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Meeting Minutes

Board of Elevator Appeals

This meeting was held remotely via Microsoft Teams
March 7, 2024, at 9:00 a.m.

Board Members Present

Janet Moore, Chair
James Read
Chris Longchamps
Pat Sampson

Board Members Absent

Anthony Leonard Jr.

Division of Occupational Licensure

Jamie Dalton
Anthony Buonopane
Jay Ryan
Thomas Lacey
Phillip Chan

Guests:

Paul Haughey
Steve Femino
Lauren Asnes
Christine Parnell
Samantha Fereno

Meeting called to order: 9:06 a.m.

1. Attendance was taken via roll call.

• Janet Moore	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
• Anthony Leonard Jr.	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent
• James Read	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
• Chris Longchamps	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
• Pat Sampson	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent

2. Hearing on APP-BEA24-0001
302 Main Street, Spencer
Petitioner: Christine Parnell

[Exhibit 1]



Appealing the Board of Elevator Regulations' decision to deny a variance, for a variance from 524cmr 35.00 Section 2.26, specifically from FS90 work through June 2025, as the elevator will be decommissioned.

Steve Femino explained that the Board of Elevator Regulations (BER) denied the petition for a variance VAR24-0006 for a waiver of having to do FS90 work through June 2025, stating that the permits for FS90 repairs had not been submitted as required by previous testing and notifications with no demonstration of hardship by the owner. He indicated that the elevator is currently used by one handicapped student, the staff and guests and that there are two means of egress.

Paul Haughey, the superintendent of the Spencer school district, indicated that they were not ignoring the issue but were using the extensions allowed and that he was unaware that the extensions would stop before the elevator would be decommissioned. And stated that he was trying to not add the additional cost of the required FS90 repairs to the school district, due to spending restrictions.

After a discussion by the board, the petitioner was directed to provide additional information to the Board by March 21, 2024, including the following:

- a. A progress plan for the new school.
- b. Information regarding the stop switch in the current elevator, including whether it is keyed, push-pull, or toggle. Please include a current photograph of the car operating panel.
- c. Signed letter from local Fire Chief indicating local fire department's view on
 - i. FS-90 noncompliance for this elevator; and
 - ii. whether firefighters would in fact use this elevator in this building.

Paul Haughey requested the information in writing, to which he was informed that the information would be submitted to the petitioner in the form of an email, which was done on March 7, 2024. This hearing was concluded at 9:49 a.m.

3. Approval of meeting minutes from June 6, 2023. [Exhibit 2]

Pat Sampson moved to accept the minutes as presented. The motion was seconded by Janet Moore. Vote: 3-0-1

Motion: Pat Sampson

Seconded: Janet Moore

Vote: 3-0-1 Accepted as presented

Roll Call Vote:

- | | | | |
|--------------------|---|------------------------------|---|
| • Janet Moore | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • James Read | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |
| • Chris Longchamps | <input type="checkbox"/> aye | <input type="checkbox"/> nay | <input checked="" type="checkbox"/> abstain |
| • Pat Sampson | <input checked="" type="checkbox"/> aye | <input type="checkbox"/> nay | <input type="checkbox"/> abstain |

4. No members of the public were present, and the Board moved to closed adjudicatory conference pursuant to G. L. c. 30A, § 18 at 10:02 a.m., for discussion of APP-BEA24-0001. The meeting was adjourned from there.

List of Exhibits:

Exhibit 1: Board Packet for APP-BEA24-0001, 302 Main Street, Spencer

Exhibit 2: Meeting minutes from June 6, 2023.

Minutes prepared by Gayle Richardson.