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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
September 26, 2022

The topics shown below were discussed at the aforementioned meeting:
10:06 A.M. K. Guinee 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:

Kathleen Guinee, Systems Technician Member (Chair)

Thomas Cunningham, Master Electrician Member

Paul J. Malagrifa, International Municipal Signal Association, Member

Brendan E. Driscoll, Journeyman Electrician Member

John Bagni, MAVA Member

David Edmonds, Dept. of Elementary and Secondary Education Designee

Ellen Dorian, Public Member

George Condon, Systems Contractor Member

James Colleary, Inspector of Wires Member

Paul Vigneau, State Fire Marshal Designee

Board members absent:

Daniel C. Cahill, Electrical Contractor Member

DOL Staff present:

Keith Gleason, Executive Director

Tamara Smith, Program Coordinator

Milla Lewis, Administrative Assistant

Charles Kilb, Legal Counsel



1. Consideration of the August 22, 2022, meeting minutes.

P. Malagrifa made a motion, J. Colleary seconded, and the members present unanimously voted to approve the minutes.

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

a) **Executive Director Report**– The Executive Director reviewed the 2023 Board meeting dates and asked whether the Board would consider suspending the November meeting as he would be on parental leave.

J. Bagni made a motion, P. Malagrifa seconded, and the members present unanimously voted to cancel the November regularly scheduled meeting.

K. Gleason also demonstrated a revised website design, he asked members to communicate any issues they've experienced or heard of to him. He will be continuing to work with the developers and will meet with them in 90 days to assess how the pages are working and will be able to make additional adjustments as necessary.

b) **Office of Investigations** – The Executive Director mentioned that the investigator Christopher Lee is currently on leave, thus a slight delay in cases may occur. He also noted that J. Bagni has been working with Mr. Lee to improve investigative summary reports.

c) **Legal Counsel** – Counsel stated that he is finalizing additional paperwork for administrative approval of the regulation amendments but noted the review process can take several months. He added as a reminder that remote meeting allowances are effective until revision in Spring 2023 as the remote allowance expires in March and that the Board may also hold live meetings.

d) **Board of Fire Prevention Regulations** – P. Vigneau reported the fire code is being updated based on the 2021 version of NFPA 1 with amendments, the code is expected to go to public hearing in October. The BFPR Advisory committee is scheduled to meet October 3 to finalize the next edition of the electrical code based upon 2023 edition of NFPA 70 with amendments, after which it will go before the BFPR on October 6 to begin the promulgation process, he indicates it should be on track for a January 1 release. The permit application has been reviewed and changes proposed but the timeline for posting it is yet to be determined.

e) **Legislative matters** – No matters to report

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

FYI Only, no action taken

Name	Type
Daniel Berube	Journeyman
Joshua Carlson	Journeyman
Christopher Day	Journeyman
Bryce Fedder	Journeyman
Scott J. Foster	Journeyman
Luke P. Hubbard	Journeyman
Sheik S. Khan	Journeyman
Christopher Raper	Journeyman
James B. Seay	Journeyman

Matthew Statezni	Journeyman
Daniel Chism	Master
Simon Macalister	Master

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

Issued Business License Number	Primary Owner	Licensee of Record (LOR)	License Type	Business Name
8328-EL-A1	Jessie Lavoie	Jesse Lavoie	Master	All American Electrical Corporation
8350-EL-A1	Erick A. Veit	Erick A. Veit	Master	Advanced Power and Controls, LLC
20003-FA-C1	David Kleinman	Patrick Harrington	Systems Contractor	AFA Protective Systems Inc
8346-EL-A1	Nathan D. Lalancette	Nathan D. Lalancette	Master	AL L'ECUYER ELECTRICAL CONTRACTOR, INC.
8351-EL-A1	Mario LoContro	Mario LoContro	Master	AMG Electric Inc.
8345-EL-A1	Philip McCarron	Philip McCarron	Master	Beacon Solar Construction Inc
8343-EL-A1	Thomas M. Montville	Thomas M. Montville	Master	Chair City Electric Inc
8339-EL-A1	Daniel B. McCusker	Daniel B. McCusker	Master	DMC Electrical Contractors LLC
8341-EL-A1	David P. Collari	David P. Collari	Master	DP Collari Electric Inc
8348-EL-A1	Danny Q. Richards	Danny Q. Richards	Master	DQR Electric Inc
8329-EL-A1	Daniel J. Ruiz	Daniel J. Ruiz	Master	Electric Improvements LLC
8352-EL-A1	Jesse W. Elowitz	Jesse W. Elowitz	Master	Elowitz Electric LLC
8333-EL-A1	Vanderwilians Felix Linarelo	Vanderwilians Felix Linarelo	Master	Elohim Electric INC
8344-EL-A1	Roy Brooks	Roy Brooks	Master	EMCO Electric Inc
8332-EL-A1	Stephen Q. Murphy	Stephen Q. Murphy	Master	J. Lee Associates, LLC
8336-EL-A1	Kris T. Johnson	Kris T. Johnson	Master	Kris Johnson Electrical and Mechanical Services Inc
8331-EL-A1	Steven J. LaFleur	Kenneth Devries	Master	Lafleur Electrical Company Inc.
8353-EL-A1	Richard Larkin	Tracy A. Carver	Master	Larkin Enterprises
8334-EL-A1	Nicholas Betti	Rodney J. O'Brien	Master	Nicholas Betti Inc
8340-EL-A1	Jonathan Niland	Jonathan Niland	Master	Niland Electric LLC

8347-EL-A1	William Knowles	Daniel F. Veducchio	Master	Northern Outdoor Lighting, LLC
8330-EL-A1	Charles A. Pigott	Charles A. Pigott	Master	Pigott Electric Co Inc
8342-EL-A1	Douglas B. Azevedo	Douglas B. Azevedo	Master	Primis Electric Corp
8349-EL-A1	Robert G. Fortin	Robert G. Fortin	Master	Robert G Fortin Jr Electrical Contracting LLC
8337-EL-A1	Ahmad Hodroj	Peter Anderson	Master	Team Sunshine Construction LLC
8338-EL-A1	Timothy E. Burgess	Timothy E. Burgess	Master	Timothy Burgess Electrical LLC
8354-EL-A1	Mark A. Tyner	Mark A. Tyner	Master	Tyner Electric Company LLC

5. **Discussed** subcommittee meetings and reports:

- a) **Regulation\CMR Subcommittee – Nothing to report**
- b) **Education Subcommittee –** D. Edmonds reported on the meeting held September 15, 2022, where the subcommittee discussed the logistics for the 2023 Providership renewal period beginning October 1 thru December 1. They would like to establish a central electronic hub where staff and the subcommittee is able to centralize application reviews. The intent is to share the work amongst members to facilitate thorough and complete reviews and that, when all members agree, a provider can be approved by unanimous consent rather than individual votes.

J. Bagni made a motion, B. Driscoll seconded, and the members present unanimously voted to ratify the subcommittee’s decision to approve providers by unanimous consent of the subcommittee.

- c) **Interpretation Subcommittee – Nothing to report**
- d) **Planning and Research Subcommittee –** J. Bagni proposed the next date to be settled on by the members as October 7.

6. **Discussed** Board Elections for 2023

- The Board discussed electing members for chair and vice chair commencing in 2023 with the caveat that no state employees would serve in the positions.

Nominated	Position	Votes
P. Malagrifa	Chair	10
J. Bagni	Vice chair	8
E. Dorian	Vice chair	2

7. **Discussed** Irrigation & Landscape Wiring Advisory

- Counsel presented a draft and noted as drafted it was not a policy, just an advisory of existing requirements which he felt met the Board’s desire to address possible confusion regarding licensing requirements. J. Bagni suggested an edit to the title emphasizing it pertains to lighting and wiring.

P. Vigneau made a motion, P. Malagrifa seconded, and it was so unanimously voted by the members present to approve the advisory as amended.

8. **Discuss** other matters not reasonably anticipated 48 hours in advance of the meeting.
- J. Bagni suggested the implementation of an FAQs on the A1 & C1 business license for posting. He also suggested an advisory or FAQ regarding the license requirements on advertising.

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

a) BEA-22-000006 Ryan Kelly v Michael Mancini, IOW Town of Milford

12:15 P.M. The chair opened the Board of Appeals and verified timeliness of the appeal as well as the merits. Staff confirmed that the appeal was timely. The parties appeared, however the appellant requested postponement due to a claim of insufficient notice and disagreement as to exhibits. The chair requested counsel review.

- With regards to notice, counsel opined that the parties may not have received sufficient notice of the hearing so agreed the Board should reschedule the hearing.
- With regards to exhibits, counsel reiterated the purpose of joint exhibits that a joint submittal of exhibits is instructed to eliminate the possibility of redundancies in documentation, however the parties may submit independent documents that are not agreed upon. The Board will resolve any arguments over admitting exhibits.

No action taken, the matter will be continued to the next meeting.

12:14 P.M. B. Driscoll left the meeting

10. **Executive Session (M.G.L. c. 30A, §21 – Closed session) – No matters scheduled**

The chair announced that the rest of the meeting will be for discussion of items in closed session and upon conclusion the Board would then adjourn.

12:15 P.M. P. Malagrifa made a motion J. Bagni seconded, and the members present unanimously voted to enter Executive Session to discuss individuals’ character, rather than competence as well as pending litigation per M.G.L. c. 30A, §21. The chair noted that after 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 (Driscoll and Cahill absent):

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ABSTAINED</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		

P. Vigneau	X		
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See Separate Minutes

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

1:23 P.M., P. Malagrifa made a motion J. Colleary seconded, and the members present unanimously voted to enter Investigative Conference.

ROLL CALL VOTE (Driscoll and Cahill absent):

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

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

Docket	Recommendation
2020-000967-IT-ENF	Dismiss w/o prejudice
2022-000162-IT-ENF	Forward for prosecution
2022-000166-IT-ENF	Forward for prosecution
2022-000168-IT-ENF	Forward for prosecution
2022-000188-IT-ENF	Forward for prosecution
2022-000320-IT-ENF	Forward for prosecution
2022-000370-IT-ENF	Forward for prosecution
2022-000553-IT-ENF	Forward for prosecution, Investigative follow-up

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

ROLL CALL VOTE: (Driscoll and Cahill absent)

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

- b) Discussion of the terms of a negotiated settlement of a complaint
 - (i) 2021-000921-IT-ENF- Dismiss w/o prejudice
 - (ii)2022-000236-IT-ENF-Complaint Closed

12. Quasi-Judicial Session (Closed per M.G.L c. 30A, §18)-No matters presented

13. Adjournment – the next meeting is scheduled to be October 24, 2022, at 10 A.M.

P. Malagrifa made a motion P. Vigneau seconded, and the Board members present unanimously voted to adjourn the meeting at 2:35 P.M.

Items relied upon during the open meeting

Agenda
Minutes August 22, 2022
Draft Advisory
Appeal Submissions