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Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF STATE EXAMINERS OF PLUMBERS
AND GAS FITTERS

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JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

OCTOBER 28, 2015 BOARD MEETING MINUTES

MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Paul Kennedy Sr.	Chairman, Journeyman Gasfitter	✓	
Mr. Joseph McNamee	Member, Master Gas Fitter		✓
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	✓	
Mr. Greg Hanley	Consumer Member	✓	
Mr. Steve Harold	Member, Master Plumber	✓	
Ms. Ruth Alfasso	Member, Dept. of Public Health	✓	
Mr. John MacDonald	Member, LP Installer	✓	
Mr. Harold Knight	Member, Journeyman Plumber	✓	
Mr. Dan Kilburn	Member, Public Safety	✓	

9:05 A.M.: APPROVAL OF PREVIOUS MEETING MINUTES:

- The September 30, 2015 Board Meeting Minutes

Correction(s): None

A motion was made to accept the minutes by Ms. Alfasso and seconded by Mr. Knight

Result: Unanimous

- The October 7, 2015 Board Meeting Minutes

Correction(s): None

A motion was made to accept the minutes by Mr. Knight and seconded by Mr. MacDonald Abstained: Mr.

Kaldas (absent)

Result: Unanimous



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VOCATIONAL SCHOOL PROJECT(S)

V1) DIMAN VOCATIONAL SCHOOL – 251 STONEHAVEN ROAD - FALL RIVER

Residential Project: Applicant is not required to attend. (People Incorporated – 4 South Main – Fall River))

Meeting Notes: Residential Project

A motion was made to approve their application as submitted by Mr. Knight and seconded by Mr. MacDonald

V2) V2) NORTHEAST VOCATIONAL SCHOOL – WAKEFIELD

Commercial Project: Applicant is required to attend. (In School Project)

Meeting Notes: Michael Zolotas presented the schools proposal to install two sinks in the culinary school kitchen. There are 74 students in the school. There are about 50 students (juniors and seniors) involved.

A motion was made to approve this in-house project by Mr. MacDonald and seconded by Mr. Harold

Result: Unanimous

V3) TRI-COUNTY REGIONAL VOCATIONAL SCHOOL – 147 POND STREET – FRANKLIN

Commercial Project: Applicant is required to attend. (Plainville Parks Department)

Meeting Notes: they propose replacing 4 toilets at the parks department. There would be 14 seniors involved but only 2 per day.

A motion was made to allow this commercial project by Mr. Knight and seconded by Mr. Harold.

Result: Unanimous

V3) SHAWSHEEN VOCATIONAL SCHOOL – 147 POND STREET - FRANKLIN

Commercial Project: Applicant is required to attend. (Billerica Police Animal Control Division - Dog Pound)

Meeting Notes: This is a small existing building with one rest room in it. They are raising the roof to put a new truss system. They need to re-route the water piping and extend the vent through the roof. There are 4 seniors as part of this project.

A motion was made to allow this commercial project by Mr. MacDonald and seconded by Ms. Alfasso.

Result: Unanimous

V5) NASHOBA VALLEY TECHNICAL SCHOOL – 100 LITTLETON ROAD – WESTFORD

Residential Project: Applicant is not required to attend. (Habitat for Humanity 138 Great Road Acton)

A motion was made to allow this residential project by Mr. Knight and seconded by Mr. MacDonald

Result: Unanimous

Note: Timothy Fandel from Local 12 was permitted to address the Board. He was concerned about commercial projects performed by vocational students and their relevance to the bid laws. In his opinion, while it is good for the students to get involved in projects, when these projects fall within the scope of bid laws, students shouldn't be able to be involved. In Mr. Fandel's opinion, it appeared that the bid process is being undermined. Further, he opined that there has to be a balance between providing educational value for students while ensuring major jobs are performed by skilled licensed plumbers who know what they are doing.

VARIANCES

PV059) KEVIN LUCEY LLC – 5 HIGH RIDGE ROAD - IPSWICH

Mr. Kenneth Trickett is requesting a variance from 248 CMR Section 10.09 (1) to allow a private car collector showroom area without floor drains. The Ipswich Board of health is aware of this variance request.

Meeting Notes: There is a storage area in the front and a service area in the back. The back area has the proper tight tank.

A motion was made to deny this request by Mr. MacDonald and seconded by Mr. McNamee

PV066) DENTAL OFFICE – 509 CONCORD STREET - FRAMINGHAM

Mr. Domenic Valente, is requesting a variance from 248 CMR Section 10.10 (18) to allow the existing non ADA compliant urinal to remain. The applicant properly petitioned the Framingham Board of Health.

Meeting Notes: Mr. Valente stated that the AAB has already granted a variance for this project.

A motion was made to allow this variance by Mr. McNamee and seconded by Mr. MacDonald.

Condition(s): They will install privacy screens for the existing urinals

PV101) CYNTHIA SLAVIN RESIDENCE – 4 CAPE ROAD - MENDON

Ms. Slavin is requesting a variance from 248 CMR Section 3.04 (1) & 10.06 (1) to allow the installation of a Claw Foot tub that is not product accepted. The petitioner would like to install non slip adhesive pads on the inside bottom of the tub. The plumbing inspector, Joseph Zacchilli stated he has no issues with this request for a variance. The Mendon Board of Health approves this variance request.

Meeting Notes: Ms. Slavin passed out samples of the non skid inserts. This is a new claw foot tub that has not yet been installed.

A motion was made to approve by Mr. Kilburn and seconded by Mr. MacDonald

Result: Six for and two against – Motion carries

A member of the public, Mr. Carter, suggested that the Board should consider sending a letter regarding this matter to F.W. Web. at their Bellingham location, as it appears F.W. Web sold this product to a consumer while knowing that it was not product accepted.

PV102) GEORGE VINHA OMG BAKERY – 49 LORING DRIVE - FRAMINGHAM

Mr. George Vinha is requesting a variance from 248 CMR Section 10.10 (18). The Petitioner is proposing removal of the existing handicapped toilet room and installing a unisex toilet room for three (3) employees. The applicant properly petitioned the Framingham Board of Health

Meeting Notes: There are two existing rest rooms in this building. It used to be a production area and is now being turned into a bakery. They would like to remove one of the existing rest rooms. This is for employees only. There is no public access.

A motion was made to approve by Mr. Harold and seconded by Mr. MacDonald.

Result: Unanimous

PV103) PARISH OF THE GOOD SHEPHERD – 1598 SOUTH MAIN STREET – FALL RIVER

Mr. Hallisey is requesting variance from 248 CMR Section 10.09. Petitioner is proposing constructing a 20' by 40' storage building. The petitioner notes no vehicles will be parked or stored in the building at any time. The petitioner properly petitioned the Framingham Board of Health.

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Meeting Notes: This will only be used to store maintenance equipment. There is no water in the building. They will install a permanent bollard in front of the door.

A motion was made to allow this variance by Mr. Harold and seconded by Ms. Alfasso.

Condition(s): Applicant will install a permanent bollard in front of the door.

Result: Unanimous

PV104) GARY ROME HYUNDAI – 150 WHITTING ROAD - HOLYOKE

Mr. Rome is requesting a variance from 248 CMR Section 10.09 (1). In a letter sent to the Board office, Frank Paige, President of Frank B. Paige Plumbing, states the owner of the property is asking to eliminate the need for floor drains in the show room floor area and that the showroom is for cars only. The applicant properly petitioned the Holyoke Board of Health.

A motion was made to continue this request by Mr. Knight and seconded by Mr. Kaldas.

Condition(s): Applicant failed to appear (Board staff will send a notice to reappear)

PV106) RW HYDE CONSTRUCTION, INC. – 556 TRAPELLO ROAD - BELMONT

Mr. Richard Hyde is requesting a variance from 248 CMR Section 10.15 to allow the installation of a backwater valve in the main sanitary line inside the building close to where the line exits the building and under the concrete slab on grade. The Belmont Board of Health is concerned that the sewerage backup problem will now be transferred to another business or home owner in the vicinity. The Board has requested that an alarm or monitoring station be installed to alert the owner of any activation of the backflow and trip to the water line as an extra precaution.

Meeting Notes: Mr. Hyde stated that with the recent work done out on Trapello Road, they are now getting sewerage back into their building because they are at a low point.

A motion was made to allow the installation of a backwater valve in the pit at the point where the drain exits the building by Mr. Knight and seconded by Mr. Kaldas

Condition(s): An alarm must also be installed

Result: Unanimous (recused: Mr. MacDonald)

PV107) Dr. Linsey Doan Endodontist Office – 120 North Main Street - Attleboro

Mr. Paul Zbruz, is requesting a variance from 248 CMR Section 10.10 (18). The Petitioner notes there is an existing space which was previously an Attorney's office. It is 1292 sq. ft. and has two non handicap bathrooms. Petitioner would like to fit it out with an Endodontist dental office. Petitioner is proposing to turn one of the bathrooms into an ADA accessible bathroom and is requesting a variance to leave the other bathroom as a non-handicapped bathroom and labeling it as a "private toilet." Mr. Zbruz properly petitioned the Attleboro Board of Health.

Meeting Notes: There is an existing non handicap rest room with a shower. They would like to remove the shower and make the rest room handicap accessible. There would end up being one unisex ADA patient rest room and one unisex employee rest room.

A motion was made to allow this variance request by Mr. McNamee and seconded by Mr. Kaldas.

Result: Unanimous

PV110) – ECO RECOVERY SOLUTIONS LLC – 620 TURNPIKE ROAD - SHREWSBURY

Mr. Michael Kissel, (ECO Recovery Solutions LLC) requests a variance from 248 CMR Section 10.10 (18) (j) & Table 1. The Petitioner proposes providing one unisex restroom at their adjacent site office trailer instead of the ash processing structure. The Shrewsbury Board of Health has no objections to this request.

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Meeting Notes: New ash processing facility. They are proposing to set a trailer about 160' away from this building. There is no heat in the main building. They would like to have one unisex rest room installed in the trailer. They are proposing to connect to the existing sewer. There will be no more than 6 people working there at any one time and there is limited space in this building. Mr. MacDonald mentioned that an industrial building needed a shower also. They are proposing a shower.

A motion was made to allow this variance by Ms. Alfasso and seconded by Mr. Kilburn

Condition(s): Plumbing in the trailer must comply with the requirements of 248 CMR for an industrial installation

Result: Unanimous

PV114) – WHITCOMB MIDDLE SCHOOL – 25 UNION STREET - MARLBOROUGH

Mr. Jonathan Charwick (Associate-Activitas, Inc.) is requesting a variance from 248 CMR 10.10 (18) Table 1. The Department of Public Works proposes to reconstruct this athletic field, which includes 500 seats. Current near restrooms are 300 feet away from stadium seats. A new restroom is proposed to be constructed but, the building will not be constructed until 2017. The Marlborough Board of Health supports this request.

Meeting Notes: The reduction will fall within the 50% typically allowed by the board. The new restrooms will not be installed until 2017 and they would like to utilize the existing rest rooms in the school until the new facility is built.

A motion was made to allow this variance by Mr. Hanley and seconded by Mr. MacDonald

Condition(s): The Board must receive a letter verifying the school restrooms will be open as a condition of issuing this variance.

Result: Unanimous

PV115) ALMA COLLETTE – 50 PARK STREET, UNIT #31 - BROOKLINE

Ms. Alma Collette, owner is requesting a variance from 248 CMR 3.04 (1). The petitioner purchased two non-product accepted shower unit panels which have ASSE 1016-2011 certification. The Brookline Board of Health was properly petitioned.

Meeting Notes: She has two shower panels with thermostatic valves that the manufacturer is not interested in getting the product listed with the board.

A motion was made to deny this variance by Mr. Hanley and seconded by Mr. MacDonald

Result: Unanimous

PV116) BREWSTER HISTORICAL SOCIETY-ELIJAH COBB HOUSE-739 LOWER RD-BREWSTER

Mr. Kurt Raber, (Architect) is requesting a variance from 248 CMR Section 10.10 (18) (i) to allow the continued use of the existing single use toilet room in lieu of providing two single use toilet rooms. The Brewster Board of Health endorses this variance request.

A motion was made to allow this variance by Ms. Alfasso and seconded by Mr. Harold

Result: Unanimous

PV118) UMASS AMHERST-ROBESHAM VISITOR CENTER-300 MASS AVE. LOT 34-AMHERST

Mr. Robert Hartwright, (Mechanical Estimator) is requesting a variance from 248 CMR Section 10.17 (8) (a) & Figure 17. The state inspector (Frederick Lima) visited the site on August 24, 2015. While onsite he noticed that all 18 columns for the three solar canopies had internal PVC drain piping. The applicant notes the project was

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finished, with the impression that this work was not governed by the plumbing code. The petitioner notes that salt is used for snow melting on the canopy islands. The use of cast-iron drain piping could corrode and rust the drain piping where it goes underground. As this is a state project, petitioning the local Board of Health is not required.

Meeting Notes: The product is currently buried in the column. They

A motion was made to allow this variance by Mr. Harold and seconded by Mr. Kilburn

Result: Unanimous

FYI – Board Delegated Staff Approvals – Board Vote Not Required

Drinking fountain requirements waiver in medical and office buildings.

DA PV111 – SYSTEMS TECHNOLOGY RESEARCH 5TH FL. – 600 W CUMMINGS PARK - WOBURN

DA PV113 – DMH – CAIN BUILDING, 3RD FLOOR – 60 HODGES AVENUE – TAUNTON

DA PV084 – JOHN GIANGRIGORIO – 97 WATER STREET – WORCESTER

Floor drains and gas/oil/sand separator waiver when installing permanent bollard(s).

DA PV105 – NU MOTION – 712 PLANTATION STREET – WORCESTER

DA PV117 – CSO ABATEMENT BUILDING 1 PRESIDENT AVENUE – FALL RIVER

The Board recessed at 10:20am

EXECUTIVE SESSION

CHARACTER REVIEW(S)

CR1) J.L.B CR2) J.M CR3) M.E.F CR4) W.S (2nd notice)

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

Public comments:

Mr. Fandel from Local 12 asked the Board if they would consider taking a license away from a contractor who did not pay his employees. Mr. Kennedy suggested that they should file a complaint so the Board can review the particular situation.

Mr. Carter asked if someone could file a complaint against an apprentice who does the same thing. It was noted by Board members that, like court, anyone can file a complaint against anyone, the merits would need to be reviewed before the Board would act on it, however.

ADJOURNMENT

A motion was made to adjourn the meeting by Mr. Harold and seconded by Mr. Kilburn.

Mr. Hanley wanted the minutes to reflect that the adjournment of the meeting was in honor of Steve Harold's distinguished service as a member of the Board and that we wish him continued success in his future endeavors

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LIST OF DOCUMENTS USED:

1. Meeting agenda
2. Minutes from prior meeting
3. Variance applications for above referenced agenda items

Respectfully Submitted By;

Wayne E. Thomas

Wayne E. Thomas, Executive Director
Board of Examiners of Plumbers and Gasfitters

Respectfully Authorized by;

Paul Kennedy, Sr.

Paul Kennedy Sr., Chairman
Board of Examiners of Plumbers and Gasfitters