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CHARLES BORSTEL  
COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

Minutes of the November 16, 2017 Open Meeting

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

**Board Members Present**

Ronald Willey, Vice Chairman, PE  
Daniel Caron, PE  
Paul Tsang, PE  
Joanne Linowes, Public Member  
Joel Goodmonson, PE  
Scott Cameron, PLS  
Peter Hale, PLS, Secretary

**Board Members Absent**

Paul Tyrell, PE, Chairman  
Maurice Pilette, PE  
Dennis Drumm, PLS

**Members of the Public Present**

Abbie Goodman, TECET

**Division Staff Members Present**

**at Various Times during the Meeting:**

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

1. Acting Chairman Ron Willey, opened the meeting at 9:10AM and notified attendees of the evacuation procedures.
2. The Board reviewed the minutes of the October 26, 2017 Open Meeting. Scott Cameron moved, seconded by Joel Goodmonson, to accept the meeting minutes. Motion passed with a vote of 7-0.

The Board reviewed the minutes of the October 26, 2017 Executive Session. Joel Goodmonson moved, seconded by Scott Cameron, to accept the meeting minutes and to hold them confidential until the purpose for the Executive Session had transpired. Motion passed with a vote of 7-0.

The Board reviewed the minutes of the August 17, 2017 Executive Session. Joel Goodmonson moved, seconded by Scott Cameron, to accept the meeting minutes and to hold them confidential until the purpose for the Executive Session had transpired. Motion passed with a vote of 7-0.

3. Ron Willey motioned, seconded by Dan Caron, to table the review and discussion of the final version of the Continuing Professional Competency (CPC) Subcommittee's draft regulatory changes to 250 CMR until the December 21, 2017 meeting. Motion passed with a vote of 7-0.



4. Sheila York informed the Board that the draft policy language regarding the use of the title Engineer has not yet been finalized but the item should remain on the agenda.
5. Clinton Dick informed the Board there were no discussion items for the Executive Director's Report.
6. Clinton Dick provided the Board with a copy of an email from Roger Alworth dated October 11, 2017, regarding minimum standards of practice that a professional engineer must follow to properly examine solar panel installation.

After review of the email, Joel Goodmonson stated that Roger Alworth should be directed to contact the Massachusetts Board of Building Regulations and Standards (BBRS) to ensure compliance with the MA Building Code.

Sheila York stated that although not directly asked in the letter, a PE performing reviews of design or installation of solar systems should also be aware of Board regulations requiring direct charge and supervision over any unlicensed individual collecting data upon which the PE is relying. Ms. York reminded the Board that these supervision issues have come up in a case the Board is currently monitoring. For the benefit of Joanne Linowes, Joel Goodmonson provided a brief overview of the complaint and consent agreement, specifically 250 CMR 5.04: Direct Charge and Supervision.

Joel Goodmonson further recommended that the Board inform Roger Alworth of the need to be in compliance with 250 CMR 5.04 as well as the MA Building Code.

Sheila York stated that she would respond to Roger Alworth with the Board's recommendations.

7. Sheila York addressed the Board regarding a request to sit for the PE exam from applicant Jamshid Hamidi. As background, she provided the Board with a copy of the correspondence sent to Mr. Hamidi in November 2014 and again in May of 2017 in which he was informed that he was being granted one final opportunity to sit for the PE exam and should he not pass, he would not be afforded any further approvals.

Sheila York explained to the Board that Mr. Hamidi contacted her stating that he was unable to take the October 2017 PE exam as he never received notice from the test vendor that there was an outstanding fee he needed to pay and as result, his registration for the exam was cancelled. He further requested that the Board consider amending the letter from May 2017 and extend his final exam opportunity to the April 2018 exam.

Joel Goodmonson motioned, seconded by Scott Cameron, to provide Jamshid Hamidi with a revised letter approving him to sit for the April 2018 PE exam and reiterating that Board's conditions that should he fail to pass the exam or take the exam in April 2018, he would not be afforded further exam opportunities and the Board would deny his application. Motion passed with a vote of 7-0.

8. Clinton Dick provided the Board with a copy of an email from David Jackson, Executive Director of the Maine Board of Licensure for Professional Engineers dated November 6, 2017, regarding an email his Board received from a concerned engineer alleging possible unethical behavior.

Clinton Dick informed the Board that the email was intended as an FYI rather than an actual complaint. He further stated that the email was originally sent to all US

Professional Licensing Board email accounts and concerns the practice of outsourcing power system studies.

Clinton Dick asked the Board if they would like to open a formal complaint to further investigate the matter.

Dan Caron provided the Board with a brief explanation of power system studies and confirmed that this is a known practice in the industry.

Ron Willey recommended and the other Board members agreed that no action should be taken on this matter at this time.

9. Scott Cameron motioned, seconded by Peter Hale to suspend the open session and enter into Closed Investigative Session under M.G.L. c. 112 §65C. Motion was unanimous.
10. Open session resumed at 9:57AM.
11. Report of actions taken during closed investigate conference:
  - 2017-000900-IT-ENF: Dismiss with an Advisory Letter
12. Abbie Goodman informed the Board about an upcoming free webinar being offered by The Engineering Center Education Trust (TECET) on December 8, 2017. She stated that the topic was "Know Your Audience: How to Present your Profession to K-12 Students" and that additional information could be found on the registration link provided on the promotional card she handed out.
13. Clinton Dick notified the Board this would be the final meeting for Scott Cameron as his appointment to the Board had not been renewed. He thanked Scott for his service to the Board over the years and wished him all the best in his future endeavors.

Clinton Dick advised the Board that Joyce Hastings, PLS had been appointed to replace Scott Cameron.
14. At 10:12AM the Acting Chair noted that there were no further topics for the public Board meeting. Peter Hale motioned to adjourn. Scott Cameron seconded. Motion passed.

Respectfully submitted by,



Eric Funk  
Board of Registration of Professional Engin...

Documents used at the meeting:

- Agenda of the November 16, 2017 Meeting
- Draft minutes of the October 26, 2017 Open Meeting and Executive Session Meeting
- Draft minutes of the August 17, 2017 Executive Session Meeting
- Email from David Jackson, Executive Director of the Maine Board of Licensure for Professional Engineers dated November 6, 2017, regarding an email his Board received from a concerned engineer alleging possible unethical behavior.
- Email from Roger Alworth dated October 11, 2017, regarding minimum standards of practice that a professional engineer must follow to properly examine solar panel installation.