



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF CERTIFICATION OF OPERATORS OF
DRINKING WATER SUPPLY FACILITIES

1000 Washington Street • Boston • Massachusetts • 02118

EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS REGULATION

DIANE M. SYMONDS
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

APRIL 7, 2020 - FINAL MINUTES

(Board Approved 4/24/20)

Meeting was held from 3:00 pm to 4:10 pm remotely by telephone conference in accordance with the Governor of the Commonwealth's "Order Suspending Certain Provisions of the Open Meeting Law, G.L.c. 30A, § 20", signed and dated March 12, 2020, see attached.

MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Michael Maynard	Chairman	✓	
Mr. William Salomaa	Vice Chairman	✓	
Mr. Blake Lukis	Member	✓	
Mr. Dave Coppes	Member	✓	
Mr. Andrew Reid	Member		✓
Mass Labor Representative	Vacant		
Mass DPH - Representative	Vacant		
STAFF	POSITION		
Bruce Hopper	Board Counsel	✓	
Larry Lemieux	Executive Director	✓	
PUBLIC	AFFILIATION		
Jennifer Pederson	Mass Water Works Association	✓	
Cynthia Johnson	DPL	✓	
Michael Celona	DEP	✓	

MEETING CALL TO ORDER: at 3:05 PM

APPROVAL OF PREVIOUS MEETING MINUTES

Tabled for the next meeting

TEC APPLICATIONS

DISCUSSION

- The Board approved a revised policy for reviewing and issuing TECs. The Board Chairman was authorized by the Board to review and approve TECs, as they are received, pending Criminal Offender Record Information (CORI) and Sex Offender

Reasonable accommodations or modifications will be provided to individuals with disabilities to participate in the meeting taking place on the date listed above. All requests should be directed to Cheryl Yebba by calling 617-727-4992 or TTY/TDD: (617) 727-2099 by no later than a week prior to the meeting. While the Board will attempt to honor all requests, those requests received less than 24 hours prior to the meeting may not be provided due to feasibility.

Please note if state offices are closed due to inclement weather or any other type of local or state emergency this meeting will also be cancelled. You can find notices of any state office closings on www.mass.gov.



Registry Board (SORB) review by the Division of Professional Licensure. The Chairman will report at each meeting of the Board on how many TEC applications were received, how many were approved and how many were denied. Following this streamlined Board approval, TECs will not be issued by DPL until the applicant's CORI and SORB are reviewed and determined to meet DPL criteria.

- The Board voted on streamlined criteria to be applied to the review and consideration for approval of TEC applications.

MOTION

To approve the “DRAFT” Criteria for TEC Application review as Amended. Motion made by Dave Coppes and seconded by Bill Salomaa. Board Vote: UNANIMOUS.

MOTION

The Board Chairman or Vice Chair can review the TEC applications and issue a finding pending passing a Criminal Offender Record Information (CORI) and Sex Offender Registry Board (SORB) review by the Division of Professional Licensure. Motion made by Bill Salomaa and seconded by Dave Coppes. Board Vote: UNANIMOUS.

TEC Applications received to date.

Name of PWS	Applying for	First Name	Last Name	Current DW License
Pine Acres Family Camping Resort	VSS-Full	Corey	Packard	None
Attleboro Water Dept.	T3-Full	Paul	DiFiore	TA; TB
High Lawn Farm	T2-Full	James	Driscoll	D1; TB
Dedham Westwood Water Dept.	T4-Full	James	Spada	T4; D4 (both lapsed 12/31/2019)

APPLICATION REVIEW:

DPL informed the Board the division is developing procedures for review of applications remotely while being mindful of protection of personal information such as Social Security numbers, telephone number and home addresses. As of the April 7, 2020 Board meeting DPL staff are not permitted to work in the office. Some staff can access the building on a grab and go basis. CORI and SORB review are also a big part of this effort.

In an effort to further build an available a pool of potential replacement operators should they be needed, it was decided by the Board, at the April 1, 2020 meeting, to work toward recalling operators who let their licenses lapse at the end of the last renewal cycle. The Board voted (at the 4/1/20 Board Meeting) to allow operators whose licenses lapsed on December 31, 2019 to renew without having to meet the Training Contact Hours (TCH) requirement for licensure. Any operators who secure a renewal under this emergency provision will be required to bring their TCH's up to date by the end of the current renewal cycle which ends December 31, 2021.

DPL informed the Board that following the April 1, 2020 Board meeting, DPL made an effort to contact the operators of approximately 525 licenses that lapsed December 31, 2019 to inform this targeted group that a webinar was being held on Friday April 10, 2020 to inform operators, of this set of lapsed licenses, of the need and opportunity to renew under and the way in which to apply to receive renewed licenses.

Certification Exams: It was noted that Operator Certification Exams prepared by the Association of Boards of Certification (ABC) and are administered by PSI Services, LLC are closed until May 1, 2020 in Massachusetts.

Next Board Meeting is being scheduled for the week 4/20 - 4/24. Chairman will notify Board as details develop.

At 4:10 PM, a motion was made to adjourn the meeting by Member Lukis and 2nd by Member Salomaa: Board Vote: Unanimous

Respectfully Submitted By:

Michael J. Maynard

Michael J. Maynard, Chairman
Board of Drinking Water & Supply Facility Operators

The Division will attempt to honor all requests, those requests received after a week prior to the meeting may not be provided due to feasibility.



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LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

WHEREAS, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

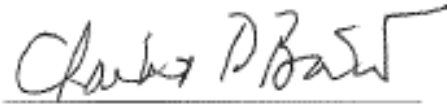
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 5:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in cursive script, reading "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts