



Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF STATE EXAMINERS OF ELECTRICIANS
1000 Washington Street • Boston • Massachusetts • 02118

Board of State Examiners of Electricians Meeting Minutes

Minutes

Monday, January 22, 2018

10:00 AM

VENUE: DPL Conference Room 1D

Office: **DPL – Electrical Unit**

MEETING CALLED BY:	BOARD MEMBERS
TYPE OF MEETING:	REGULAR MONTHLY MEETING
CHAIR/MEMBER:	P. Senopoulous, Fire Marshal Designee, Chair
BOARD MEMBERS:	D. Edmonds, S. LeVangie, J. Colleary, E. Dorian, J. Bagni, K. Guinee, P. Malagrifa, J. Sloane,
STAFF MEMBERS:	C. Kilb, A. Alfonso, R. Paris, T. Smith, M. Lewis
ABSENT:	G. Condon III, T. Cunningham

Agenda Topics

MEETING COMES TO ORDER 10:05 AM

PREVIOUS MINUTES APPROVED – Motion by: D. Edmonds Second by: P. Malagrifa *Unanimous approval*

Open Session Review

Executive Session Review – *No Executive Session in November*

REMINDER

FYI ITEMS

E-Licensing – Electrical Unit will strive to be 100% E-licensing (paperless) by June 1, 2018

- ❖ License Renewals
- ❖ License(s) in Reciprocity

BOARD OF APPEALS (BEA): 10:49AM Motion to enter into BEA Session by D. Edmonds Second by J. Bagni *Unanimously Approved*

Board of Appeals Hearings

<u>APPELLANT</u>	<u>INSPECTOR</u>	<u>CITY/TOWN</u>	<u>Hearing #</u>
Kevin Boudreau	Louis A. Travaglini	Ashland	BEA-18-000002
Ted Strzetecki	Michael Mancini	Milford	BEA-18-000004
SolarCity - Matthew T. Markham	Christopher Sheehan	Brockton	BEA-18-000003
SolarCity – Matthew T. Markham	Christopher Sheehan	Brockton	BEA-18-000001
Mark Yamilkoski	William Graham	Cummington	BEA-18-000005

BEA-18-000002 Kevin Boudreau Appellant was present. Louis Travaglini, Inspector requested a last minute continuance due to car trouble en route to the hearing. Motion made by J. Bagni to deny request for continuance. Second by D. Edmonds Board voted three in favor six opposed. Motion failed.

Motion made by P Malagrifa to grant continuance with receipt of a written affidavit from Mr. Travaglini with regards to the circumstances that prevented his attendance. Second by D. Edmonds Board majority in favor Opposed by J. Bagni, J. Sloane, S. LeVangie.

BSEE Meeting Agenda Continued (Board of Appeals)...

BEA-18-000003 Matthew Markham Appellant present. Christopher Sheehan, Inspector, absent. Appellant submitted a motion to withdraw the appeal. Board accepted by unanimous consent.

BEA-18-000001 Matthew Markham Appellant present. Christopher Sheehan, Inspector, absent. Board heard the appeal in absence of the inspector with no requested for continuance.

11:55AM Board adjourned hearing and closed the public meeting to conduct quasi-judicial deliberations.

12:08PM Motion made by J. Bagni to reverse the inspectors decision Second by S. LeVangie *Unanimously Approved*
A written decision will be issued within 45 days.

BEA-18-000005 Mark Yamilkowki Appellant present. William Graham, Inspector, absent.

Board questioned if inspector had received notification of hearing. Chair suggested that we send mail *return receipt requested* and follow up prior to scheduled hearing. Board heard appellant.

12:12PM Board adjourned hearing and entered deliberations.

1:05PM Motion made by J. Bagni to continue hearing to next available meeting with subpoenas issued, if necessary, to obtain attendance of Sunbug Solar, Contractor, and William Graham, Inspector. Second by D. Edmonds *Unanimously approved*

BEA-18-000004 Ted Strzelecki Appellant absent. Michael Mancini, Inspector absent. However, John Busconi appeared for the appellant and stated that the appeal is being withdrawn per agreement of the parties. *No formal action required.*

LICENSES BY RECIPROCITY –

Motion to approve by: D. Edmonds **Second by:** K. Guinee *Unanimously Approved*

Journeyman Electrician - B License

Name of Candidate:

Sophea An

Nolan Coponen

Jason Eaton

Nicholas Gallo

Joshua Heiman

James Maxfield

Conner McCormack

Christopher Nichols

Todd Riley

Master Electrician - A License

Name of Candidate

Christopher Brennion

CORPORATE LICENSE CHANGES – Motion to approve by: D. Edmonds **Second by:** J. Colleary *Unanimous approval*

K. Guinee Recused herself from vote for Patrick Naughton License only

Motion to approve Patrick Naughton by: D. Edmonds Second by: J. Colleary

REMOVALS:

<u>LICENSEE</u>	<u>LIC. TYPE</u>	<u>ENTITY</u>	<u>REASON FOR REMOVAL</u>	<u>COMPLAINTS PENDING PROSECUTION</u>
Jonathan L. Saber	Master	Centerline Communications, LLC	No Work	
Patrick Naughton	Master	US Electric & Telecom, Inc.	Resigned	
Gregory N Sapochetti	Master	J.F, White Contracting Co.	Retiring	
William H. Blake Jr.	Master	Fire Alarm Service, Co. Inc.	Deceased	
James R. Coffey	Master	Amergy Solar Inc.	Dissolved	
Robert G. Lubarti	Master	CLP Resources	Organizational Change	
Paul A. Vohnoutka	Master	Breaker Electrical	Resigned	

ADDITIONS:

<u>LICENSEE</u>	<u>LIC. TYPE</u>	<u>ENTITY</u>	<u>PRIOR LICENSE</u>	<u>COMPLAINTS PENDING PROSECUTION</u>
Dennis W. Mills	Master	Johnson Controls Fire Protection Limited Partnership		
Jonathan Saber	Master	Atlas Innovative Services, inc.		
Leopold Martini	Master	Martini Electric		
Michael Johnson	Master	Coppersmith Electric, Inc.		
Anthony Covotta	Master	A.C. Electrical Service, LLC		
Thomas Scala	Master	Scala electric		
Lance Madden	Master	Watts N Volts, LLC		
Christopher Parker	Master	Braintree Electric Light Department	Braintree Electric Light Dept.	
James Buchanan	Master	JF White Contracting	Gregory N. Sapochetti	
Walter Reznikiewicz	Master	Johnson Controls Security Solutions		
Brandon Greenslade	Master	Papalia Plumbing and Heating		
Brian Hackworth	Master	Security & Fire Integrations, LLC		
Justin Huber	Master	Huber Electric, Inc.		
John D. Anastasi	Master	JA Electric Co., LLC		
Robert G. Luberti	Master	People Ready, Inc.		
Paul M. Young	systems Contractor	Protection Solutions Incorporated		
George R. Gorman	systems Contractor	Fire Alarm Service Co., Inc.	William H. Blake Jr.	
Patrick Naughton	Master	Aetna Fire Alarms	Mr. Murrin	

Motion to approve by: D. Edmonds **Second by:** J. Colleary Unanimous approval
K. Guinee Recused herself from vote for Patrick Naughton License only
Motion to approve Patrick Naughton by: D. Edmonds Second by: J. Colleary

LICENSE(S) ISSUED BY EXAM:

- ❖ November 2017 License Report included in meeting attachments

Licenses Issued: November Exams		
A	Master Electrician	3
B	Journeyman Electrician	37
C	System Contractor	1
D	System Technician	8

- ❖ December 2017 License Report included in meeting attachments

Licenses Issued: December Exams		
A	Master Electrician	7
B	Journeyman Electrician	45
C	System Contractor	2
D	System Technician	10

REPORTS – Candidates for License Exam:

- ❖ Pass/Fail Report(s) for 11/01/2017 to 12/31/2017 included in meeting attachments
- ❖ K. Guinee requested that yearly Pass/Fail Reports be submitted annually in January meeting
- ❖ E. Dorian motion to continue monthly Pass/Fail Reports until confirmed that PSI is testing from 2017 NFPA 70. Motion second by J. Colleary. Unanimous approval
- J. Bagni motion for Board to update the CIB on the Board Website that testing will be based on 2017 NFPA 70 as of February 1st 2018 Motion second by D. Edmonds
- ❖ 2017 Pass/Fail Report will be generated for February 2018 BSEE Meeting

D. Edmonds stated that reports show 1/3 failure rate to be "Normal". C. Kilb stated that a 60% passing rate would be consistent with previous Board expectations.

LEGISLATIVE UPDATE:

- Jordan Maynard, Assistant to the Commissioner (Final day in Department 01/02/2018)
Thirteen bills related to the BSEE have been in committee since early 2017. When these or new Bills begin traction Mr. Maynard or R. Fortes, Deputy Director will report on progress and impact.
R. Fortes reported that the new Executive Director scheduled to start on December 4th, 2017 will be tasked with keeping the BSEE informed
- Staff had no updates to report

REPORT FROM THE CHIEF INVESTIGATOR – None available

REPORT FROM LEGAL COUNSEL – Charles Kilb

- Examination Vendor Contract – Provisions regarding code updates
Legal Counsel reported that the contract with PSI allows the BSEE flexibility to amend the examination to reflect updated code standards, however, there was a delay implementing the 2017 code. Members indicated a desire to track passage rates to see if there is any impact due to this delay.
Motion to request a Pass/Fail Report from PSI on a monthly basis.
By: D. Edmonds Second by: P. Malagrifa Unanimously Approved

Pass/Fail report 12/01/2017-12-21-2017 included with Meeting attachments

Per Stephen K. Nakagawa from PSI: Updating the Massachusetts Electrical exams to the newest editions of the reference materials (i.e., National Electrical Code, Massachusetts Electrical Code Amendments, NFPA 72). We have already inserted notices in the Candidate Information Bulletin for the Massachusetts Electrical exams to inform candidates that the effective date for the code changes will be February 1, 2018. On this date, all test questions will be updated to the newest editions of the references/codes.

Currently, the Massachusetts Electrical exams still utilize the older editions of the references/codes, and candidates are made aware of this due to the notices that we have inserted in the Candidate Information Bulletin. One reason for not immediately updating the exams to the newer editions of the references/codes was to allow candidates time to become aware of the upcoming changes, as well as time for candidates to acquire the newer references and study from them. We always suggest providing lead time to candidates before updating to newer editions of reference materials

- Expiration Provisions of 237 CMR 13.00
Counsel requested that the Board consider reviewing and revising education and work experience expiration clauses in the regulations based on continued legal challenges in adhering to them as well as past statements of members indicating a desire to change them. No formal vote was held, but members agreed conceptually with considering revisiting and possibly removing some of these clauses.
Motion to review expiration clauses through the CMR Subcommittee
By: D. Edmonds Second by: J. Colleary Unanimously Approved
- Interpretation of "Systems"
Counsel advised that third parties have requested the Board issue an expansive interpretation of "Systems", which would require further deliberation and research. Counsel further indicated that providing a definitive response is proving difficult given the complexity of the existing laws as well as the likelihood that any answer given will create aggrieved parties.
Motion to table further discussion until February Board Meeting
By: D. Edmonds Second by: J. Colleary Unanimously Approved

C. Kilb will give copies of all applicable law

Counsel provided that he was able to research a number of references and content that might aid the Board in its discussion of the matter in February.

- Additional reported item - Is an Inspector of wires authorized to require the installer to be present during an inspection without regard to complexity of installation or other reasonable justification?
 - See attached 12/07/2017 response from BFPR
 - C. Kilb suggests that BFPR's response was not definitive, leaving some room for interpretation; he suggested that if the Board desires to discuss it in detail, it should be added to a future agenda item. J. Bagni motioned to put on March 2018 Agenda for further discussion with BSEE Board. Motion second E. Dorian. Unanimous approval.

SUBCOMMITTEE REPORTS AND SCHEDULING

CMR SUBCOMMITTEE (Next meeting to be announced in January 22, 2018 BSEE Meeting)

- J. Colleary will decide best dates for first subcommittee meeting. He suggested that all subcommittees send notification to all board members of meeting dates, agenda and meeting minutes.

EDUCATION SUBCOMMITTEE (Next meeting to be announced in January 22, 2018 BSEE Meeting)

- Educations Subcommittee to meet February 16th at 9:30 DPL Offices – Boston, MA

EXECUTIVE SESSION (Closed to the Public, M.G.L. c. 30A, 21) *No Executive Session held*

INVESTIGATIVE CONFERENCE (Closed to the Public, M.G.L. c. 112A, 65C)

Motion by K. Guinee to enter into closed investigative conference Second By J. Bagni *Unanimously approved*

REPORT OF THE ELECTRICAL INVESTIGATOR – Richard Paris – the following actions were taken during closed session:

INVESTIGATIONS

<u>DOCKET #</u>	<u>BOARD ACTION TAKEN</u>
2017-000889-IT-ENF	Send to prosecutions
2017-001103-IT-ENF	Send to prosecutions
2017-001201-IT-ENF	Dismiss without prejudice
2017-001316-IT-ENF	Send to prosecutions
2017-001370-IT-ENF	Dismiss without prejudice. Open separate complaint.
2017-001373-IT-ENF	Send to prosecutions
2017-001398-IT-ENF	Send to prosecutions
2017-001435-IT-ENF	Send to prosecutions
2017-001443-IT-ENF	Send to prosecutions
2017-001451-IT-ENF	Send to prosecutions
2017-001464-IT-ENF	Send to prosecutions
2017-001416-IT-ENF	Further investigation needed
2017-001471-IT-ENF	Send to prosecutions
2017-001484-IT-ENF	Send to prosecutions
2017-001510-IT-ENF	Dismiss with advisory
2018-000019-IT-ENF	Dismiss without prejudice

Motion by K. Guinee to exit investigative conference and hold Quasi-Judicial Session Second By J. Bagni *Unanimously approved*

QUASI-JUDICIAL SESSION (Closed to Public) Called to order 2:55PM Exit session 2:57PM

Motion by D. Edmonds to issue final decision by default on listed matters. Second by J. Colleary *Unanimously approved*

MATTERS NOT ANTICIPATED BY CHAIR:

Staff noted that the master licenses for businesses are still being implemented in the e-licensing systems, no update on when work will be complete.

NEXT BSEE MEETING SCHEDULED FOR: Monday, February 26, 2018 10:00AM – PM DPL Conference Room 1D

RECESS TAKEN: 10:50 AM 1:00 PM

MEETING RECONVENED: 11:17 AM 1:27 PM

MEETING ADJOURNED Requested by Chairman as all agenda items were complete 2:58 PM Motion by D. Edmonds Second by: K. Guinee Unanimously approved

BSEE Meeting Agenda Continued....

SPECIAL NOTES	NEW/UPDATED ITEMS IN BLUE
	PREEXISTING OPEN ITEMS TO BE DELETED [WILL NOT APPEAR IN FUTURE DOCUMENTS] IN RED
	CONTACT INFORMATION FOR ALL PERSONS, AGENCIES AND COMPANIES REFERENCED IN MINUTES WILL BE FURNISHED UPON REQUEST.
	Complete binder of meeting minutes and reference material in DPL office Boston. Binders will be updated at end of each quarter. Any information needed prior to updates please contact Ada.

The above items are assumed correct as published unless sender is notified within forty-eight hours of an error. Please forward corrections and/or additions to Ada Alfonso via email ada.alfonso@state.ma.us

Anticipated Board Meetings dates and locations for 2018:

Meeting Date	Location
1/22/2018	DPL, 1000 Washington St. Boston, MA
2/26/2018	DPL, 1000 Washington St. Boston, MA
3/26/2018	Massachusetts Firefighting Academy 1 State Road Stow, MA
4/23/2018	DPL, 1000 Washington St. Boston, MA
5/21/2018	Westfield State University 577 Western Ave. Westfield, MA
6/25/2018	DPL, 1000 Washington St. Boston, MA
7/23/2018	DPL, 1000 Washington St. Boston, MA
8/27/2018	DPL, 1000 Washington St. Boston, MA
9/24/2018	DPL, 1000 Washington St. Boston, MA
10/22/2018	Southeastern Regional Vocational High School 250 Foundry Route 106 South Easton, MA
11/26/2018	DPL, 1000 Washington St. Boston, MA
12/17/2018	DPL, 1000 Washington St. Boston, MA

Reasonable accommodations or modifications will be provided to individuals with disabilities to participate in the meeting taking place on the date listed above. All requests should be directed to Mrs. Cheryl Yebba by calling 617-727-3110 or TTY/TDD: 617-727-2099 by no later than a week prior to the meeting date. While the Board will attempt to honor all requests, those requests received less than a week prior to the meeting may not be provided due to feasibility.

INCLUDED IN MEETING NOTES:

- ❖ Meeting Agenda
- ❖ November 2017 Meeting Minutes
- ❖ November/December 2017 License Report(s)
- ❖ November/December 2017 Pass/Fail Report(s)
- ❖ License Report(s)
- ❖ December 7th Response from BFPR
- ❖ Summary of Investigations
- ❖ Board of Electrical Appeals

BOARD MEMBERS:

Peter Senopoulos, Fire Marshal Designee – Chair
 John Bagni, MAVA Member
 James Colleary, Inspector of Wires Member
 George Condon III, Systems Technician Member
 Thomas Cunningham, Master Electrician Member
 Ellen Dorian, Public Member
 David Edmonds, Department of Elementary and Secondary Education Designee
 Kathleen Guinee, Systems Contractor Member, Vice Chair
 Stephen LeVangie, Electrical Contractor Member
 Paul J. Malagrifa, International Municipal Signal Association Member
 John M. Sloane, Journeyman Electrician Member

STAFF MEMBERS:

Ada Alfonso, Executive Director Electrical Unit
Charles Kilb, Electrical Board Counsel
Richard Paris, Investigator
Tamara Smith, Program Coordinator
Milla Lewis, Office Support Specialist

CONTACT INFORMATION:

Ada Alfonso, Executive Director Electrical Board Unit, email: ada.alfonso@state.ma.us
Charles Kilb, Electrical Board Counsel, email: Charles.g.kilb@state.ma.us
Richard Paris, Investigator Electrical Unit, email Richard.g.paris@state.ma.us
Tamara Smith, Program Coordinator, email tamara.t.smith@state.ma.us

PUBLIC MEMBER ATTNEDEES:

Jack McGlynn, MSCA
Paul Kennedy, Kennedy Seminars
Bev Kennedy, Kennedy Seminars
Kristen Gowin, NECA
Beth Bellew, MECA
Michael Mancini, Inspector of Wires
Nick Catizone, MEIA
Rick D'Amato, IAEI Paul Revere Chapter
Ken Ferreira
Tricia O'Malley, JATC of Greater Boston
Jerome DeMello, JATC of Greater Boston
Kevin Klisus, Kratos

DEFINITIONS AND CLARIFICATIONS:

BEA – Board of Electrical Appeals
BFPR – Board of Fire Prevention Regulations
BSEE - Board of State Examiners of Electricians
CMR – Code of Massachusetts Regulations
Code – Massachusetts Electrical Code as currently promulgated in 527 CMR 12.00
DPL – Division of Professional Licensure
FYI – For your information
IAEI – International Association of Electrical Inspectors
JATC – Joint Apprenticeship Training Committee
License – A – Master Electrician, B – Journeyman Electrician, C-System Technician, D- System Contractor
License by Reciprocity – By Reciprocity agreement with the State of New Hampshire if New Hampshire License was obtained through testing
MECA – Massachusetts Electrical Contractors Association
MAVA – Massachusetts Association Vocational Administrators
MEIA – Municipal Electrical Inspector Association
M.G.L. – Massachusetts General Laws
NECA – National Electrical Contractors Association
NFPA – National Fire Protection Association