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Board of State Examiners of Electricians
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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:**

November 25, 2019 @ 10 a.m.
Rm 1D, 1000 Washington St, Boston MA 02118

The topics shown below were discussed at the aforementioned meeting:

Roll Call, by Chair:

Kathleen Guinee, Chair
John Bagni
Daniel Cahill
James Colleary
George Condon III
Thomas Cunningham Jr.

☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent

Ellen Dorian
David Edmonds
Paul Malagrifa
John Sloane
Paul Vigneau

☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent

Chair, called the meeting to order at 10:12am and took Roll Call.

Board's Associate Executive Director Kristin Mitchell provided a review of emergency procedures.

1. October 28, 2019 draft Meeting Minutes. A motion was made by P. Malagrifa to accept the minutes with the changes that D. Edmonds proposed to include. J. Bagni seconded the motion. Unanimously approved.
2. October 28, 2019 draft Executive Session Minutes. A motion was made by D. Edmonds to accept the minutes. P. Vigneau seconded the motion. Unanimously approved.



3. **Review** the list of applicants seeking licensure by reciprocity:

Cullan R. Baker - Journeyman
Mark A. Belanger – Journeyman
Cameron D. Beaulieu – Journeyman
Joseph A. Chevarie – Journeyman
Derek F. Cropp - Journeyman
Daniel Lebeau – Journeyman
Brandon Merritt - Journeyman
Christopher J. Roberts – Journeyman
Evan G. Ward – Journeyman

A motion was made by D. Edmonds to ratify the list as presented. The motion was seconded by P. Vigneau. Unanimously approved.

4. **Review** the list of applicants seeking business license additions/removals

REMOVALS:				
LICENSEE	TYPE	ENTITY	REASON FOR REMOVAL	COMPLAINTS PENDING PROSECUTION
John T. Gardner	Master	Gardner & Lynch Electrical Services LLC	Dissolved	
Richard W. Mercier	Master	Mercier Electric Co., Inc	Transfer	
Jamie Oppewall	Master	Jamison Electric & Communications Inc	Dissolved	
Peter R. Spooner	Master	SD Electric Inc	Resigned	
Daniel Reed	Master	Coastal Electric LLC	Transfer	
ADDITIONS:				
LICENSEE OF RECORD	TYPE	ENTITY	PRIOR LICENSEE	COMPLAINTS PENDING PROSECUTION
Dominic N. Gitiiba	Master	Accept Solar LLC		
James J. Comer	Master	A Comer Electrical Service Inc		
Robert Brown	Master	Brown Electric, LLC		
Robert Kilroy	Master	Coastal Electric, LLC	Daniel Reed	
David M. Alessandrini	Systems Contractor	DH Pace Company, Inc		
Stephen M. Greany Sr	Master	Granite Valley Electric LLC		
Scott LeDuc [Scott LeDuc Electric LLC Bright Planet Solar]	Master	HDC Electric LLC		
Henry L. Padden	Master	HL Padden Electric Company LLC		

Michael F. Grenier	Master	John A. Penney Co. Inc	John A. Penney	
James R. Mercier	Master	Mercier Electric Co. Inc	Richard W. Mercier	
Michael Post	Master	Michael Post Electric Inc		
Patrick G. Morse	Master	Morse Brothers LLC		
Daniel Naylor	Master	Naylor Electrical Inc		
Noureddine Mhal DBA Teslas Electrical Services	Master	NuWatt Energy,LLC		
Kenneth Sutherland	Master	PeopleReady, Inc	Robert Luberti	
Michael Melchione	Master	Seaside Electric LLC		
Paul Bradley	Master	Solar Five LLC		
Michael P. Dillon	Master	Sunlight Solar Energy, Inc	Joseph Owen III	

A motion was made by D. Edmonds to approve the list as presented. The motion was seconded by J. Bagni. Unanimously approved.

5. **Review/Discuss** the most recent examination passage/failure report –
 - a. Board discussed the most recent examination passage/failure report. T. Cunningham asked if the board wants to see the breakdown of schools pass/fail rate.
 - b. Board Counsel, Charles Kilb will report back regarding the test review panel.
6. **Review/Discuss** other reports:
 - a. **Office of Investigations**
DPL First Deputy Commissioner Ron Cogliano reported that efforts are continuing to hire a new compliance officer, no further information is available at this time. Board member J. Colleary suggested trying to make the position part time. No formal action taken.
 - b. **Legal Counsel**
Board's legal counsel Charles Kilb reported that the draft amendments to 237 CMR 13.00 have been approved for a public hearing and are set to move forward with the public meeting being held at the next board meeting December 16, 2019.
 - c. **Board of Fire Prevention Regulations** – Paul Vigneau reported to the Board.
 - i. Mr. Vigneau reported proposed amendments to 527 CMR 12.00, the Massachusetts Electrical Code, are now scheduled for a public hearing on December 5 in Stow.
 - d. **Legislative matters**
Board's legal counsel Charles Kilb indicated that there was nothing to report.

7. **Discuss** subcommittee meetings and reports:
- a. Regulation\CMR Subcommittee – D. Edmonds indicated that there was nothing to report.
 - b. Education Subcommittee – D. Edmonds reported that the education subcommittee will meet on Friday December 6th at 9:00.
 - c. Interpretation Subcommittee – E. Dorian indicated that there was nothing to report.
 - d. Planning and Research Subcommittee – K. Guinee indicated that there was nothing to report.
8. **Discuss** other matters not reasonably anticipated 48 hours in advance of meeting.
- D. Edmonds mentioned the recent fires caused by degrading solar equipment for Board input on the matter in regards to licensing. The Board resolved to discuss the PV guidance memo at the next Board meeting.

D. Edmonds motioned to take a 5 minute break. The motion was seconded by P. Malagrifa. Unanimously approved.

9. **Board of Electricians' Appeals [hearings open, deliberations closed per M.G.L c. 30A, §18]**

A motion was made by P. Malagrifa to convene the Board of Electricians' Appeals. This motion was seconded by J. Bagni. Unanimously approved.

Docket No. 300, BEA-19-000010 In the matter of American Electrical Construction Inc vs Michael Capone, Town of Boylston.

Robert Sullivan of American Electrical Construction Inc appeared. Inspector Michael Capone was not present. After entering into exhibits, the Board allowed the party in attendance to present their case.

At 11:40 a.m., the parties rested. Thereafter, a motion was made by J. Bagni and seconded by P. Vigneau and unanimously voted to close the hearing and enter deliberations.

11:55 a.m Upon exiting deliberation the Board entered the following ruling:

A motion was made by J. Bagni to overturn the Inspector's decision and issue a written decision. This motion was seconded by T. Cunningham. The chair called for a vote: unanimously approved. Thereafter, the Chair notified the parties that a written decision would be issued within 45 days.

10. **Executive Session (M.G.L. c. 30A, §21 – Closed session)**

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

At 12:10 p.m., a motion was made by J. Bagni to enter quasi-judicial session. This motion was seconded by P. Malagrifa. Unanimously approved

Upon conclusion of the quasi-judicial session, the following was reported for the record:

Docket No. 2018-000314-IT-ENF

A motion was made by D. Edmonds to issue a sanction in the matter. The motion was seconded by G. Condon. Unanimously approved.

A separate written decision will be issued.

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

At 12:15 p.m., a motion was made by T. Cunningham to enter Investigative Conference. This motion was seconded by J. Bagni. Unanimously approved.

Upon conclusion of the investigative conference, the following was reported for the record:

- a. Discussion of complaints prior to the issuance of an order to show cause
 - i. Docket no. 2019-000349-IT-ENF – The Board returned the case for investigative follow-up
 - ii. Docket no. 2019-000315-IT-ENF – A motion was made by J. Colleary to forward for prosecution. This motion was seconded by J. Bagni. Unanimously approved.
 - iii. Docket no. 2019-000463-IT-ENF – A motion was made by J. Bagni to open a subsequent complaint. This motion was seconded by T. Cunningham. Unanimously approved.
 - iv. Docket no. 2019-000808-IT-ENF – A motion was made by P. Vigneau to require the pertinent documentation then Counsel to determine Board appearance. This motion was seconded by J. Bagni. Unanimously approved.
- b. Discussion of the terms of a negotiated settlement of a complaint (None presented)

13. Adjournment

At 1:05 p.m., J. Bagni made a motion to adjourn the meeting. This motion was seconded by D. Edmonds. Unanimously approved.

The next scheduled meeting will be on December 16, at 1000 Washington St, Boston.

Items relied upon during the open meeting

Agenda

Previous minutes

Applications for business and reciprocal licensure

Exhibits submitted during Inspector Appeal