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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
October 24, 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)
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
Thomas Cunningham, Master Electrician Member

DOL Staff present:

Esther Laine, Associate Deputy Commissioner
Tamara Smith, Program Coordinator
Milla Lewis, Administrative Assistant
Charles Kilb, Legal Counsel
Jennifer Cargill, Legal Counsel



1. **Consideration** of the September 26, 2022, meeting minutes.

P. Malagrifa made a motion, J. Colleary seconded, and the members present unanimously voted to approve the minutes with correction of abstention on the Executive Minutes.

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

- a) **Executive Director Report**– Deputy Commissioner Esther Laine stated that she is covering for Keith while he is on leave, but there was nothing to report otherwise to the Board.
- b) **Office of Investigations** – No matters reported
- c) **Legal Counsel** – Counsel Kilb introduced Jennifer Cargill as new Board Counsel in an agency wide redistribution of assignments, but he would be attending the December meeting. Counsel Cargill addressed the Board indicating that prior to DOL she worked for 10 years at the Department of public utilities.
- d) **Board of Fire Prevention Regulations** – P. Vigneau reported that the Board of Fire Prevention Regulations approved the 2023 electrical code with MA amendments on October 6. It went to the Building Code Coordinating Council where it was approved for promulgation as part of the 562 process. Also, public hearing was held on the fire code and will be available in red line version with cooperation from the Secretary of the Commonwealth. The two codes should be effective as scheduled in January 2023.
- e) **Legislative matters** – No matters reported

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

FYI Only, no action taken

Name	Type
Darren Cantor	Journeyman
Paul Frazer	Journeyman
Luke Hubbard	Journeyman
Julian E. MacDonnell	Journeyman
Mark Smith	Journeyman

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

Issued Business License Number	Primary Owner	Licensee of Record (LOR)	License Type	Business Name
8357-EL-A1	Benjamin T. Colcord	Benjamin T. Colcord	Master	Kaibo Electrical Technology LLC
8355-EL-A1	Raymond M. Daly	Raymond M. Daly	Master	Ray Daly Electric Inc.
8356-EL-A1	Toan Le	Toan Le	Master	TJK Electrical services LLC

20004-FA-C1	Michael Kraybill	Michael Kraybill	Systems Contractor	MRK Corporation
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5. **Discussed** subcommittee meetings and reports:

- a) **Regulation\CMR Subcommittee – Nothing to report**
- b) **Education Subcommittee** – D. Edmonds reported that the subcommittee will begin reviewing applications for 2023 renewal of Providerships.
- c) **Interpretation Subcommittee – Nothing to report**
- d) **Planning and Research Subcommittee** – J. Bagni reported on the meeting held October 7, 2022, where the subcommittee reviewed potential states for reciprocity. He asked that the New Hampshire agreement is added to the December agenda for discussion.

6. **Discussed** other matters not reasonably anticipated 48 hours in advance of the meeting.

The chair opened the meeting to the public.

- Adam Norcott of Peterson School asked whether there were additional requirements for Providers from the Education Subcommittee. J. Bagni stated that the requirements for applications have not changed however there is now a sample lesson plan to aid Providers with submitting theirs.
- G. Condon inquired regarding resolution of the C1 license printing issue. Deputy Commissioner Laine confirmed that the issue was resolved and all C1 licenses would be submitted for reprint.

7. **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

10:34 A.M. The Chair opened the Board of Appeals and verified the timeliness and merits of the appeal.

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 deliberation during the open session.

The hearing concluded at 11 A.M. P. Malagrifa made a motion J. Colleary seconded, and the members present unanimously voted to close the hearing and deliberate in quasi-judicial session. The Chair advised the parties that the written decision would be disseminated within 45 days. The Chair announced that the remaining agenda items would be in closed session, and the Board would adjourn upon conclusion of the Investigative Conference.

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

1 P.M. P. Vigneau made a motion J. Colleary 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:

<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
P. Vigneau	X			
B. Driscoll	X			

See Separate Minutes

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

2:28 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>	<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
P. Vigneau	X			
B. Driscoll	X			

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

Docket	Decision
2020-000781-IT-ENF	Forward for prosecution
2022-000280-IT-ENF	Forward for prosecution
2022-000344-IT-ENF	Forward for prosecution

J. Colleary made a motion, B. Driscoll 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>
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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			
B. Driscoll	X			

b) Discussion of the terms of a negotiated settlement of a complaint – no matters presented

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

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

P. Malagrifa made a motion, J. Colleary seconded, and the Board members present unanimously voted to adjourn the meeting at 2:28 P.M.

Items relied upon during the open meeting

Agenda

Minutes September 26, 2022

Appeal Submissions