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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:

March 30, 2020 @ 10 a.m.
Remotely conducted by call in to 1000 Washington St, Boston MA 02118
Moderator – Kristin Mitchell

The topics shown below were discussed at the aforementioned meeting:

1. The meeting was called to order at 10:27 AM by the vice chair.

Roll Call, by Chair:

Board members present:

Kathleen Guinee, Systems Technician Member (Chair)
David Edmonds, Dept. of Elementary and Secondary Education Designee
Daniel C. Cahill, Electrical Contractor Member
James Colleary, Inspector of Wires Member
Thomas J. Cunningham Jr., Master Electrician Member
Paul J. Malagrifa, International Municipal Signal Association, Member (Vice Chair)
Brendan E. Driscoll, Journeyman Electrician Member
John Bagni, MAVA Member
Ellen Dorian, Public Member
Paul Vigneau, State Fire Marshal Designee
George Condon III, Systems Contractor Member

The following DPL Staff were present:

Mari Cooney, Executive Director
Kristin Mitchell, Assoc. Exec Director
Tamara Smith, Prog. Coordinator
Charles Kilb, Counsel
Lauren McShane, Chief Investigator OI
Syno Tell, Investigator



2. Consideration of the February 24, 2020 regular meeting minutes. A motion was made by P. Malagrifa seconded by J. Colleary and voted by a majority to approve the minutes as presented
Abstention by P. Vigneau, all other members, yes

3. Consideration of the executive minutes of January 27, 2020 and February 24, 2020. A motion was made by P. Malagrifa seconded by J. Colleary and voted by a majority to approve the minutes presented
Abstention by P. Vigneau, all other members, yes

4. **Review/Discuss** other reports:
 - a. **Executive Director Report** – Mari Cooney reported regarding the status of the Business license indicating that E-Licensing is very close to the final stages. In addition to a web notice that was posted on March 12, a mailing was issued last week informing affected individuals of what they should expect and cutovers will begin in the next week.

Mari also reported that PSI has closed all centers and headquarters until April 13. Staff will keep the Board updated as the emergency state progresses.
 - b. **Office of Investigations – nothing to report**
 - c. **Legal Counsel** – Charles Kilb reported regarding the Governor’s waiver of certain aspects of the Open meeting law which allows the Board to conduct its meeting via teleconference.
 - d. **Board of Fire Prevention Regulations** – Paul Vigneau reported regarding the BFPR stating a meeting was held similarly via teleconference and the Board voted on recent amendments to the electrical code.
 - e. **Legislative matters** – Charles Kilb noted that an emergency bill has been filed addressing permit extensions. There was nothing to report otherwise.

5. **Board reviewed** list of applicants for reciprocity approved by Board staff under delegation of authority:

Name	Type
Andrew Estes	Journeyman
Andrey Avery	Master
Anthony Ducharme	Journeyman
Brian Shaw	Master
Conor Demmons	Journeyman
Corey Handler	Master
Cyrus Aho	Journeyman
Derek Mailhot	Journeyman

Name	Type
James Berwick	Journeyman
Joel Davenport	Master
Joseph Cunningham	Journeyman
Krystal Vike	Journeyman
Linas Golubevas	Master
Michael Sprague	Journeyman
Mike Richard	Journeyman
Robinson Valdez	Journeyman
Roger Ealy	Journeyman
Steven Dzubak	Journeyman
Warren Wartman	Journeyman
Yovanni Alas	Journeyman

6. [Board reviewed](#) list of applicants for business license additions/removals approved by Board staff under delegation of authority

Business Name	Licensee of Record	Type	Type
Zajac LLC	Joshua Hart	Master	Addition
Atlas Energies LLC	Paul McGrath	Masters	Addition
Nashoba Air Inc	Mark Witherell	Masters	Addition
NME Surveillance LLC	Nicholas Moniz	Masters	Addition
Rustic Fire Protection Inc	Michael Mahaney	Contractors	Addition
All Energy Solar	Anthony Alfano	Masters	Addition
J. Cotter Electrical Services Inc	James Cotter	Masters	Addition
DBA/Ace Electric	Stephen Previte	Masters	Addition
Impact Fire Services, LLC	Kenneth Woodman	Masters	Addition
SJP Solar & Electric LLC	Matthew Brown	Masters	Removal
Alteris Renewables Inc DBA Rgs Energy	Craig Reekie	Masters	Removal

7. [Discussion regarding](#) Pre-Licensure Online/Alternative delivery of education.

Counsel provided a preamble regarding the Governor's directive and provider requests concerning students affected by the state of emergency. The chair then opened the discussion allowing each Board member to comment. The Board inquired whether the regulation limits the Board's ability to allow emergency changes to the requirement. Counsel stated that the regulation supports the Board's authority to set the requirements. He advised relegating review authority in a clear manner outlining any limitations.// There was much discussion regarding pre-licensure for an on line education format as it has not been approved in the past. Discussions for this format will be taken up with the sub-committee to review all on

line applications for the future. Challenge is scheduling at this time is a conflict due to the State of Emergency directive. The committee will meet when directive is lifted.

There was agreement that there is an immediate need to do something on an interim basis to offer relief for the students within a certain window of completion.

11:16 AM D. Edmonds joined the meeting.

There were discussions that this will be for end game students for action to complete their education and applies only to the classes that have been started. By unanimous consent, the members agreed that said students must be within 75 hours of completion.

The on line format was discussed that it should be an interactive through a videoconferencing or video on line format

The Board reviewed a base draft provided by Counsel and proceeded to articulate amendments. After deliberation the Board instructed Counsel to formulate the parameters via the draft guidelines for vote.

12:27PM The Board read the second draft guidelines provided by Counsel and after recommended amendments

A motion was made by J. Bagni seconded by P. Malagrifa and unanimously voted approve with the indicated amendments.

The Board requested staff keep this item on the agenda for revisiting at the next meeting.

The Board then continued to item 10

8. **Discussion** of request for standing order of telecommuting of Subcommittee meetings.

A motion was made by E. Dorian, seconded by J. Bagni and so unanimously voted to allow subcommittees to hold virtual meetings in conjunction with the state of emergency.

9. **Inspections During State of Emergencies**

Counsel spoke regarding the issue of Inspector of Wires inability to conduct inspections during the state of emergency since the Governor's order included electrical as essential work. Inspector of Wires member J. Colleary discussed some of the challenges with conducting inspections in this time. The Board and counsel confirmed that it could continue to address matters on appeal using virtual means if necessary. While remote means of inspections were considered, the Board decided not to opine at this time.

A motion was made by J. Bagni, seconded by P. Malagrifa and so unanimously voted to adhere any directive of the Governor but otherwise not issue an opinion on inspectional matters at this time.

10. **Discuss subcommittee meetings and reports: No reports available**

- a. **Regulation\CMR Subcommittee**
- b. **Education Subcommittee**
- c. **Interpretation Subcommittee**
- d. **Planning and Research Subcommittee**

11. **Discuss** other matters not reasonably anticipated 48 hours in advance of meeting.

- The Board discussed the requirement of 237 CMR 13.05 regarding extending the requirement period.

A motion was made by J. Bagni, seconded by P. Malagrifa and so unanimously voted to delay the enforcement date concurrent with the of the state of emergency order and for 90 days after.

The Board continued to item 13

12. Executive **Session (M.G.L. c. 30A, §21 – Closed session) No items to consider**

- e. **To discuss individuals character, rather than competence**
- f. **To discuss litigation strategy**

12:42 PM the chair announced that the Board would take a 10 min recess after which there would be a closed session and upon exiting the meeting would be adjourned.

13. Quasi-**Judicial Session to discuss disciplinary decisions (Closed per M.G.L c. 30A, §18)**

A motion was made by J. Bagni, seconded by P. Malagrifa and so unanimously voted to enter Quasi judicial session.

- a. 2019-000263-IT-ENF
- b. 2018-001246-IT-ENF

2. **Investigative Conference (M.G.L. c. 112, § 65C – Closed session) [If applicable]**

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

Docket	Order
2019-000598-IT-ENF	Prosecution
2019-001368-IT-ENF	Dismissed
2019-000625-IT-ENF	Prosecution
2019-000665-IT-ENF	Dismissed
2019-000663-IT-ENF	Prosecution
2019-000404-IT-ENF	Prosecution
2019-000703-IT-ENF	Prosecution
2019-000852-IT-ENF	Prosecution
2019-001266-IT-ENF	Prosecution
2019-000979-IT-ENF	Dismissed
2020-000222-IT-ENF	Dismissed
2019-001326-IT-ENF	Dismissed

A motion was made by J. Bagni, seconded by J. Colleary and so unanimously voted to conduct the listed cases as ordered.

b. Discussion of the terms of a negotiated settlement of a complaint. None submitted

1. **Adjournment** – the Board was reminded the next meeting scheduled for April 24, 2020 by virtual conference.

J. Bagni motioned to adjourn at 1:56pm. The motion was seconded by P. Malagrifa and so unanimously voted.

Items relied upon during the open meeting

Agenda

January 27, 2020 and February 24, 2020 minutes