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BOARD OF STATE EXAMINERS OF ELECTRICIANS
OPEN SESSION MINUTES

In accordance with the provisions of G.L. c. 30A § 20, the Board of State Examiners of Electricians convened a regular monthly meeting on:

Microsoft Teams Meeting June 26, 2023

The topics shown below were discussed at the aforementioned meeting:
10:22 A.M. Vice Chair J. Bagni called the open meeting to order.

INFORMATIONAL NOTE: All votes were taken by roll call. Where each member voted in favor, the vote will be reported as unanimous.

Roll Call, by Chair:

Board members present:

Dave Clemons, State Fire Marshal Designee
David Edmonds, Dept. of Elementary and Secondary Education Designee
John Bagni, MAVA Member
James Colleary, Inspector of Wires Member
Thomas Cunningham, Master Electrician Member
Brendan E. Driscoll, Journeyman Electrician Member
George Condon, Systems Contractor Member
Kathleen Guinee, Systems Technician Member

Board Members absent:

Paul J. Malagrifa, International Municipal Signal Association, Member (Chair)
Ellen Dorian, Public Member

DOL Staff present:

Colleen Maloney, Deputy Commissioner
Patricia LaFore,
Keith Gleason, Executive Director
Tamara Smith, Program Coordinator
Milla Lewis, Administrative Assistant
Charles Kilb, Legal Counsel

1) **Review** May 22, 2023, meeting minutes.

Tabled to August meeting.

2) **Reviewed/Discussed** other reports:

- a) **Executive Director Report**– The Executive Director indicated that the group of subject matter experts reviewing exam questions is scheduled to meet July 18 thru 21. He added that he has been working with PSI to establish a continuous dialogue to hopefully head off problem patterns and will update the Board with any progress. He also reported to the Board that the previously approved Sprinkler advisory has been posted to the website.
- b) **Office of Investigations** – No matters reported
- c) **Legal Counsel** – Counsel reported that the Board’s proposed regulations remain under internal review, and he actively checks the status and will update the Board as it progresses. He stated it is his understanding that they first go to the Office of Consumer Affairs then the Executive Office of Economic Development, the Governor’s Office and finally Administration and Finance. Thereafter the Board is able to schedule a public hearing.
- d) **Board of Fire Prevention Regulations** – D. Clemons reported that the BFPR met on June 1 and requested forming a joint subcommittee of both boards to discuss legislation governing homeowner electrical permits. Staff indicated that the Board should select members to attend and that, working with BFPR staff, both boards will likely need to post agendas on their respective websites. Brendan, Jim, and John agreed to participate on behalf of the Board.
- e) **Legislative matters** – no matters reported

3) **Reviewed** list of license applicants approved by staff for reciprocity:

Name	Type
Cayonie S. Barnes	Journeyman
Robert A. Boender	Journeyman
Cameron Caffrey	Journeyman
Brandon Farris	Journeyman
Vitor S. Gimenes	Journeyman
Craig Kimball	Journeyman
Michal Konopko	Journeyman
Robert Lemery	Journeyman
Mackenzie S. Moen-Lisk	Journeyman

4) **Reviewed** list of business license approvals by staff

Business Name	Issued License #
Alex Oliveira Electric Corp	8539-EL-A1
ALL ABOUT FIRE SYSTEMS LLC	8545-EL-A1

BD Boston Electrical LLC	8538-EL-A1
Better Earth Electric MA, LLC	8541-EL-A1
Burkett Electric Company LLC	8551-EL-A1
Capital Electrical Services Inc.	8550-EL-A1
Carter Electric Enterprises LLC	8542-EL-A1
Garneau Electric LLC	8544-EL-A1
Ion Solar Pros, LLC	8552-EL-A1
LAVIN ELECTRIC, INC	8543-EL-A1
LUX SOLARIS INC	8537-EL-A1
Notkin Electric INC	8549-EL-A1
R. H. White Construction Co., Inc.	8547-EL-A1
Shameless Plug Electric LLC	8540-EL-A1
Spartan Electric INC	8548-EL-A1
SPC Electrical Services, INC.	8536-EL-A1
TRADEMARK LIGHTING LLC	8546-EL-A1

- 5) **Discussed** subcommittee meetings and reports:
- a) **Regulation\CMR Subcommittee** – No meeting held
 - b) **Education Subcommittee** – D. Edmonds reported on the meeting held June 26, 2023 to review provider applications, no matters require Board action.
 - c) **Interpretation Subcommittee** – No meeting held
 - d) **Planning and Research Subcommittee** – meetings scheduled for July 18-21.
- 6) **Discussed** Appeal Form & Process
- The Executive Director indicated the office has worked to make the appeal form clear that the responsibility of submitting exhibits resides with the parties, and that exhibits must be sent to the Board office 4 days in advance of the meeting to allow the Board time to review. However, failing to submit exhibits prior to the hearing will not be grounds to cancel the hearing, which would go forward as scheduled.
- 7) **Other** matters not reasonably anticipated 48 hours in advance of the meeting.
- No matters reported.**
- 8) **Board of Electricians' Appeals** [open hearings, closed deliberations per M.G.L c. 30A, §18]
11:16 A.M. The Chair opened the Board of Appeals and verified the timeliness and merits of the appeal.
- a) BEA-23-000004 (Linus Varley vs. William Sinclair, IOW, Town of Plymouth)
 - The Chair swore in the parties giving testimony, accepted the exhibits, and gave each party an opportunity to present their position. The Board did not engage in any deliberation during the open session. The Chair advised the parties that the written decision would be disseminated within 45 days.
- J. Colleary made a motion G. Condon seconded, and the members present unanimously VOTED: to close the hearing and enter deliberations in quasi-judicial session.
- 11:34 A.M. The Chair announced that as the remaining agenda items would be in closed session, the Board did not anticipate returning to open session, but the Board would adjourn upon conclusion of the Investigative Conference.

9) **Executive Session** [M.G.L. c. 30A, §21 – Closed session]

12:25 P.M. J. Colleary made a motion G. Condon seconded, and the members present unanimously VOTED: to enter Executive Session to discuss individuals' character, rather than competence per M.G.L. c. 30A, §21.

The chair noted that following the Executive Session, expected to last 15-30 minutes, the Board would discuss matters in Investigative Conference and then adjourn, the Board would remain in closed session.

ROLL CALL VOTE:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ ABSTAINED</u>	<u>ABSENT</u>
K. Guinee	X			
J. Bagni	X			
J. Colleary	X			
E. Dorian				X
P. Malagrifa				X
D. Edmonds	X			
G. Condon	X			
T. Cunningham	X			
D. Clemons	X			
B. Driscoll	X			

See Separate Minutes

10) **Investigative Conference** (M.G.L. c. 112, § 65C – Closed session)

12:34 P.M., J. Colleary made a motion G. Condon seconded, and the members present unanimously VOTED: to enter Investigative Conference.

12:35 P.M. The Board recessed.

1 P.M. The Board reconvened.

ROLL CALL VOTE:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ ABSTAINED</u>	<u>ABSENT</u>
K. Guinee	X			
J. Bagni	X			
J. Colleary	X			
E. Dorian				X
P. Malagrifa				X
D. Edmonds	X			
G. Condon	X			
T. Cunningham	X			
D. Clemons	X			
B. Driscoll	X			

a) Discussion of complaints prior to the issuance of an order to show cause

Docket	Order
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2022-000860-IT-ENF	Forward for Prosecution
2022-000882-IT-ENF	Forward for Prosecution
2022-000974-IT-ENF	Forward for Prosecution
2022-000979-IT-ENF	Forward for Prosecution
2022-001015-IT-ENF	Forward for Prosecution
2022-001024-IT-ENF	Forward for Prosecution
2023-000055-IT-ENF	Forward for Prosecution
2023-000089-IT-ENF	Forward for Prosecution
2023-000165-IT-ENF	Forward for Prosecution
2023-000186-IT-ENF	Forward for Prosecution

J. Colleary made a motion, G. Condon seconded, and the members present unanimously voted to ratify the aforementioned decisions.

ROLL CALL VOTE:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ ABSTAINED</u>	<u>ABSENT</u>
K. Guinee	X			
J. Bagni	X			
J. Colleary	X			
E. Dorian				X
P. Malagrifa				X
D. Edmonds	X			
G. Condon	X			
T. Cunningham	X			
D. Clemons	X			
B. Driscoll	X			

b) Discussion of the terms of a negotiated settlement of a complaint –

- Prosecutor Ciulla - 2022-000405-IT-ENF

The Board by unanimous consent rejected a counteroffer.

11) Quasi-Judicial Session (Closed per M.G.L c. 30A, §18)

- Counsel indicated a request to re-open an adjudicatory matter from B.J.,
- No action was taken.

12) Adjournment – the next meeting is scheduled to be August 28, 2023, at 10 A.M.

J. Colleary made a motion, G. Condon seconded, and the Board members present unanimously VOTED: to adjourn the meeting at 2:01 P.M.

Items relied upon during the open meeting

Agenda

Appeal forms

Appeal documents