

Massachusetts State Board of Electricians

Regular Meeting Minutes

October 23, 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

Kathleen Guinee, Systems Contractor Member (Vice Chair)

David Edmonds, Dept. of Elementary and Secondary Education Designee

Stephen LeVangie, Electrical Contractor Member

James Colleary, Inspector of Wires Member

Thomas Cunningham, Master Electrician Member

Paul J. Malagrifa, International Municipal Signal Association, Member

John M. Sloane, Journeyman Electrician Member

John Bagni, MAVA Member

Ellen Dorian, Public Member

George Condon III, Systems Technician Member

The following members of Staff were present:

Richard Paris, Investigator

Tamara Smith, Program Coordinator

Robert Fortes, Deputy Director

Charles Kilb, Legal Counsel

2) The Board considered the minutes from the September 25, 2017 Board meeting

(a) A motion was made to approve the open session minutes by Mr. Edmonds and seconded by Mr. Malagrifa and it was so unanimously
Voted: To approve the minutes as presented

(b) A motion was made to approve the open session minutes by Mr. Edmonds and seconded by Mr. Malagrifa 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 November 27, 2017.

4) The 2018 meeting schedule was presented with the following dates:

January 22	July 23
February 26	August 27
March 26	September 24

April 23	October 22
May 21	November 26
June 25	December 17

Staff reported that the Board was encouraged to hold one or more meetings outside of Boston. The state has locations for the Board in Springfield, Milford, and Tewksbury. Members suggested possibly meeting in Westfield as well as Southeastern Regional Vocational Technical School in South Easton. The schedule will be presented on the agenda in November to allow the members to tentatively select locations. No formal action taken.

5) The Board considered recommendations for the issuance of licenses by reciprocity.

Todd C. Bisson, Journeyman
 Fredy G. Calvillo, Journeyman
 Gregory J. Larson, Journeyman
 Zachary T. Walsh, Journeyman

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

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

Removal

Joseph K. Curran
 (Brite Lite Electrical Co Inc.)

Timothy C. Evans
 (Top Tier Site Development)

Glenn D. Forbes
 (Integrated Electric LLC)

Robert M. Konrad
 (Protection One Alarm Monitoring of Mass)

Michael L. Medeiros
 (CB&I Construction Services LLC)

Louis A. Rea III
 (GenCon Service Inc)

Additions

American Electrical Testing Co. LLC
 (Scott A. Blizard)

**Aptim Services LLC (CB&I
 Construction Services LLC)**
 (Michael L. Medeiros)

Blanco Electric LLC
 (Fernando R. Blanco)

Blue Brick Electric Inc
 (Marc R. Brady)

Booker Electrical Services Inc
 (William J. Booker)

Brite Lite Electrical Co Inc.
 (R. Derek Desharnais)

GenCon Service Inc.
 (Alexander Castro)

Integrated Electric LLC
 (Jeffrey M. Sloan)

Northline Utilities LLC

(William P. DiBona Jr.)

One Way Development Inc
(Alexandro Gonzalez)

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

7) Applications for Board approval processed after agenda posting

Corp Removal

Christopher Horeth
(Sunlight Solar Energy Inc)

Wade Sinclair
(RB Our Electrical LLC)

Jeffrey A. Mason
(A-1 Security LLC)

Additions

A-1 Security Inc
(Jeffrey A. Mason)

MacFarlane Energy Inc
(David P. Balfour)

A Plus HVAC Inc
(Jonathan R. LeMay)

Sunlight Solar Energy Inc
(Joseph A. Owen)

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

8) Reports

a) September Exam License issuances

Journeyman	42
Master	18
Systems Technician	8
Systems Contractor	2

b) Legislative update -- Mr. Edmonds inquired about a legislative bill that might have eliminated a Board member position. Staff noted that, to date, they had not been apprised of any bills closed to passing through the legislative process. Mr. Fortes indicated he would work with the applicable personnel to compile a full report of bills that might affect the Board.

A motion was made by Mr. Edmonds and seconded by Mr. Bagni and it was so unanimously
Voted: To have Mr. Fortes work on obtaining a report of any bills affecting the Board.

c) Report of Chief Investigator. Nothing reported

d) Subcommittee report/Scheduling

- (i) Education – Mr. Edmonds indicated that the education subcommittee will need to schedule a meeting to review a pending application of a provider. Meeting date to be announced
 1. @HomePrep – Beverly Kennedy appeared to present an update on their continuing education online program. At this time, she indicated that the program is still in its infancy with only a small number of users, which is expected to increase over time. No action required.
- (ii) CMR – Mr. Colleary indicated that the CMR subcommittee will consider a meeting date in the future.

10:34 AM Ms. Guinee entered the meeting

- e) Legal Counsel discussed the issue of revoked licensees operating as apprentices. He indicated that there appears to be a perception by individuals who held licenses that are subsequently revoked that they may continue practicing by calling themselves apprentices. Counsel indicated no action was required on the Board, it will be reviewed when applicable in adjudicatory matters. No action taken.
- 9) The Board discussed the following correspondence inquiries
- a) Collin Rainey for Defenders Inc. requesting clarification regarding Guidance Memo 16-01. A motion was made by Mr. Colleary and seconded by Mr. Edmonds and it was so unanimously Voted: To not issue further guidance beyond Guidance Memo 16-01.
 - b) Jessica Donovan for Mass Systems Contractors Assoc. requesting clarification on licensure requirements on specific HVAC components.

The request of Ms. Donovan was for an interpretation regarding systems contractors adding non-security and fire components to a security or fire warning system. Members noted that the laws regarding scope of practice are not always clear, legal counsel cautioned the Board to be careful to stray far from the text in the existing laws.

A motion was made by Mr. Condon and seconded by Ms. Guinee and it was so unanimously Voted: For Legal Counsel to research the matter, and otherwise for the Board to table the discussion until the November meeting.

10) Board of Electricians' Appeals

12:44 PM A motion was made by Mr. Edmonds and seconded by Ms. Dorian and it was so unanimously Voted: to enter the Board of Appeals.

- a) William Augustynski, Mr Response v. Webster Inspector of Wires, Aldo Nolle (BEA-17-000004-AP)

For the second meeting in a row, neither of the parties appeared, nor did the Board office receive any written requests for continuances.

A motion was made by Mr. Cunningham and seconded by Mr. Edmonds and it was so unanimously Voted: to dismiss the Appeal.

11) The chair opened the meeting to any matters not reasonably anticipated.

- The Program Coordinator reported that the examination vendor, PSI, would not have the examination updated to reflect the 2017 Massachusetts Electrical Code until early next year. Legal Counsel will report back at the next meeting regarding any related contractual matters.

- Legal Counsel requested that the Board commence discussions regarding the regulations regarding expiration of education and work experience. He noted that the Board and staff enforce the requirements uniformly as required under the law, however, discussions about the underlying reason for expiration suggest that the Board may wish to craft different rules.

A motion was made by Mr. Edmonds and seconded by Ms. Guinee and it was so unanimously
Voted: to consider amending expiration rules as an agenda item on the November meeting.

12) Executive Session (Closed to the public) – M.G.L. c. 30A, §21

a) Applicant character evaluations.

At 11:58 A.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. 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 Ms. Guinee 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, Steven LeVangie, Thomas Cunningham, Paul J. Malagrifa, John M. Sloane, Kathleen Guinee, George Condon

Opposed: None

Abstained: None

Recused: None

At 12:24 P.M. the Board exited Executive Session and returned to open session.

13) Investigative Conference (Closed to the public) – M.G.L. c. 112, §65C

A motion was made by Mr. Edmonds, seconded by Mr. Colleary and it was so unanimously
Voted: to enter into Investigative Conference to review complaint matters.

a) Investigation of complaint matters

1:32 PM Upon conclusion of the Investigative Conference, the following decisions on cases were noted for the public record:

- | | |
|--|---|
| i. 2017-000840 – Dismiss w/o prejudice | vii. 2017-001157 – Dismiss w/Advisory |
| ii. 2017-000967 - forward for prosecution | viii. 2017-001170 – forward for prosecution |
| iii. 2017-001015 – forward for prosecution | ix. 2017-001184 – forward for prosecution
(Mr. Condon was recused) |
| iv. 2017-001038 – forward for prosecution | x. 2017-001224 – forward for prosecution |
| v. 2017-001055 – Dismiss w/o prejudice | |
| vi. 2017-001121 – forward for prosecution | |

A motion was made by Mr. Edmonds, seconded by Mr. Sloane and it was so unanimously
Voted: to enter into Investigative Conference to review complaint matters.

b) Review of negotiated settlements

(i) Attorney Hentoff - 2016-000299-IT-ENF

A motion was made by Mr. Cunningham seconded by Mr. Edmonds and it was so by a majority

Voted: to provide settlement terms.

Opposed: John Bagni

At 1:29 PM A motion was made by Mr. Colleary seconded by Mr. Condon and it was so unanimously

Voted: to exit Investigative conference and hold a quasi-judicial session

14) Quasi-Judicial session (Closed Session)

The Board reported the following results:

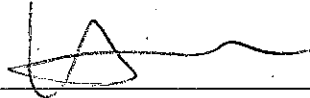
In the matter of 2016-000278-IT-ENF, a motion was made by Mr. Edmonds, seconded by Mr. Colleary to revoke the subject licensee for defaulting in this matter.

15) The chair requested a motion to adjourn

At 1:42 p.m., the chair noted that the Board had completed all agenda items and requested a motion to adjourn the meeting.

A motion to adjourn was made by Mr. Bagni and seconded by Mr. Edmonds and it was so voted unanimously to adjourn the meeting.

ATTEST: _____



11/27/17

List of Documents used at the meeting

1. Meeting agenda
2. September meeting minutes.
3. @HomePrep statistical report
4. Defender's Inc. communication
5. Jessica Donovan communication