



Electricians Public meeting Minutes

Board of Electricians
October 3, 2023 at 8:00 am EDT
Office of Professional Licensure and Certification
7 Eagle Square, Concord, NH 03301

I. Call to Order:

The regularly scheduled meeting for the New Hampshire Board of Electricians was held at 7 Eagle Square, Concord, NH on October 3, 2023. Unless otherwise indicated, the members present and participating were;

Matthew Connors, Master Electrician and Chair
Michael Palmeri, Master Electrician
Henry Szumiesz, Journeyman Electrician
William Infantine, Public Member
Dexter Robblee, Public Member - Absent
Phil Bryne, Fire Marshall Member
Talia Wilson, Senior Board Administrator
Charlene Anstead, Board Administrator
Elizabeth Eaton, Board Counsel

Matthew Connors, Board Chair opened the meeting at 8:23 am.

Below are the times notated that the board took for break:

9:13 am and returned at 9:30 am

10:02 am and returned at 10:14 am

II. Approval of Minutes:

On a motion by Henry Szumiesz and seconded by Michael Palmeri while William Infantine abstained, the Board voted by unanimous roll call to approve the minutes of September 12, 2023 meeting as written.

Motion to commence the first non-public session:

At 11:40 am on a motion by Henry Szumiesz and seconded by Michael Palmeri, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct, electricians applications with irregularities and other Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v. Knowlton, 119 NH 574 (1978) and the

Boards executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous roll call vote of all members present.

Motion to keep minutes of the first non-public session confidential:

Upon the motion by William Infantine and seconded by Henry Szumiesz, the Board voted to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a member and/or to render the proposed action ineffective and/or is not subject to public disclosure pursuant to RSA 329:18, I, RSA 329:18-a, IV or RSA 329:29. However, forty-eight hours after the mailing of any order, its' respective vote shall automatically become public in accordance with RSA 329:18-a. Each member recorded his/her vote on the motion, which passed by the unanimous roll call vote of all members present.

III. Public Appearances/Adjudicative Hearings:

A. Hearing: Gibbons – 2023-ELEC-0840

1. Eric Gibbons – Respondent, Jolt Electric
2. Elizabeth Eaton – Board Counsel
3. Shane Goulet – Hearing Officer
4. Attorney Shepherd – Respondent Counsel
5. Shane Johnson – OPLC Investigator

The hearing for Eric Gibbons commenced at 10:11 am. Hearing Officer Goulet reviewed the procedural matters and swore in Eric Gibbons for testimony. Hearing Officer Goulet gave the Respondent the option of having the hearing heard in Non-Public session, Mr. Gibbons declined.

At the time of 10:49 to 10:55 the Board entered into a non-meeting to consult with Board Counsel Elizabeth Eaton.

OPLC Investigator Shane Johnson testified the complaint against Eric Gibbons came to OPLC Enforcement Division in August 2023. Eric Gibbons had entered into a contract with the construction company that the homeowner Tom Comey employed to complete a renovation. In the complaint, the homeowner Mr. Comey made the claim that the work performed did not appear to meet all state code requirements and the work done is not functional for its' intended use of a home office. Respondent Eric Gibbons testified that Mr. Comey called and stated that he could not run his office equipment. Mr. Gibbons testified that Mr. Comey was extremely frugal and did not want to spend the money for an extra circuit, therefore he installed the minimal allowed by code. Mr. Gibbons made attempts to return to the job site to correct concerns Mr. Comey had, but Mr. Comey refused to allow Mr. Gibbons back onto the property.

The Hearing concluded at 11:19. Deliberations were heard in Non-Public session.

B. Spark Electric

Continued

IV. New business

A. Education Committee

1. **Alex Merrill** – Request

On a motion by Henry Szumiesz and seconded by Michal Palmeri, the Board voted to credit hours towards apprenticeship provided the Master Electrician will sign off on all applicable hours.

2. **Khaled Hamdaoui** – Request

This matter has been tabled until the next scheduled Board meeting.

B. Report from Fire Marshalls Office

Fire Marshall member Phil Bryne informed the Board that year 2021 fire codes have been amended and updated and will be moving forward. Fire codes from year 2021 continue to be the most stringent concerning operating generators from buildings and food trucks, restricting its' location from 5 feet to 20 feet.

On a motion by Henry Szumiesz and seconded by William Infantine, the Board voted to accept the Fire Marshall report.

C. Prov Results review

OPLC Electrical Chief Inspector Scott Johnson updated the Board of his meeting with Prov. Chief Inspector Johnson concluded that the questions on the test are deemed appropriate. Additional time is now being allowed to take the exam in consideration of an additional 5 questions on the test.

On a motion by Henry Szumiesz and seconded by William Infantine, the Board voted to accept and file the Prov results.

D. School Reports

The Board instructed the Board Administrator that these reports do not need to come in front of the Board moving forward.

E. Inspectors Report

OPLC Chief Electrical Inspector Scott Johnston gave the Board the October report. Inspector Johnston informed the Board that he plans to monitor a testing procedure, announcing that cheating on exams exists and would like to observe how the exam is proctored. Inspector Johnston updated the Board that the volume of complaints has increased and remain various in nature. The biggest issues the Division of Enforcement are handling now are solar related. Henry Szumiesz thanked Inspector Johnston for attending a legislative session and for representing the Board of Electricians.

On a motion by Henry Szumiesz and seconded by William Infantine, the Board voted to accept the Inspectors report.

V. Rules Review with Tina Kelley – Hearing for Elec 300s and 400s

Hearing commenced at 9:35am. Rules Coordinator Tina Kelley informed the Board that written testimony will be accepted until October 13, 2023, at 4:00pm. Steven Rancourt member of the public gave oral testimony. William Infantine asked if it was too confusing and how is the average person supposed to know how to navigate through OPLC rules and the Board rules. Ms. Kelly suggested that she can just reference the OPLC rules instead and will bring a copy of those rules to the next meeting for the Board to review. Hearing was continued until 11:30am for the Board to attend to other scheduled matters. Hearing recommenced at 11:29am. Steven Rancourt member of the public gave additional oral testimony and will submit written testimony to Ms. Kelley for further clarification. Hearing closed at 11:39am.

VI. Licensure Approval

None

VII. Adjournment

On a motion by Henry Szumiesz and seconded by Matthew Connor, the Board voted unanimously by roll call vote to adjourn the public session at 12:02 pm.