmonson stated that the Board could allow the applicant to bring the materials in question to an interview if they are permitted to take them off sight otherwise they would have to come up with another way to satisfy the requirements for application.

Sheila York and Dennis Drumm reiterated that per 250 CMR 3.03(6), "Samples of work included with application are destroyed after action by the Board."

Chairman Paul Tyrell indicated that the Board could reinforce 250 CMR 3.03(6) with applicants when the question of confidential/redacted materials is raised with regard to complying with 250 CMR 3.03(3).

Maurice Paulette asked Sheila York what the legal position on admission of DUI conviction by applicants. Sheila York stated that the circumstances of the incident and the timeframe of the incident are factors in determining such matters. Sheila York stated that G.L. Chapter 112, § 61(4) would be taken into account. Sheila York stated that section 61(4) indicates that the conviction of a criminal offense must be reasonably related to the practice of the profession.

8. Dennis Drumm motioned, seconded by Ed Englander to suspend the open session and enter into Closed Investigative Session under M.G.L. c. 112 §65C. Motion was unanimous.
9. Report of actions taken during closed investigate conference:
 - 2015-001492-IT-ENF: Refer to Office of Prosecutions
 - 2016-000080-IT-ENF: Dismiss without prejudice
 - 2016-000685-IT-ENF: Dismiss without prejudice
 - 2016-000498-IT-ENF: Refer to Office of Prosecutions
 - 2016-000236-IT-ENF: Refer to Office of Prosecutions

10. Open session resumed at 10:42am.

11. At 11:05am, the Chair noted that there were no further topics for the public Board meeting. P. Hale motioned to adjourn. E. Englander seconded. Motion passed.

Respectfully submitted by,

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Eric Funk

Board of Registration of Professional Engin...