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ANTHONY P. CAPUTO
CHAIRMAN

BOARD OF FIRE PREVENTION REGULATIONS
MINUTES OF BOARD MEETING

February 1, 2024 1:00 p.m.
Microsoft Teams Meeting

The following Board members were present:

Anthony Caputo
Alfonso Ibarreta
Edward Williams
Patrick Ellis
Larry S. Fisher
Patty Sheehan
Richard Arruda
Jon Davine
Paul Kennedy
Ken Smith
John Cox
Paul Scheiner

Chair, BFPR
Registered Professional Mechanical Engineer
Deputy Chief Brockton Fire Department
Deputy Chief – Boston Fire Department Commissioner
Electrical Contractor
Inspector of Buildings
Chief – under 25,000 population
State Fire Marshal
Wiring Inspector
Blasting Association Member
Chemical Engineer
Fire Chemist

DFS Staffing were present:

Mary Ann Smith
Kristen McDonough
John Wood III
Glenn Rooney
Rachel Perlman

Code Administrator, Fire Safety Division
Fire Protection Engineer, Fire Safety Division
Code Compliance Officer, Fire Safety Division
General Counsel
Deputy General Counsel

Guests were present:

Jen Hoyt
Michael Pang
Abid Anwar
Rae Moore

Monthly Board Meeting

Meeting was opened at 1:02 p.m. by Anthony Caputo, Interim Chair.

Introductions, Mary Ann Smith called upon BFPR Members and DFS Staff to introduce themselves for the record.

1. Minutes from the January 4, 2024 meeting of BFPR submitted for approval.

Motion to approve the January 4, 2024, meeting minutes made by Paul Scheiner seconded by Larry Fisher. 11 in favor, 1 abstained (Paul Scheiner), Motion Carries.

New Business

1. Staff presented a draft letter regarding the errors in the implementation of the code change proposal that was submitted and accepted by the BBRs. Members of the NFPA 45 workgroup have created two additional code change proposals to be submitted at the BBRs Public Meeting:
 - i. Code Change Proposal A – this code change proposal will be submitted to the BBRs during the public hearing in the event that the draft language for 780 CMR 428 remains unchanged.
 - ii. Code Change Proposal B – this code change proposal will be submitted to the BBRs during the public hearing in the event the draft language for 780 CMR 428 is changed to the original language. This language was created to provide additional clarity to the Code Change Proposal submitted and approved by the BBRs on October 11, 2022.

Motion to approve the draft letter to the BBRs as written made by Paul Scheiner, seconded by Larry Fisher. All in favor. Motion Carries.

(Note: Paul Kennedy disconnected and was not involved in the vote)

2. Staff presented a guidance document authored by the BSEE/BFPR Workgroup on Application for Permit to Perform Electrical Work.

Motion to approve the guidance document as written made by Larry Fisher, seconded by John Cox. All in favor. Motion Carries.

3. Code Change Proposal Submitted from Chief Richard Arruda on January 19, 2024.
 - i. **Motion to approve the response to Code Change Proposal 1 on 52.9.4.2 made by Alfonso Ibarreta, seconded by Larry Fisher. All in favor. Motion Carries.**
 - ii. **Motion to approve the response to Code Change Proposal 2 on 52.9.4.1.1 made by Edward Williams, seconded by Alfonso Ibarreta. All in favor. Motion Carries.**
 - iii. **Motion to approve the response to Code Change Proposal 3 on 52.9.8 made by Jon Davine, seconded by Alfonso Ibarreta. All in favor. Motion Carries.**
4. Code Change Proposal submitted from Christopher Faucher on January 23, 2024. 527 CMR 1.00, Chapter 11 was sent to the General Requirements Committee for review.

No Action

5. NFPA has provided BFPR with online access to the Massachusetts Comprehensive Fire Safety Code Based on the 2021 edition of NFPA 1.

No Action

(Note: Paul Kennedy reconnected)

Old Business

1. *Committee/ Reports*

a. *Administrative Code Committee*

(1) *Meeting, January 24, 2024*

No Action

b. *General Requirements Code Committee*

(1) *Code Change Proposals submitted by Chris Towski on October 23, 2023.*

- i. **Motion to approve response to Code Change Proposal a on 11.12.3.2.3.4 made by Larry Fisher, seconded by John Cox. All in favor. Motion Carries.**
- ii. **Motion to approve response to Code Change Proposal b on 11.12.3.3.5 made by Patrick Ellis, seconded by Larry Fisher. All in favor. Motion Carries.**
- iii. **Motion to approve response to Code Change Proposal c on 11.12.3.2.5.3 made by Patrick Ellis, seconded by Larry Fisher. All in favor. Motion Carries.**
- iv. **Motion to approve response to Code Change Proposal d on 11.12.3.2.4.3 made by Patrick Ellis, seconded by Larry Fisher. All in favor. Motion Carries.**
- v. **Motion to approve response to Code Change Proposal e on 11.12.3.2.2.1 made by Patrick Ellis, seconded by Larry Fisher. All in favor. Motion Carries.**
- vi. **Motion to approve response to Code Change Proposal f on 11.12.3.2.3.5 made by Patrick Ellis, seconded by Larry Fisher. All in favor. Motion Carries.**
- vii. **Motion to approve response to Code Change Proposal g on 11.12.3.2.3.6 made by Edward Williams, seconded by Patrick Ellis. All in favor. Motion Carries.**
- viii. **Motion to approve response to Code Change Proposal h on Section 3 Definitions made by Richard Arruda, seconded by Paul Kennedy. All in favor. Motion Carries.**

(Note: Larry Fisher was away and was not involved in this vote, Larry Fisher returned for the vote on item ix.)

- ix. **Motion to approve response to Code Change Proposal i on Section 3 Definitions with modification, Roof Plane Definition, made by Patrick Ellis, seconded by Paul Kennedy. All in favor. Motion Carries.**

(2) *Committee is working to review code change proposals submitted for Chapter 11 by the S.E.B.A.N.E. (Solar Industry)*

No Action

c. *Occupancy Code Committee*

d. *Processing Code Committee*

(1) **Motion to approve minutes from December 6, 2023 made by Tony Caputo, seconded by Larry Fisher. All in favor. Motion Carries.**

(2) *Meeting, January 17, 2024*

No Action

- e. *Equipment Code Committee*
 - (1) *Meeting, January 29, 2024*

No Action

- f. *Hazardous Code Committee*
- g. *Electrical Code Committee*

- (1) **Motion to approve minutes from November 6, 2023 made by Paul Scheiner, seconded by John Cox. All in favor. Motion Carries.**

- (2) *Meeting, January 23, 2024*

No Action

- i. **Motion to accept response to 527 CMR 12.00, received from Jeffrey D. Vanacore, on November 6, 2023 made by Larry Fisher, seconded by Patrick Ellis. All in favor. Motion Carries.**
- ii. **Motion to accept response to 527 CMR 12.00, Rule 3, 110.3(B), 210.8(A) Question 1 received from Christopher Polny, on December 18, 2023 made by Paul Kennedy, seconded by Larry Fisher. All in favor. Motion Carries.**
- iii. **Motion to accept response to 527 CMR 12.00, Rule 3, 110.3(B), 210.8(A) Question 2 received from Christopher Polny, on December 18, 2023 made by Paul Kennedy, seconded by Larry Fisher. All in favor. Motion Carries.**
- iv. **Motion to accept response to 527 CMR 12.00, Rule 3, 110.3(B), 210.8(A) Question 3 received from Christopher Polny, on December 18, 2023 made by Paul Kennedy, seconded by Larry Fisher. All in favor. Motion Carries.**
- v. **Motion to accept response to 527 CMR 12.00, 230.85(C) Question 1 received from Christopher Polny, on December 13, 2023 made by Paul Kennedy, seconded by Larry Fisher. All in favor. Motion Carries.**
- vi. **Motion to accept response to 527 CMR 12.00, 230.85(C) Question 2 received from Christopher Polny, on December 13, 2023 made by Paul Kennedy, seconded by Larry Fisher. All in favor. Motion Carries.**
- vii. **No response to 527 CMR 12.00, 230.85(C) Question 3 received from Christopher Polny, on December 13, 2023. No Action.**
- viii. **Motion to accept Response to 527 CMR 12.00, 215.18 Question 1 received from Stephen Leger, on December 12, 2023 made by Paul Kennedy, seconded by Larry Fisher. All in favor. Motion Carries.**
- ix. **Motion to accept Response to 527 CMR 12.00, 215.18 Question 2 received from Stephen Leger, on December 12, 2023 made by Paul Kennedy, seconded by Larry Fisher. All in favor. Motion Carries.**
- x. **No response to 527 CMR 12.00, 230.2 received from Tom Cummins, on December 18, 2023. No Action.**

h. *Massachusetts Electrical Advisory Committee*

i. *BFPR/BSEE Work Group*

(1) **Motion to approve minutes from December 11, 2023 made by Patrick Ellis, seconded by Edward Williams. All in favor. Motion Carries.**

(2) *Meeting, January 19, 2024*

No Action.

j. *Flame Effects Work Group*

(1) *Meeting, January 16, 2024*

No Action

Items not reasonably anticipated by the Chair

1. **Motion to have Jake Nunnemacher send a Code Change Proposal to the Equipment Committee for review on the new UL Standards in regard to Smoke Alarms & Smoke Detectors made by Paul Scheiner, seconded by Richard Arruda. All in favor. Motion Carries.**
2. Chairman Anthony (Tony) Caputo announces his retirement from the Board of Regulations and Prevention (BFPR). This will be his last meeting as Chairman. The knowledge and guidance that he has provided the Board in his 24 years of serving (8 ½ years as Chair) will not be forgotten. The Board wishes him well as he goes on to enjoy his retirement.

Adjournment

A motion to adjourn the meeting was made by Paul Scheiner, seconded by Paul Kennedy. Motion passed unanimously. Meeting ended at 2:50 p.m.

Approved: Larry S. Fisher Date: 3/7/24