

**BOARD OF FIRE PREVENTION REGULATIONS  
MINUTES OF BOARD MEETING  
October 1, 2015**

The Board of Fire Prevention Regulations held a Board meeting on Thursday, October 1, 2015 at the Department of Fire Services, Boards and Commissions Room, Stow, Massachusetts.

The following Board members were present at this meeting:

Richard K. Arruda	Chief, Dartmouth Fire District 3
Anthony Caputo	Registered Professional Fire Protection Engineer
Joseph Conant	Commissioner, Springfield Fire Department
Jeffrey Cox	Registered Professional Electrical Engineer
John D. Cox	Registered Professional Chemical Engineer
John Dempsey	Designee of the Boston Fire Commissioner
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
Peter J. Ostroskey	Designee of the State Fire Marshal
Paul C. Scheiner	Chemist
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
Vacant	Fire Chief - 25,000 to 50,000 population

DFS/BFPR staffing present at this meeting:

Richard Fredette	Board Executive Director
Jennifer Hoyt	Division of Fire Safety
Peter Senopoulos, Esq.	Board Counsel
Paul Vigneau	Division of Fire Safety
Stephen Coan	State Fire Marshal

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

David S. Duval	Massachusetts Systems Contractors Association
Kristen Gowin	National Electrical Contractors Association
David Lafond	National Fire Sprinkler Association
Christopher Koretski	DFS Intern/Anna Maria College
David Doll	Interested Party
Jon Jones	Jon Jones & Associates
Robert Hansen	Southport on Cape Cod Condominium Association
Roy Reiss	Southport on Cape Cod Condominium Association
Bill McCarthy	Southport on Cape Cod Condominium Association
Marty Walsh	Southport on Cape Cod Condominium Association

### **Call to order and Introduction**

Chairman Caputo introduced himself and opened the meeting at 1:00 pm. He indicated that the meeting will consist of two parts. The first part will consist of a statutory public hearing in accordance with MGL c. 148, §10. Such a hearing is held every May and every October to receive comments from the public on any and all sections of the Massachusetts Fire Safety Code, 527 CMR: 1.00. He also indicated that this hearing is also in accordance with Governor Baker's Executive Order 562 which requires State Board's and agencies to hold listening sessions as part of their comprehensive review of existing regulations. Mr. Caputo also indicated that the Board, as per the notice, will also conduct a listening session to hear any comments and suggestions regarding The Massachusetts Electrical Code, 527 CMR: 12.00, which is also promulgated by the Board

### **Statutory Public Hearing held in accordance with M.G.L. c. 148, Section 10.**

The Chairman opened up the Statutory Public Hearing and listening session on 527 CMR: 1.00 for the purpose of receiving any public comments or recommendations regarding the code.

Roy Reiss, Robert Hansen, Bill McCarthy and Marty Walsh from Southport on Cape Cod Condominium Association presented the Board with a petition (see attached) from the residents of Southport on Cape Cod Condominium Association in Mashpee. The attendees also requested that the board clarify and reconsider the Massachusetts Comprehensive Fire Safety Code, 527 CMR: 1.00 regarding the use of grills on decks. They indicated that the wording now lists decks as part of the structure while the former wording and interpretation did not. The petition and comments indicated that the regulation treats owners of condominiums unfairly in relation to single family homes, especially given the comparative safety records of such grills in the town.

The Board's Executive Director, Richard Fredette, advised the Board that the following written comments (see attached) were also received:

#### **Written Comments Received for Public Hearing**

1. Richard McSorley, Prismo Coatings (Chapter 10)
2. Peter Romano, Independent Oil Marketers Association of New England (Chapter 42)
3. Roy Reiss, Southport – Grill Petition (Chapter 10)
4. Eddie Hall, Business Development Representative, East Coast, Intertek Commodities (NFPA 110)
5. Deputy Fire Chief Michael K. Laracy, Sr., - Photovoltaic – (Chapter 11)

Richard Fredette also presented comments and suggested amendments generated from DFS regarding:

1. Hood Certificates (Chapter 50)
2. Colored powder, BFPR Member (Chapter 10)

He also submitted a Comparison document 2012/2015/2018.

3. Errata's
4. Chapter 18
5. Prospective amendments (left from 2012 promulgation)

The Chairman asked if there were any other persons in the audience who had any additional comments or suggestions on 527 CMR: 1.00 for the Board's consideration. Hearing none, the



Chairman asked for a motion to close the statutory public hearing on 527 CMR: 1.00. The motion was made by Mr. Laidler, seconded by Dr. Scheiner and unanimously voted by the Board.

The Chairman opened the Public Hearing and E.O. 562 listening session for 527 CMR: 12.00, The Massachusetts Electrical Code.

Mr. Fredette advised the Board that he had received no written comments on 527 CMR: 12.00.

The Chairman asked if there were any other persons in the audience who had any comments on 527 CMR: 12.00. It was noted that there were no comments presented at the hearing/ listening session for 527 CMR: 12.00. Accordingly, the Chairman asked for a motion to close the statutory public hearing on 527 CMR: 12.00. The motion was made by Mr. Laidler, seconded by Dr. Scheiner and unanimously voted by the Board.

### **Monthly Board Meeting – Call to Order**

#### *1. Call to Order*

Chairman Anthony Caputo opened the regular meeting at 1:17 p.m.

#### *2. Member Introductions*

Chairman Anthony P. Caputo asked the members of the Board and Board staff to introduce themselves for the record.

#### *3. Minutes of the September 3, 2015 meeting submitted for approval.*

Upon a motion made by Dr. Scheiner, seconded by Gary Keith, the Board unanimously voted to approve the minutes of the September 3, 2015 meeting as submitted.

#### *4. Presentation by the Marshal to Chief Madison, Chief Burkott, and Chief Robinson.*

State Fire Marshal Coan presented Chief Madison, Chief Burkott, and Chief Robinson with a plaque in appreciation of their years of service on the Board of Fire Prevention Regulation. He congratulated and thanked them for making the commonwealth safe through the development of a comprehensive fire code.

Chief Richard DeLorie, President of the Fire Chief Association of Massachusetts, thanked Chief Madison, Chief Burkott, and Chief Robinson for their commitment to public service, their department, and the chiefs association.

Chairman Caputo, on behalf of the BFPR, also expressed appreciation of their dedicated service.

Mr. Laidler thanked Barbara DiGregorio for her efforts in coordinating the recognition/ presentation event.

### **Monthly Board Meeting - Old Business**

1. *Interpretation request from NECA Boston Chapter Electrical Contractors Association RFI on installing Preassembled Electrical Components.*

Upon a motion made by Mr. Laidler, seconded by Mr. MacKendrick, the Board unanimously voted to approve the draft response of the 527 CMR: 12.00 Electrical Interpretation Committee.

2. *Communication [email] from Board Member Alfonso Ibarreta; use of colored powders used for entertainment purposes.*

This item was sent to the General Requirements Code Committee last month; however this committee has not yet met.

3. *Committee Reports*
  - a. *Smoke Alarm Task Group – Status update*

Mr. Fisher advised the Board that the Smoke Alarm Task Group is continuing to meet with presenters in the industry on technology and regulatory guidance.

- b. *Welding/Hot Works Task Group – Status update and presentment of August 19, 2015 meeting minutes*

Mr. Laidler advised the Board that the Welding/Hot Works Task Group is also continuing to meet and have already met with NFPA several times to go over training and the certificate program. He advised the Board that they are also reviewing the scope of the Welding and Hot Works Permit.

- b. *General Requirements: Use of colored powders for entertainment purposes.*

Commissioner Conant advised the Board that the General Requirements Code Committee has not yet met.

### **Monthly Board Meeting - New Business**

1. *Discussion of any and all comments and/or petitions received relative to today's Statutory Public Hearing.*

Upon a motion made by Dr. Scheiner, seconded by Mr. Fisher, the Board unanimously voted to refer petition from Roy Reiss, Robert Hansen, Bill McCarthy and Marty Walsh from Southport on Cape Cod Condominium Association to the General Requirements Code Committee.

Upon a motion made by Mr. Laidler, seconded by Mr. Fisher, the Board unanimously voted to refer the written proposal from Richard McSorley, Prismo Coatings to the General Requirements Code Committee.

Upon a motion made by Mr. Jeff Cox, seconded by Mr. Laidler, the Board unanimously voted to refer the written proposal from Peter Romano, Independent Oil Marketers Association of New England (Chapter 42), to the Processes Code Committee.



Upon a motion made by Mr. Laidler, seconded by Mr. Jeff Cox, the Board unanimously voted to refer the written proposal from Eddie Hall, Business Development Representative, East Coast, Intertek Commodities (NFPA 110) to the General Requirements Code Committee.

Upon a motion made by Dr. Scheiner, seconded by Mr. Fisher, the Board unanimously voted to refer the written proposal from Deputy Fire Chief Michael K. Laracy, Sr., - Photovoltaic to the General Requirements Code Committee and the Electrical Code Committee.

Upon a motion made by Dr. Scheiner, seconded by Deputy Chief Dempsey, the Board unanimously voted to refer the written proposal from the Department of Fire Services on requiring Certificates of Registration for hood cleaning companies to the Equipment Code Committee.

It was noted that the vote to send the comments on colored powder to the General Requirements Code Committee was taken at the September 3, 2015 meeting.

2. *527 CMR 1.00 – Massachusetts Comprehensive Fire Safety Code.*
  - *Discussion regarding 2015 and 2018 Editions of NFPA 1*

Richard Fredette reviewed the NFPA 1/Massachusetts Comparison 2012\_2015\_2018 Document that was distributed.

Upon a motion made by Mr. Laidler, seconded by Mr. Jeffrey Cox, the Board unanimously voted to open for discussion, the Board's vote taken on September 3, 2015 not to proceed with activity to adopt the 2015 edition of NFPA 1.

Upon a motion made by Mr. Laidler, seconded by Mr. MacKendrick, the Board voted to reconsider the Board vote taken on September 3, 2015 not to proceed with activity to adopt the 2015 Edition of NFPA 1. Member Gary Keith voted not in favor.

Upon a motion made by Mr. Laidler, seconded by Commissioner Conant, the Board voted to rescind the vote not to proceed with activity to adopt the 2015 edition of NFPA-1 taken at the September 3, 2015 BFPR meeting. Member Gary Keith opposed.

Upon a motion made by Deputy Fire Marshal Ostroskey, seconded by Mr. Laidler, the Board unanimously voted to refer the 2015 changes to the code committee for action and recommendation back to the Board and to make no decision, at this time, whether to adopt the 2015 Edition or the 2018 Edition of NFPA 1.

Board members requested that a copy of the current makeup of the code committees be distributed to all BFPR members.

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**Items not reasonably anticipated by the Chair.**

None

A motion was made by Dr. Scheiner and seconded by Mr. MacKendrick to adjourn the meeting at 2:29 p.m. The Board voted unanimously on this motion.

Submitted by: Executive Director 

Date: 12/2/2015