

**BOARD OF FIRE PREVENTION REGULATIONS
MINUTES OF BOARD MEETING
October 2, 2014**

The Board of Fire Prevention Regulations held a Board meeting on Thursday, October 2, 2014 at the Department of Fire Services, Boards and Commissions Room, Stow, Massachusetts.

The following Board members were present at this meeting:

Stephen S. Burkott	Chief, Chicopee Fire Department
Anthony Caputo	Registered Professional Fire Protection Engineer
Jeffrey Cox	Registered Professional Electrical Engineer
Larry S. Fisher	Electrical Contractor
Alfonso F. Ibarreta	Registered Professional Mechanical Engineer
Gary S. Keith	Representative of the Public
William Laidler	Hanover Wiring Inspector
Robert MacKendrick	FPAM Representative
Eric H. Madison	Chief, Longmeadow Fire Department
Peter J. Ostroskey	Designee of the State Fire Marshal
Kevin C. Robinson	Chairman/Chief, Marshfield Fire Department
Paul C. Scheiner	Chemist
Bart Shea	Designee of the Commissioner, Boston Fire Department
Kenneth A. Smith	Blasting Association Member

The following Board members were absent from this meeting:

John J. Clancy	Inspector of Buildings in a City/Town
John D. Cox	Registered Professional Chemical Engineer

DFS/BFPR staffing present at this meeting:

Timothee Rodrique	Division of Fire Safety
Peter Senopoulos, Esq.	Board Counsel
Barbara DiGregorio	Division of Fire Safety
Jacob Nunnemacher	Division of Fire Safety

Also present were the following interested individuals (and their affiliations):

Julia Fisher	Guest
Paul Vigneau	City of Worcester
Don Jansen	Department of Public Licensure
Jeff Sargent	National Fire Prevention Association
Shannon Hickey	Deputy General Counsel, Executive Office of Public Safety & Security

The Chairman called the meeting to order at 1:00 pm and asked the members of the Board and staff to introduce themselves for the record.

Statutory Public Hearing held in accordance with M.G.L. c. 148, §10

Chairman Robinson advised that a statutory public hearing in accordance with MGL c. 148, §10 is held every May and every October to receive comments from the public on any and all sections of 527 CMR, the State Fire Code. Chief Robinson introduced himself as Chairman of the BFPR and called the Statutory Public Hearing to order at 1:02 pm for the purpose of receiving any public comments or recommendations regarding the code.

The Chairman asked if there were any persons in the audience who had any comments on any and all sections of 527 CMR, the State Fire Code.

Hearing none, the Chairman asked Division of Fire Safety staff if they received any written or oral comments regarding any of all sections of 527 CMR, the State Fire Code.

The Division of Fire Safety staff stated that they have not received any written or oral comments regarding any or all sections of 527 CMR, the State Fire Code.

Hearing none, the Chairman asked for a motion to close the statutory public hearing. The motion was made by Chief Madison, seconded by Mr. Laidler and unanimously voted by the Board.

Monthly Board Meeting New Business

1. Minutes from the September 4, 2014 meeting submitted for approval.

Upon a motion made by Chief Burkott, seconded by Chief Madison, the Board unanimously voted to approve the minutes of the September 4, 2014 meeting as submitted.

2. Discussion on any and all comments or petitions received relative to 527 CMR Sections 1.00 through 50.00.

No written or oral comments were received relative to 527 CMR Sections 1.00 through 50.00.

3. Meeting schedule discussion.

Upon a motion made by Mr. Fisher, seconded by Chief Madison, the Board voted to table this discussion until Board Counsel Senopoulos returns with handout that he has prepared.

Deputy Fire Marshal Ostroskey arrived at 1:03 pm.

New Item not on Agenda

Upon a motion made by Mr. Laidler, seconded by Chief Madison, the Board unanimously voted to authorize the 527 CMR 12 Electrical Code Committee to submit 10 of the 58 Massachusetts Amendments to the National Electrical Code for consideration in the 2017 National Electrical Code.

At this time the Board went back to item #3 - meeting schedule discussion

Board Counsel Senopoulos discussed the Massachusetts Attorney Generals Regulation 940 CMR 29.10 Remote Participation that was distributed to the Board today and suggested that the Board put this item on the next agenda for a vote.

The Board discussed meeting less frequently if there are only a few non pressing items on the agenda.

Upon a motion made by Mr. MacKendrick, seconded by Mr. Caputo, the board unanimously voted to authorize the Chairman with discussion with DFS staff to determine if meeting is necessary based on a review of the agenda.

Upon a motion made by Mr. Keith, seconded by Mr. Laidler, the board unanimously voted to add the Massachusetts Attorney Generals Regulation 940 CMR 29.10 Remote Participation to the next agenda for consideration.

The Board discussed when they will begin the review of NFPA 1 2015 version.

Deputy Fire Marshal Ostroskey suggested that we get through the implementation process and then have staff review NFPA 1 2015 version and bring changes to the Board for Code Committee action.

Monthly Board Meeting Old Business

1. *Request for an amendment regarding 527 CMR 12.00 Article 690 Section 11 "Arc-Fault Circuit Protection (Direct Current)" from Glenn McGillicuddy, Innovative Engineering Solutions, Inc.*

Mr. William Laidler advised the Board that the 527 CMR 12 Massachusetts Electrical Code Committee reviewed the above request and recommends staying with the National Electrical Code and not make an amendment at this time on 527 CMR 12.00 Article 690 Section 11 Arc-Fault Circuit Protection.

Upon a motion made by Mr. Laidler, seconded by Mr. Cox, the Board unanimously voted to accept the report of the code committee and stay with the National Electrical Code and not make an amendment on 527 CMR 12.00 Article 690 Section 11 Arc-Fault Circuit Protection.

The Board determined to have staff send a letter to Mr. McGillicuddy on this vote and to include a copy of the June 5, 2014 Memorandum on Article 90, Section 90.4.

2. *Request for clarification from Thomas Sullivan, Inspector of Wires, Town of Holyoke, on NEC 2014 210.11(C) 1 – Small Appliance branch circuits*

Mr. Jeff Cox advised the Board that the 527 CMR 12 Electrical Interpretation Committee reviewed the above request and determined that the response should be "yes".

Upon a motion made by Mr. Jeff Cox, seconded by Mr. Laidler, the Board unanimously voted to accept the report of the code committee and to send the letter to Mr. Sullivan that was distributed today.

3. *Request for an interpretation from Louis A. Travaglini, Inspector of Wires, Town of Ashland, regarding a A/C ductless unit and whether the air handler on the inside of the home needs a service switch.*

Mr. Jeff Cox advised the Board the 527 CMR 12 Interpretation Committee reviewed the above request from Louis A. Travaglini and determined that the response should be "yes".

Upon a motion made by Mr. Jeff Cox, seconded by Mr. Laidler, the Board unanimously voted to accept the report of the code committee and to send the letter to Mr. Travaglini that was distributed today.

Monthly Board Meeting – Regulatory Activity: Reports, Status, and Process

1. 527 CMR 1.00 – Massachusetts Comprehensive Fire Code

See discussion at the end of New Business.

Monthly Board Meeting – Promulgation: Status Updates

1. See attached spreadsheet from legal.

Board Counsel reviewed the BFPR Promulgation Status Tracking Sheet that was distributed.

Board Input

With mixed emotions Deputy Fire Marshal Ostroskey reported to the Board of a staff change here at DFS. Timothee Rodrique will be taking other gainful employment and be leaving DFS after almost 16 years of service. Deputy Fire Marshal Ostroskey stated that he knows there is a bright future for Tim. He wishes him the very best, but it is a huge loss personally as he has been a friend for a long time. Professionally it is a huge loss as Tim's name is a household name in every firehouse across the commonwealth and in some many other venues. We wish him very well. This will be Mr. Rodrique's last official BFPR meeting as staff.

Chairman Robinson expressed his appreciation of Timothee Rodrique's hard work and his effort work getting the model code to where it is now. That is a huge accomplishment. We all know that you were a large part of that and we thank you for your service.

Upon a motion made by Deputy Fire Marshal Ostroskey, seconded by Mr. Fisher, the Board unanimously voted to offer Timothee Rodrique words of congratulations.

Chairman Robinson advised the Board that Jeffrey Cox has been reappointed to the Board of Fire Prevention Regulations and his term will expire January 6, 2020.

The Board reviewed the letter Mr. Clancy sent to the Board of Building Regulations and Standards regarding the proposed white paper. A copy of the letter was distributed to the Board.

The Chairman noted his appreciation of a building official who understands the value of public safety over cost, and who continues to advocate that as a member of our Board and as the Inspector of Buildings for the Town Burlington. The Chairman appreciates his continued support for our effort for public safety over cost control.

Upon a motion was made by Dr. Scheiner and seconded by Mr. MacKendrick to adjourn the meeting at 1:51 pm. The Board voted unanimously on this motion.

Submitted by: Executive Director

Brian A. F. D.

Date:

10/4/2014