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Minutes

Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters

Division of Occupational Licensure Video Conference Call Meeting

February 16, 2022, 10:00 AM

1. Meeting called to order by the Chair at 10:01 AM, followed by roll call, the Chair asked that members identify themselves and whom they represent:

Bureau Members Present:

Cesar I. Lastra, Chair
Dan Dumont, NE Mechanical Contractors
Scott King, Pipefitter Member
Justin Fishlin, Sprinkler Fitter Member
Allan Berry, Refrigeration Technician Member
Pauline Lally, User Member
Frank Norton, Boston Refrigeration Contractors
Sharon Orr, Mechanical Engineer
John Viola, Sprinkler Contractor Member
Brian Kelly, Mass. Building/Construction Trades
(arrived @ 10:26 AM)

Bureau Members Not Present:

VACANT, Public Member

Pursuant to St. 2021, c. 20, § 20, An Act Relative to Extending Certain COVID-19 Measures, all board members and staff appeared by videoconference. Public access was provided via videoconference or telephone connection. The Chair informed the Bureau members of the following meeting protocols in order to comply with the Open Meeting Laws:

- Meeting is conducted by the Chair and speakers must be recognized in order to address the Bureau.
- Meeting is a public meeting, not a public hearing.
- Anyone not speaking is to be kept on mute.
- All votes require a roll call by the Bureau members.
- All speakers must identify themselves by name.

2. **Minutes:** The draft minutes from the January 19, 2022 Bureau meeting were reviewed. **Motion to approve the minutes made by Frank Norton, seconded by John Viola; motion passed by unanimous roll call**



vote (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, and Sharron Orr).

3. Review of the following applications to examine:

John F Nixon, Jr (PJU) – Tabled

Application to examine for Pipefitter Journeyman's license (Unrestricted) submitted by John F Nixon, Jr was considered. **Motion to table the application until supporting documentation (letter of completion of training and hours of employment) is provided made by Sharon Orr, seconded by Scott King; motion passed by a majority roll call vote. (Cesar I. Lastra, Dan Dumont, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, and John Viola. Brian Kelly was not present at the time of the vote.)**

Samuel T Guinane (PJU) – Tabled

Application to examine for Pipefitter Journeyman's license (Unrestricted) submitted by Samuel T Guinane was considered. **Motion to table the application until supporting documentation (letter of good standing, completion of training, and hours of employment) is provided made by Dan Dumont, seconded by Frank Norton; motion passed by a majority roll call vote. (Cesar I. Lastra, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Sharon Orr, and John Viola. Brian Kelly was not present at the time of the vote.)**

Arlind Merovci (RT) – Approved

Application to examine for Refrigeration Technician's license submitted by Arlind Merovci was considered. **Motion to approve the application, pending a letter of good standing, made by Frank Norton, seconded by Allan Berry; motion passed by a majority roll call vote. (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Pauline Lally, Sharon Orr, and John Viola. Brian Kelly was not present at the time of the vote.)**

Keith Bell (RT) – Approved

Application to examine for Refrigeration Technician's license submitted by Keith Bell was considered. **Motion to approve the application made by John Viola, seconded by Frank Norton; motion passed by a majority roll call vote. (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, and Sharon Orr. Brian Kelly was not present at the time of the vote.)**

Paul Pimentel (RT) – Tabled

Application to examine for Refrigeration Technician's license submitted by Paul Pimentel was considered. **Motion to table the application until supporting documentation (letter of good standing, copy of Rhode Island license, and copy of Universal CFC license) is provided made by made by Frank Norton, seconded by Allan Berry; motion passed by a unanimous roll call vote (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Pauline Lally, Sharon Orr, John Viola, and Brian Kelly).**

Jeremy Gomes (SJ) – Tabled

Application to examine for Sprinkler Journeyman's license submitted by Jeremy Gomes was considered. Mr. Gomes was not present at the meeting. **Motion to table the application made by Justin Fishlin, seconded by John Viola; motion passed by unanimous roll call vote (Cesar I. Lastra, Dan Dumont, Scott King, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, and Brian Kelly).**

Kyle J Senecal (SJ) – Approved

Application to examine for Sprinkler Journeyman's license submitted by Kyle J Senecal was considered. Mr. Senecal was not present at the meeting. **Motion to table the application made by Justin Fishlin, seconded by Allan Berry; motion passed by unanimous roll call vote (Cesar I. Lastra, Dan Dumont, Scott King, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly).** Mr. Senecal was present at the meeting at 11:48 AM. **Motion to reopen the review of the application made by Brian Kelly, seconded by Allan Berry; motion passed by unanimous roll call vote (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Pauline Lally, Frank Norton, Sharon Orr, and John Viola).** **Motion to approve the application made by John Viola, seconded by Justin Fishlin; motion passed**

by unanimous roll call vote (Cesar I. Lastra, Dan Dumont, Scott King, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, and Brian Kelly).

4. Review of the following apprentice application

Mariano Munoz (RA) – Approved

The renewal of the Refrigeration Apprentice license submitted by Mariano Munoz was considered. Mr. Munoz was present in the meeting. **Motion to approve the renewal of the Refrigeration Apprentice license for a final renewal cycle made by Sharon Orr, seconded by Brian Kelly; motion passed by unanimous roll call vote (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, and John Viola).**

Thomas Edwards (RA) – Deny

The renewal of the Refrigeration Apprentice license submitted by Thomas Edwards was considered. Mr. Edwards was present in the meeting. Mr. Edwards was licensed as a Refrigeration Apprentice for over 10 years. Mr. Edwards expressed employment difficulties due to the current COVID-19 pandemic. **Motion to approve the renewal of the Refrigeration Apprentice license for a final renewal cycle made by Allan Berry, seconded by Frank Norton; motion does not pass by majority roll call vote (Allan Berry and Frank Norton voted in favor of the motion; Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Pauline Lally, Sharon Orr, and Brian Kelly voted against the motion). Motion to deny the renewal of the Refrigeration Apprentice license made by John Viola, seconded by Sharon Orr; motion passed by majority roll call vote (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Pauline Lally, Sharon Orr, and Brian Kelly voted in favor of the motion; Allan Berry and Frank Norton voted against the motion).**

David Taylor (SA) – Approved

The renewal of the Sprinkler Apprentice license submitted by David Taylor was considered. Mr. Taylor was present in the meeting. **Motion to approve the renewal of the Sprinkler Apprentice license for a final renewal cycle made by John Viola, seconded by Allan Berry; motion passed by a majority roll call vote. (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Pauline Lally, Frank Norton, and Sharon Orr. Brian Kelly was not present at the time of the vote.)**

John Szczechowicz (SA) – Tabled

The renewal of the Sprinkler Apprentice license submitted by John Szczechowicz was considered. Mr. Szczechowicz was not present in the meeting. **Motion to table the review of the Sprinkler Apprentice license made by Justin Fishlin, seconded by Allan Berry; motion passed by a majority roll call vote. (Cesar I. Lastra, Dan Dumont, Scott King, Pauline Lally, Frank Norton, Sharon Orr, and John Viola. Brian Kelly was not present at the time of the vote.)**

Kenneth Johnson (SA) – Tabled

The renewal of the Sprinkler Apprentice license submitted by Kenneth Johnson was considered. Mr. Johnson was not present in the meeting. **Motion to table the review of the Sprinkler Apprentice license made by Pauline Lally, seconded by Justin Fishlin; motion passed by a majority roll call vote. (Cesar I. Lastra, Dan Dumont, Scott King, Allan Berry, Frank Norton, Sharon Orr, and John Viola. Brian Kelly was not present at the time of the vote.)**

5. Discussion on the qualifications of instructors of Bureau approved schools

The Chair informed the Bureau members that the office received an inquiry regarding the qualifications of instructors of Bureau approved schools and whether the instructors should hold a Bureau license. The Chair noted that the Department of Elementary and Secondary Education ('DESE') requirements for evidence of qualifications differs from those of colleges and universities. Lynn Read, Bureau Counsel, stated that the Division of Apprenticeship Standards ('DAS') regulations establish qualification requirements, but the Bureau determines what are the qualifications. Discussion ensued amongst the

Bureau members. Bureau members expressed concerns over the difficulties that would be created for current Bureau schools and restricting instructors with different applicable qualifications. Brian Kelly stressed the importance of not looking to disrupt the industry, but to review schools whose students were experiencing issues. Christopher Faucher of the Bay Path Regional Vocational Technical High School informed the Bureau member that DESE requires HVAC instructors to hold the Refrigeration Technicians and inquired what the requirements were for private schools under the DOL and schools outside of the jurisdiction of the DESE and the DOL. Daniel Kilburn clarified that approved program are overseen by master level licensees. Bureau Counsel added that the DAS requires that instructors meet their regulatory requirements or be a subject matter expert, noting that the DAS regulations are flexible compared to the DESE's requirements. Bob Recko of Quinsigamond Community College expressed the need for a more definite and clarifying directive on the matter. Sharon Orr acknowledged Mr. Recko's comment, does not want to go "deep into the weeds." Mr. Kilburn added that the Bureau approves the curriculum, but the administration depends on the training program. **Motion to accept curriculum submitted by Bureau master license holders and compliant with all DAS/DESE requirements that all instructors are subject matter experts made by Brian Kelly, seconded by Scott King; motion passed by unanimous roll call vote (Cesar I. Lastra, Dan Dumont, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, and John Viola),**

6. Review of OPSI exam procedures and renewal notification process, including forms

Sharon Orr addressed the Bureau members on the topics of OPSI exam procedures, specifically, exam notifications via regular mail and email, and the submission of full applications for reexaminations. Daniel Kilburn informed Ms. Orr that email notifications are sent when regular mail would take a long time to fit an applicant in to an exam session, if space is available. Mr. Kilburn added that a full application for reexamination is needed for a re-review to determine the qualifications and other boards perform re-reviews of qualifications in the board level. Karalyn O'Brien, Executive Director of Licensing, informed the Bureau members of proactively emailing applicants when to anticipate notices and whom to contact if exam notice is not received by a certain time, adding that the office conducts 1,500 examinations a month, but does not have the resources in place to email 1,500 individual exam notifications. Mr. Kilburn acknowledged that applicants are not thrilled with the limited number of exam venues, but the goal is to maintain consistency with the hopes to have an exam venue in the western part of the Commonwealth later in the year.

7. Discussion of Bureau requirements on apprentice hours

Lynn Read, Bureau Counsel, informed the members that the joint draft letter is under review by the DOL front office and that the review is part of a more general DAS review with the DOL's other programs.

8. Status update on proposed amendments to 528 CMR

Lynn Read, Bureau Counsel, stated that no updates were available in time for the meeting. Bureau Counsel added that she is hopeful of moving forward with the public hearing process.

9. Jurisdictional Report by the Office of Public Safety and Inspections

Daniel Kilburn presented the OPSI jurisdictional report to the Bureau members. Mr. Kilburn stated that 42 inspections were performed in the month of January, with no warnings or fines issued. Mr. Kilburn added that the annual percentage of non-compliant enforcement is at 5%.

10. Matters not reasonably anticipated 48 hours in advance of meeting

- Lynn Read, Bureau Counsel, informed the Bureau members that the Governor's Office has extended the use of remote public meetings to July 15, 2022.

11. Motion to adjourn made by Allan Berry, seconded by Brian Kelly; motion passed by unanimous roll call vote (Cesar I. Lastra, Dan Dumont, Scott King, Justin Fishlin, Pauline Lally, Frank Norton, Sharon Orr, and John Viola), meeting adjourned at 12:22 PM.

The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters will be on Wednesday, March 16, 2022 at 10:00 AM.

List of Documents/Exhibits Used at this Meeting

- a. Draft minutes from the Bureau meeting on January 19, 2022
- b. PJU Application – John F. Nixon, Jr.
- c. PJU Application – Samuel T. Guinane
- d. RT Application – Arlind Merovci
- e. RT Application – Keith Bell
- f. RT Application – Paul Pimentel
- g. SJ Application – Jeremy Gomes
- h. SJ Application – Kyle J. Senecal
- i. RA License – Mariano Munoz
- j. RA License - Thomas Edwards
- k. SA License – David Taylor
- l. SA License - John Szczechowicz
- m. SA License – Kenneth Johnson
- n. Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters – Compliance Inspection Report (January 2021)