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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
December 19, 2022

The topics shown below were discussed at the aforementioned meeting:
10:08 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
Thomas Cunningham, Master Electrician Member
Brendan E. Driscoll, Journeyman Electrician Member
John Bagni, MAVA Member
David Edmonds, Dept. of Elementary and Secondary Education Designee
Ellen Dorian, Public Member
James Colleary, Inspector of Wires Member
Paul Vigneau, State Fire Marshal Designee

Board members absent:

George Condon, Systems Contractor Member
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
Jennifer Cargill, Legal Counsel



1) **Consideration** of the October 24, 2022, meeting minutes.

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

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

- a) **Executive Director Report**– Executive Director Gleason stated that after a thorough selection process PSI was awarded the bid on the examination application processing contract. He added that he will be meeting with PSI in the new year to review common issues and plans to convene the exam questions review committee with the NEC 2023. The 2023 CEP and IEP lists will be updated in January as the subcommittee reviews and approves providers. Also, a new investigator has been hired to the “trades” team.
- b) **Office of Investigations** – No matters reported
- c) **Legal Counsel** – Counsel Kilb mentioned that Counsel Cargill will keep the Board apprised of the regulations promulgation as it progresses. He expressed his pleasure of working with the Board and its current members over the years. The members thanked him for all his work.
- d) **Board of Fire Prevention Regulations** – P. Vigneau reported that the new edition of the fire code became effective December 18. Training for fire officials will be available in January. Regarding the NEC 2023, public comments from the public hearing held on December 14 went back to the advisory committee on December 16 where a working group will be considering article 210.8 on GFCI receptacles and the supply issue between appliance manufacturers and GFCI manufacturers. The BFPR would meet today to consider all input and determine the path forward.
- 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
Christopher J. Andrisani	Journeyman
Andrew Boddie	Journeyman
Andrew Bowie	Journeyman
David Boynton	Journeyman
Cameron G. Braunius	Journeyman
David Buckley	Journeyman
Brian Conley	Journeyman
Kevin C. Donovan	Journeyman
Wellington P. Dos Santos	Journeyman
Ian Y. Falcon-Rivera	Journeyman
Ethan Fortin	Journeyman
Jonathon W. Kravarik	Journeyman
Christian J. LaMontagne	Journeyman
Alfonso Leone	Journeyman

Luke McCarthy	Journeyman
Lindomar Monteiro	Journeyman
James W. Schnyer	Journeyman
Evan Sweeney	Journeyman
Tyler Tobin	Journeyman
Christopher C. Hing	Master
Thomas Mondello	Master

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

Issued Business License Number	Business Name
8394-EL-A1	Apex Energy Tek LLC
8403-EL-A1	Arete Electric
8406-EL-A1	Arria Electric LLC
8379-EL-A1	B.D. Electric LLC
8376-EL-A1	Best Yet Installations, Inc.
8390-EL-A1	Bonneau Electric LLC
8387-EL-A1	Borrego O&M, LLC
8362-EL-A1	BPR Companies LLC
8378-EL-A1	Bryant electric LLC
8399-EL-A1	Commercial Electrical Services LLC
8400-EL-A1	Copel Electric, Inc.
8382-EL-A1	DAVITT ELECTRIC LLC
8401-EL-A1	Di-Rock Electric
8373-EL-A1	Dr Electric Inc
8369-EL-A1	EH Electric & HVAC LLC
8374-EL-A1	Forever Mechanical HVAC/R., Inc.
8360-EL-A1	Gary Colleran, Incorporated
8359-EL-A1	Gaston Electrical Co LLC
8397-EL-A1	George T Wilkinson Inc
8392-EL-A1	Glass Electric Company LLC
8366-EL-A1	Gregory F. Comeau, Master Electrician, LLC
8385-EL-A1	Hatzis Electric, LLC
8365-EL-A1	Heritage Plumbing, Heating, Cooling & Electrical, LLC
8358-EL-A1	Incite LLC DBA Incite Solutions
8388-EL-A1	J.P.D. ELECTRICAL SERVICES LLC
8398-EL-A1	Jacqueline Electric and Contracting Inc.

8395-EL-A1	James J Carleton Electric LLC
8404-EL-A1	Kaydon Integrated Technologies LLC
8372-EL-A1	Kerry Electric Co Inc
8407-EL-A1	Kickery Electric LLC.
8375-EL-A1	L.J. Mishel Elect. Cont. Inc.
8386-EL-A1	Manley Electric Inc
8402-EL-A1	Max Richards Electric LLC
8405-EL-A1	Mindful Electric LLC
8380-EL-A1	MW Damour Electrical Contractor, LLC
8391-EL-A1	PALMA Electric LLC
8367-EL-A1	Pat Ryan Electric Inc
8396-EL-A1	Platinum Electrical Services, Inc.
8383-EL-A1	Poissant Electrical Corporation
8384-EL-A1	Pro Electrical Services, Inc
8363-EL-A1	QE Solar MA, LLC
8364-EL-A1	RAM Electrical Consulting & Contracting Corp
8377-EL-A1	Shalsi Electric, Inc
8370-EL-A1	Skilled Services Inc
8361-EL-A1	Solar Impulse LLC
8371-EL-A1	TAYLOR ELECTRIC LLC
8381-EL-A1	White Label Solar LLC
8389-EL-A1	Wild Atlantic Energy Solutions, Inc
8408-EL-A1	WIN REAL ESTATE LLC
8368-EL-A1	WYMAN & SONS ELECTRIC INC

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

- a) **Regulation\CMR Subcommittee – No meeting held**
- b) **Education Subcommittee** – D. Edmonds reported on the subcommittee meeting held December 14 having reviewed 44 applications of Providers, 33 were accepted. Complete approved Providers will receive email confirmation by Board staff. The next meeting is scheduled for December 28 @ 10 A.M. It was iterated that prior approved Providers who also conduct virtual classes must so indicate interest via an addendum to the application however new applicants for virtual classes must present before the subcommittee. The Executive Director agreed to put together a notice to Providers to notify them of their lapsed approval status in January.
- c) **Interpretation Subcommittee – No meeting held**
- d) **Planning and Research Subcommittee** – J. Bagni indicated a meeting will be scheduled in January.
 - i) Discussion of the New Hampshire reciprocal agreement
 - J. Bagni stated that the subcommittee having reviewed and discussed the matter have concluded that changes to New Hampshire’s license to apprentice and

education practices are incongruent with Massachusetts’ requiring revision of the reciprocity agreement.

- B. Driscoll voiced concern with New Hampshire having accepted online education programs whereas Massachusetts has not.
- J. Colleary stated his concern that individuals who fail the MA examination entering through reciprocity having found the New Hampshire test to be easier.
- E. Dorian agreed it concerning if exam candidates are finding an easier path to MA licensure with the New Hampshire exam; but she would favor the Board begin the process to accept online education rather than eliminate the agreement.
- Counsel Kilb added that a reciprocity agreement means that the Board has evaluated and determined that the state holds substantially equivalent license criteria so their licensees may be allowed licensure without examination in Massachusetts. He pointed out that MA examination eligibility criteria on out of state licensees does not require evaluation of work ratios on work experience eligibility. He suggested that the Board might consider inviting New Hampshire to discuss possibility of accommodating the Board’s concerns and reducing reciprocity eligibility accordingly in lieu of eliminating the agreement altogether.

P. Malagrifa made a motion, J. Bagni seconded, to terminate the current agreement with New Hampshire withholding acceptance of applications for reciprocity beginning January 1 and pursue a revised agreement that is in alignment with MA license and education requirements.

- After discussion, the motion was withdrawn.

P. Malagrifa made a motion, B. Driscoll seconded, to place a hold on applications for reciprocity effective January 1, 2023, pending discussion with New Hampshire Board to create a new agreement that is more consistent with MA requirements for education and licensure.

- After discussion, the motion was revised.

P. Malagrifa made a motion, B. Driscoll seconded, to place a hold on applications for reciprocity effective January 1, 2023, pending a discussion with New Hampshire to create a new agreement that is more consistent with MA requirements for education and licensure and New Hampshire’s acceptance of the hold on applications pending the discussion. The agreement would be deemed terminated failing New Hampshire’s willingness to engage in the discussion or acceptance of the hold on applications.

- After discussion, the motion passed by a majority of the members present.

ROLL CALL VOTE:

<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			

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

- The chair inquired regarding the regulation requirement to update the exams on the new code.
- Counsel Kilb stated per 237 CMR 14.02 2(b) *“New exam items may be added to the examinations, to reflect the adoption of a current Code, or adoption of other related Regulations or laws seven months from the enforcing date of such Code, Regulation or Law.”*

The chair opened the meeting to the public.

- Adam Norcott of Peterson School asked where the proposed CMR amendments may be viewed.
- Counsel Kilb stated the proposed amendments will not be distributed until approval to conduct a public hearing is received.

7) **Board of Electricians’ Appeals [open hearings, closed deliberations per M.G.L c. 30A, §18] – No matters presented**

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

12:03 P.M. P. Malagrifa 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 VOTE:

<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			
Daniel Cahill				X

See Separate Minutes

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

12:46 P.M., P. Malagrifa made a motion J. Bagni 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>
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			
Daniel Cahill				X

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

Docket	Board Decision
2022-000367-IT-ENF	Forward for prosecution
2022-000405-IT-ENF	Forward for prosecution
2022-000385-IT-ENF	Forward for prosecution
2022-000674-IT-ENF	Forward for prosecution

J. Colleary made a motion, P. Malagrifa 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>
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			
Daniel Cahill				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 January 23, 2023, at 10 A.M.

P. Malagrifa made a motion, B. Driscoll seconded, and the Board members present unanimously voted to adjourn the meeting at 1:16 P.M.

Items relied upon during the open meeting

Agenda

Minutes October 24, 2022

New Hampshire reciprocity agreement April 5, 2016

New Hampshire reciprocity agreement September 26, 2016