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> KARYN E. POLITO LIEUTENANT GOVERNOR

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Commonwealth of Massachusetts Division of Occupational Licensure Office of Public Safety and Inspections

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LAYLA R. D'EMILIA COMMISSIONER, DIVISION OF OCCUPATIONAL LICENSURE

<u>Meeting Minutes</u> STATE BOARD OF BUILDING REGULATIONS AND STANDARDS BUILDING OFFICIAL CERTIFICATION COMMITTEE *Virtual* October 4, 2022 9:30 a.m.

Meeting called to order by the Chairman at 9:34 a.m. followed by roll call:

1. Roll Call – Committee members present

Bill Horrocks, Chairman - BBRS Representative Jeffrey Clemons, Vice Chair - Building Officials of Western Massachusetts Member, Pittsfield Henry Fontaine – MetroWest Building Official Association David Fuller - Massachusetts Building Commissioner's Association, Lowell John Naff - Member At Large, Wrentham – via phone Michael Giampietro - Member At Large, Millis Michael Clancy - Southeastern Building Official's Association, Hingham Andrew Bobola - Member At Large, Mattapoisett Bonnie Weeks - Member At Large, Palmer Jennifer DeForge – Member of Academia

Committee members absent

Roger Fuller - Massachusetts Municipal Association Representative

Staff Present:

Kimberly Spencer, Office of Public Safety and Inspections Charles Kilb, DOL Richard Baldacci, Chief of Building and Engineering Dan Walsh, Assistant Chief

2. Members present reviewed minutes from the BOCC meeting on August 2, 2022: MOTION to was made by Jeff Clemons and seconded by Michael Clancy.

3. Application for Certification Packets

- a. On a MOTION by Jeff Clemons and seconded Mike Giampietro it was unanimously VOTED to approve the application of **Scott Dindo** (No Affiliation) for certification in the capacity **Local Inspector** having met the minimum qualifications for said position defined by MGL c 143 § 3. (BO-2314).
- b. On a MOTION by John Naff and seconded Michael Clancy it was unanimously VOTED to approve the application of **William J. Fenner** (Town of Charlton) for certification in the capacity **Local Inspector** having met the minimum qualifications for said position defined by MGL c 143 § 3. (BO-2275).

- c. On a MOTION by Jeff Clemons and seconded John Naff it was unanimously VOTED to approve the application of **Richard T. Mailea, Jr.** (City of Worcester) for certification in the capacity **Local Inspector** having met the minimum qualifications for said position defined by MGL c 143 § 3. (BO-2281).
- d. On a MOTION by Andy Bobola and seconded John Naff it was unanimously VOTED to approve the application of Karl G. Mitchell (City of Boston) for certification in the capacity Inspector of Buildings / Building Commissioner having met the minimum qualifications for said position defined by MGL c 143 § 3. (BO-2189).

4. Examination Approval Packets

- a. On a MOTION by John Naff and seconded by Jeff Clemons it was unanimously VOTED to DENY the request of **Shendel Bakal** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. The Committee was unable to find sufficient supervisory experience in building construction or design in Shendel Bakal's résumé to determine if they have the minimum qualifications as defined by MGL c 143 § 3.
- b. On a MOTION by John Naff and seconded by Jeff Clemons it was unanimously VOTED to grant the request of Matthew Brais (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Matthew Brais meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- c. On a MOTION by Dave Fuller and seconded by Michael Clancy it was VOTED to grant the request of **Chad Cornwell** (City of Pittsfield) for approval to take the required exams to become certified as a building code enforcement official. Chad Cornwell meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process. Jeff Clemons abstains.
- d. On a MOTION by Jeff Clemons and seconded by Andy Bobola it was unanimously VOTED to grant the request of John D'Amelio (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. John D'Amelio meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- e. On a MOTION by Bonnie Weeks and seconded by John Naff it was unanimously VOTED to Table the request of **William Dillon** (Town of Chilmark) for approval to take the required exams to become certified as a building code enforcement official. The Committee is requesting additional information on William Dillon's supervisory experience in building construction or design to determine if they have the minimum qualifications as defined by MGL c 143 § 3.
- f. On a MOTION by John Naff and seconded by Dave Fuller it was unanimously VOTED to grant the request of **Michael Greenwood**, **Sr.** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Michael Greenwood meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- g. On a MOTION by Jeff Clemons and seconded by Michael Clancy it was unanimously VOTED to grant the request of Keith Guyer (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Keith Guyer meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- h. On a MOTION by Jeff Clemons and seconded by Mike Giampietro it was unanimously VOTED to grant the request of **Stephen Kelly** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Stephen Kelly meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- i. On a MOTION by Jeff Clemons and seconded by Bonnie Weeks it was unanimously VOTED to grant the request of **Mark Ketchen**, Jr. (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Mark Ketchen meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.

- j. On a MOTION by John Naff and seconded by Jeff Clemons it was unanimously VOTED to grant the request of **David Kulikowski** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. David Kulikowski meets the minimum qualifications set forth by the BBRS for said position of local inspector defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- k. On a MOTION by Jeff Clemons and seconded by Michael Clancy it was VOTED to DENY the request of Leo Lortie, Jr. (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. The Committee was unable to find sufficient supervisory experience in building construction or design in Leo Lortie's résumé to determine if they have the minimum qualifications as defined by MGL c 143 § 3. John Naff opposed. Jennifer DeForge abstains.
- I. On a MOTION by Jeff Clemons and seconded by John Naff it was unanimously VOTED to grant the request of Scott McDonald (City of Framingham) for approval to take the required exams to become certified as a building code enforcement official. Scott McDonald meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- m. On a MOTION by John Naff and seconded by Jeff Clemons it was unanimously VOTED to grant the request of **Edward Paquette** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Edward Paquette meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- n. On a MOTION by Michael Giampietro and seconded by John Naff it was VOTED to grant the request of Mark Rogers (City of Pittsfield) for approval to take the required exams to become certified as a building code enforcement official. Mark Rogers meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process. Jeff Clemons abstains.
- o. On a MOTION by Jeff Clemons and seconded by Michael Clancy it was unanimously VOTED to grant the request of **Robert Rotondo** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Robert Rotondo meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- p. On a MOTION by John Naff and seconded by Michael Clancy it was unanimously VOTED to grant the request of Mark Wilton (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Mark Wilton meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.

5. New Employee Report Form Packets

- a. On a MOTION by Jeff Clemons and seconded by Michael Clancy it was unanimously VOTED to acknowledge the *New Employee Report Form* of **Shaun Allard** appointed to the position of **Local Inspector** or the **Town of Burlington** on June 21, 2022. *NERF signed by Town Administrator.*
- b. On a MOTION John Naff and seconded by Jeff Clemons was unanimously VOTED to acknowledge the *New Employee Report Form* of **Leo Bettencourt** appointed to the position of **Local Inspector** for the **Town of Tewksbury** on May 21, 2022. *NERF signed by Town Manager*.
- c. On a MOTION Michael Clancy and seconded by Jeff Clemons was VOTED to acknowledge the New Employee Report Form of Carl Bizarro appointed to the position of Building Commissioner for the Town of Marion on August 11, 2022. NERF signed by Town Administrator. Will verify with Town if Carl was appointed as the Alternate. Andy Bobola abstains. Follow Up Carl Bizarro has been appointed as the Alternate for the Town of Marion.
- d. On a MOTION John Naff and seconded by Bonnie Weeks was unanimously VOTED to acknowledge the *New Employee Report Form* of **David Carl** appointed to the position of **Local Inspector** for the **Town of Paxton** on August 8, 2022. *NERF signed by Chair.*
- e. On a MOTION John Naff and seconded by Bonnie Weeks was unanimously VOTED to table the *New Employee Report Form* of **William Dillon** appointed to the position of **Local Inspector** for the **Town of Chilmark.** William's qualifications were tabled for more information. *NERF signed by Selectmen.*

- f. On a MOTION Jeff Clemons and seconded by Michael Clancy was VOTED to acknowledge the *New Employee Report Form* of **Kevin Duquette** appointed to the position of **Local Inspector** for the **Town of Agawam** on August 15, 2022. *NERF signed by Mayor. Andy Bobola abstains.*
- g. On a MOTION Michael Clancy and seconded by John Naff was VOTED to acknowledge the New Employee Report Form of Richard Forand appointed to the position of Local Inspector for the Town of Somerset on August 8, 2022. NERF signed by Town Administrator. Andy Bobola abstains.
- h. On a MOTION John Naff and seconded by Jeff Clemons was unanimously VOTED to acknowledge the *New Employee Report Form* of **Robert Lanciani** appointed to the position of **Building Commissioner** for the **Town of Hubbardston** on September 9, 2022. *NERF signed by Town Administrator.*
- i. On a MOTION Michael Clancy and seconded by Bonnie Weeks was unanimously VOTED to acknowledge the New Employee Report Form of Jeffrey Martin appointed to the position of Local Inspector for the City of Brockton. Appointed, not yet certified, on August 1, 2022. Twelve month grace period expires August 31, 2023. NERF signed by City Mayor.
- j. On a MOTION John Naff and seconded by Jeff Clemons was unanimously VOTED to acknowledge the New Employee Report Form of Vannak Men appointed to the position of Local Inspector for the Town of Chelmsford. Appointed, not yet certified, on August 22, 2022. Twelve month grace period expires August 31, 2023 NERF signed by Town Manager.
- k. On a MOTION Jeff Clemons and seconded by Michael Giampietro was unanimously VOTED to acknowledge the *New Employee Report Form* of **Jeffrey Murray** appointed to the position of **Local Inspector** for the **Town of Dudley.** Appointed, not yet certified, on September 19, 2022. Twelve-month grace period expires September 30, 2023. *NERF signed by Town Administrator.*
- On a MOTION Michael Clancy and seconded by Henry Fontaine was unanimously VOTED to acknowledge the New Employee Report Form of Kevin O'Neil appointed to the position of Local Inspector for the Town of Barnstable. Appointed, not yet certified, on July 1, 2022. Twelve-month grace period expires July 31, 2023. NERF signed by Town Manager.
- m. On a MOTION John Naff and seconded by Henry Fontaine was unanimously VOTED to acknowledge the New Employee Report Form of Robert Poliseno appointed to the position of Local Inspector for the Town of Duxbury. Appointed, not yet certified, on October 18, 2021. Twelve month grace period expires October 31, 2022. NERF signed by Town Manager.
- n. On a MOTION Michael Clancy and seconded by John Naff was unanimously VOTED to acknowledge the New Employee Report Form of Christopher Rogers appointed to the position of Local Inspector for the Town of Bolton. Appointed, not yet certified, on June 3, 2021. Twelve month grace period expires June 30, 2022. NERF signed by Chair.
- o. On a MOTION John Naff and seconded by Michael Clancy was VOTED to acknowledge the New Employee Report Form of Mark Rogers appointed to the position of Local Inspector for the City of Pittsfield. Appointed, not yet certified, on August 31, 2022. Twelve month grace period expires August 31, 2023 NERF signed by Mayor. Jeff Clemons abstains
- p. On a MOTION Jeff Clemons and seconded by John Naff was unanimously VOTED to acknowledge the New Employee Report Form of Vincent Sarnosky appointed to the position of Local Inspector for the Town of Natick on May 11, 2022. NERF signed by Town Administrator.
- q. On a MOTION John Naff and seconded by Bonnie Weeks was VOTED to acknowledge the *New Employee Report Form* of **Robert Shurtleff** appointed to the position of **Local Inspector** for the **Town of Plymouth** Appointed, not yet certified, on September 6, 2022. Twelve-month grace period expires September 30, 2023. *NERF signed by Town Manger.* Andy Bobola abstains.
- r. On a MOTION John Naff and seconded by Henry Fontaine was unanimously VOTED to acknowledge the *New Employee Report Form* of **Michael Yanovitch** appointed to the position of **Building Commissioner** for the **Town of Sharon** on June 29, 2022. *NERF signed by Chair.*

6. Extension Requests to be Certified Packets

R7.1.7.4-5 a conditional appointee may petition the Building Official Certification Committee (BOCC) using the Extension Request form for an extension of time to comply with the examination schedule of R7. Upon establishment of cause, the BOCC may grant such an extension of time as it may consider appropriate.

- a) On a MOTION by John Naff and seconded by Michael Clancy it was unanimously VOTED to grant the request of **Blanca Granados-Medina (City of Waltham)** for a third extension of time to become certified as a local inspector. Said extension shall expire October 31, 2023.
- b) On a MOTION by Jeff Clemons and seconded by Andy Bobola it was unanimously VOTED to grant the request of **David Guilbert (City of Chicopee)** for a first extension of time to become certified as a local inspector. Said extension shall expire April 30, 2023.
- c) On a MOTION by John Naff and seconded by Bonnie Weeks it was unanimously VOTED to grant the request of Jorge Martins (City of Revere) for a second extension of time to become certified as a local inspector. Said extension shall expire April 30, 2023.
- d) On a MOTION by Michael Clancy and seconded by John Naff it was unanimously VOTED to grant the request of **Terrance Quinn (Town of Falmouth)** for a first extension of time to become certified as a local inspector. Said extension shall expire April 30, 2023.
- e) On a MOTION by John Naff and seconded by Jeff Clemons it was unanimously VOTED to grant the request of Robert Vicari (Town of Gloucester) for a first extension of time to become certified as a local inspector. Said extension shall expire April 30, 2023.

7. Hearings

a) On a MOTION by Andy Bobola and seconded by Jeff Clemons it was unanimously VOTED to grant Ciaran McDevitt (City of Boston) BOCC 37-2022 for approval to take the required exams to become certified as a building code enforcement official. Ciaran McDevitt, Marc Joseph, Inspector of Buildings and Sean Lydon Building Commissioner City of Boston were present for the hearing. After testimony by Ciaran McDevitt and support from Marc Joseph and Sean Lydon the Committee determined Ciaran demonstrated he meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.

On a MOTION by John Naff and seconded by Jeff Clemons it was unanimously VOTED to acknowledge the *New Employee Report Form* of **Ciaran McDevitt** appointed to the position of **Local Inspector** for the City of Boston. Appointed, not yet certified, on June 20, 2022. Twelve-month grace period expires June 30, 2023. Six-month period to at least apply for the first exam will expire April 30, 2023. *NERF signed by Building Commissioner.*

8. Review Application for Continuing Education

Members present reviewed the continuing education submitted; MOTION to approve, as amended, was made by John Naff and seconded by Dave Fuller. The vote was unanimous.

Name	Date	Course Description	CEU's	Cat	Course No.
William Thornton	8/18/2022	NFPA 25 Code Update Standard for Inspection, Testing and maintenance of Water-based Fire Protection Systems offered by Johnson Controls	1.0	1	C-4018
	8/24/2022	Understanding Structural Insulated Panel (SIP) construction & How it Affects Thermal Envelopes by EEBA (Energy & Environmental Building Alliance)	1.0	1	C-4019
Jeffrey Morash	8/4/2022	Meeting the Energy Needs of Warehouse Facilities with Propane offered by HanleyWood	1.0	1	C-4020
	8/3/2022	Getting in Touch The Importance of Architect – Manufacturer Collaborations offered by HanleyWood	1.0	?	C-4021
Jeff Morash Shukhrat Aziev	8/25/2022	DES609 Mass Timber Structures: Codes and Adoptions by American Wood Council ICC# 32935	1.0	1	C-4022
	9/15/2022	Common challenges in Light Wood-Frame Gravity Structural Design	1.0	1	C-4023
Russ Wheeler Dennis Howes Greg Arvanitis	7/13/2022	Photovoltaic Electric and Battery Storage Systems offered in New Hampshire NHBOA/ICC	3.0	1	C-4024
William Thornton Janet Collins	7/28/2022	DES344 Residential Wood Construction FAQ's: Woodn't You Like to Know "Two"? offered by American Wood Council ICC# 32572	1.5	1	C-4025
Chenier Durand	7/13/2022	Offsite Construction in Wood: Reinventing the Role of the Design Professional offered by Woodworks ICC# 32345	1.0	1	C-4026

Greg Arvanitis	8/10/2022	Introduction to Insulated Concrete forms by Atlantic Builders Supply for NHBOA	3.0	1	C-4027
Joy Duperault	8/16 / 18/2022	Substantial Damage & Substantial Improvement Determinations for Floodplain Structures	2.0	1	C-4028
NEBOEA	10/4/2022	Deck and Porch Framing and Connections	3.0	1	C-4001I
		Flood Hazard Areas – Connections at or below the DFE	3.0	1	C-4001J
	10/5/2022	NFPA 13D – Residential Sprinklers	3.0	1	C-4002B
		Laboratory Fire Protection Overview – an Intro to NFPA 45	3.0	1	C-4002C
		10 th Edition MA State Building Code (Significant changes from the 2015 IBC to the 2021 IBC)	1.5	?	C-4002D
Paul Nonni	8/3/2022	Future Code Changes Explained – Seismic Analysis and Design of Nonstructural Components and Systems ICC# 33126	1.5	1	C-4029
William Kelly	5/26/2022	Code Compliant Exterior Systems for Wood Framed Building Envelopes offered by HanleyWood	1.0	1	C-4030
	5/26/2022	Life Cycle Assessment of Concrete Buildings offered by HanleyWood	1.0	1	C-4031
	5/26/2022	Residential Roofing and Architectural Trends for 2023 and Beyond offered by HanleyWood	1.0	1	C-4032
	5/26/2022	Design Options for Aluminum Balconies and Awnings offered by HanleyWood	1.0	1	C-4033
	5/26/2022	Coatings Failures: Corrosion of Metals offered by HanleyWood	1.0	1	C-4034
	5/26/2022	Fully Integrated Collaboration in the Construction Process offered by HanleyWood	1.0	1	C-4035
Jeff Richards	9/10- 12/2022	ICC Conference – Louisville, KY	10.0	1	C-4036
SEMBOA	8/10/2022	Night Club Fire	3.0	1	SE-0822
MetroWest	7/19/2022	Mini Split License Requirements Swimply & AirBnB	3.0	1	MW-0722
	9/20/2022	MGL 81L – Protection Grandfathered Structures, Preexisting Nonconformity	3.0	1	MW-0922
District 1	3/25/2022	Round Table held at Pittsfield Building Department – Native Lumber	2.0	2	A1-0322
	5/26/2022	Round Table held at Pittsfield Building Department – Frost Protection for exterior stairs from decks, porches, etc.	2.0	2	A1-0522
	6/30/2022	Round Table held at Pittsfield Building Department – plot plans that show driveway and building locations for new residential construction?	2.0	2	A1-0622
	7/28/2022	Round Table held at Pittsfield Building Department – ESS – energy storage system & some methods solar companies are providing for smaller kilowatt arrays	2.0	2	A1-0722
District 1	8/15/2022	Wall Bracing per 2015 IRC 602.10"	3.0	1	D1-0822
District 2	8/9/2022	Codeword & Locking Arrangements	3.0	1	D2-0822
District 3	9/6/2022	Round Table	2.0	1	D3-0922
District 4	8/31/2022	Machine Shops (Metal)	3.0	1	D4-0822
District 5	8/3/2022	Spray Foam Class offered by Steve Silicriman	2.0	1	D5-0822
District 12	7/28/2022	10 th Edition Building Code	2.0	2	A12h-0722
	8/25/2022	IBC Chapter 24 Glass & Glazing	2.0	2	A12h-0822
	9/27/2022	Free Standing Structures / Solar Battery Storage in Buildings	2.0	2	A12b-0922

9. Additional Business / Other matters as not reasonably anticipated 48 hours in advance of meeting

a. For Informational purposes:

There are currently:

- Active and Retired: 776 certified building inspectors
 - o 462 Inspector of Buildings
 - 314 Local
- * Active ONLY: 599 certified / conditional building inspectors
 - 325 Inspector of Buildings
 - o 229 Local
 - 45 Conditional local building inspectors
- * Qualifications Approved
 - o 719 individuals' qualifications have been approved to take the exams
- b. Informational only an email was received and discussed regarding "are HERS raters allowed to determine if/when an occupancy permit is issued? I thought only a Building Commissioner or State Inspector could do that? Is there a penalty for impersonating a Building Official?" Committee members stated in the complete statement above there was the word 'may' and no further was discussion was needed.
- c. On a motion by John Naff and seconded by Andy Bobola a correction letter will be sent to 5 conditional inspectors with the wrong extension expiration date of 2023. The BBRS database shows an extension expiration date with 2022 but the letters sent had an expiration date of 2023. To correct the error the Committee voted to modify the extension expiration date December 31, 2022. If they have not already successfully passed the required exams they will need to request another extension.
- d. On a motion by Jeff Clemons and seconded by Andy Bobola it was unanimously voted to not accept an exam submitted by Richard Pereira. The exam, Residential Building Inspector Exam, was passed on February 23, 2022 prior to Richard Pereira's qualifications being approved August 2, 2022.
- e. Committee members received an email stating the Building Commissioner for the Town of Sharon After would report to the DPW director. There was a lengthy discussion who the Appointing Authority should be. According to MGL 143 §3 state the 'chief administrative officer' is the appointing authority. A New Employee Report Form was received for the Building Commissioner for the Town of Sharon and was signed by the Chairman of the Select board.
- f. The Certification Committee acknowledge the emails received from Stephen Foley and Kevin Yetman to appeal the decision to revoke their certifications. The decision letter clearly states

PER 780 CMR R7.4.1.6, a decision made after a hearing shall be considered final when it is issued by the BBRS. Any party aggrieved by a final decision of the BBRS may appeal to superior court within 30 days of receipt thereof pursuant to M.G.L. c.30A, §14.

- g. BOCC next meeting date November 1, 2022 Charlton Library
- h. On a MOTION by John Naff and seconded by Mike Giampietro it was unanimously voted to adjourn.