

**BOARD OF FIRE PREVENTION REGULATIONS
MINUTES OF BOARD MEETING
NOVEMBER 1, 2018**

The Board of Fire Prevention Regulations held a Board meeting on Thursday, November 1, 2018 at the Department of Fire Services, Boards and Commissions Room, Stow, Massachusetts.

The following Board members were present at this meeting:

Anthony Caputo	Registered Professional Fire Protection Engineer
John J. Clancy	Inspector of Buildings in a City/Town
Jeffrey Cox	Registered Professional Electrical Engineer
John D. Cox	Registered Professional Chemical Engineer
Larry S. Fisher	Electrical Contractor
Michael Hazel	Chief, Tewksbury Fire Department
Gary S. Keith	Representative of the Public
William Laidler	Hanover Wiring Inspector
Robert MacKendrick	FPAM Representative
Peter Ostroskey	State Fire Marshal
Paul C. Scheiner	Chemist
Kenneth A. Smith	Blasting Association Member

DFS/BFPR staffing present at this meeting:

David Clemmons	Operations Section Chief, Department of Fire Services
Maribel Fournier	Deputy Fire Marshal, Department of Fire Services
Richard Fredette	Board Executive Director
Jennifer Hoyt	Division of Fire Safety
Christina Rodriguez	Division of Fire Safety
Glenn Rooney	Legal Counsel, Department of Fire Services
Paul Vigneau	Director, Division of Fire Safety

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

Guy Colonna	NFPA
Joseph Gurter	MBTA

Monthly Board Meeting

1. Chairman to open the meeting.

Chairman Caputo opened the meeting at 1:00 p.m. and asked the members of the Board and the Division of Fire Safety staff to introduce themselves for the record.

2. *Minutes from the August 2, 2018 meeting submitted for approval.*

Upon a motion made by Mr. Fisher, seconded by Mr. Keith, the Board unanimously voted to approve the minutes of the August 2, 2018 meeting as submitted.

3. *Minutes from October 4, 2018 hearing submitted for approval.*

Upon a motion made by Mr. Laidler, seconded by Mr. Fisher, the Board unanimously voted to approve the minutes of the October 4, 2018 public hearing as submitted.

New Business

1. *Communication from James T. Murphy, regarding AFCI protection for required assisted living facility.*

Mr. Cox stated an interpretations committee meeting was held last week to address the interpretation. Draft response provided to board members. To be discussed under item 4g, on the agenda.

2. *Two communications from Frederic P. Hartwell, President of Hartwell Electrical Services, Inc. regarding the Board of Electricians' case BEA-18-00006-AP Appeals:*
 - a. *Requesting the Superior Court to remand this matter, in order that it be allowed to reopen with respect to streetlights in the Town of Millis for further proceedings not inconsistent with its position on the extent to which 527 CMR 12 applies to municipal street lighting.*
 - b. *Requesting the following interpretation, does the conversion of ownership of a luminaire installed pursuant to c. 164 §34A and made subject to "an alternative tariff approved by the department" result in the luminaire becoming subject to provisions in the National Electrical Code as it applies in Massachusetts?*

Mr. Vigneau indicated that communication was received from the Board of State Electrical Examiners late yesterday, which is not part of the agenda, but is germane to this matter. Mr. Vigneau requested to accept communication under items not reasonably anticipated by the Chair.

Old Business

1. *Communication from Philip Motta, Past President, Massachusetts Agricultural Fairs Association, regarding interpretation of NFPA 1 provision 10.14.8.*

Mr. Fredette stated a meeting is to be scheduled to discuss this issue as noted under (4b) on the agenda.

2. *Communication from Robert O'Connell, Deputy Fire Chief for the Town of West Boylston pertaining to the silencing / resetting of fire alarm systems in conjunction with the required periodic inspection of fire sprinkler systems (NFPA 25) and chemical suppression systems (such as kitchen suppression, dry chemical special hazards, and clean agent type systems NFPA 12; 17; 17A; 2001).*
 - a. *Advisory ruling from DPL and DFS advisory*

Mr. Vigneau stated this communication was received between meetings and forwarded to the Electrical Interpretation Committee and will be discussed under item (4g), Electrical Code Committee.

3. *Update on 2018 code process*

Mr. Vigneau indicated that the comparison between 2015 Edition NFPA 1 and 2018 Edition of NFPA 1 is well underway by Mr. Fredette. Mr. Fredette's review has detected numerous errors contained in the 2018 edition where changes to the code were identified in the document. When Mr. Fredette conducted research on the identified changes, they were found to in fact not be changes. Mr. Fredette explained that NFPA is using software that identifies anything in the 2018 edition, which may be a change, as new. Mr. Fredette has discussed this problem with NFPA and they recognize this is a challenge and is working with staff to come up with a document or a solution to the problem identified, but no timeline is in place for a solution at this time.

Following a lengthy discussion about various options available to the board, staff was directed to provide an overview of a proposed amendment package to the 2015 Edition NFPA 1 that would include edits of the existing code language and any new material to be considered for adoption at the next board meeting in January.

4. *Committee/ Reports*

a. *Administrative Code Committee*

b. *General Requirements Code Committee*

i. *WIP. Meeting with regards to a communication from Philip Motta, Past President, Massachusetts Agricultural Fairs Association, regarding interpretation of NFPA 1 provision 10.14.8.*

c. *Occupancy Code Committee*

d. *Processing Code Committee*

e. *Equipment Code Committee*

f. *Hazardous Code Committee*

g. *Electrical Code Committee*

i. *Interpretation Code Committee (Electrical) - Communication from Nick Ferzacca, PE, LEED, Principal, Architectural Engineers, Inc. request for an interpretation regarding the use of PVC installed at the Wonderland MBTA Station.*

Mr. Fisher stated the interpretations committee met last week and these 2 interpretations were considered. Mr. Jeffrey Cox made a motion to accept the recommendation made by the interpretations committee on Wonderland MBTA, seconded by Mr. Fisher, the board unanimously voted to accept the motion as written.

ii. *Interpretation Code Committee (Electrical) - Communication from James T. Murphy, regarding AFCI protection for required assisted living facility.*

a. *Meeting scheduled for the interpretation committee at 11:30AM on Thursday October 25, at MECA in Dedham, MA. The purpose of the meeting will be to*

consider the interpretation requests from Nick Ferzacca (Wonderland MBTA) and James Murphy (Assisted Living facilities and AFCI Protection).

A motion was made by Mr. Laidler, seconded by Mr. Fisher, the board unanimously voted to accept the recommendation made by the interpretations committee.

5. *Items not reasonably anticipated by the Chair*

A letter from the Director of Board of State Electrical Examiners which was received on 10/31/18 relative to item 2b in New Business above. The letter was distributed to the board members. Following discussion regarding the matter, and upon a motion by Mr. Laidler, seconded by Mr. Fisher, the board unanimously voted to table item 2b in New Business until feedback is received relative to the pending court case involving this matter.

A motion was made by Mr. Laidler and seconded by Mr. MacKendrick to adjourn the meeting at 1:37 p.m. The board voted unanimously on this motion.

The next meeting of the Board of Fire Prevention Regulations will be held on Thursday, December 6, 2018 at 1:00 pm at the Department of Fire Services, Boards and Commissions Room, Stow, MA.

Submitted by:  Date: 1/24/2019