



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 Minutes

VENUE: DPL 1000 WASHINGTON ST. BOSTON, MA

Meeting Minutes

Monday, November 26, 2018 10:00 AM

Office: Conference Room 1D

MEETING CALLED BY:	BOARD MEMBERS
TYPE OF MEETING:	REGULAR MONTHLY MEETING
CHAIR/MEMBER:	K. Guinee, System Contractor Member, Chair
BOARD MEMBERS PRESENT:	D. Edmonds, D. Cahill, J. Colleary, E. Dorian, G. Condon III, J. Bagni, P. Vigneau, T. Cunningham, P. Malagrifa, J. Sloane,
STAFF MEMBERS:	C. Kilb, A. Alfonso, R. Paris, M. Lewis
ABSENT/Late Arrival:	

Public Attendees

Kenell Broomstein	Stacy Chisholm
Kenneth Ferreira	Julie Kelliher, GCI
Bob Venuti	Kristen Gowin, NECA Boston
George Fournier	Jhon W. Herrera
Bev Kennedy, Kennedy Seminars	Erin Markarien
Paul Kennedy Jr.	Beth Mullen, MSCA
Nicholas Catizone, Municipal Electrical Inspector	Arron Gadd
Lisa Podgerski, IBEW LU103	Omar DeJesus, JATC 103
	Todd Robinson, JATC 103

DEFINITIONS AND CLARIFICATIONS:

BEA – Board of Electrical Appeals
BBRS – Board of Building Regulations and Standards
BFPR – Board of Fire Prevention Regulations
Board – Board of State Examiners of Electricians
BSEE - Board of State Examiners of Electricians
CE – Continuing Education
CMR – Code of Massachusetts Regulations
Code – Massachusetts Electrical Code as currently promulgated in 527 CMR 12.00
DPL – Division of Professional Licensure
ED – Executive Director
eLicensing -
EV – Electric Vehicle
FYI – For your information
GCI – Gould Construction Institute
Hr - Hour
HS – High School
I.B.E.W – International Brotherhood of Electrical Workers
Inc. – Incorporated
IOW – Inspector of Wires
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

Definitions continued...

MA - Massachusetts

M.G.L. – Massachusetts General Laws

M.S.C.A. – Massachusetts Systems Contractors Association, Inc.

NAWIC – National Association of Women in Construction

NECA – National Electrical Contractors Association

NFPA – National Fire Protection Association

NH – New Hampshire

OPSI – Office of Public Safety and Inspections

Agenda Topics

1. MEETING COMES TO ORDER 10:02AM

2. FIRE/EMERGENCY INSTRUCTIONS – A. Alfonso gave instructions. We asked that all attendees sign in. The sign-in sheet is used in case of emergency to assure everyone has exited safely. The contact information on the sheet is used to send notices of future meetings to attendees.

3. PREVIOUS MINUTES APPROVED

Open Session Review – October 2018 Meeting Minutes Motion to accept by D. Edmonds Second by J. Bagni all in favor

Executive Session Review – Motion to accept by D. Edmonds Second by J. Bagni All in Favor

September 2018 Executive Session Minutes

October 2018 Executive Session Minutes

4. FYI ITEMS

- Stephen Levangie will no longer sit as the Contractor Member of the Board. Stephen served as a member for four years, he will be missed. Steve was thoughtful in his decisions with appeals and investigations. We are very thankful to have have served with him.

Discussion:

K. Guinee would like to see if the Board and the Members can get some advance notice prior to being replaced.

C. Kilb noted that these decisions are made at the Governor's office.

K. Guinee, the Board is very grateful to Steve Levangie for his service.

- Daniel C. Cahill will serve as the Contractor Member of the Board of State Examiners of Electricians.

Discussion:

Board welcomed Daniel Cahill as new member.

- Merrimack Valley Disaster Report

P. Vigneau to report from the B.F.P.R. – Restoration efforts took a turn a month ago.

P. Kennedy, Town of Andover IOW (Public), The state took over plumbing. Columbia Gas is now repairing appliances rather than replacing them to speed up recovery of service. Approximately 85% complete with restoration but municipal inspectors are still behind.

J. Colleary, Have the towns requested mutual aid?

P. Vigneau, They are working on getting mutual aid now.

A. Alfonso to report from the B.S.E.E. – We had some problems with out of state plumbers doing electrical work but this issue seems to have been remedied and Niscourse is only permitting electrical work to be performed by licensed electricians.

- DPL hired one person to work with all licensing departments issuing Record ID and Authorization codes.

Expediting these numbers has been much faster. All licensees are requested to email DPLauthcodes@mass.gov for their record ID and authorization numbers.

10:24AM License Renewals start May 1st, 2019 – License holders can renew on line as of May 1st if they had previously created an account and linked their license. Also all continuing education certificates must be submitted by Provider(s).

Discussion:

K. Guinee, Would like a number of licenses still not linked for next board meeting.

T. Cunningham, Interchange does not give providers error messages. Will providers know prior to the start of the renewal cycle that CE's were not properly uploaded?

B. Kennedy, Kennedy Seminars (Public), The Providers training meetings last summer provided email and contact information for Tricia Breslin, DPL. So that Providers can get information if there are any errors.

A. Alfonso, We will work with IT to get information on both those matters for next board meeting.

- Board Outreach
 - November 15, 2015 Board staff attended NECA 2018 Trade Show
 - Monthly Newsletter - T. Smith will be writing monthly newsletter. The newsletter will be distributed to all Providers for distribution to electricians during Continuing Education Classes. The Newsletter will also be posted on line and emailed to electricians.
 - Outreach for women in all building trades – T. Smith will be working with local committees and associations to encourage women to take a more active role in the Boards.

Discussion:

E. Dorian, Look into working with NAWIC

- Members to decide locations of 2019 Board meetings

January	DPL, Boston
February	DPL, Boston
March	Shawsheen Valley Regional Technical HS, Billerica
April	DPL, Boston
May	Upper Cape Regional Technical HS, Bourne
June	Bay Path Regional Technical HS, Charlton Blackstone Valley Regional Technical HS, Upton
July	JATC of Greater Boston, Boston
August	DPL, Boston
September	Diman Regional Technical HS, Fall River Keeffe Regional Technical HS, Framingham Nashoba Valley Regional Technical HS, Westford, Pathfinder Regional Technical HS, Palmer
October	DPL, Boston
November	Whittier Regional Vocational HS, Haverhill
December	DPL, Boston

Discussion:

K. Gowin said that the JATC in Taunton would like to host in 2020 Business Manager David Fenton would welcome the board, attendees and students from local vocational high schools.

E. Dorian, concerned that away meetings tax the following home meetings.

J. Bagni, All schools have been told that we will need a private area for the closed sessions.

10:35AM J. Colleary, the Board visiting locations is good for other parts of the state.

D. Edmonds, it is a great civics lesson for the kids in attendance. They don't often have an opportunity to see how state government works.

A.Alfonso, we will better prepared for the students next year. We will ask schools and contractors to attend to give students information on how to pursue the trades after high school.

Motion to accept the schedule to visit off campus locations by D. Edmonds Second by J. Bagni All in favor, List approved

5. **LICENSES BY RECIPROCITY:** Motion by D. Edmonds Second by J. Colleary All in favor
2018-000878-EL-B-A Journeyman, Christopher N. Emery
2018-000236-EL-A-A Masters, Fredis Eugenia

6. **CORPORATE LICENSE CHANGES**

Discussion:

A.Alfonso, Adding and Removing Master's from Corporation Applications have been incomplete since we started the "Paperless" system. We received incomplete applications when we were accepting the paper applications but it was easier to manage. Unless the applicant has Silverlight on their computer documents cannot be uploaded and it needs to be mailed in. Applicants are completing applications without fully answering all questions. Applicants cannot edit an application after it has been submitted.

K. Guinee, Board cannot approve applications that are incomplete.

T. Cunningham, Waiting for paperwork defeats the paperless theory. DPL needs to create STOPS on application process.

Action Items:

A.Alfonso, will work with all pending applications to get this completed and submitted to the board for next board meeting.

A.Alfonso will work with IT to create necessary STOPS.

7. **LICENSE(S) ISSUED BY EXAM:** *October 2018 First Time Test Takers*

<u>Type License</u>	<u>Number of Candidates for Exam</u>
Journeyman, Part 1 (21 Failed)	69
Journeyman, Part 2 Applied (19 Failed)	72
Master, A (2 Failed)	25
Systems Contractor, C (1 Failed)	1
Systems Technician, D Part 1 (2 Failed)	10
Systems Technician, D Part 2 (3 Failed)	10

8. **10:45AM REPORTS** – Candidates for License Exam – Portion Pass Report First Time and Repeat October 2018

School Exam Pass/Fail Rate, Year to date (2018) and October 2018

Discussion:

- T. Cunningham, What can the board do with failing schools?
- D. Edmonds, Are these Chapter 74 Schools?
- C. Kilb, Schools on the list are not Chapter 74 schools.
- K. Guinee, Is the report based on all the schools attended by candidate or only the most recent?
- A. Alfonso, Only the most recent schools.
- D. Edmonds, The report is not useful without more precise information.

9. **REPORT FROM THE B.F.P.R.** – P. Vigneau to report

- Wonderland Train Station Project – Interpretation Subcommittee Decision 11/01/2018 distributed to board.

Discussion:

C. Kilb, contractor missed deadline for the appeal they went to the B.F.P.R. for interpretation.

- Fred Hartwell Request for Interpretation of BEA Decision

Discussion:

C. Kilb noted that this involved a matter that is pending litigation, accordingly he advised the Board to not discuss the merits of the matter outside of Executive Session. However, he noted this was an attempt to get another agency to intervene in a matter that was exclusively in the jurisdiction of the BEA, thus was improper.

P. Vigneau, reported that the B.F.P.R. tabled the request until after the matter is out of the courts.

10. **10:51AM LEGISLATIVE UPDATE** – J. High to report

Legislative session coming to an end on 12/31/2018. It is a 2 year session. Most if not all bills were sent to “Study”. There is no expectation of new happenings before new session in 2019.

11. **REPORT FROM THE CHIEF INVESTIGATOR** – N. Belizaire No report

12. **REPORT FROM O.P.S.I.** – *Report moved to next meeting*

13. **REPORT FROM LEGAL COUNSEL** – C. Kilb to report

Public hearing by the BBRS on December 11th for new mandate for EV charging stations. The draft regulation will be put on the website.

Discussion:

- E. Dorian, What is the URL for the BBRS?
- 11:01AM D. Edmonds, Would this need a separate electrical code?
- C. Kilb, If the building code requires that it be done, electricians will do the work and will need to follow the electrical code.

14. **SUBCOMMITTEE REPORTS AND SCHEDULING**

CMR SUBCOMMITTEE (*J. Colleary, Chair, J. Bagni, G. Condon, T. Cunningham*)

EDUCATION SUBCOMMITTEE (*D. Edmonds, Chair, P. Malagrifa, J. Sloan, E. Dorian, Alternate*)

Members reviewed the Meeting Minutes from the November 9th, 2018 Subcommittee meeting (*attached to meeting agenda*)

- Motion to approve the Renewal Applications by J. Bagni Second by K. Guinee All in favor
- Motion to approve Carosella Electrical Seminars On-Line CE by J. Bagni Second by J. Colleary All in favor
- Motion to approve the additional applications received after agenda written by J. Bagni Second by J. Colleary All in favor.

Education Subcommittee to work on incorporating hot works training into the 15 CE class.

Mandatory program in Massachusetts

A Hot Work Safety Certificate for all persons engaged in hot work operations on the work

Site becomes mandatory state-wide in Massachusetts starting July 1, 2018.

What is Hot Work? (527 CMR Chapter 41)

Hot work is any activity or process that involves open flames or that generates sparks or heat and includes: Welding and allied processes; heat treating; grinding; thawing pipes; powder-driven fasteners; hot riveting; torch-applied roofing; and any similar applications producing or using sparks, flame or heat.

Discussion:

Can this training be included in 6 Hour professional development classes?

Is this a one-time training?

Applications for Reciprocity Licenses will have to include Hot Works Training.

Will license holders be required to carry certification cards with them?

How do Providers get certified to train?

D. Edmonds, Questions that the Education Subcommittee had merited returning to full board.

J. Bagni, suggested that we should add training to 6 hour professional development.

11:28AM C. Kilb, 15 hour CE is board approved curricula. Professional Development classes are not board approved.

J. Bagni, De we only do one and done training?

P. Vigneau, Code is written that training is one and done.

J. Bagni, One and done is plenty.

J. Sloan, not everyone on job site needs this certification.

C. Kilb, BSEE has to specifically approve training.

J. Colleary, Do we need to add this to C.M.R.?

C. Kilb, Do we want to make this an optional training?

11:31AM P. Malagrifa, Was legislation passed that mandated all electricians to take training?

P. Vigneau, Courses that state fire marshal has approved.

J. Bagni, It can go through 6 hour training.

J. Colleary, Smaller companies will never weld or create sparks.

J. Bagni, This may not pertain to electricians.

C. Kilb, Option #1 Do nothing. Electricians who want to do work will need to get training through NFPA.

Option #2 Change the regulations to allow hot works to be done through 6 hour professional development, the change needed because the BSEE does not have the same approval authority over professional development curriculums that it does for the 15 hour course.

Option #3 Mandate that training is done through 15 hours CE.

D. Edmonds, If we take Option #1 does it put it back on electricians to get certification on their own?

G. Condon, We should give the electricians the exemption.

J. Bagni, the board can give this certification.

K. Guinee, We can watch the plumbers power point video.

Chair Motioned to take a 10 minute recess to get plumbers power point for board. All in favor

11:50AM Board Reconvened

C. Kilb, Presented the Power Point to full board. Power Point was written by Wayne Thomas the former ED for the Plumbing Board. Plumbing Providers are trained on the use of the power point.

Stacey Chisholm, Peterson School (Public), This is taught in session 9 of plumbing CE.

P. Vigneau, The B.F.P.R. and N.F.P.A. recognize that there is not enough welding for electricians.

K. Guinee, What do we want to do?

C. Kilb, Does not want to volunteer anyone but someone from the board should take the class.

D. Edmonds, Motioned for J. Bagni to take the course.

Second by P. Malagrifa

Discussion:

Bob Venuti (Public), This is a mandate now, what is the training for electricians now?

P. Vigneau, No Extension. We need to get some training now.

P. Malagrifa, Electricians are in violation now if working without training.

J. Bagni, We need to send notice to electricians.

12:03PM J. Bagni, The board cannot train 38,000 electricians

P. Malagrifa, BSEE needs to mandate advisory. We need to demonstrate that delivery is effective.

J. Colleary, Presentation from plumbing board was excellent.

Bev Kennedy (Public) Is this a one and done deal? Where do they get training after 2020? Plumbers incorporated into their 550 hour apprentice course.

T. Cunningham, Power Driven fasteners are grinding and falls into "Hot Works". It is covered by electrical permit.

12:10PM Stacey Chisholm (Public), The Subcommittee members said that this training could be incorporated into 6 hour class.

Provider 322 (Public), 3 hour class for certification per the NFPA training can work on all trades.

Motion by P. Malagrifa for staff to issue advisory to A, B, C & D license holders, advising them if they are going to be working in "Hot Works" then must receive certification. Advisory can go out without returning to board for approval.

C. Kilb cautioned to not endorse NFPA as there are non-NFPA providers as well.

Second by J. Colleary. All in Favor.

Revision Energy Prototype Discussion:

E. Dorian, Board should allow for some on line training. Proposes that the board allow 30% of 600 hour education can be completed on-line.

J. Sloan, The board should first start with allowing "make-up" classes to be completed on-line and see if this would work.

P. Malagrifa, Conquered that moving full 600 hours is too much too soon but some on-line education should be considered.

11:13AM D. Edmonds, On-line courses may open the door to cheating. In person education is valuable for the trades.

Motion to turn down Revision Energy and others like by D. Edmonds Second by J. Bagni

Discussion:

T. Cunningham, This is an interactive trade.

J. Bagni, Said that he is in schools all day, it is an apprenticeship school and education and work go hand in hand. With the failure rate at 50% now, it may be higher if classes done on line. J. Bagni opposed to any on-line classes.

J. Colleary, this cannot be determined in one meeting.

10:18AM E. Dorian, We think of on-line training as not being interactive but on-line training can have video conferences, there are fail safes for on-line courses. If there is another No vote the board will not look at it for another year. We should have a discussion group.

C. Kilb, Another trade (plumbing) does allow for video conferencing. The instructor sees every student on screen. The benefit is that plumbing gets to say that they do allow on-line.

J. Bagni, Understood that we were going to deny Revision Energy. Motioned to deny application.

Second by P. Malagriffa. Unanimous vote

D. Edmonds made a motion that no reciprocity licenses for NH applicants with education received from Revision Energy or the like. J. Bagni seconded the motion

11:24AM C. Kilb, Can we table discussion and vote until next meeting to get information on the effect this would have on the reciprocity agreement.

D. Edmonds, Withdraws motion

J. Bagni, Withdraws second on the motion

Topic to put on agenda for next meeting.

12:16PM INTERPRETATION SUBCOMMITTEE (E. Dorian, Chair, P. Malagrifa, G. Condon, J. Bagni, J. Sloan)

Committee met on November 20th to discuss clarifications and interpretations of 141.7 with regards to work on Energy Stations.

The committee will schedule a follow up meeting for January 2019

PLANNING AND RESEARCH SUBCOMMITTEE (K. Guinee, Chair, J. Bagni, P. Malagrifa) *Nothing to Report*

LEGISLATIVE ADVISORY COUNSEL (A. Alfonso, Chair)

Counsel will meet monthly to review the M.G.L.'s. Counsel will propose changes to the Commissioner of the DPL.

15. MATTERS NOT ANTICIPATED BY CHAIR *No matters heard*

16. BOARD OF APPEALS (BEA) *No appeals*

17. EXECUTIVE SESSION *(Closed to the Public, M.G.L. c. 30A, 21)*

12:24PM Motion to enter into Executive Session by D. Edmonds Second by P. Malagrifa for purposes of reviewing applicant's character, rather than competence. The Chair estimated that the Board would conclude Executive Session in one hour.

Roll Call

Roll Call					
<u>MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>YEA</u>	<u>NEA</u>	<u>RECUSED/ABSTAINED</u>
K. Guinee			X		
J. Bagni			X		
J. Colleary			X		
G. Condon III			X		
T. Cunningham			X		
E. Dorian			X		
D. Edmonds			X		
P. Vigneau			X		
D. Cahill			X		
P. Malagrifa			X		
J. Sloane			X		

P. Malagrifa did not attend the remainder of the meeting.

18. 2:05PM INVESTIGATIVE CONFERENCE (Closed to the Public, M.G.L. c. 112A, 65C)

Motion to enter Investigative Conference by D. Edmonds Second by J. Colleary All in favor (*P. Malagriffa absent*)

Negotiated Settlements – F. Mong

2018-000073-IT-ENF

2017-000967-IT-ENF

REPORT OF THE ELECTRICAL COMPLIANCE OFFICER – Richard Paris

8/27/2018	2018-000892-IT-ENF	11/26/2018	To Prosecutions
9/10/2018	2018-000934-IT-ENF	11/26/2018	To Prosecutions
9/18/2018	2018-000972-IT-ENF	11/26/2018	To Prosecutions
10/4/2018	2018-001054-IT-ENF	11/26/2018	To Prosecutions
10/4/2018	2018-001065-IT-ENF	11/26/2018	To Prosecutions
10/15/2018	2018-001094-IT-ENF	11/26/2018	Dismiss without Prejudice

19. 2:22PM QUASI-JUDICIAL SESSION (Closed to Public) C. Kilb to report

Motion to enter Quasi-Judicial by D. Edmonds Second by J. Bagni All in favor (*P. Malagriffa was absent*)

C. Kilb presented 4 default cases (written decisions issued separately)

Motion to end Quasi Judicial by J. Bagni Second by P. Vigneau All in favor

20. NEXT BSEE MEETING SCHEDULED FOR: January 28th, 2019 DPL Offices 100 Washington St. Boston, MA Room 1D

Motion to suspend December Board meeting by P. Malagriffa Second by T. Cunningham All in favor

12:24PM Motion to close Open Meeting by D. Edmonds Second by P. Malagriffa All in favor

21. 2:32PM MEETING ADJOURNED Chair Motions to end meeting, All in favor

Anticipated Board Meetings dates and locations for 2019:

<u>Meeting Date</u>	<u>Location</u>
1/28/2019	DPL, 1000 Washington St. Boston, MA
2/25/2019	DPL, 1000 Washington St. Boston, MA
3/25/2019	Shawsheen Valley Regional Technical HS, Billerica
4/22/2019	DPL, 1000 Washington St. Boston, MA
5/20/2019	Upper Cape Regional Technical HS, Bourne
6/24/2019	Blackstone Valley Regional Technical HS, Upton
7/22/2019	JATC of Greater Boston, Boston
8/26/2019	DPL, 1000 Washington St. Boston, MA
9/23/2019	Diman Regional Technical HS, Fall River
10/28/2019	DPL, Boston
11/25/2019	Whittier Regional Vocational HS, Haverhill
12/23/2019	DPL, 1000 Washington St. Boston, MA

INCLUDED IN MEETING NOTES:

- ❖ November 2018 Meeting Agenda
- ❖ Open Session October 2018 Meeting Minutes
- ❖ Executive Session October 2018 Meeting Minutes
- ❖ Executive Session September 2018 Meeting Minutes
- ❖ Monthly Newsletter
- ❖ October 2018 License Report(s)
- ❖ October 2018 Pass/Fail Report(s)
- ❖ November 1, 2018 BFPR Decision on Request for Interpretation with respect to use of PVC at Wonderland MBTA property (letter from Nick Ferzacca to BFPR dated July 3, 2018)
- ❖ Education Subcommittee 11.09/2018 Meeting Minutes
- ❖ Summary of Investigations

BOARD MEMBERS:

Kathleen Guinee, Systems Contractor Member, Chair

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

John Bagni, MAVA Member

Daniel Cahill, Contractor 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, Clerk

John M. Sloane, Journeyman Electrician Member

Paul Vigneau, Fire Marshal Designee – Chair

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