

**BOARD OF FIRE PREVENTION REGULATIONS
MINUTES OF BOARD MEETING
June 6, 2019**

The Board of Fire Prevention Regulations held a Board meeting on Thursday, June 6, 2019 at the Department of Fire Services, Boards and Commissions Room, Stow, Massachusetts.

The following Board members were present at this meeting:

Richard Arruda	Chief, Dartmouth Fire District 3
Anthony Caputo	Registered Professional Fire Protection Engineer
Jeffrey Cox	Registered Professional Electrical Engineer
John D. Cox	Registered Professional Chemical Engineer
John Dempsey	Designee of the Boston Fire Commissioner
Michael Hazel	Chief, Tewksbury Fire Department
Alfonso Ibarreta	Registered Professional Mechanical Engineer
Gary S. Keith	Representative of the Public
William Laidler	Hanover Wiring Inspector
Robert MacKendrick	FPAM Representative
Peter Ostroskey	State Fire Marshal
Kenneth A. Smith	Blasting Association Member

The following Board members were absent from this meeting:

Larry S. Fisher	Electrical Contractor
Paul C. Scheiner	Chemist

DFS/BFPR staffing present at this meeting:

Paul Vigneau	Director, Division of Fire Safety
Glenn Rooney	Legal Counsel, Department of Fire Services
Jennifer Hoyt	Division of Fire Safety
Christina Rodriguez	Division of Fire Safety
David Clemons	Department of Fire Services

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 April 11, 2019 meeting submitted for approval.

Upon a motion made by Mr. Laidler, seconded by Mr. MacKendrick, the Board unanimously voted to approve the minutes of the April 11, 2019 meeting as amended.

3. *Minutes from the May 2, 2019 Public Hearing submitted for review and approval.*

Upon a motion made by Mr. MacKendrick, seconded by Mr. Ibarreta, the Board unanimously voted to approve the minutes of the May 2, 2019 Public Hearing as submitted.

New Business

None

Old Business

1. *Committee/ Reports*

a. *Administrative Code Committee*

i. *None*

b. *General Requirements Code Committee*

i. *April 11, 2019 approved meeting minutes.*

ii. *May 2, 2019 draft meeting minutes.*

Upon a motion made by Mr. Ostroskey, seconded by Mr. Arruda, the Board unanimously voted to accept the minutes of the April 11, 2019 meeting as submitted.

c. *Occupancy Code Committee*

i. *None*

d. *Processing Code Committee*

i. *None*

e. *Equipment Code Committee*

i. *May 2, 2019 draft meeting minutes.*

f. *Hazardous Code Committee*

i. *None*

g. *Electrical Code Committee*

Mr. Laidler stated that the Electrical Code Committee met on May 21, 2019 at the MECA Office to review submitted proposals for amendments to the 2020 electrical code. Review is still in process.

1) *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. Laidler provided an update stating the two above items are still on hold.

2) Communication from the Executive Director Board of State Electrical Examiners requesting no action on Mr. Hartwell's communication until pending litigation is resolved.

2. Review and potential vote on proposed amendment package for 527 CMR 1.00 Massachusetts Comprehensive Fire Safety Code

Mr. Vigneau stated the proposed Massachusetts Amendments were combined into one document, pending administrative fine tuning. Additionally staff needs to meet with a couple committees to review and approve meeting minutes. The Process Code Committee may want to meet regarding mobile fueling state certification and Chapter 18 regarding buildings behind buildings.

Mr. Ibarreta proposed changing the word "shall" to "should" in Chapter 3 amendments new annex section (A.3.2.2 Authority Having Jurisdiction (AHJ), Examples #4 and #5 that require more than one AHJ). Upon a motion made by Mr. Ibarreta, seconded by Mr. Laidler, the Board unanimously voted to accept the proposal and change the language from "shall" to "should".

Mr. Ibarreta proposed to change Chapter 38.6.1.5.2.1 Equipment: where *an explosion condition exists* to where *there is a risk of explosion*. Upon a motion to make an appendix note made by Mr. Ibarreta, seconded by Mr. Arruda, the Board unanimously voted to make an appendix note.

Mr. Arruda suggested for Table 1.12.8.1, regarding open flames, to add reference in the code section to send users to Chapter 20.1.1. Upon a motion made by Mr. Arruda, seconded by Mr. Hazel, the Board unanimously voted to add chapter references under the code section of Table 1.12.8.1.

Upon a motion made by Mr. Arruda, seconded by Mr. Hazel, the Board unanimously voted to accept the amendment, but in the future work on amending the able to resemble the base code language.

Mr. Vigneau requested the boards input on reviewing building behind building as well as permitting and licensing mobile fueling vehicles. More time is needed for the committees to meet including legal staff regarding the amendment package. Mr. Arruda would like for legal to attend the General Code Committee meeting. Upon a motion by Mr. MacKendrick, seconded by Mr. Arruda, the Board voted unanimously to send Chapter 18 and Chapter 42 back to committee.

3. *Legal review of M.G.L. c.143 s.3L relative to mailing electrical permit applications*

The issue is whether or not the town is correct in denying an application which was mailed, rather than completed online. Mr. Rooney stated that mailing is still a valid form of delivery and the election is at the applicant's discretion; mailing, delivering in person, or electronically. The form is prepared by the board so it is advisable for the Board to put language on the form stating it may be delivered electronically, by mail, or in person. The language will take out the ambiguity by the town that they would limit solely to one delivery method.

Upon a motion made by Mr. Ostroskey, seconded by Mr. Laidler, the Board unanimously voted to issue an advisory to the electrical inspectors in order to clarify the method of delivery of applications.

4. *Discussion regarding July/August 2019 meetings.*

Mr. Rooney stated the promulgation process takes about 5 ½ months. Mr. Laidler stated the Electrical Code Committee will be meeting in July and would like to present to the Board in August, but there is no guarantee. The Electrical package may need to be submitted separately.

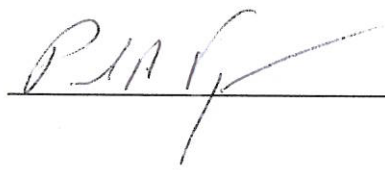
The Board decided to meet for the next BFPR meeting on July 18, 2019.

5. *Items not reasonably anticipated by the Chair*

None

A motion was made by Mr. Caputo, seconded by Mr. Ostroskey, to adjourn the meeting at 1:39 p.m. The Board voted unanimously on this motion.

Submitted by:



Date:

7/23/19