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Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF REGISTRATION OF PROFESSIONAL
ENGINEERS AND LAND SURVEYORS

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JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

Minutes of the December 15, 2016 Open Meeting

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

Board Members Present

Joel Goodmonson, PE, Chairman
Paul Tyrell, PE, Vice Chairman
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

Board Members Absent

Paul Tsang, PE

Members of the Public Present

Abbie Goodman
Andrew Giocondi

Division Staff Members present at various times during the meeting:

Sheila York, Board Counsel
Clinton Dick, Executive Director
Aidan McGrath, Board Administrator
Eric Funk, Licensure Specialist
Stephanie Bennett, Prosecutor

1. Chairman J. Goodmonson opened the meeting at 9:36 am and notified attendees of the evacuation procedures.
2. The Board reviewed the minutes of the October 27, 2016 Board meeting. R. Willey moved, seconded by D. Drumm, to accept the meeting minutes. Motion passed unanimously.
3. The Board reviewed the minutes of the November 17, 2016 Board meeting. E. Englander moved, seconded by D. Drumm, to accept the meeting minutes. Motion passed unanimously.
4. Chairman J. Goodmonson asked for nominations for the Board positions of chair, vice chair and secretary for the 2017 term. The Chairman moved to nominate P. Tyrell as Chairman, R. Willey as Vice Chairman, and P. Hale as Secretary. Motion was seconded by D. Drumm. Motion passed unanimously.
5. The Board discussed the upcoming 2017 NCEES Southern Zone meeting in April. It was confirmed that Paul Tyrell and Ron Willey would be in attendance at that meeting. The Board is able to send other funded delegates. M. Pilette, S. Cameron, and E. Englander all indicated that they were interested in attending.



6. In an update about Executive Order 562, Board Counsel Sheila York informed the Board that she is waiting on final approval before the updates to the regulations can be promulgated.
7. R. Willey gave the Board a report on the three interviews that were conducted by Engineering Interview Committee:
 - Applicant 1004254: Committee recommends this applicant be approved to sit for the PE exam; D. Drumm motioned to so approve, seconded by E. Englander. Motion passed unanimously.
 - Applicant 1005118: Committee recommends this applicant be approved to sit for the PE exam; D. Drumm motioned to so approve, seconded by E. Englander. Motion passed unanimously.
 - Applicant 1003842: Committee recommends not approving the applicant to sit for the PE exam at this time. The applicant failed to meet the standard of 250 CMR 3.05(12) in that the applicant did not understand U.S. standards and could not answer questions about who provides design criteria. D. Drumm motioned to accept Committee's recommendation, seconded by E. Englander. Motion passed unanimously.
8. D. Drumm gave an update on the October exam. One question was pulled from the bank so the scores are out of 49 questions, not 50. There is a recommendation to set the passing rate at 69%. E. Englander motioned to accept the recommendation, seconded by P. Hale. Motion passed unanimously.
9. Applicant Andrew Giocondi met with the Board to discuss his experience that was submitted to the Board. P. Tyrell and R. Willey both recused themselves and left the room during discussion of this matter. Mr. Giocondi explained how the work he did on the Longfellow Bridge is design work sufficient for the work experience requirement of his application. D. Drumm made a motion, seconded by P. Hale, not to approve Mr. Giocondi's application until he has submitted additional experience. After further discussion by the Board, D. Drumm amended his motion to allow Mr. Giocondi to move forward as the design work submitted could be credited to Mr. Giocondi based on the strong recommendation letters submitted on Mr. Giocondi's behalf. The amended motion was seconded by E. Englander and the motion passed unanimously with P. Tyrell and R. Willey recused.
10. P. Tyrell and R. Willey stepped back in.
11. At 10:30 am, the Chair announced that for the next agenda item the Board would go into Executive Session pursuant to G.L. c. 30A, §21(a) (1) for the purpose of discussing character rather than professional competency of reinstatement applicant D.C., and pursuant to G.L. c. 30A, § 21(a)(7) for the purpose of complying with or exercising the Board's authority under G.L. C. 66, § 10; G.L. c. 4 § 7 para. 26(a) & (c) and G.L. c. 6, s. 172. Peter Hale motioned, seconded by Edward Englander, to suspend the open meeting and enter into Executive Session for the purposes stated by the Chair. A roll call vote was taken. Roll call vote: Members in Favor: Paul Tyrell, Joel Goodmonson, Peter Hale, Scott Cameron, Dan Caron, Dennis Drumm, Edward Englander, Maurice Pilette, and R. Willey. Members opposed: None. The Chair estimated public session would resume in 10 minutes.
12. At 10:40 am the Board resumed public session.
13. At 10:41 am, Edward Englander moved, seconded by Ron Willey, to suspend the public meeting and enter into Closed Investigative Session under G.L. c. 112, § 65C to Minutes Board of Registration of Professional Engineers and Land Surveyors

discuss settlement negotiations in 20131227EN011-IT-ENF, 20150326EN015-IT-ENF, and 20140625EN027-IT-ENF with Prosecuting Counsel Stephanie Bennett and to discuss recommendations of the Complaint Committee regarding open investigative matters. All in favor.

Public session resumed at 11:10 am.

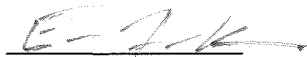
14. Report of actions taken during closed, investigative session:

- 2016-000796-IT-ENF: Forward to the Office of Prosecutions
- 2016-000292-IT-ENF: Forward to the Office of Prosecutions
- 2016-000348-IT-ENF: Forward to the Office of Prosecutions
- 20131227EN011-IT-ENF: Settlement discussed with Prosecutor
- 20150326EN015-IT-ENF: Settlement discussed with Prosecutor
- 20140625EN027-IT-ENF: Settlement discussed with Prosecutor

15. J. Goodmonson inquired about the Continuing Professional Competency Subcommittee and where in the process the subcommittee stood. Sheila York responded that there was still ongoing discussion regarding whether an inactive status is allowed under the Board's statutes. She will complete her research and discuss with the CPC committee.

16. At 11:20 am the Chair noted that there were no further topics for the public Board meeting. Edward Englander motioned to adjourn. Daniel Caron seconded. Motion passed unanimously.

Respectfully submitted by,



Eric Funk

Board of Registration of Professional Engineers and Professional Land Surveyors

Documents Used at the public session of the Board Meeting:

Minutes of the October 27th, 2016 Board meeting
Minutes of the November 17th, 2016 Board meeting
Agenda for the December 15, 2016 meeting
Application (redacted) of Andrew Giocondi