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ANTHONY P. CAPUTO
CHAIRMAN

BOARD OF FIRE PREVENTION REGULATIONS
MINUTES OF BOARD MEETING
November 2, 2023 1:00 p.m.
Microsoft Teams Meeting

The following Board members were present:

Alfonso Ibarreta
Anthony Caputo
Edward Williams
John Correia
Larry S. Fisher
Patty Sheehan
Paul Kennedy
Paul Scheiner
Richard Arruda
Brian Ingram

Registered Professional Mechanical Engineer
BFPR Chair, Fire Protection Engineer
Deputy Chief Brockton Fire Department
Member of the Public
Electrical Contractor
Inspector of Buildings
Wiring Inspector
Chemist
Chief – under 25,000 population
State Fire Marshal (Alt)

DFS Staffing were present:

David Clemons
Mary Ann Smith
Kristen McDonough
John Wood III
Glenn Rooney
Rachel Perlman

Operations Section Chief
Code Administrator, Fire Safety Division
Fire Protection Engineer, Fire Safety Division
Code Compliance Officer, Fire Safety Division
General Counsel
Deputy General Counsel

Guests were present:

Keith Gleason
Keith Flanders
Mark Durrenberger
Peter Diamond
Michael Hofkin
Nick d'Arbeloff

Executive Director BSEE
Howe Engineers
Clean Energy
MEAC Member (IOW Norfolk)
UL (Underwriters Laboratories)
Sunbug Solar/SEBANE

James Hasselbeck
Sam Pillsbury
Jennifer Hoyt

ReVision Energy
ReVision Energy
Code Red Consultants

Monthly Board Meeting

Meeting was opened at 1:01 p.m. by Anthony Caputo, Chair.

Introductions, Mary Ann Smith called upon BFPR Members and DFS Staff to introduce themselves for the record.

1. Minutes from the October 5, 2023 meeting of BFPR submitted for approval.

Motion to approve the October 5, 2023 meeting minutes made by Edward Williams seconded by Paul Kennedy. All in favor. Motion carries.

New Business

1. Keith Gleason, Executive Director of Board of State Electrical Examiners (BSEE) discussed requests brought to the BSEE seeking guidance on permitting and inspectional processes. The inquires below include questions that have been brought to the committee on multiple occasions. Keith has asked for the BFPR to work with the BSEE in developing answers to these questions.
 1. May a municipality create and utilize an electronic version of the BFPR-approved application for permit to perform electrical work?
 2. If an electronic version of this application is used, can it be mandated by the municipality that all applicants use the electronic version?
 3. If a paper version is allowed in a municipality, can they charge a surcharge to use the paper permit application? (Alternatively, is this area one left exclusively to municipalities?)
 4. Can information be added to an electronic permit application that is not required on the permit application approved by the BFPR?
 5. Does an applicant have to provide a copy of their electrical license with the permit application?
 6. Does an applicant have to provide a copy of their identification, with the permit application?
 7. Does an applicant have to provide proof that they have liability insurance or the equivalent with the permit application?
 8. Does the applicant have to have the municipality listed as insured on the proof of insurance with the permit application?
 9. Can a municipality require a wage theft affidavit with the permit application?
 10. Can a city/town deny the permit application based on the absence of additional documents such as those listed in the questions above?
 11. Can an inspector deny a permit application or refuse to inspect due to taxes being owed on the property?
 12. Can an inspector deny a permit application or refuse to inspect due to other open permits on a project?
 13. Can an inspection be requested via electronic means (i.e., email)?
 14. Can an inspector notify an electrician about inspection status via electronic means (i.e., email)?
 15. What happens if an inspector is too busy to inspect a project for 5-7 days?
 16. What is the cost of electrical work based on? Can an inspection fee be based on the equipment or

fixtures provided?

17. What does the cost of a permit cover? Is there a limit?

Discussion:

Anthony Caputo, Chair asked for council's guidance for if the committee can lock down permits, how it is down, what is required and no more than what's required.

Glenn Ronney, General Counsel answered that it depends, some items will be driven by the statute. Some questions may have been answered before. It is just a matter of going back through the minutes and referring to earlier determinations of the board. Glenn recommended that Fred Hartwell would be a good resources for the Electrical Code and what is required on applications.

The goal is to develop joint guidance and if more action is needed to advocate jointly. Patty Sheehan, BFPR Member requested to be on the Work Group. There are M.G.L.s that apply to some of these questions, the permit application address some as well. But there is room for interpretation on some items. A joint training for the Building Officials and Electrical Inspectors would be incredibly beneficial.

Mark Durrenberger guest mentioned that as an end user he has worked in Rhode Island (Open Gov) and has seen the application largely automated. This has sped permitting and made it consistent among jurisdictions across the state.

Motion to turn this over to the Electrical Advisory Committee (MEAC) to work with the Board of State Electrical Examiners (BSEE) to come up with joint interpretation of what needs to be done made by Paul Kennedy, Seconded by Larry Fisher. All in favor. Motion Carries.

2. Kristen McDonough discusses the questions coming into the office regarding a variety of sections in the *Fire Code* that all seem to read more like a *Building Code* requirement.

Discussion:

Anthony Caputo suggested a couple options. The first is training and the second would be to reference back to the *Building Code* in the *Fire Code* language within sections that have this confusion. Larry Fisher, BFPR Member, agreed that training is the biggest component to understanding the *Code*.

Alfonso Ibarreta, BFPR Member, commented that if we take this approach, we would be adding a lot of new amendments to change every instance where the *Building Code* needed to be referenced.

Paul Scheiner, BFPR Member, stated that this might be a good time to clean up and clarify the paragraph in Chapter 1, *Fire Code* that refers the end user to the *Building Code* where applicable.

Richard Arruda, BFPR Member suggested that Kristen McDonough make a list identifying sections with these issues for the NFPA 1, 2024 review.

No Action Taken

3. Mary Ann Smith, DFS Staff wanted to review the process for submitting Code Change Proposals and Request for Interpretations.

Ed Williams, BFPR Member, agrees that we can try to streamline the process sending these requests directly to Committees for review. Prevent documents from sitting with staff.

Any code change proposals that are sent out to Committee to have a notification sent out to BFPR members as well so they may give input if desired.

No Action Taken

4. Code Change Proposals submitted by Chris Towski, October 23, 2023 on 527 CMR 1.00 Chapter 11.12.

Motion made to send Code Change Proposals submitted by Chris Towski to the General Requirements Committee for review made by Richard Arruda, seconded by Larry Fisher. All in favor Motion Carries.

5. Jen Hoyt speaks on Code Red Consultants putting together some code change proposals on fire exposure analysis, tall mass timber buildings. There are no criteria on the code. These are mostly clarification issues or looking for guidance. The proposals should be ready to be presented at December meeting.

No Action Taken

Old Business

1. *Committee/ Reports*

a. Administrative Code Committee

b. General Requirements Code Committee

Motion to approve minutes from October 18, 2023 made by Richard Arruda, seconded by Larry Fisher. All in favor, motion carries.

c. Occupancy Code Committee

d. Processing Code Committee

Motion to approve minutes from October 20, 2023 made by Anthony Caputo, seconded by Paul Scheiner. All in favor, motion carries.

e. Equipment Code Committee

f. Hazardous Code Committee

g. Electrical Code Committee

h. Massachusetts Electrical Advisory Committee

i. BFPR/BSEE Work Group


(1) Larry Fisher will Chair Committee. Paul Kennedy and Patty Sheehan have requested to be members of the group.

Items not reasonably anticipated by the Chair

The Cocoanut Grove Memorial Committee has planned their groundbreaking ceremony for the 81st anniversary on November 28th. The memorial is planned to be installed by mid-September 2024 and will resemble the archway that originally led into the Cocoanut Grove night club.

Adjournment

A motion to adjourn the meeting was made by Paul Scheiner, seconded by Larry Fisher. Motion passed unanimously. Meeting ended at 2:09 p.m.

Approved:  Date: 12/7/23