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Division of Professional Licensure
Board of State Examiners of Electricians
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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:

October 28, 2019 @ 10 a.m.
Rm 1D, 1000 Washington St, Boston MA 02118

The topics shown below were discussed at the aforementioned meeting:

Roll Call, by Chair:

Kathleen Guinee, Chair (arr. 10:04)
John Bagni
Daniel Cahill
James Colleary
George Condon III
Thomas Cunningham Jr.

☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent

Ellen Dorian
David Edmonds
Paul Malagrifa
John Sloane
Paul Vigneau

☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent
☐ present ☒ absent
☒ present ☐ absent

As the chair had not arrived, P. Malagrifa, called the meeting to order at 10:00 and took Roll Call.

Board's legal counsel Charles Kilb provided a review of emergency procedures.

1. August 26, 2019 draft Meeting Minutes. A typo showed the meeting date to be August 25. A motion was made by P. Vigneau to accept the minutes with this typo corrected. D. Edmonds seconded the motion. Unanimously approved.
2. August 26, 2019 draft Executive Session Minutes. A typo showed the meeting date to be August 25. A motion was made by D. Edmonds to accept the minutes with this typo corrected. J. Colleary seconded the motion. Unanimously approved.

Chair K. Guinee arrived at 10:04 a.m.

3. **Review** the list of applicants seeking licensure by reciprocity:



Tyler J. Cantone - Journeyman
 Travis S. Clark – Journeyman
 Mitchel W. Dolloff – Journeyman
 Ryan Lefebvre – Journeyman
 Chad M. Pittera - Journeyman
 Justin G Rink – Journeyman
 Evan Roberts – Journeyman
 Seager J. Russell – Journeyman
 David M. Selvaggio - Journeyman
 Jared M. Walker - Journeyman

A motion was made by D. Edmonds to ratify the list as presented. The motion was seconded by J. Bagni. Unanimously approved.

4. **Review** the list of applicants seeking business license additions/removals

REMOVALS:				
LICENSEE	TYPE	ENTITY	REASON FOR REMOVAL	COMPLAINTS PENDING PROSECUTION
David Alessandrini	Master	Pasek Corporation	Acquisition	
Salvatore J. Cascone Sr.	Systems Contractor	High Tech Alarm Systems Inc	Resigned	
Paul D. Gordon	Master	Electronic Environments Co LLC	Relocation	
David P. Keating	Master	Nashoba Air Inc	Terminated	
Joseph Owen	Master	Sunlight Solar Energy Inc.	Resigned	
Gustavo Saldarriaga	Master	Alliance Integrated Systems Inc.	Reassigned	
Nick H. Truong	Master	Level Solar Inc	Dissolved	
ADDITIONS:				
LICENSEE OF RECORD	TYPE	ENTITY	PRIOR LICENSEE	COMPLAINTS PENDING PROSECUTION
Salvatore J. Cascone Sr	Systems Contractor	1Choice Solutions LLC		
Dennis Stefani	Master	Advanced Electrical LLC		
John Christoforou	Master	All Star Electric LLC		
PJ Carter	Master	Anderson Electrical Contractors Inc		
Scott Gear	Master	Boston Electrical Services Company LLC		
Manuel Moyet	Master	Buildout Construction Corp		
Thomas J. Paras	Master	Burnell Controls Inc		

Darius Jakubenas	Master	Darius Electric Incorporated		
Mark Gainer Jr	Master	Endless Mountains Water & Energy Services LLC DBA Endless Energy		
Timothy Spurling	Master	The Energy Monster MA Inc		
	Master	HRDY Electrical Services LLC		
Donald F. Drew	Master	J&R Energy Services Inc	John Funderburk	
Steven R. Wilson	Master	JSN Services Inc		
John G. Maria	Master	Lowell Central Electric Co. Inc	Robert Maria	
Christopher J. Tremblay	Master	Mastec North America Construction Inc		
John R. Kelly	Master	Michael Kelly Electric Inc		
Michael J. Totten	Master	Michael Totten Electric LLC		
Kevin A Smith	Master	New England Energy Concepts Inc		
Michael A. Doucette	Systems Contractor	NSG Life Safety Inc		
Matthew T. Markham	Master	Palmetto Solar LLC		
Thadeus A. Gadomski III	Master	Pro Star Energy LLC		
David H. McKinnon	Systems Contractor	Riel Protection LLC		
	Master	Santerre Electrical Services LLC		
Marcio W. Silva	Master	Setpoint Electric Corp		
Christopher P. Johnson	Systems Contractor	Surveillance Specialties Ltd. Db a Allied Universal Technology Services		
	Master	We Do It All Construction Electrical LLC		

A motion was made by J. Bagni to approve the list as presented. The motion was seconded by P. Malagrifa. Unanimously approved.

5. **Review** the most recent examination passage/failure report – This report was not available by the time of meeting. Tabled by unanimous consent.
6. **Review/Discuss** other reports:
 - a. **Office of Investigations**

Board's legal counsel Charles Kilb reported that efforts are continuing to hire a new compliance officer, no further information is available at this time. No formal action required.

b. Legal Counsel

Board's legal counsel Charles Kilb reported that the draft amendments to 237 CMR 13.00 have been approved for a public hearing and asked the Board if the December meeting would be an acceptable date. The members noted that as scheduled, the meeting would take place on the 23rd in a holiday week. The members discussed moving the meeting to December 16th instead. A motion was made by J. Bagni to move the meeting to December 16th assuming space is available. The motion was seconded by D. Edmonds. Unanimously approved.

c. Board of Fire Prevention Regulations – Paul Vigneau reported to the Board.

- i. Mr. Vigneau reported that the latest edition of 527 CMR 1.00, the Massachusetts Comprehensive Fire Safety Code is now in effect.
- ii. Proposed amendments to 527 CMR 12.00, the Massachusetts Electrical Code, are now scheduled for a public hearing on December 5 in Stow. It was noted that there are outstanding issues that DFS will be working with DPL to resolve.

d. Legislative matters

Board's legal counsel Charles Kilb indicated that there was nothing to report.

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

- a. Regulation\CMR Subcommittee – J. Colleary indicated that there was nothing to report.
- b. Education Subcommittee – D. Edmonds reported on the education subcommittee meeting October 25. The subcommittee reviewed 57 applications, approved 44, and rejected 13. The next meeting is tentatively scheduled for November 8 if there are more applications to review. The members indicated that a clarification on the bond requirement was made, noting that it is required by all applicants and must be attached to the application. Ellen Dorian indicated that she was resigning as alternate on the subcommittee due to a scheduling issue. A motion was made by D. Edmonds to nominate J. Bagni to serve as the new alternate. The motion was seconded by J. Colleary. Unanimously approved.
- c. Interpretation Subcommittee – E. Dorian indicated that there was nothing to report. She noted that previously the subcommittee discussed possibly meeting with the Department of Public Utilities. The matter will be placed on a future full Board agenda.
- d. Planning and Research Subcommittee – K. Guinee indicated that there was nothing to report.

8. **Discuss** other matters not reasonably anticipated 48 hours in advance of meeting.

- a. D. Edmonds reported that sophomores from the Benjamin Franklin School of Technology attending the Board meeting. By unanimous consent, the Board members

allowed the students to address the Board with any questions. A student inquired as to how interpretations of the electrical code works. P. Vigneau explained the role of the Board of Fire Prevention Regulations in drafting the electrical code, C. Kilb explained the role of the Board of Electricians' Appeals in issuing decisions based on the language in the code.

- b. J. Bagni inquired as to the process governing the approval of six hour inspector classes. A motion was made by J. Bagni to refer the matter to the Education Subcommittee. The motion was seconded by D. Edmonds. Unanimously approved.

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

A motion was made by P. Malagrifa to convene the Board of Electricians' Appeals. This motion was seconded by J. Colleary. Unanimously approved.

Docket No. 299, BEA-19-000008 In the matter of Michael Trimarchi vs Sarah Andrade, City of Cambridge

Inspector Sarah Andrade appeared as well as appellants Matthew Richard and Michael Trimarchi. After entering into exhibits, the Board allowed each party to present their case, which involved a job in Cambridge which was failed due to alleged insufficient labeling.

At 11:38 a.m., the parties rested. Thereafter, P. Vigneau made a motion to close the hearing and deliberate. This motion was seconded by J. Bagni.

The Board returned to Open Session at 12:08 p.m.

A motion was made by J. Bagni to reverse the Inspector's decision and issue a written decision. This motion was seconded by D. Edmonds. The chair called for a vote: 8 in favor, 2 opposed. Thereafter, the Chair notified the parties that a written decision would be issued within 45 days.

10. Executive Session (M.G.L. c. 30A, §21 – Closed session)

At 12:13 p.m., a motion was made to enter Executive Session to discuss individuals character rather than competence and to discuss pending litigation by D. Edmonds. This motion was seconded by J. Bagni.

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			

See Separate Minutes

The Board returned to open session at 2:50 p.m.

K. Guinee and P. Malagrifa left the meeting during Executive Session and did not participate in the remainder of the meeting. D. Edmonds chaired.

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

At 2:51 p.m., a motion was made by J. Bagni to enter quasi-judicial session. This motion was seconded by G. Condon. Unanimously approved

Upon conclusion of the quasi judicial session, the following was reported for the record:

Docket No. 2018-000582-IT-ENF

A motion was made by E. Dorian to issue a sanction in the matter. The motion was seconded by P. Vigneau. Unanimously approved.

A separate written decision will be issued.

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

At 3:00 p.m., a motion was made by T. Cunningham to enter Investigative Conference. This motion was seconded by J. Bagni. Unanimously approved.

Upon conclusion of the investigative conference, the following was reported for the record:

- a. Discussion of complaints prior to the issuance of an order to show cause
 - i. Docket no. 2019-001042-IT-ENF – No action taken
 - ii. Docket no. 2019-001043-IT-ENF – No action taken
 - iii. Docket no. 2019-000463-IT-ENF – A motion was made by J. Bagni to dismiss without prejudice. This motion was seconded by G. Condon. Unanimously approved.
 - iv. Docket no. 2019-000989-IT-ENF – No action taken
- b. Discussion of the terms of a negotiated settlement of a complaint

- i. Docket No. 2019-000196-IT-ENF – A motion was made by J. Bagni to accept a settlement offer. This motion was seconded by D. Edmonds. Unanimously approved.
- ii. Docket No. 2018-000582-IT-ENF – Withdrawn, no action taken.
- iii. Docket No. 2019-000207-IT-ENF – A motion was made by J. Bagni to accept a settlement offer. This motion was seconded by T. Cunningham. Unanimously approved.
- iv. Docket No. 2019-000711-IT-ENF - A motion was made by P. Vigneau to reject a settlement offer. This motion was seconded by J. Bagni. Unanimously approved.
- v. Docket No. 2018-000982-IT-ENF – J. Colleary recused himself and left the room during this matter. A motion was made by G. Condon to dismiss this case without prejudice. This motion was seconded by T. Cunningham. Unanimously approved.
- vi. Docket No. 2019-000229-IT-ENF – A motion was made by J. Bagni to accept a settlement offer. This motion was seconded by T. Cunningham. Unanimously approved.

13. Adjournment

At 3:25 p.m., J. Bagni made a motion to adjourn the meeting. This motion was seconded by T. Cunningham. Unanimously approved.

The next scheduled meeting will be on November 25, at 1000 Washington St, Boston.

Items relied upon during the open meeting

Agenda

Previous minutes

Applications for business and reciprocal licensure

Exhibits submitted during Inspector Appeal