

**STATE BOARD OF BUILDING REGULATIONS AND STANDARDS
BUILDING OFFICIAL CERTIFICATION COMMITTEE**

April 3, 2013

**@ Sturbridge Public Safety Building
Sturbridge, MA**

MEMBERS

| | | <u>PRESENT</u> | <u>ABSENT</u> |
|------------------------------------|---|-------------------------------------|-------------------------------------|
| Jeff Richards Chairman | - Massachusetts Building Commissioner's Association, Weymouth | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Donald R. Torrico Vice Chairman | - Building Officials of Western Massachusetts Member, Lee | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Michael Clancy | - Southeastern Building Official's Association, Marshfield | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Chris Clemente | - Member At Large, Andover | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Bonnie Weeks | - Member At Large, Amherst | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Andrew Bobola | - Member At Large, Mattapoissett | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Roger Fuller | - Massachusetts Municipal Association Representative | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Peter McLaughlin | - Member from Academia | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Bill Horrocks | - BBRS Representative | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The purpose of the meeting was to review applications for certification, applications for continuing education credit, and general business matters.

| NAME | CITY / TOWN | ACTION TO BE TAKEN | Approve / Deny | M | S/M |
|---------------------------------------|-----------------------|---|----------------|-----------|-----------|
| Meeting Minutes March 6, 2013 | | | A | DT | MC |
| Application for Certification: | | | | | |
| Brennan, Paul BO-1771 | Town of Winchester | Local Certification Quals approved 9/1/2009 20 CEU's | A | CC | AB |
| Cote, Damian BO-1746 | City of Holyoke | I of B Certification Local Certification 3/7/2012 Quals approved 12/7/2011 23 CEU's | A | CC | MC |
| O'Neill, Gerald BO1502 | Town of Hingham | I of B Certification Local Certification 3/13/2007 Quals approved 4/26/2006 38.5 CEU's | A | DT | CC |

| NAME | CITY / TOWN | ACTION TO BE TAKEN | Approve / Deny | M | S/M |
|--|------------------------------|--|----------------|-----------|-----------|
| <p>Examination Approvals:</p> <p>Copies of resumes provided today</p> | | | | | |
| Arborio, Anthony | No Affiliation (CT) | Qualifications Local and/or I of B Reciprocity from Connecticut | A | AB | MC |
| <p>Michael Clancy reviewed the State of Connecticut's qualifications and procedures to be licensed as a Building Official and reported the following information to the BOCC.</p> <p>Connecticut General Statutes Sec. 29-261. Qualifications of building official and assistant building officials... (a) The building official, to be eligible for appointment, shall have had at least five years' experience in construction, design or supervision and assistant building officials shall have had at least three years' experience in construction, design or supervision...</p> <p>Requires a minimum 90 hours of continuing education every three years</p> <p>CT does not recognize ICC testing but allows the following reference materials to be used during the exam administered by CT: IRC, IBC, IMC, IPC, Nat'l Electrical Code, IECC, IEBC, and ANSI A117.1 Accessible. This exam is 6 hours with 122 questions to be licensed as a Building Official. Exams administered through ICC, as required for certification as an Inspector of Buildings / Building Commissioner is a total of 4 hours; 100 questions for L/M exam and 75 questions for Technology exam.</p> <p>On a Motion by Andy Bobola and Seconded by Mike Clancy it was voted to accept reciprocal qualifications for Local Inspector and to accept qualifications to proceed with the Inspector of Buildings / Building Commissioner exams.</p> | | | | | |
| Adams, Andrea K. | No Affiliation (Princeton) | Qualifications Local and/or I of B | A | DT | CC |
| Benquist, Ronald | No Affiliation (Sterling) | Qualifications Local and/or I of B | A | BH | MC |
| Bliss, Andre | No Affiliation (Westhampton) | Qualifications Local and/or I of B | A | DT | CC |
| Correia, Jose | No Affiliation (Swansea) | Qualifications Local and/or I of B | A | BH | DT |
| Cox, William | No Affiliation (Granby) | Qualifications Local and/or I of B (appointed as Alternate for Town of Granby) | A | BH | CC |
| Guillemette, Marc | No Affiliation (Agawam) | Qualifications Local and/or I of B | A | CC | DT |
| Legare, Robert | No Affiliation (Petersham) | Qualifications Local and/or I of B | A | AB | DT |

| NAME | CITY / TOWN | ACTION TO BE TAKEN | Approve / Deny | M | S/M |
|--|--------------------|--|----------------|-----------|-----------|
| <p>New Employee Report Forms:</p> <p>Footnote:</p> <p>R7.1.7.4 Conditional appointments 7. Any individual conditionally appointed as an inspector of buildings/building commissioner shall first be certified as a local inspector. 'February, 2011'</p> | | | | | |
| Brooks, Kenneth | Town of Clarksburg | Acknowledge NERF Local Inspector Appointed 2/13/2013 Local Inspector 5/25/2005 13 CEU's | ACK | MC | AB |
| Cox, William | Town of Granby | Acknowledge NERF Local Inspector Appointed 3/28/2013 Review quals today 4/3/2013 | “ | “ | “ |
| Farnsworth, Jr., William | Town of Groton | Acknowledge NERF Building Commissioner Appointed 2/28/2013 I of B Certification 11/12/1992 44.5 CEU's | “ | “ | “ |
| Ricker, George | Town of Barre | Acknowledge NERF Local Inspector Appointed 4/1/2013 Local Certification 8/25/04 24.5 CEU's | “ | “ | “ |
| Sears, Timothy S. | Town of Marshfield | Acknowledge NERF Local Inspector Appointed 11/5/2012 I of B Certification 5/8/2012 24 CEU's | “ | “ | “ |
| Skowyra, Brianna | Town of Barre | Acknowledge NERF Building Commissioner Appointed 4/1/2013 I of B Certification 4/29/2002 10.5 CEU's | “ | “ | “ |
| Weeks, Bonita | Town of Palmer | Acknowledge NERF Local Inspector Appointed 1/3/2013 I of B Certification 11/12/1992 14 CEU's | “ | “ | “ |

| NAME | CITY / TOWN | ACTION TO BE TAKEN | Approve / Deny | M | S/M |
|------|-------------|--------------------|----------------|---|-----|
|------|-------------|--------------------|----------------|---|-----|

Extension Requests to be Certified:

Footnote:

R7.1.7.4.1 Requests for exam schedule extension. Upon written petition to the BOCC, any conditional appointee unable to comply with the examination schedule as cited in R7.1.7.4 may for cause, be granted an extension of time in order to comply. Petitions shall be forwarded to the clerk of the BOCC on forms for such purpose, and addressed to the office of the BBRs. The conditional appointee shall state all reasons to substantiate the request for an extension of time. Conditional appointees who have not attempted the examination schedule as herein defined during the prescribed period shall not be granted an extension, and no conditional appointee shall be afforded more than three extensions of time beyond the prescribed period for the level of certification sought. **'January 1, 2008'**

| | | | | | |
|-------------------|---------------------|---|-------------------------------|-----------|-----------|
| Casaceli, Michael | City of Marlborough | Extension for Local Certification Appointed 3/28/2012 6 months 9/30/2012 12 months 3/31/2013 Quals approved 4/4/2012 11.5 CEU's Passed 1A 6/21/2012 Failed 1B 7/5/2012 Passed 1B 3/8/2013 | A 9/30/2013 | BH | MC |
| Johnson, Stephen | Town of Upton | Extension for Local Certification Appointed 9/1/2011 6 months 3/31/2012 12 months 9/30/2012 Quals approved 10/5/2011 Extension through 3/31/2013 25 CEU's Passed 1A 3/2012 Failed 1B 8/2012 Passed 1B 3/2013 | A 9/30/2013 | BH | MC |
| Maillet, James | Town of Lunenburg | Extension for Local Certification Appointed 10/5/2010 6 months 4/30/2011 12 months 10/31/2011 Extension through 10/31/2012 (9/5/2012) Passed 1A Passed 1B Failed 3B 6/22/11 | A 10/31/2013 | BH | AB |

Extension Requests for Continuing Education:

None

New Business:

None

Hearings:

FOOTNOTE:

R7.4.1.4 Decisions and discipline of certification holders. The BOCC shall issue a written decision after the hearing. Decisions shall be issued in a reasonably prompt manner. **The decision of the BOCC shall serve as a recommendation to the BBRS and shall be promptly forwarded by the Administrator to the full board for review.** If after a hearing the BOCC finds that the holder has violated any provision of R7.4.1.5, it may recommend suspension of a certification for a fixed period of time, revocation of a certification permanently, or a reprimand of the certification holder. Further, the BOCC may recommend that any order include appropriate remedial or disciplinary conditions. Once forwarded to the BBRS, the board shall either, adopt the recommendation in its entirety, adopt the recommendation with amendment, reject the recommendation in its entirety, or remand the matter to the BOCC further proceedings. A certificate holder whose certification is revoked may apply in writing to the Board for reinstatement no sooner than one year from the date of the revocation.

| | | | |
|--|-------------------------------|--|--|
| <p>Brennan, Paul BOCC 2 2013</p> | <p>Town of Winchester</p> | <p>Extension for Local Inspector Appointed 5/18/2009 6 months 11/30/2009 12 months 5/31/2009 Quals approved 9/1/2009 20 CEU's Extension through 11/30/2010 Extension through 5/30/2011 Extension through 1/30/2012 Extension through 7/31/2012 Passed 1A Failed 1B 11/24/2010, 1/13/2010 1/18/2012, 1/25/2012, 1/30/2012</p> | <p>CANCELED PASSED REQUIRED EXAMS</p> |
|--|-------------------------------|--|--|

April 3, 2013

| | | | | | |
|---------------------------|------------------------|--|---|-----------|-----------|
| Htway, Tin BOCC 3-2013 | Town of Westborough | Extension for I of B Certification Appointed 12/1/2010 6 months 6/30/2011 18 months 6/30/2012 Quals approved 9/1/2010 Extension through 12/31/2012 55.5 CEU's (2012) Passed B1 10/5/2007 Passed B2 9/25/2010 (California) Passed L/M 8/3/2012 Passed Tech 1/4/2013 | A Through 12/31/2013 | CC | MC |
|---------------------------|------------------------|--|---|-----------|-----------|

Feb 6, 2013 – Request received to delay the resignation letter until after March 31, 2013 when Mr. Htway is scheduled to take the final F3 exam.
Denied previous motion of January 9, 2013 to approve an extension through 6/30/2013 because required letter to resign from Town of Ashland was not received. Request denied delaying sending in resignation letter from the Town of Ashland until March 31, 2013. Mr. Htway must request a hearing to remain in position of Inspector of Buildings / Building Commissioner, by 3/1/2013.
Received appeal 2/28/2013.

STATE BUILDING OFFICIAL CERTIFICATION COMMITTEE HEARING

**DATE: April 3, 2013
BOCC 03-2013**

On April 3, 2013, a hearing for **Tin Htway**, Town of Westborough, was held in Sturbridge before members of the State Building Official Certification Committee to review an Extension of Time request by Mr. Htway to complete the required F3 – Fire Plans Examiner exam.

On January 9, 2013 an extension request was reviewed and an extension was granted through June 30, 2013 contingent upon Mr. Htway's resignation from the Town of Ashland. Mr. Htway was appointed as the Building Commissioner for the Town of Ashland without first being certified as a Local Inspector as required by CMR R7.1.7.4 **Conditional appointments 7. Any individual conditionally appointed as an inspector of buildings/building commissioner shall first be certified as a local inspector.** The resignation was not received and a hearing was requested.

Synopsis of Testimony

The chairman of the Committee called the hearing to order. The facts of the case were read into the record. Mr. Tin Htway and Mr. Jim Malloy, Town Manager Town of Westborough, were present to offer testimony.

Mr. Htway stated he was appointed December, 2010, as the Building Commissioner for the Town of Westborough and May, 2011 as the Building Commissioner for the Town of Ashland. He previously worked in California as a building official for 23 years prior to his appointment in the Town of Westborough. Mr. Htway is currently on his first extension and needs to pass his final exam, F3 – Fire Plans Examiner, to be certified as a Local Inspector and Inspector of Buildings / Building Commissioner, has passed the B1, B2, Legal/Management and Technology exams. Mr. Htway unsuccessfully completed the F3 exam on March 30, 2013.

Mt. Htway provided a letter, exhibit A, he has resigned from the position of Building Commissioner for the Town of Ashland effective April 3, 2013.

Mr. Htway needs to complete his final exam through the International Code Council which resolved in a lengthy discussion with the BOCC regarding ICC exam restrictions to take one exam twice every six months.

Decision

Following testimony, discussion and two motions that did not carry, Chris Clemente made a **Motion and Seconded** by Mike Clancy to **Grant** a third (3rd) and *final* extension through December 31, 2013 contingent upon receiving notification from the Town of Ashland they have accepted Mr. Htway's resignation. Bill Horrocks and Andy Bobola opposed the vote; both gentlemen disagreed with using the language 'final'.

| | | | | | |
|------------------------------|------------------------|---|--|-----------|-----------|
| Jordan, Julia BOCC 4-2013 | City of Springfield | Extension for Local Inspector Appointed 2/11/2012 6 months 8/31/2012 12 months 2/28/2013 Quals approved 5/10/2011 4 CEU's Failed 1A 12/6/2011 Passed 1A 12/10/2011 | A Through 8/31/2013 | BH | AB |
|------------------------------|------------------------|---|--|-----------|-----------|

STATE BUILDING OFFICIAL CERTIFICATION COMMITTEE HEARING

DATE: April 3, 2013

BOCC 04-2013

On April 3, 2013, a hearing for **Julia Jordan**, City of Springfield, was held in Sturbridge before members of the State Building Official Certification Committee to review an Extension of Time request by Ms. Jordan to complete the required exams for Local Inspector.

Synopsis of Testimony

The chairman of the Committee called the hearing to order. The facts of the case were read into the record. Ms. Julia Jordan and Mr. Steven Desilets, Building Commissioner, City of Springfield, were present to offer testimony.

Ms. Jordan stated she was hired as a contracted employee through FEMA August 15, 2011, as the Local Inspector for the City of Springfield. The City of Springfield appointed Ms. Jordan as a permanent employee on February 11, 2012.

Ms. Jordan was successful in passing 1A – Building One- and Two- Family Dwelling December, 2011 which she thought was within her first 6 months of employment as required by CMR R7. Because of personal life events she was unable to schedule additional exams but is now ready to continue with the testing schedule.

Mr. Desilets stated Ms. Jordan was hired, with FEMA monies, August, 2011 because of the June 1 Tornado and then the October snow storm. The department has converted to electronic plan review and Ms. Jordan has been extremely helpful during this transition. He was not aware conditional appointees required continuing education but moving forward there will be no issue having Ms. Jordan attend training sessions.

Decision

Following testimony, on a **Motion** by Bill Horrocks and **Seconded** by Andy Bobola it was voted to acknowledge the provisional appointment of August 15, 2011 and accept the 1A exam, completed December, 2011, as in accordance with CMR R7.1.7.4 2. *Within the first six months of employment the conditional appointee shall make application to take the examination(s) required for the appropriate category of certification.* and to grant an extension through August 31, 2013.

| Name | Date | Course Description | CEU's | Cat | Course Number |
|--|------------|---|-------|-----|-----------------|
| | | Approved Motion By: CC Second Motion By: BH (*) Courses previously approved | | | |
| District 11 | 3/5/2013 | Sheet Metal | 1.0 | 2 | D11-0313 |
| District 14 | 2/28/2013 | ICF Insulated Concrete Foundations | 2.0 | 1 | D14-0213 |
| District 12 | 2/17/2013 | Round Table | 1.0 | 2 | D12-0213 |
| | 3/27/2013 | Chapter 1 Records & paperless Files | 1.0 | 1 | D12-0313 |
| District 8 | 2/6/2013 | Roof Framing & Wall Bracing | 2.0 | 2 | D8-0213 |
| | 3/13/2013 | Bldg Safety Month | 1.0 | 2 | D8-0313 |
| Stephen Dupre | 1/14/2013 | Intro to Green Building / Dept of HUD | 4.0 | 1 | C-2299 |
| District 9 | 12/18/2012 | Construction Control | 1.0 | 1 | D9-1212 |
| R. Christopher Noonan | 3/14/2013 | NAARSO | 7.0 | 1 | C-035 |
| Marc LaPointe | 2/24/2013 | FEMA IS-00704 NIMS | 2.0 | 1 | C-1688** |
| Boston ISD | 3/6/2013 | 780 CMR 909.3 Smoke Control Spec Insp | 2.5 | 1 | C-2300 |
| Gene Novak | 1/8/2013 | Solar Photovoltaic Systems | 2.0 | 1 | MW-0113 |
| | 3/12/2013 | Changes to IECC 2012 | 2.0 | 1 | MW-0313 |
| Mike Crisafulli | 3/23/2013 | 2009 CBO Technology Pre Course Tri-State Consultants | 4.0 | 2 | C-2301 |
| District 7 | 1/18/2013 | Round Table | 1.5 | 2 | D7-0113 |
| Joe Levrault | 2/11/2013 | Managing Floodplain Development through NFIP (National Flood Insurance Program) FLA | 10 | 1 | C-2302 |
| David Veleta | 1/31/2012 | Hazwoper Refresher | 10.0 | 2 | C-2303 |
| | 12/5/2012 | Emergency Response Plan Training for Northampton public water supply | 0 | | |
| | 6/20/2012 | Geosynthetics Engineering - Bay State Roads | 0 | | |
| | 2/2012 | Hot Mix Asphalt Construction - Nat'l Highway Inst | 0 | | |
| James Taylor | 1/16/2013 | 2003 IEBC Fundamentals | 6.0 | 1 | C-2304 |
| Gerard McCarty Gary Jarowski Anthony Arborio | 3/25/2013 | 2009 IEBC Fund Nonstructural Provisions | 6.0 | 1 | IC-141 |
| Gene Novak | 12/18/2012 | Webinar - Pedestrian Crossing | 2.0 | 2 | C-2305 |
| District 13 | 3/26/2013 | Right of Entry - Notice Issuance | 2.0 | 1 | D13-0313 |
| Thomas Ruble | 3/24/2013 | FEMA IS-00120.a An Introduction to Exercises | 1.0 | 1 | C-1688* |
| | 3/17/2013 | FEMA IS-00230.b Fundamentals of Emergency Management | 1.0 | 1 | C-1688* |
| | 3/21/2013 | FEMA IS-00240.a Leadership and Influence | 1.0 | 1 | C-1688* |
| | 3/22/2013 | FEMA IS-00241.a Decision making and Problem Solving | 1.0 | 1 | C-1688* |
| | 3/17/2013 | FEMA IS-00235.b Emergency Planning | 1.0 | 1 | C-1688* |
| | 3/23/2013 | FEMA IS-00242.a Effective Communication | 1.0 | 1 | C-1688* |
| | 3/24/2013 | FEMA IS-00244.a Developing and Managing Volunteers | 1.0 | 1 | C-1688* |
| | 3/14/2013 | FEMA IS-00100.fda ICS 100 food & drug admin | 1.0 | 1 | C-1688* |
| | 3/14/2013 | FEMA IS-00100.hcb ICS 100 healthcare/hospital | 1.0 | 1 | C-1688* |

| Name | Date | Course Description | CEU's | Cat | Course Number |
|-------|-----------|--|-------|-----|----------------|
| | 3/13/2013 | FEMA IS-00100.he ICS-100 higher education | 1.0 | 1 | C-1688* |
| | 3/13/2013 | FEMA IS-00100.fwa ICS-100 federal workers | 1.0 | 1 | C-1688* |
| | 3/11/2013 | FEMA IS-00100.leb ICS-100 law enforcement | 1.0 | 1 | C-1688* |
| | 3/11/2013 | FEMA IS-00100.pwb ICS-100 public works | 1.0 | 1 | C-1688* |
| | 3/9/2013 | FEMA IS-00100.sca ICS-100 school | 1.0 | 1 | C-1688* |
| | 3/9/2013 | FEMA IS-00200.hca ICS-200 health care/hospital | 1.0 | 1 | C-1688* |
| | 2/19/2013 | FEMA IS-00100.b ICS-100 | 1.0 | 1 | C-1688* |
| | 2/22/2013 | FEMA IS-00200.b ICS-200 | 1.0 | 1 | C-1688* |
| | 2/22/2013 | FEMA IS-00700.a NIMS an Introduction | 1.0 | 1 | C-1688* |
| | 2/25/2013 | FEMA IS-00701.a NIMS Multiagency Coordination System (MACS) | 1.0 | 1 | C-1688* |
| | 2/28/2013 | FEMA IS-00702.a NIMS Public Information Systems | 1.0 | 1 | C-1688* |
| | 3/1/2013 | FEMA IS-00703.a NIMS Resource Management | 1.0 | 1 | C-1688* |
| | 3/2/2013 | FEMA IS-00704 NIMS Communications and Information Management | 1.0 | 1 | C-1688* |
| | 3/1/2013 | FEMA IS-00706 NIMS Intrastate Mutual Aid and Introduction | 1.0 | 1 | C-1688* |
| | 3/2/2013 | FEMA IS-00800.b National Response Framework, an Introduction | 1.0 | 1 | C-1688* |
| CET | 3/27/2013 | Building High R Value Walls | 4.5 | 1 | C-2259* |
| ICC | | 2012 IRC Performing Residential Building Inspections | 10.0 | 1 | IC-169 |
| | | 2012 IRC Performing Residential Mechanical Inspections | 6.0 | 1 | IC-170 |
| | | 2012 IRC Performing Residential Plumbing Inspections | 0 | | |
| | | Performing Residential Electrical Inspections | 0 | | |
| | 4/2013 | ICC 2013 Code Hearings - Dallas | 10.0 | 1 | IC-171 |
| MBCIA | 9/27/2012 | Floor Openings | 2.0 | 1 | MB-0912 |

Additional Business:

None.

Next meeting scheduled for Wednesday May 1, 2013 – Sturbridge OR Tuesday May 7, 2013 Taunton

April 3, 2013