

**Massachusetts State Board of Electricians**  
**Regular Meeting Minutes**  
**May 22, 2017**  
Held at 1000 Washington Street Room 1D, Boston, MA  
Boston, MA 02118

Board of State Examiners of Electricians convened its regular board meeting. Items listed in order of consideration.

1) The meeting was called to order by the Chair at 10 A.M.

The following Board members were present:

Peter Senopoulos, Fire Marshal Designee, Chair  
David Edmonds, Dept. of Elementary and Secondary Education Designee  
Stephen LeVangie, Electrical Contractor Member (departed 12:57PM)  
James Colleary, Inspector of Wires Member  
Ellen Dorian, Public Member  
George Condon III, Systems Technician Member  
John Bagni, MAVA Member

Absent Board members:

Kathleen Guinee, Systems Contractor Member (Vice Chair)  
Thomas Cunningham, Master Electrician Member  
Paul J. Malagrifa, International Municipal Signal Association, Member

The following members of Staff were present:

Robert Fortes, Deputy Director  
Tamara Smith, Program Coordinator  
Charles Kilb, Board Counsel  
Richard Paris, Investigator

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- 2) The Board considered the minutes from the meeting of April 24, 2017.  
A motion was made by Mr. Edmonds and seconded by Mr. Bagni and it was so unanimously  
Voted: To approve the minutes as presented
- 3) The chair announced that the next scheduled Board meeting will be on June 26, 2017.
- 4) The Board considered recommendations for the issuance of licenses by reciprocity.

Matthew C. Artz, Journeyman  
Brian A. Calloway, Journeyman  
Joel J. Davenport, Journeyman  
Eric M. DePaolo, Journeyman  
Kirk H. Foraker, Journeyman  
Sean M. Kennedy, Journeyman  
Christopher M. Maglaras, Journeyman  
Anthony K. Martello, Journeyman

Francis M. Rayno, Journeyman

A motion was made by Mr. Edmonds and seconded by Mr. Bagni and it was so unanimously  
Voted: To approve the recommendations for issuance of license

5) The Board considered Corporate and individual license changes submitted to the Board office:

### **Removals**

**Peter A. Binda**  
Ideal Electric Co Inc

**Stephen E. Buker**  
Braintree Electric Light Dept.

**Joseph Cataloni**  
Boston's Best Solutions Tech LLC

**Michael F. Collins**  
MF Collins Electric Co.

**Paul A. Covel**  
Precision Electrical Contractors Inc

**Michael J. Donelly**  
Solar Roof Systems Inc

**Kenneth M. Fougere**  
Hollett Building Corp dba Hollett  
Electric

**Keith F. Gallant**  
Alltech Networking LLC

**Anthony M. Gazzaniga**  
Solect Energy Development LLC

**Joshua M. Ponte**  
The Ockers Company

**Steven C. Smargon**  
Platinum Electrical Services

**Michael L. Medeiros**  
CB&I Construction Services LLC

### **Additions**

**American Spot Cooling Inc**  
Robert A. McCracken

**Chaput Electric LLC**  
Billy Jo Chaput

**Global integrated Technologies  
Inc**  
Keith F. Gallant

**Ideal Electric Co Inc**  
Richard C. Viveiros

**KMF Group LLC**  
Kenneth M. Fougere

**The Ockers Company**  
Michael F. Collins

**Platinum Electrical Services Inc.**  
Kevin M. Callahan

**Precision Electrical Contractors  
Inc.**  
Emilio DeAngelis

**Suffolk Fire Protection Inc.**  
Robert M. Kelley

**CB&I Construction Services  
LLC**  
Michael L. Medeiros

**Tradesmen International LLC**  
Michael R. Scotton

A motion was made by Mr. Edmonds and seconded by Mr. LeVangie and it was so unanimously  
Voted: To approve the applications as presented

6) Reports

- April Exam License issuances

Journeyman	56
Master	22
Systems Technician	5
Systems Contractor	0

- Legislative update – nothing reported

7) Report of Legal Counsel

- a) Counsel discussed with the Board the procedure to authorize remote participation of absentee Board members. If utilized, the Chair must grant permission to the absent member per criteria set out by regulations adopted by the Attorney Generals' Office, a physical quorum must be present at the meeting, and all votes must be taken by roll call.

A motion was made by Mr. Bagni and seconded by Mr. Colleary and it was so unanimously

Voted: To adopt remote participation as outlined, however, it will only be permitted for the main body of the Board, not subcommittees.

8) Matters raised by members of the Board for discussion

- a) The Board discussed whether 527 CMR 12.00 Rule 10 imposes an inspection obligation on inspectors. The chair suggested the matter be brought to the BFPR for comment and opinion.

A motion was made by Mr. Edmonds and seconded by Mr. Colleary and it was so by a majority of the members present

Voted: For Counsel to communicate the matter to the BFPR for an opinion. Counsel will work with the Chair who will coordinate the communication to help obtain a useful response.

Opposed: Steven LeVangie, George Condon

Abstained: Ellen Dorian

- b) The Board discussed John Bagni's request of whether the Board would consider further alterations to regulations located at 237 CMR 13.03(1) (b) - vocational education credits.

A motion was made by Mr. Edmonds and seconded by Mr. Colleary and it was so by a majority of the Members present

Voted: To send the matter to the Education Subcommittee

Opposed: Ellen Dorian, Steven LeVangie, John Bagni

It was mentioned that the subcommittee members need to be revisited at the June meeting following the Board's newly appointed members.

9) An agenda item provided for an update by Chief Investigator Christopher Carroll, however there was nothing to report, no action was taken.

10) The chair opened the meeting to any matters not reasonably anticipated. No comments

11) Board of Appeals – MGL c. 143§3P

11:17 AM A motion was made by Mr. Edmonds and seconded by Mr. Colleary and it was unanimously Voted: To enter the Board of Appeals/quasi-judicial session.

a) BEA-17-299

11:35 A.M. A motion was made by Mr. Edmonds and seconded by Mr. Colleary and it was so unanimously Voted: To enter deliberative session closed to the public.

On exiting deliberations A motion was made by Mr. Bagni and seconded by Mr. Edmonds and it was so unanimously

Voted: To reverse the decision of Inspector of Wires and issue a formal written opinion consistent with the Board's discussion.

b) BEA-17-300

12:07 P.M. A motion was made by Mr. Edmonds and seconded by Mr. Bagni and it was so unanimously Voted: To enter deliberative session closed to the public

On exiting deliberations A motion was made by Mr. Bagni and seconded by Mr. Edmonds and it was so unanimously

Voted: To reverse the decision of Inspector of Wires and issue a formal written opinion consistent with the Board's discussion.

12:13 PM the Board exited the Appeals and recessed for 15 minutes lunch.

12) Executive Session

At 12:40 P.M. the Chair announced that the next agenda item would require the Board to close the open session and enter executive session per M.G.L. c. 30A, §21 to discuss an individual's character, rather than competence and to discuss pending litigation where an open session could have a detrimental effect on the litigating position of the Board. The Chair estimated that the Board would be in Executive Session for approximately 20 minutes.

A motion was made by Mr. Edmonds and seconded by Mr. Bagni and it was so unanimously approved by roll call vote: To enter into Executive Session (Separate Minutes maintained)

In favor: Peter Senopoulos, James Colleary, David Edmonds, Ellen Dorian, John Bagni, George Condon, Steven LeVangie

Opposed: None

Abstained: None

Recused: None

12:50 P.M. the Board exited Executive Session and entered Investigative Conference pursuant to M.G.L. c. 112, §65C.

13) Investigative conference (closed session)

Upon conclusion of the Investigative Conference, the following results were noted for the record.

a) Board Review for decision

i.2016-000163-IT-ENF – forward for prosecution  
ii.2017-000084-IT-ENF – Dismiss w/o prejudice

iii.2017-000137-IT-ENF - forward for prosecution  
iv.2017-000138-IT-ENF - Dismiss w/o prejudice

v.2017-000257-IT-ENF - forward for prosecution  
vi.2017-000265-IT-ENF - forward for prosecution  
vii.2017-000315-IT-ENF - forward for prosecution  
viii.2017-000361-IT-ENF - forward for prosecution  
ix.2017-000363-IT-ENF - forward for prosecution  
x.2017-000385-IT-ENF - forward for prosecution  
xi.2017-000389-IT-ENF - forward for prosecution

xii.2017-000415-IT-ENF – Dismiss w/Advisory  
xiii.2017-000470-IT-ENF – Dismiss w/Advisory  
xiv.2017-001130-IT-ENF - forward for prosecution  
xv.2017-001140-IT-ENF - forward for prosecution

b) Prosecutors addressed the Board with permission granted from opposing counsel on the following matters:

Henderson EL-15-128 – unanimous vote to accept alternative settlement

Hentoff 2016-000532-IT-ENF - unanimous vote to accept alternative settlement  
2016-000241-IT-ENF - unanimous vote to accept alternative settlement

#### 14) Quasi-Judicial session

A motion was made by Mr. Edmonds, seconded by Mr. Colleary, and it was so unanimously  
Voted: To enter into Quasi-Judicial Session pursuant to M.G.L. c. 30A, §18.

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

A motion was made by Mr. Edmonds and seconded by Mr. Colleary and it was unanimously  
Voted: To issue a final decision and order in the following matters:

a) EL-14-041

2:11 P.M. the Board ended quasi-judicial session and returned to open session for the purpose of adjourning.

15) The Chairman (Fire Marshal's Designee) requested a motion to adjourn the meeting.

A motion was made by Ms. Dorian and seconded by Mr. Bagni and it was unanimously  
Voted: To adjourn the meeting at 2:11 P.M.

A true copy.

ATTEST: pt 2 ★

06-29-17

#### List of Documents used at the meeting

1. Meeting agenda
2. Draft minutes of April 24, 2017 meeting.