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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
April 25, 2022

The topics shown below were discussed at the aforementioned meeting:
10 A.M. The vice chair 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 (10:04A.M.)

Paul Vigneau, State Fire Marshal Designee

James Colleary, Inspector of Wires Member

Brendan E. Driscoll, Journeyman Electrician Member

John Bagni, MAVA Member

Paul J. Malagrifa, International Municipal Signal Association, Member (Vice Chair)

Thomas Cunningham, Master Electrician Member

David Edmonds, Dept. of Elementary and Secondary Education Designee

Ellen Dorian, Public Member

George Condon, Systems Contractor Member

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

Chris Lee, Investigator



The Chair opened the meeting by welcoming back George Condon as a member, who was reappointed after a short lapse.

1. Consideration of the March 28, 2022, meeting minutes.

J. Colleary made a motion B. Driscoll seconded and it was so by a majority of the members present

Voted: To approve the minutes as presented

ROLL CALL:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ABSTAINED</u>
J. Bagni	X		
J. Colleary	X		
P. Vigneau	X		
E. Dorian	X		
B. Driscoll	X		
P. Malagrifa	X		
D. Edmonds	X		
G. Condon			X

2. **Review/Discuss** other reports:

- a) **Executive Director Report**– The Executive Director reported that the renewal cycle is proceeding well. He informed the Board about the latest information regarding member Danny Cahill’s health condition.
- b) **Office of Investigations** – The Executive Director reported that Chris Lee will be performing investigations for the Board.
- c) **Legal Counsel** – Nothing to report.
- d) **Board of Fire Prevention Regulations** – P. Vigneau informed the Board that the BFPR will meet next on May 5 with an interpretation committee. The Board has also received the final documents for the electrical code and the advisory committee will begin work to review and aim to publish amendments by January 1, 2023.
- e) **Legislative matters** – no formal matters to report.

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

Name	Type
Armand J. Blanchard	Journeyman
Nathan R. Boudreau	Journeyman
Cameron Cheever	Journeyman
Hunter M. Demmons	Journeyman
Nicholas Geddes	Journeyman
Brandon Hebert	Journeyman
Peter J. Hutchins	Journeyman
Paul M. Nutile	Journeyman
Brandon M. Renaud	Journeyman

Ryan C. Sevigny	Journeyman
Matthew C. Tierney	Journeyman
Garrett C. Wagner	Journeyman
Danny Bryan	Master
Kenneth M. Kleczek	Master

FYI Only, no action taken

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

FYI Only, no action taken

Issued Business License Number	Primary Owner	Licensee of Record (LOR)	License Type	Business Name
8281-EL-A1	Joseph Gordon	Joseph Gordon	Master	AR Electric, LLC
8270-EL-A1	Frederick Marshall	Kyle Griggs	Master	Automated Controls Integration LLC
8273-EL-A1	Todd D. Sessions	Joshua A. Kingsbury	Master	Balance Electric LLC
8284-EL-A1	Michael J. Connor	Thomas O'Neil	Master	Bay State Renewables LLC
8274-EL-A1	Ian T. Duryea	Ian T. Duryea	Master	Duryea Electric LLC
8286-EL-A1	Reuven Ayrumyan	Gene Sokolovskiy	Master	FB Alarms Inc
8279-EL-A1	Charles A. Chandler	Jeffrey Gervais	Master	Gervais Mechanical Services, LLC
8275-EL-A1	Andrew L. Boisvert	Andrew L. Boisvert	Master	Greenwood Electrical Systems LLC
8287-EL-A1	Meloney Hibbert	Lermon Hibbert	Master	Hleben Electrical LLC
8272-EL-A1	Paul A. Anastasio	Paul A. Anastasio	Master	I Power Boston, Inc.
8278-EL-A1	Philip J. LeVangie	John P. O'Neil	Master	LeVangie Electric co. Inc.
8288-EL-A1	Mark P. Davey	Joshua R. Morin	Master	NRG Electrical Inc
8282-EL-A1	John L. Puccio	John L. Puccio	Master	Puccio Electric Inc.
8283-EL-A1	Jorge A. Romero	Jorge A. Romero	Master	Rokocorp Inc.
8269-EL-A1	Pierre Therrien	Anthony Mann	Master	Rossi Electric Company LLC
8276-EL-A1	Brandon K. Merritt	Michael Guthrie	Master	Safe Streets USA LLC
8277-EL-A1	Edward F. Sartell	Edward F. Sartell	Master	Sartell Electrical Services, Inc
8271-EL-A1	Michael Gilbody	Michael Gilbody	Master	Shoreline Electric Corp.
8280-EL-A1	Charles B. Taylor	Charles B. Taylor	Master	W.L. Steeves Electric LLC

8285-EL-A1	Daniel W. West	Daniel W. West	Master	West Electric LLC
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5. **Discuss** subcommittee meetings and reports:
- a) **Regulation\CMR Subcommittee** – J. Colleary reported on the CMR subcommittee held on April 11, 2022, at which the subcommittee continued discussing numerous proposed amendments, the subcommittee plans to meet again May 9, at 10 A.M.
 - b) **Education Subcommittee** – D. Edmonds reported on the education subcommittee meeting held on April 11, 2022, that the subcommittee approved a CEP Brian Smith and discussed whether bonds can be invoked for purposes of disciplining a provider even if students get credit for their education. Counsel noted this was not practical because the traditional Bond language used by the Board, which was an industry standard, does not cover punitive damages but rather only covers damages caused by the bond holder as a result of maleficence.
 - c) **Interpretation Subcommittee** – Nothing to report
 - d) **Planning and Research Subcommittee**–J. Bagni stated the subcommittee had to reschedule its’ meeting and plans to meet May 18 at 10 A.M.
6. **Discuss** 237 CMR 14.02 3) b) *In no case shall an applicant be allowed to sit for an exam more than three times unless they have complied with the provisions in 237 CMR 14.00 regarding additional education.*
- J. Bagni stated that applicants fitting this scenario are subject to 237 CMR 14.02 (3)(d) *Candidates who have not successfully passed the examination after three attempts shall furnish documentary proof satisfactory to the Board of having reviewed and addressed their examination deficiencies with a Board approved provider. This requirement may also be met by successfully completing an examination preparation course or Board approved 15 hour continuing education course (if not previously taken).* However, as exam applicants are now required to complete the CE course ahead of application for exam per 237 CMR 13.05(1) the 15hr class for reexam purposes may be construed as redundant. G. Condon and B. Driscoll concurred and added that their understanding was that candidates are charged a fee to obtain information on their failing exam.
 - Legal Counsel added that candidates receive a free report on their weaknesses and while it may be debatable as to its sufficiency, the fee is charged for review of actual exam questions, this is charged by the vendor is a matter of contract and the fact that there is an expense to the vendor having to provide a secure environment for review of exam questions. No action was taken.
 - J. Bagni also mentioned that the exam review group still must continue its work on updating the exam questions pool with PSI but needs to replace one expert member and B. Driscoll added that the group is entertaining expert persons to contribute to adding to the questions bank.
7. **Discuss** other matters not reasonably anticipated 48 hours in advance of the meeting.

- a) B. Driscoll inquired about the progress of posting an advisory to Inspectors regarding Sprinklers & Landscape lighting as it pertains to licensing requirement. Counsel will work with the Executive Director to prepare a draft.

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

10:57 A.M. The chair opened the Board of Appeals and verified timeliness of the appeals as well as the merits. Parties

- a) BEA-22-000004 Michael Bertolino v Joseph Curley, IOW City of Gloucester

The parties giving testimony were sworn in, exhibits accepted, and each party was given an opportunity to present their position. The Board engaged in no deliberation in open session. Concluding the hearing at 12:34 P.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.
ROLL CALL:

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

The Board recessed until 1PM and reconvened in Board of Appeals to hear the next Appeal.

- b) BEA-22-000003 Casey Fleming v Alfred Banfill, IOW Town of Oxford

The parties giving testimony were sworn in, exhibits accepted, and each party was given an opportunity to present their position. The Board engaged in no deliberation in open session. Concluding the hearing at 2:38 P.M. P. Malagrifa made a motion J. Bagni seconded, and the members present unanimously voted to close the hearing and deliberate in quasi-judicial session.
ROLL CALL:

<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		
B. Driscoll	X		
P. Malagrifa	X		
D. Edmonds	X		
G. Condon	X		

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 did not anticipate any matters for open session and would be adjourning upon conclusion of Investigative Conference.

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

3:22 P.M., J. Bagni 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>
K. Guinee	X		
J. Bagni	X		
J. Colleary	X		
E. Dorian	X		
B. Driscoll	X		
P. Malagrifa	X		
D. Edmonds	X		

See Separate Minutes

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

3:52 P.M., P. Malagrifa made a motion J. Bagni seconded, and the members present unanimously voted to enter Investigative Conference

- a) Discussion of complaints prior to the issuance of an order to show cause
 - i. Matter of Lapsed education Provider

B. Driscoll made a motion P. Malagrifa seconded, and the members present unanimously voted to refer the matter to the education subcommittee to determine the appropriate resolution, they will report their decision at the May meeting.

ROLL CALL:

<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		
B. Driscoll	X		
P. Malagrifa	X		
D. Edmonds	X		
P. Vigneau	X		

- b) Discussion of the terms of a negotiated settlement of a complaint – no matters considered.

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

12. Adjournment – the next meeting is scheduled to be May 25, 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 5:03 P.M.

Items relied upon during the open meeting

Agenda

Minutes of the meeting March 28, 2022