

MAINE FUEL BOARD  
OFFICIAL MEETING MINUTES

Meeting Date: February 8, 2024  
Meeting Location: Office of Professional and Occupational Regulation,  
76 Northern Avenue, Gardiner, ME

Time Meeting Began: 9:01 a.m.

**I. CALL TO ORDER**

Members present:

Mark Bossie, Chairman  
Paul McClay (remote)  
David Foster  
Mark Anderson  
Richard McCarthy  
Maynard “Skip” Waltz  
Loren Gordon  
Beau Libby

Members absent:

None

Staff Present:

Karen Ross, Interim Board Manager  
Dale Hersey, State Senior Fuel Inspector  
Peter Holmes, Executive Director  
Matthew Fournier, Planning and Research Assoc. II

AAG Present:

Tim Steigelman, Assistant Attorney General

**II. ELECTION OF BOARD CHAIR**

Mark Bossie was nominated for Board Chair by David Foster, second by Maynard “Skip” Waltz. Mr. Bossie accepted the nomination. A vote was made to elect Mr. Bossie Board Chair.

Voted 8 in favor, none opposed. Motion carried.

**III. AGENDA MODIFICATIONS AND APPROVAL**

Agenda was accepted as written. No amendments.

#### **IV. MINUTES REVIEW AND APPROVAL**

A motion was made to approve the minutes of the December 14, 2023 meeting as written.

Motion: Maynard “Skip” Waltz

Second: David Foster

Voted 8 in favor, none opposed. Motion carried.

#### **V. ADJUDICATORY HEARING**

a. 2023-FUE-18935 Steven Price

A motion was made finding that by the preponderance of the evidence the licensee committed misrepresentation when they agreed to perform the work and didn’t complete the work.

Motion: Maynard “Skip” Waltz

Second: David Foster

Voted 8 in favored, none opposed. Motion carried.

A motion was made finding that by the preponderance of the evidence the licensee committed fraud and deceit when they agreed to return the payment as agreed.

Motion: Maynard “Skip” Waltz

Second: David Foster

Voted 8 in favored, none opposed. Motion carried.

A motion was made finding that by the preponderance of the evidence the licensee failed to report in writing a change in address within ten days required.

Motion: Richard McCarthy

Second: Maynard “Skip” Waltz

Voted 8 in favored, none opposed. Motion carried.

A motion was made as discipline to revoke the license and to have any future license issued by the Maine Fuel Board require the licensee to appear before the Board. To impose a civil penalty of \$400.00 for committing the violation of fraud, \$1,500.00 for committing the violation of fraud and deceit, and \$100.00 for failing to report a change of address (for a total of \$2,000.00), to be paid within one year of the fully executed decision and order.

Motion: Richard McCarthy

Second: David Foster

Voted 8 in favored, none opposed. Motion carried.

A motion was made to delegate authorization for the Board Chair to sign the decision and order.

Motion: David Foster

Second: Richard McCarthy

Voted 8 in favored, none opposed. Motion carried.

## **VI. COMPLAINT PRESENTATIONS**

a. 2023-FUE-19579

A motion was made to administratively dismiss the complaint and refer the complaint to the Electricians' Examining Board and the Plumbers' Examining Board.

Motion: Richard McCarthy

Second: David Foster

Voted 8 in favor, none opposed. Motion carried.

b. 2023 -FUE-19618

A motion was made to add this complaint to the other 2 complaints discussed in the previous Board Meeting, to be included in the Consent Agreement

Motion: David Foster

Second: Skip Waltz

Voted 8 in favor, none opposed. Motion carried.

c. 2023-FUE-19653

A motion was made to dismiss the complaint based on no violation of the Board's laws or rules.

Motion: David Foster

Second: Beau Libby

Voted 8 in favor, none opposed. Motion carried.

d. 2024-FUE-19715

A motion was made to dismiss the complaint based on no violation of the Board's laws or rules.

Motion: Mark Anderson

Second: David Foster

Voted 8 in favor, none opposed. Motion carried.

e. 2024-FUE-19716

A motion was made to dismiss the complaint based on no violation of the Board's laws and rules.

Motion: Mark Anderson

Second: David Foster

Voted 8 in favor, none opposed. Motion carried.

f. 2023-FUE-19252

A motion was made to administratively dismiss the complaint and refer the complaint to the Electricians' Examining Board and the Plumbers' Examining Board.

Motion: Richard McCarthy

Second: David Foster

Voted 8 in favor, none opposed. Motion carried.

g. 2023-FUE-19250

A motion was made to set the matter for hearing with an offer of a consent agreement with a reprimand, with a civil penalty of \$750.00 to be paid in 90 days.

Motion: Maynard “Skip” Waltz

Second: David Foster

Voted 8 in favor, none opposed. Motion carried.

h. 2023-FUE-19326

A motion was made to set the matter for hearing with an offer of a consent agreement with a censure, with a civil penalty of \$500 to be paid in 6 months.

Motion: Mark Anderson

Second: Maynard “Skip” Waltz

Voted 8 in favor, none opposed. Motion carried.

## **VII. LICENSE APPLICATION PRESENTATION**

a. Brady Fusco – Apprentice License

A motion was made that the applicant had shown sufficient rehabilitation to warrant the public’s trust for the apprentice license and to issue the license.

Motion: David Foster

Second: Beau Libby

Voted 8 in favor, none opposed. Motion carried.

## **VIII. REVIEW A SLATE OF APPLICATIONS FOR APPROVAL TO ISSUE LETTER OF GUIDANCE FOR 10-DAY REPORTING VIOLATIONS PURSUANT TO 10 M.R.S. 8003 (5-A)(A)(11) AND 10 M.R.S. 8003-G(2)(B)**

A motion was made to renew the slate of license renewals and to administratively open and close a complaint, with a letter of guidance on the requirement of reporting a criminal conviction within 10-days to the Board.

Motion: David Foster

Second: Mark Anderson

Voted 8 in favor, none opposed. Motion carried.

## **IX. REVIEW OF PUBLIC COMMENTS ON THE MAINE FUEL BOARD PROPOSED RULEMAKING CHANGES TO CHAPTER 6, REVIEW OF DRAFT BASIS STATEMENT AND RESPONSE TO COMMENTS AND VOTE ON FINAL ADOPTION**

A motion was made to adopt the rule as proposed and approved the drafted response to public comments.

Motion: Mark Anderson

Second: Mark Bossie

Voted 8 in favor, none opposed. Motion carried.

## **X. STATE FUEL INSPECTOR REPORT**

Dale Hersey gave the Inspector’s Report

**XI. BOARD'S MANAGER REPORT**

Karen Ross gave the Board Manager's Report

**XII. OPPORTUNITY FOR PUBLIC COMMENT**

None

**XIII. ADJOURN**

A motion was made to adjourn at 11:53 a.m.

Motion: David Foster

Second: Beau Libby

Voted 8 in favor, none opposed. Motion carried.