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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 November 27, 2023

The topics shown below were discussed at the aforementioned meeting:
10:03 A.M. the Chair P. Malagrifa 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:

Paul J. Malagrifa, International Municipal Signal Association, Member (Chair)
Brian Ingram, State Fire Marshal Designee
David Edmonds, Dept. of Elementary and Secondary Education Designee
John Bagni, MAVA Member
Gerald Graham, Inspector of Wires Member
Brendan E. Driscoll, Journeyman Electrician Member
Carlos Caceda, Member
Brian Proctor, Systems Technician Member
Renee Dozier, Master Member

Board Members absent:

Ellen Dorian, Public Member
Elizabeth Oconnor, Member

DOL Staff present:

Keith Gleason, Executive Director
Tamara Smith, Program Coordinator
Milla Lewis, Administrative Assistant
Charles Kilb, Senior Legal Counsel
Patricia LaFore, Board Counsel

1) **Review** October 23, 2023, meeting minutes.

J. Bagni made a motion D. Edmonds seconded, and the members present unanimously VOTED: to approve the minutes presented.

2) **Reviewed** 2024 Meeting Calendar

– After brief discussion the Board established the schedule dates as follows:

January 22	April 22	July 22	October 28
February 26	May 27	August 26	November 25
March 25	June 24	September 23	December 16

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

- **Executive Director Report**– The Executive Director reported that the BFPR plans to hold the joint subcommittee and workgroup in collaboration with the BSEE on December 11 in Stow. He also reiterated the new exam structure release is scheduled for February and that a notice has been placed via the Board webpage.
- **Office of Investigations** – No matters reported
- **Legal Counsel** – No matters reported
- **Board of Fire Prevention Regulations** – No matters reported
- **Legislative matters** – No matters reported

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

Name	Type
Sean M. Alman	Journeyman
Josiah J. Argiro	Journeyman
Matthew Clark	Journeyman
Nathan R. Harter	Journeyman
Greg A. Leslie	Journeyman
Matthew V. Lunardo	Journeyman
Mason S. Marcoux	Journeyman
Todd S. McDonald	Journeyman
Benjamin Murphy	Journeyman
Eric T. Murphy	Journeyman
Melvin R. Paula	Journeyman
Michael Prescott	Journeyman
Richard M. Tolentino	Journeyman
Tyler N. Tripp	Journeyman
Adam Vear	Journeyman
Todd Elkin	Master
William Hogan	Master

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

Issued License #	Business Name
20029-FA-C1	AMERICAN SERVICECOMPANY LLC
20028-FA-C1	Aurora Integrations Inc
8642-EL-A1	DiFiore Electric Inc.
8630-EL-A1	Ecoloop Construction LLP
8629-EL-A1	Elite Fire & Security, Inc
20033-FA-C1	EST Systems LLC
8621-EL-A1	Ferreira Electric LLC
8632-EL-A1	Figueroa Electric LLC
8637-EL-A1	Gilbert Electrical Services and Solutions LLC
8622-EL-A1	Gordon Building & Excavating Inc
8639-EL-A1	Ianniciello Electric, Inc.
20032-FA-C1	Integrity Security Solutions LLC
8634-EL-A1	JME ELECTRIC INC
8623-EL-A1	Joshua R Marion Services LLC
8640-EL-A1	M E ELWELL CO INC
8633-EL-A1	MassAmerican EPC Company LLC
8628-EL-A1	Matthews Electric Inc.
8631-EL-A1	Merrimack Valley Electrical Corp.
8641-EL-A1	North River Electrical Services LLC
8624-EL-A1	P and C Electrical Services LLC
20030-FA-C1	Rainbow Security Systems Corp

6) **Discussed** subcommittee meetings and reports:

- **Regulation\CMR Subcommittee**
 - J. Bagni reported on the meeting held November 6 stating that the subcommittee discussed several sections of the CMR for amendments which will be brought to the full Board once finalized. The subcommittee plans to hold additional meetings for discussions.
- **Education Subcommittee** – No meeting held. Next meeting scheduled for December 6.
- **Interpretation Subcommittee** – No meeting held
- **Planning and Research Subcommittee**
 - J. Bagni reported on the meeting held November 6. The subcommittee is still working on the FAQs and will be brought before the Board prior to distribution through the major industry organizations.

7) **Discussed** BFPR Workgroup on permit guidance (BFPR Letter response)

- The chair in addition to himself accepted the following volunteer delegates to attend the in-person meeting: J. Bagni, R. Dozier, G. Graham

8) **Reviewed** Petition for Reinstatement of licensure by Brian Jancsy

D. Edmonds made a motion J. Bagni seconded, and the members present unanimously

VOTED: to hear the petition

- Attorney Kenneth Lakin addressed the Board on behalf of Brian Jancsy indicating he will provide documentation to mitigate part of the prior allegations for the Board's consideration

in connection with the petition. Mr. Jancsy also presented his case acknowledging responsibility and the impact of his past violations. The Board took the information under advisement and agreed to stay any decision until review of the documentation from Attorney Lakin and will consider a decision at the December meeting.

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

11:05 A.M. The Chair opened the Board of Appeals and verified the timeliness and merits of the appeal.

- BEA-23-000006 Felix Zemel on behalf of CT Management v. Gerald Graham, Inspector of Wires, Town of Braintree
 - G. Graham participated in the hearing as the respondent.
 - 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 11:54 A.M. The Chair advised the parties that the written decision would be disseminated within 45 days.

The Chair attempted to verify the timeliness and merits of the appeal however upon discovery that the appellant did not submit the appeal on the basis of the Inspector's first decision, Counsel advised that the Board may hear the appeal only on the basis of determining whether the appellant did in fact correct the installation as directed by the Inspector as the appeal is in dispute of the Inspector's decision that the installation has not been corrected to code.

- BEA-23-000007 Nicholas Lloyd v. Michael Mancini, Inspector of Wires, Town of Milford
 - 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 12:15 P.M. The Chair advised the parties that the written decision would be disseminated within 45 days.

12:15 P.M J. Bagni made a motion B. Driscoll seconded, and the members present unanimously VOTED: to close the hearing and enter deliberations in quasi-judicial session.

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

1:12 P.M. J. Bagni made a motion B. Driscoll 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 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>
B. Proctor	X			
J. Bagni	X			
G. Graham	X			
E. Dorian				X
P. Malagrifa	X			
D. Edmonds	X			
C. Caceda	X			
B. Ingram	X			
B. Driscoll	X			
R. Dozier	X			
E. Oconnor				X

See Separate Minutes

- M.A.L (Journeyman Exam)
- A.R (Journeyman Exam)

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

1:40 P.M., J. Bagni made a motion R. Dozier seconded, and the members present unanimously VOTED: to enter Investigative Conference.

ROLL CALL VOTE:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ ABSTAINED</u>	<u>ABSENT</u>
B. Proctor	X			
J. Bagni	X			
G. Graham	X			
E. Dorian				X
P. Malagrifa	X			
D. Edmonds	X			
C. Caceda	X			
B. Ingram	X			
B. Driscoll	X			
R. Dozier	X			
E. Oconnor				X

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

Docket	Status
2020-000765-IT-ENF	Forward for prosecution
2023-000427-IT-ENF	Forward for prosecution Open additional complaint
2023-000626-IT-ENF	Forward for prosecution
2023-000682-IT-ENF	Forward for prosecution

2023-000690-IT-ENF	Dismiss w/o prejudice Open additional complaint
2023-000697-IT-ENF	Dismiss w/o prejudice
2023-000730-IT-ENF	Forward for prosecution

- Discussion of the terms of a negotiated settlement of a complaint –

Prosecutor Pixley - 2022-000974-IT-ENF
The Board unanimously maintained the order.

Prosecutor Ciulla - 2022-000727-IT-ENF
The Board unanimously maintained the order.

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

2:32 P.M., J. Bagni made a motion B. Driscoll seconded, and the members present unanimously VOTED: to enter judicial session.

ROLL CALL VOTE:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ ABSTAINED</u>	<u>ABSENT</u>
B. Proctor	X			
J. Bagni	X			
G. Graham	X			
E. Dorian				X
P. Malagrifa	X			
D. Edmonds	X			
C. Caceda	X			
B. Ingram	X			
B. Driscoll	X			
R. Dozier	X			
E. Oconnor				X

- 2023-000445-IT-ENF
- 2023-000453-IT-ENF

P. Malagrifa made a motion J. Bagni seconded, and the members present unanimously VOTED: to issue final decisions.

13) Adjournment – the next meeting is scheduled for December 18, 2023, at 10 A.M.

B. Driscoll made a motion, J. Bagni seconded, and the Board members present unanimously VOTED: to adjourn the meeting at 2:40 P.M.

Items relied upon during the open meeting

Agenda

Draft minutes October 23, 2023