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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 23, 2024

The topics shown below were discussed at the aforementioned meeting:
10:00 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)
David Edmonds, Dept. of Elementary and Secondary Education Designee
John Bagni, MAVA Member

Gerald Graham, Inspector of Wires Member
Brian Ingram, State Fire Marshal Designee
Brendan E. Driscoll, Journeyman Electrician Member
Ellen Dorian, Public Member
Brian Proctor, Systems Technician Member

Board Members absent:

Elizabeth Oconnor, Member
Renee Dozier, Master Member
Carlos Caceda, Member

DOL Staff present:

Keith Gleason, Executive Director
Tamara Smith, Program Coordinator
Milla Lewis, Administrative Assistant
Philip Chan, Board Counsel
Charles Kilb, Senior Board Counsel

Acknowledged public attendees:

Beverly Kennedy, Kennedy Seminars

Paul Asselin, Asselin Seminars

Nathan Poland, Advanced Technical School

Michael Monahan, IBEW Local 103

Anthony Prego, Coleman Electric

Carmen DelloIacono, Town of Dedham

Sam Pillsbury, Revision Energy

Scott Chisholm, Inspector of Wires, Town of Needham

1) **Reviewed** July 22, 2024, meeting minutes.

J. Bagni made a motion, and it was seconded by B. Driscoll, and the members present by majority

VOTED: to approve the minutes as presented.

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

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

- a) **Executive Director Report**– The Executive Director reported on website improvements to meet language accessibility goals. He is continually working with PSI to meet processing and response time expectations, and he will be providing pass/fail reports at the October meeting. He also mentioned that DOL is moving to 1 Federal St, Boston in February.
- b) **Office of Investigations** – No matters reported
- c) **Legal Counsel** – Counsel Chan stated the regulation proposed amendments are still under review by Executive Office of Economic Development and the Deputy General Counsel. He will also be reviewing Board policies for modernization and the Board members may also bring to his attention.
- d) **Board of Fire Prevention Regulations** – B. Ingram stated the BFPR met on September 5 with no matters to report.
- e) **Legislative matters** – No matters to report

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

Name	Type
Yerard Baez	Journeyman
Seth J. Bronson	Journeyman

Thomas M. Drew	Journeyman
Brahian M. Garcia	Journeyman
Owen Harmon	Journeyman
Kyle A. Medeiros	Journeyman
Jacob W. Monaghan	Journeyman
Danh N. Nguyen	Journeyman
Andrew Plouffe	Journeyman
Cody Ross	Journeyman
Kristopher W. Schroeder	Journeyman
Zachary S. Settle	Journeyman
David Taylor	Journeyman
Jake T. Tombarello	Journeyman
Seth Aubin	Master
Rhony D. Cardenas	Master
Thomas M. Drew	Master
Christopher D. Fredette	Master
Michael J. May	Master
Rashell Osborne	Master
Joseph M. Santos	Master

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

Issued License #	Business Name
8832-EL-A1	1 Test Corp.
8839-EL-A1	Above and Beyond Electric, Inc.
8840-EL-A1	Acer Electric llc
8830-EL-A1	Advanced Energy Concepts of Worcester Inc
8824-EL-A1	ATD Mechanical Services Inc
8852-EL-A1	Automation Installation Mechanical Electrical, Inc.
8821-EL-A1	Aviles Fire & Security LLC
8854-EL-A1	Beacon Electrical Service LLC
8838-EL-A1	CARL F. RIEDELL AND SON, INC.
8831-EL-A1	Carter Electric Inc.
8846-EL-A1	CL Electric Inc
8844-EL-A1	Colonna Electric LLC
8856-EL-A1	Copper and Cable Electric Co. LLC
8823-EL-A1	D/E/F Services Group, Ltd
8826-EL-A1	Daaboul Electrical INC
8822-EL-A1	DAVID ELECTRICAL CONTRACTING, LLC
8851-EL-A1	Dependable Service Company Inc
8841-EL-A1	Freedom Building & Power Services Inc

8843-EL-A1	Industrial Communications, LLC.
8847-EL-A1	JENS Electric LLC
8825-EL-A1	jmf electrical llc
8848-EL-A1	King and Sons Electric Inc.
8827-EL-A1	Leo O'Connor, INC
8834-EL-A1	Lunn Electrical Inc
8855-EL-A1	Melendez Electric, Inc.
8833-EL-A1	Meninno Electric LLC
8820-EL-A1	MGA Electrical Services LLC
8857-EL-A1	MGR Electrical Contracting Incorporated
8819-EL-A1	NEEECO LLC
8850-EL-A1	Precision Electrical Services INC.
8837-EL-A1	Qcells Service Solutions LLC
8829-EL-A1	Raposo Electric, Inc.
8845-EL-A1	Ronald Abel Electrical Services Inc
8828-EL-A1	Saraceno Electric, Inc.
8842-EL-A1	Scs solar solutions Llc
8853-EL-A1	The Electric Island LLC
8849-EL-A1	Yelle Electric LLC

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

- a) **Regulation\CMR Subcommittee** – No meeting held
- b) **Education Subcommittee** – D. Edmonds stated the subcommittee is scheduled to meet October 2 at 10 A.M. and requested the agenda topics: Provider Application streamlining for NEC 2026 and update on vocational school inspections.
- c) **Interpretation Subcommittee** – No meeting held
- d) **Planning and Research Subcommittee** - No meeting held

6) **Correspondence**

- a) Carmen Dello Iacono re: Pre-Fab & Co-Op Ed
 - Mr. DellaIacono addressed the Board requesting that the Board collaborate with DESE to discuss prefabrication as part of Co-op Education.
 - David Edmonds explained that the Co-Op program is meant to cover the breadth of electrical experience gained in field work, and that DESE charges the vocational schools with making determinations relative to which employment programs meet with their standard of work within said curriculum
 - J. Bagni answered questions from members on students removed from Pre-Fab Co-Op; as well as explaining that hours signed off from Co-Op must be accrued while in a statutorily-mandated 1:1 ratio. He also referred to Board's previous discussions in 2019 on issues related to Pre-Fab Co-Op ratios not being adhered to, and a potential drafting of an Advisory.
 - The Board took it under advisement and considered updating the exam work experience form 272 with reference to the rule on ratios.

- b) Stephen C. McCarthy re: Utility meter replacements without easements on private property
J. Bagni made a motion, and it was seconded by B. Driscoll, and the members present unanimously

VOTED: to refer the matter to the Interpretation subcommittee.

7) **Discussed** Formation of workgroup to examine hybrid pre-licensure education

J. Bagni made a motion, and it was seconded by D. Edmonds, and the members present unanimously VOTED: to form an ad hoc workgroup consisting of G. Graham, D. Edmonds, C. Caceda, B. Driscoll, J. Bagni and B. Proctor as alternate to determine a policy on hybrid pre-licensure education.

8) **Reviewed/Discussed** Reinstatement petition for Edmond Pela (52301-EL-B)

- Presented by Counsel C. Kilb (Counsel Chan recused)

J. Bagni made a motion, and it was seconded by D. Edmonds, and the members present unanimously VOTED: to accept the petition for reinstatement.

9) **Board of Electricians' Appeals** [open hearings, closed deliberations per M.G.L c. 30A, §18]
11:00 A.M. The Chair opened the Board of Appeals and verified the timeliness and merits of the appeal.

- a) BEA-24-000004 - Anthony Priego v. Shaun Smith, Inspector of Wires, City of Lynn
 - The Chair swore in the parties giving testimony, accepted the exhibits, and gave each party an opportunity to present their position. The parties came to an agreement to proceed with the hearing. The Board did not engage in deliberation during the open session and took no further action. The hearing concluded at 11:28 A.M. The Chair advised the parties that a letter confirming the outcome would be disseminated to both parties.
- b) BEA-24-000005 - Jesus Cruz v. Darrell Sweeny, Inspector of Wires, Town of Gardner
 - The Chair swore in the parties giving testimony, accepted the exhibits, and gave each party an opportunity to present their position. The parties came to an agreement to proceed with the hearing. The Board did not engage in deliberation during the open session and took no further action. The hearing concluded at 11:45A.M. The Chair advised the parties that a letter confirming the outcome would be disseminated to both parties.
- c) BEA-24-000006 Barry Ewing v. Christopher Sheehan, Inspector of Wires, City of Brockton
 - The Chair swore in the parties giving testimony, accepted the exhibits, and gave each party an opportunity to present their position. The parties informed the Board that they have resolved the matter but are seeking a precedent decision from the Board. The Chair advised the parties that the Board is unable to issue a decision in a resolved matter. The hearing was closed at 12:32 P.M.

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

- The Executive Director mentioned he will add the matter of holiday lighting to the October agenda.
- The Executive Director presented a request from Kirk Nussey for the Board to grant an extension beyond the provisions of 237 CMR 16.03 (4) to allow the licensee to pass the Master exam.

J. Bagni made a motion, and it was seconded by G. Graham, and the members present unanimously VOTED: to deny the request beyond the allowances of 237 CMR 16.03(4).

12:38 P.M. The Board entered deliberations. The chair noted that following deliberations the Board will be entering Executive Session, expected to last 10-15 minutes, then the Board would discuss matters in Investigative Conference after which it will adjourn, the Board would remain in closed session.

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

12:38 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 and/or pending litigation per M.G.L. c. 30A, §21.

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

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

2:09 P.M., J. Bagni made a motion B. Driscoll 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

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

Docket	Board Decision	Recused
2024-000053-IT-ENF	Forward for Prosecution; Open additional complaint	
2024-000295-IT-ENF	Forward for Prosecution; Open additional complaint	

2024-000316-IT-ENF		
2024-000365-IT-ENF	Forward for Prosecution	
2024-000413-IT-ENF	Forward for Prosecution	
2024-000420-IT-ENF	Dismiss w/o prejudice	
2024-000421-IT-ENF	Forward for Prosecution	
2024-000430-IT-ENF	Forward for Prosecution	
2024-000462-IT-ENF	Forward for Prosecution	
2024-000464-IT-ENF	Dismiss w/o prejudice	
2024-000488-IT-ENF	Forward for Prosecution	
2024-000491-IT-ENF	Investigative follow-up	
2024-000527-IT-ENF	Forward for Prosecution	

The Board members present unanimously voted to accept the decisions and orders.

b) Discussion of the terms of a negotiated settlement of a complaint –

- Prosecutor Henderson - 2023-000801-IT-ENF
The Board by majority voted to accept settlement offer.
- 2023-000257-IT-ENF
The Board unanimously voted to reject counteroffer.
- 2023-000427-IT-ENF
The Board unanimously voted to accept settlement offer.
- Prosecutor Chaves - 2023-000168-IT-ENF
The Board unanimously voted to issue counteroffer.
- Prosecutor Pixley - 2023-000681-IT-ENF
The Board unanimously voted to issue counteroffer.

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

14) Adjournment – the next meeting is scheduled for October 28, 2024, at 10 A.M.

J. Bagni made a motion, G. Graham seconded, and the members present unanimously,
VOTED: to adjourn the meeting at 3:30 P.M.

Items relied upon during the open meeting.

Agenda

Draft minutes July 22, 2024

Correspondence