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**Division of Occupational Licensure**  
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REGULATION

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COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

## Minutes

### **Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters**

#### **Division of Occupational Licensure Video Conference Call Meeting**

**January 18, 2023, 10:00 AM**

1. Meeting called to order by the Chair at 10:01 AM, followed by roll call, the Chair asked that members identify themselves and whom they represent:

**Bureau Members Present:**

Richard Baldacci, Chair  
Dan Dumont, NE Mechanical Contractors  
Scott King, Pipefitter Member  
Justin Fishlin, Sprinkler Fitter Member  
Allan Berry, Refrigeration Technician Member  
Pauline Lally, User Member  
Frank Norton, Boston Refrigeration Contractors  
Sharon Orr, Mechanical Engineer  
John Viola, Sprinkler Contractor Member  
Brian Kelly, Mass. Building/Construction Trades\*

**Bureau Members Not Present:**

VACANT, Public Member

*\*Arrived at the meeting at 10:11 am*

Pursuant to St. 2021, c. 20, § 20, An Act Relative to Extending Certain COVID-19 Measures, all board members and staff appeared by videoconference. Public access was provided via videoconference or telephone connection. The Chair informed the Bureau members of the following meeting protocols in order to comply with the Open Meeting Laws:

- Meeting is conducted by the Chair and speakers must be recognized in order to address the Bureau.
- Meeting is a public meeting, not a public hearing.
- Anyone not speaking is to be kept on mute.
- All votes require a roll call by the Bureau members.
- All speakers must identify themselves by name.

2. **Minutes:** The draft minutes from the December 21, 2022 Bureau meeting were reviewed. **Motion to approve the minutes made by Justin Fishlin, seconded by Frank Norton; motion passed by a majority**

roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Frank Norton, Sharon Orr, and John Viola. Pauline Lally abstained from the vote and Brian Kelly was not present.)

### 3. Review of Bureau Applications for Examination

#### **Jared C. Belliveau (PJU) – Approved**

Application to examine for Pipefitter Journeyman's license (Unrestricted) submitted by Jared C. Belliveau was considered. **Motion to approve the application pending the submission of missing employment hours and letter of good standing made by Sharon Orr, seconded by Dan Dumont; motion passed by a majority roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, and John Viola. Brian Kelly was not present.)**

#### **Stephen C. Gilbert (PJU) – Approved**

Application to examine for Pipefitter Journeyman's license (Unrestricted) submitted by Stephen C. Gilbert was considered. **Motion to approve the application made by Scott King, seconded by Frank Norton; motion passed by a majority roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, and John Viola. Sharon Orr abstained from the vote and Brian Kelly was not present.)**

#### **Cory Piatek (PJU) – Approved**

Application to examine for Pipefitter Journeyman's license (Unrestricted) submitted by Cory Piatek was considered. **Motion to approve the application made by Scott King, seconded by Frank Norton; motion passed by a majority roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, John Viola, and Brian Kelly. Sharon Orr abstained from the vote.)**

#### **Robert J. Gasbarro, Jr. (RT) – Approved**

Application to examine for Refrigeration Technician's license submitted by Robert J. Gasbarro, Jr. was considered. **Motion to approve the application pending the submission of missing education hours made by Frank Norton, seconded by Allan Berry; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly.)**

#### **Bryan W. Miranda (RT) – Approved**

Application to examine for Refrigeration Technician's license submitted by Bryan W. Miranda was considered. **Motion to approve the application pending the submission of a transcript from the Henry Abbott Technical High School listing a minimum of 250 education hours and a Universal CFC Certification made by John Viola, seconded by Brian Kelly; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly.)**

### 4. Review of Bureau Apprentice License Renewals

#### **Brian McCarthy (PA) – Denied**

The renewal of the Pipefitter Apprentice license submitted by Brian McCarthy was considered as it was tabled at the December 21, 2022 Bureau meeting. Mr. McCarthy was not present in the meeting. **Motion to deny the renewal of the Pipefitter Apprentice license made by John Viola, seconded by Brian Kelly; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline, Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly)**

#### **Remo Scarfo (RA) – Denied**

The renewal of the Refrigeration Apprentice license submitted by Remo Scarfo was considered as it was tabled at the December 21, 2022 Bureau meeting. Mr. Scarfo was not present in the meeting. **Motion to deny the renewal of the Refrigeration Apprentice license made by Brian Kelly, seconded by Justin**

**Fishlin; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline, Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly)**

**James Widener (RA) – Denied**

The renewal of the Refrigeration Apprentice license submitted by James Widener was considered as it was tabled at the December 21, 2022 Bureau meeting. Mr. Widener was not present in the meeting. **Motion to deny the renewal of the Refrigeration Apprentice license made by Brian Kelly, seconded by Justin Fishlin; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline, Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly)**

**Eric Henriques (SA) – Approved**

The renewal of the Sprinkler Apprentice license submitted by Eric Henriques was considered as it was tabled at the December 21, 2022 Bureau meeting. Mr. Henriques was present in the meeting. **Motion to approve the renewal of the Sprinkler Apprentice license for one renewal cycle made by Justin Fishlin, seconded by John Viola; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline, Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly)**

**A motion to TABLE all apprentices not present at the meeting and whose renewals are being considered by the Bureau for the first time made by Scott King, seconded by Brian Kelly; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly)**

*The following licensees were not present at the scheduled meeting:*

- **Kent Eckhart (RA)**
- **Michael Hayes (RA)**
- **Frank Lospennato (RA)**
- **Carl Banish (SA)**

**Michael Commenator (SA) – Approved**

The renewal of the Sprinkler Apprentice license submitted by Michael Commenator was considered. Mr. Commenator was present in the meeting. **Motion to approve the renewal of the Sprinkler Apprentice license for one renewal cycle made by John Viola, seconded by Dan Dumont; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly)**

**Rolando E. Menendez (SA) – Approved**

The renewal of the Sprinkler Apprentice license submitted by Rolando E. Menendez was considered. Mr. Menendez was present in the meeting. **Motion to approve the renewal of the Sprinkler Apprentice license for one renewal cycle made by Dan Dumont, seconded by Justin Fishlin; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly)**

## **5. Review of Draft Policy on Digital Copy of Licenses**

Lynn Read, Bureau Counsel, presented the Draft Policy on Digital Copy of Licenses to the Bureau members for their review. Upon review of the documentation, Brian Kelly inquired whether the policy can also include a photocopy of the physical license as an acceptable method of verification. Bureau Counsel acknowledged Mr. Kelly's suggestion, but stated that management must determine whether the option is acceptable. **Motion to approve the draft policy pending the amendment to include a photocopy of the physical license made by John Viola, seconded by Brian Kelly; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly.)**

## 6. Board Counsel Report

Lynn Read, Bureau Counsel, presented the following statutory changes to the Bureau members and corresponding changes to the draft definitions under 528 CMR 2.00:

### **MGL c. 146, § 81:**

*"Fire protection sprinkler system", a fire sprinkler system, for fire protection purposes, the work of the sprinkler fitter and apprentice shall consist of the installation, service, testing, maintenance and inspection of all fire protection and fire control systems, including both overhead and underground water mains, fire hydrants and hydrant mains, standpipes and hose connections to sprinkler systems, sprinkler tank heaters, air lines and thermal systems, hot water fire protection systems, standpipes connected to sprinkler systems and pumps dedicated for fire protection.*

*"Work on a fire protection sprinkler system", the on-site layout, on-site fabrication, work and practice concerning the construction, installation, alteration or extension of a fire protection sprinkler system, including the modification, repair, removal and initial acceptance testing and inspection, testing, maintenance and service of a fire protection sprinkler system.*

### **MGL c. 146, § 84:**

*Section 84. No person shall engage in the business of a master pipefitter, work as a journeyman or apprentice pipefitter, work as a refrigeration technician or work on a fire protection sprinkler system as a fire protection sprinkler system contractor or as a sprinkler fitter or apprentice sprinkler fitter, unless that person is lawfully licensed under section 85 or section 85A.*

Justin Fishlin raised concerns over the language not addressing standpipes not connected to sprinkler systems and questioned whether the language could be amended. Bureau Counsel noted that statutory language can be amended only by the Legislature.

**Motion to amend the definitions in the draft 528 CMR 2.00 to align with the statutory changes made by Justin Fishlin, seconded by Brian Kelly; motion passed by a unanimous roll call vote. (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly)**

## 7. Jurisdictional Report by the Office of Public Safety and Inspections

Daniel Kilburn presented the OPSI jurisdictional report to the Bureau members. Mr. Kilburn stated that 26 inspections (8 – Pipefitting, 3 – Sprinkler Fitting, 15 – Refrigeration Technician) were performed in the month of December. Four (4) violations were found, in the amount of \$1,250, for unlicensed work and work vans not listing the Refrigeration Contractor's license number.

Mr. Kilburn added that the office performed an analysis of the Bureau exam pass rates and the rates continue to improve.

## 8. Matters not reasonably anticipated 48 hours in advance of meeting

- No discussion on matters not reasonably anticipated 48 hours in advance of the meeting.

9. **Motion to adjourn made by Frank Norton, seconded by Brian Kelly; motion passed by unanimous roll call vote (Richard Baldacci, Dan Dumont, Scott King, Justin Fishlin, Allan Berry, Pauline Lally, Frank Norton, Sharon Orr, John Viola, and Brian Kelly), meeting adjourned at 11:39 AM.**

**The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters will be on Wednesday, February 15, 2023 at 10:00 AM.**

**List of Documents/Exhibits Used at this Meeting**

- a. Draft minutes from the Bureau meeting on December 21, 2022
- b. PJU Application – Jared C. Belliveau
- c. PJU Application – Stephen C. Gilbert
- d. PJU Application – Cory Piatek
- e. RT Application – Robert J. Gasbarro, Jr.
- f. RT Application – Bryan W. Miranda
- g. PA License – Brian McCarthy
- h. RA License – Remo Scarfo
- i. RA License – James Widener
- j. SA License – Eric Henriques
- k. RA License – Kent Eckhart
- l. RA License – Michael Hayes
- m. RA License – Frank Lospennato
- n. SA License – Carl Banish
- o. SA License – Michael Commenator
- p. SA License – Rolando E. Menendez
- q. Draft Policy on Digital Copies of Licenses
- r. H2517 – An Act Improving Fire Safety in the Commonwealth
- s. H2517 – An Act Improving Fire Safety in the Commonwealth – Redlined Statute Mass. Gen. L. c. 146, ss. 181, 184
- t. Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters – Compliance Inspection Report (December 2022)