



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
Board of State Examiners of Electricians

1000 Washington Street, Suite 710
Boston, Massachusetts 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA D'EMILIA
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

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:

Goto-Meeting – Web and phone Access
October 26, 2020

The topics shown below were discussed at the aforementioned meeting:
10:35 A.M. The chair called the open meeting to order.

Roll Call, by Chair:

Board members present:

Kathleen Guinee, Systems Technician Member (Chair)
Paul Vigneau, State Fire Marshal Designee
James Colleary, Inspector of Wires Member
Paul J. Malagrifa, International Municipal Signal Association, Member (Vice Chair)
Brendan E. Driscoll, Journeyman Electrician Member
John Bagni, MAVA Member
Ellen Dorian, Public Member
David Edmonds, Dept. of Elementary and Secondary Education Designee
Daniel C. Cahill, Electrical Contractor Member
George Condon III, Systems Contractor Member
Thomas Cunningham, Master Electrician Member

DPL Staff present:

Mari Cooney, Executive Director
Kristin Mitchell, Assoc. Exec Director
Tamara Smith, Program Coordinator
Charles Kilb, Counsel
Syno Tell, Investigator

1. Consideration of the September 28, 2020 regular meeting minutes.

P. Malagrifa made a motion J. Bagni seconded and the Board unanimously voted to approve the minutes with minor edit to reflect T. Cunningham's presence at the meeting.



P. Malagrifa made a motion J. Bagni seconded and the Board unanimously voted to approve the Executive minutes as presented.

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

- a. **Executive Director Report**– The Executive Director updated the Board regarding examination data reporting 128 new exam applicants, 110 approved, 9 pending, 93 for Journeyman, 24 Master, 10 for Systems Tech and 1 Systems contractor. She also welcomed the students in attendance this month for educational purposes.
- b. **Office of Investigations** – No report available
- c. **Legal Counsel** – No matters to report
- d. **Board of Fire Prevention Regulations** – no matters to report
- e. **Legislative matters** – No matters to report

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

Name	Type
Edward P. Cunningham	Journeyman
Joseph Lirette	Journeyman
John F. Rodrigue	Master
Ethan G. Lapointe	Journeyman
Chelsi Coulombe	Journeyman

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

Business Name	Primary Owner	Licensee of Record	Licensee Type	Business License Number
LVD Concepts, Inc	Stephen Tihen	Edward Hennessey	Master	8078-EL-A1
Alert Fire Protection Inc	Vladislav Lemontov	George Duquette	Contractor	8079-EL-A1
Alden Electrical Contractors Inc	Terrence Alden	Terrence Alden	Master	8080-EL-A1
Granite State Technical LLC	Brian Geraghty	Frank McCue	Master	8081-EL-A1
Coastal Plumbing and Heating LLC	James Nolan	Jon Moreau	Master	8082-EL-A1
Multiplex Electrical Solutions	Stephen Abbott	Stephen Abbott	Master	8083-EL-A1
StanDan Electric	Stanley Walker	Stanley Walker	Master	8084-EL-A1
Davis Electric LLC	Brandon Davis	Brandon Davis	Master	8085-EL-A1
Insight Ventures LLC	Eric Wilson	Edmund Sepanski	Master	8086-EL-A1

5. **Discussion** Staff followed up on the previous meeting's discussion regarding the business license implementation. It was noted that the website has a frequently asked questions, members will let staff know individually if there are any other concerns not reflected. The members then inquired about the permit, specifically about whether the permit would capture the name and license numbers of companies as well as to clarify whose individual license should be on the permit. P. Vigneau agreed to relay the Board's interest in clarifying this issue

with the Board of Fire Prevention Regulations. The Executive Director added that staff will attempt a mailing via database email data and will make efforts to do outreach to Inspectors to educate regarding the new license.

10:58 A.M. Dave Edmonds joined the meeting.

6. **Discussion** COVID related Education program requests and progress – D. Edmonds reported that vocational schools have indicated to him that only seniors are currently allowed on co-op. He also raised a question on whether co-op hiring businesses can refuse pay to co-op students. Counsel stated that Board regulations do not address pay, thus the matter would not be within the Board's jurisdiction.
7. **Discussion** IOW finding unpermitted work – J. Bagni and Counsel presented a draft memo advisory per the Board's vote at its September meeting.

P. Malagrifa made a motion J. Colleary seconded and the Board unanimously voted to approve the memo as written.

8. **Discussion** CORI Policy review and Open Charges – Counsel suggested the Board consider amending its CORI policy to address whether staff should schedule appearances on individuals with open cases.

P. Malagrifa made a motion P. Vigneau seconded and the Board unanimously voted to amend its policy to table review of applicants for 90 days if they have open cases, but to allow applicants to thereafter request a board appearance if their criminal matter cannot be resolved due to a protracted process.

9. **Discuss** subcommittee meetings and reports:
 - a. **Regulation\CMR Subcommittee** – Nothing to report
 - b. **Education Subcommittee** – Nothing to report
 - c. **Interpretation Subcommittee** – Nothing to report
 - d. **Planning and Research Subcommittee**– Nothing to report

10. **Reinstatement request/procedure** – Brian Jancsy appeared before the Board represented by Counsel Albert Farese to petition for reinstatement of licensure following revocation. Attorney Farese and Mr. Jancsy argued that the Board did not have valid grounds to revoke Mr. Jancsy and demanded he be reinstated. No mitigating factors were presented. The Board heard arguments and took the information under advisement. The Board agreed to consider amending its final decision and order under a quasi-judicial session

11. **Discuss** other matters not reasonably anticipated 48 hours in advance of the meeting.
 - James Colleary communicated a letter he received from a consumer regarding the outcome of a case. Mr. Bagni asked regarding the Board's ability to increase fines. Counsel stated that fines are set by statute.

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

1:08 P.M. The members convened the Board of Appeals to conduct hearings on the following appeals

- a. **BEA-20-000004** – Linus Varley v Walter Faria, town of Scituate
- b. **BEA-20-000005** – Jeffrey Phillips v Peter Diamond, town of Medfield

The parties were sworn in by the chair and exhibits read into the record. Upon conclusion of each hearing at 1:51 PM

P. Vigneau made a motion P. Malagrifa seconded and the Board unanimously voted to adjourn the hearing and enter deliberations.

The chair also announced that the Board would immediately enter closed session upon exiting deliberations and advised the parties that the decision would be disseminated within 45 days.

Thomas Cunningham departed the meeting.

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

14. Investigative Conference (M.G.L. c. 112, § 65C – Closed session) [If applicable]

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

Docket	Board review
2019-000865-IT-ENF	Dismiss w/o prejudice
2019-000890-IT-ENF	Forward for prosecution
2019-000927-IT-ENF	Investigative f/up
2019-001052-IT-ENF	Forward for prosecution
2020-000651-IT-ENF	Dismiss w/o prejudice
2020-001056-IT-ENF	Investigative f/up

J. Bagni made a motion B. Driscoll seconded and the Board unanimously voted to ratify the aforementioned decisions with the exception of 2020-000651-IT-ENF.

J. Bagni made a motion B. Driscoll seconded and the Board by majority voted to ratify the decision on 2020-000651-IT-ENF.

Recused: K. Guinee

- b. Discussion of the terms of a negotiated settlement of a complaint – No matters to consider

15. Quasi-Judicial Session to discuss disciplinary decisions (Closed per M.G.L c. 30A, §18) –

Consideration of reinstatement request from discipline for Brian Jancsy.

The Board unanimously voted to deny the request at this time.

16. Adjournment – the next scheduled meeting will be October 26, 2020

J. Bagni made a motion B. Driscoll seconded and the Board unanimously voted to adjourn the meeting at 4:17 PM.

Items relied upon during the open meeting

Agenda

Minutes of the meeting September 28, 2020