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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
August 22, 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)

Thomas Cunningham, Master Electrician Member

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

DOL Staff present:

Keith Gleason, Executive Director

Tamara Smith, Program Coordinator

Milla Lewis, Administrative Assistant

Charles Kilb, Legal Counsel



1. Consideration of the June 27, 2022, meeting minutes.

P. Malagrifa made a motion, B. Driscoll seconded, and the members present unanimously voted to approve the minutes as reviewed by Counsel.

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

- a) **Executive Director Report**– The Executive Director reported that over 81% have renewed but there still appears to be persons renewing past the deadline with approximately 8100 possible renewals in arrears. He also mentioned that an RFR went out for the examination contract bidding and he will update the Board on its progress, but the bidding closing will be September 2, 2022.
- b) **Office of Investigations** – No report available
- c) **Legal Counsel** – Counsel stated that he is working at getting the requirements together for administration approval to move ahead with the Board’s proposed regulation amendments, he expects to have an update by the end of October but cautioned that the process does take several months. He added that remote meeting allowances are effective until revision in Spring 2023.
- d) **Board of Fire Prevention Regulations** –P. Vigneau reported the BFPR voted on July 14 to begin promulgation of NFPA 1 2021 edition. The regulations have been submitted to Administration and Finance and it is expected to have an effective date in the Fall months. He mentioned the distributed agendas for the electrical code advisory committee meeting on August 24 and the Interpretation code committee on August 29. He stated the latter focuses on a request for stay of the requirements of NEC 230.85 on the installation of emergency disconnects due to supply chain shortages. He said the matter will involve the electrical advisory committee making a recommendation to the BFPR for comment.
- e) **Legislative matters** – No matters to report

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

FYI Only, no action taken

Name	Type
Kevin Daly	Journeyman
Matthew Del Bosque	Journeyman
Justin M. Gagne	Journeyman
Thomas Hedstrom	Journeyman
Harvey T. Husted	Journeyman
Nicholas F. Jepsen	Journeyman
Kevin A. Montbleau	Journeyman
Paul Morin	Journeyman
Kyle M. Palmer	Journeyman
Christine L. Smith	Journeyman
Logan M. Winters	Journeyman

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

Issued Business License Number	Primary Owner	Licensee of Record (LOR)	License Type	Business Name
8323-EL-A1	Juarez Iansen	Juarez Iansen	Master	Bright Light Electrical Inc
8327-EL-A1	Marek Oles	Joseph Mullin	Master	CC-Teknologies Inc.
20002-FA-C1	Contessa Stallings	Paul A. Vohnoutka	Master	COLIANT SOLUTIONS INC
8314-EL-A1	Keith F. Gallant	Keith F. Gallant	Master	Copia Home Services LLC
8320-EL-A1	Leo R. Sharkey	Craig Coppinger	Master	Cyberdyne Systems Inc.
8322-EL-A1	Matthew J. Foley	Matthew J. Foley	Master	Foley Electric LLC
8324-EL-A1	Juan Pimentel	Juan Pimentel	Master	NAX Electrical Services LLC
8313-EL-A1	Mark C. O'Leary	Mark C. O'Leary	Master	OLeary Temperature Controls Inc
8316-EL-A1	Steve Weigel	Barry Ewing	Master	Plug PV LLC
8321-EL-A1	Owen Osagie	Owen Osagie	Master	Qualtek wireless llc
8325-EL-A1	Russell W. Conway	Russell W. Conway	Master	R. CONWAY ELECTRIC, INC.
8326-EL-A1	Jonathan Hinton	Eric M. Scanlon	Master	Ravenvolt, Inc.
8317-EL-A1	Richard J. Boffi	James G. Gallo	Master	Solutions Electric Inc.
8315-EL-A1	Antonio Montoya	Peter Anderson	Master	SunRite Solar LLC
8312-EL-A1	Klod Kellici	Klod Kellici	Master	Super Electric LLC
8319-EL-A1	Francisco A. Toste	Francisco A. Toste	Master	Toste Electric Inc
8318-EL-A1	Heriberto Roman	Erik H. Wilkinson	Master	United Better Homes, LLC

5. **Discuss** subcommittee meetings and reports:

- a) **Regulation\CMR Subcommittee – Nothing to report**
- b) **Education Subcommittee** – D. Edmonds reported on the meeting held August 4, 2022. He stated the subcommittee reviewed the IEP and CEP programs in preparation for the 2023 renewal of Providers and made changes to streamline the review process including amendments to the application attestation, bond requirements, and lesson plan samples.
- c) **Interpretation Subcommittee – Nothing to report**
- d) **Planning and Research Subcommittee** – J. Bagni indicated the subcommittee will plan to meet in September.

6. **Discuss** Correspondence from MA Electrical Inspectors via Carmen DelloIacono regarding MEC 230.85 (100/200-amp meter mains)

- K. Gleason stated this was added to the agenda for information only. The matter appears to a BFPR issue, no action required by this Board. No action taken.

7. **Discuss** other matters not reasonably anticipated 48 hours in advance of the meeting.
- J. Bagni asked that the Board follow up on drafting a the Landscape lighting and sprinklers advisory. Counsel mentioned he has been researching whether the Board has issued any past determinations but was unable to locate any.

P. Malagrifa made a motion to issue the advisory as indicated, J. Colleary seconded. After discussion the motion was withdrawn.

- J. Bagni agreed to discuss the language with Counsel for a draft and to add as an agenda item in September.
- J. Colleary voiced concern regarding notifications of resolved cases by the Board to complainants and particularly Inspectors as he stated he sought information regarding a particular case in which he was the complainant and felt there was no other avenue available except via public records request. Counsel stated that once the Board sends a complaint to prosecutions it does not mean an endorsement of the complaint but rather sufficient evidence to justify initiating adjudicatory proceedings. He suggested contacting the prosecutor.
- K. Guinee suggested the agency review the website instructions on the complaint process .

The chair opened the meeting to the public

- Bev Kennedy asked regarding the wait time for printed licenses and where public inquiries should be directed. K. Gleason explained that licenses are generally printed at a state facility in Chelsea however there may be varying factors that prevented the printing of a license as well as receipt. Individuals should review their mailing address and contact the Board email if necessary beyond the 6 week wait time after renewing.

8. **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 timeliness of the appeal as well as the merits. Counsel explained that the city indicated the Inspector was only available on the Board meeting day being the date he was scheduled to return from vacation leave.

a) BEA-22-000005 Michael Bertolino v Joseph Curley, IOW City of Gloucester

- The Board took a 10-minute recess to wait for the city's Counsel to join the meeting.
- Discussion ensued to discover the grounds for hearing the matter and the parties indicated that the installation had subsequently passed inspection. Counsel stated that because the job is subsequently approved the prior denial is no longer at issue rendering the appeal moot.

P. Malagrifa made a motion, D. Edmonds seconded, and it was so unanimously voted to dismiss based on the foregoing information.

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		

9. Executive Session (M.G.L. c. 30A, §21 – Closed session) – No matters scheduled

The chair announced that the rest of the meeting will be for discussion of items in closed session and upon conclusion the Board would then adjourn.

11:46 A.M., P. Malagrifa made a motion J. Bagni 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		
G. Condon	X		
T. Cunningham	X		
P. Vigneau	X		

See Separate Minutes

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

1:45 P.M., P. Malagrifa 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>
J. Bagni	X		
J. Colleary	X		

T. Cunningham	X		
E. Dorian	X		
B. Driscoll	X		
P. Malagrifa	X		
D. Edmonds	X		
G. Condon	X		
P. Vigneau	x		

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

Docket	Recommendation
2022-000233-IT-ENF	Dismiss w/o prejudice
2022-000256-IT-ENF	Forward for prosecution/open new complaints
2022-000283-IT-ENF	Forward for prosecution
2022-000287-IT-ENF	Dismiss w/o prejudice
2022-000294-IT-ENF	Dismiss w/ advisory
2022-000295-IT-ENF	Forward for prosecution

J. Colleary made a motion J. Bagni seconded, and the members present unanimously voted to ratify the aforementioned decision.

ROLL CALL VOTE:

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

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

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

a) Prosecutor Ciulla

– 2021-000844-IT-ENF

P. Malagrifa made a motion B. Driscoll seconded, and the Board unanimously voted to continue with prosecution of the matter, not accepting the settlement offer.

ROLL CALL VOTE:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ABSTAINED</u>
J. Bagni	X		
J. Colleary	X		

T. Cunningham	X		
E. Dorian	X		
B. Driscoll	X		
P. Malagrifa	X		
D. Edmonds	X		
G. Condon	X		
P. Vigneau	X		

- Additional matter - 2022-000226-IT-ENF (originally 2022-000148)
- K. Gleason updated the Board on the case progress, noted that it may be settled per the Board's terms, no action required.

12. Adjournment – the next meeting is scheduled to be September 26, 2022, at 10 A.M.

P. Malagrifa made a motion T. Cunningham seconded, and the Board members present unanimously voted to adjourn the meeting at 2:31 P.M.

Items relied upon during the open meeting

Agenda

Minutes June 27, 2022 minutes

MA Electrical Code Advisory Committee Agenda August 24, 2022

MA Electrical Code Committee Agenda August 29, 2022

Correspondence - Inspector Carmen Iacono August 3, 2022 with undated Letter of MA Electrical Inspector's Coalition to Dept. of Fire Services