

**BOARD OF FIRE PREVENTION REGULATIONS  
MINUTES OF BOARD MEETING  
May 28, 2020**

**Per Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s.20 signed and dated March 12, 2020, the May 28, 2020 meeting of the Board of Fire Prevention Regulations will be conducted, and open to the public, via teleconference at (866) 916-2030 pass code 7460297 # beginning at 1:00 p.m.**

The Board of Fire Prevention Regulations held a Board meeting on Thursday, May 28, 2020 via teleconference.

The following Board members were present on the teleconference:

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
Larry S. Fisher	Electrical Contractor
Alfonso Ibarreta	Registered Professional Mechanical Engineer
William Laidler	Hanover Wiring Inspector
William LaLiberty	Representing Communities of 50,000 or more
Peter Ostroskey	State Fire Marshal
Robert MacKendrick	FPAM Representative
Paul C. Scheiner	Chemist
Kenneth A. Smith	Blasting Association Member

The following Board members were absent from this teleconference:

Michael Hazel	Chief, Tewksbury Fire Department
Brian Tully	Designee of the Boston Fire Commissioner

DFS/BFPR staffing present on this teleconference:

Jennifer Hoyt	Division of Fire Safety
Kristen McDonough	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):

Bob Duvall	NFPA
Peter Diamond	

## **Open Monthly Board Meeting**

### *1. Member Introductions*

Mr. Vigneau opened the board meeting at 1:04 p.m. and conducted a roll call of members, staff and guests present.

### *2. Minutes from the March 17, 2020 meeting submitted for approval.*

Minutes from the March 17, 2020 meeting held for edits and to be reviewed at the next board meeting. Dr. Scheiner to send Mr. Vigneau an email regarding items of concern.

### *3. Minutes from the May 7, 2020 public hearing submitted for approval.*

No public comments were received at the May 7, 2020 public hearing. Upon a motion made by Dr. Scheiner, seconded by Marshal Ostroskey, the board unanimously voted to accept the minutes from the May 7, 2020 public hearing.

## **New Business**

### *1. Review and potential vote on emergency regulation change to 527 CMR 12.00 article 230.85 proposed by the Massachusetts Electrical Advisory Committee.*

Mr. Laidler stated there has been a misinterpretation with inspectors that if you change an electrical panel because you need to add circuits, you've had water damage or a safety concern, then you must add an emergency switch outside for a quick shut off. Consequently because of the additional cost, people are not upgrading or fixing damaged panels, which leads to safety concerns. Upon a motion made by Mr. Laidler, seconded by Dr. Scheiner, the board unanimously voted to accept the recommendation of the Massachusetts Electrical Advisory Committee as submitted.

## **Old Business**

### *1. Committee/ Reports*

- a. Administrative Code Committee (No Meetings)*
- b. General Requirements Code Committee (No Meetings)*
- c. Occupancy Code Committee (No Meetings)*
- d. Processing Code Committee*
  - i. Meeting minutes from April 14, 2020*
  - ii. Meeting minutes from April 22, 2020*

Upon a motion made by Marshal Ostroskey, seconded by Dr. Scheiner, the board unanimously voted to accept the report of the committee for the April 12, 2020 and April 22, 2020 meeting.

- e. Equipment Code Committee (No Meetings)*
- f. Hazardous Code Committee (No Meetings)*
- g. Electrical Code Committee*

- (1) *Massachusetts Electrical Advisory Committee meeting draft minutes from May 12, 2020*

Upon a motion made by Mr. Laidler, seconded by Mr. Cox, the board unanimously voted to accept the minutes as edited from the Massachusetts Electrical Advisory Committee on May 12, 2020.

- (2) *Two communications from Frederic P. Hartwell, President of Hartwell Electrical Services, Inc. regarding the Board of Electricians' case BEA-18-00006-AP Appeals (Tabled)*

i. *Requesting the Superior Court to remand this matter, in order that it be allowed to re-open 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. (Tabled)*

ii. *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? (Tabled)*

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

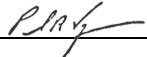
## *2. Items not reasonably anticipated by the Chair*

Mr. Vigneau stated it was the preference of the board to review the next edition of 527 CMR 1.00 in a face to face setting. A Web Ex or Zoom meeting may be a possible solution during this time. Chief Arruda mentioned it would be helpful to conduct the meetings through a Web Ex or Zoom application.

The next meeting will be scheduled in early July.

Peter Diamond asked how long the emergency amendment will take to get signed by the secretary of the commonwealth. Mr. Rooney mentioned there are still a couple notifications that need to take place. The electronic versions need to be filed with the secretary of state and notify local government advisory committees. They will be effective upon their publication in the Massachusetts register, which is typically about 2 weeks out. There will then be a public hearing within the next 3 months for those regulations.

A motion was made by Mr. Scheiner, seconded by Mr. LaLiberty, to adjourn the meeting at 2:06 p.m. The Board voted unanimously on this motion.

Submitted by:  Date: 9/3/2020