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BOARD OF STATE EXAMINERS OF PLUMBERS AND GAS FITTERS

October 1, 2025

BOARD MEETING MINUTES

**The Board of State Examiners of Plumbers and Gas Fitters conducted a remote
Board meeting on
Wednesday, October 1, 2025, starting at 9:00 a.m.**

**IN ACCORDANCE WITH THE PROVISIONS OF G.L. C. 30A § 20, NOTICE IS
HEREBY GIVEN THAT THE BOARD OF STATE EXAMINERS OF PLUMBERS AND
GAS FITTERS CONVENED A REGULARLY SCHEDULED MONTHLY BOARD
MEETING VIA TELEPHONE/VIDEO CONFERENCE:**

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Meeting ID: 284 613 047 390

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Member and Staff Attendance

MEMBERS	APPOINTMENT	PRESENT	ABSENT
Mr. Joseph McNamee	Chairman, Master Gas Fitter	X	
Mr. Harold Knight	Vice-Chairman Journeyman Plumber	X	
Mr. John Cruz	Member, LP Installer	X	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	X	
Mr. Wayne Thomas	Member Journeyman Gasfitter	X	
Ms. Ruth Alfasso	Member, Dept. of Public Health	X	
Ms. Sarah Badway	Public Member	X	
Mr. Dan Kilburn	Member, DOL Designee	X	
Mrs. Kimberly Garside	Member, Master Plumber	X	
STAFF			
Mr. Charles Kilb	Board Legal Counsel	X	
Mr. Bruce Johnson	Associate Deputy Commissioner	X	
Mr. Michael Guida Sr.	Plumbing & Gas Code Consultant	X	
Scott Padden	State Plumbing & Gas Inspector	X	
James O'Reilly	State Plumbing & Gas Inspector	X	
James Myette	State Plumbing & Gas Inspector	X	

9:00 A.M. AGENDA REVIEW:

By Chairman Joseph MacNamee

APPROVAL OF PREVIOUS MEETING MINUTES

June 4, 2025, Regular Session

 Vote: WT to approve, HK second

 Results: Unanimously approved

June 4, 2025, Executive Session

 Vote: HK to approve, WT second

 Results: Unanimously approved

July 2, 2025, Regular Session

 Vote: HK to approve, WT second

 Results: Unanimously approved

September 3, 2025, Regular Session

 Vote: JC to approve, HK second

 Results: Unanimously approved

September 3, 2025, Executive Session

 Vote: HK to approve, JC second

 Results: Unanimously approved

Executive Director's Report- Associate Deputy Commissioner

Acting ED Bruce Johnson

- August 2025 - 174 Licenses issued
 - Plumbing Apprentice - 88
 - Plumbing Journeyman - 63
 - Plumbing Master - 23

Legal Report- Charles Kilb

- Possible amendment and or interpretation 248 CMR 3.05 (1) (b) 10 e
 - Current Regulation governing permit denial puts Board in position of possibly being required to interpret a tax law, however the Board has never interpret or had to rule on the regulation. CK reports a possible legal challenge despite no enforcement. CK provides language to amend the regulation to clarify appeals of tax matters are governed by the statute, not this board.
 - Vote: HK to adopt language, WT second
 - Results: Unanimously approved
 - Counsel CK to draft interpretation for the board to review next meeting while regulation changes are pending.

Investigation Update

- Investigator Myette will update the Board on the installation of the Portland Loo in Provincetown.
 - 10/17 – Investigator Myette met with town officials, they didn't know it needed to be product accepted. Still no final inspection, still multiple code violations. New drinking fountain installed with no permit or inspection adjacent to Portland Loo.
 - MG has had no communication with Portland Loo at all since last meeting
 - Investigator Myette to give advisement to Provincetown officials to make code compliant in the meantime

Discussion

- Formation of the Plumbing Code Sub Committee
 - Counsel CK recommends plumbing subcommittee to work in parallel to gas code subcommittee as to work to get both codes up to date at the same time.
 - HK, JC, BK, KG, RA, potentially former executive director Joseph Peluso to participate
 - MG would like an outside opinion – inspector or educator, CK notes chair would have appointment authority, however, the subcommittee should have an odd number of members.
 - Vote: WT motion to approve, JC second
 - Results: Unanimously approved
- State Inspector Scott Padden is seeking the Board's interpretation of 248 CMR 10.10 Table 1 regarding Passenger & Bus Terminals.
SP indicated he is being challenged by engineers regarding number of bathrooms. Not comfortable making a decision, its missing from table1 10.10, and he can't give an answer.
 - MG reported that due to an error, the requirements for passenger terminals were accidentally removed a couple years ago.
 - Counsel CK – subcommittee will need to address this and that SP is the authority having jurisdiction. Recommends that for now the existing code still requires bathrooms in all buildings and that some part of 248 CMR 10.10 Table 1 has to apply in all cases. During

discussion members noted the casino section would be adequate.

Vote: DK motion to approve, WT seconded

Results: Unanimously approved

Products

- Clarification of test site approval granted on August 6, 2025, to Kevin Mayer McGuire Manufacturing to install press-style traps at Logan International Airport.
- **Kevin Mayer McGuire Manufacturing.** PJ Deion P&H and Citywrite P&H are seeking additional test sites to install press-style traps at Logan International Airport.
 - Will be installing 30 sinks in the two projects at Logan
 - CK – Board office has received an email from a contractor claiming the test site approval is interfering with project bidding laws
 - CK recommends the applicant clarify how many installations are covered by the test site and where it is. Needs clarification on what happens if the testing fails. Further, the test site approval should clarify who must provide on quarterly reporting.
 - Mr. Mayer indicated that 25 tests are requested.
- Vote: HK motion to approve 25 test sites at Logan Airport terminal E for Cannistraro Plumbing for one year with quarterly reporting completed by Massport, DK second
- Results: Approved 8-1, JC no

Variances

25-PV-90136-Fernando Coelho, 3821 Falmouth Rd, Barnstable.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 Minimum Facilities, requesting approval to provide employee-only bathroom facilities through a shared space. The proposed ice cream shop is 640 square feet and will operate with two employees and eight outdoor seats. The Local Inspector and the Board of Health have been notified. This matter was tabled at the September meeting.

MG – reporting that they got a variance from board of health, no explicit language designating access

Vote: DK motion to approve, HK second

Results: Unanimously approved

25-PV-90199 - Sarah Lamb, 5 Corn Hill Landing, Truro.

The petitioner is seeking relief from 248 CMR 3.04 Product, Design, and Standards, requesting permission to install a composting toilet with urine diversion that is not currently listed on the Massachusetts Accepted Plumbing Products List. The Local Inspector and the Board of Health have been notified. This matter was tabled at the September meeting.

Town of Truro doesn't want a flush toilet installed at the moment. Closer to a waterless toilet rather than a composting toilet. Manufacture does not test to a standard. MG – would be setting a standard, allowing a fixture without testing to a standard. Do not think this should be considered a test site. HK not comfortable with how waste is being handled. Counsel indicated bigger concern is a lack of standard, though possibly the Board could require an engineer.

Vote: DK Motion to approve conditionally on approval from engineer, RA second

Results: Motion Fails; JM Yes, HK no, JC no, B no, WT no, SB yes, KG no

Vote: DK motion to approve with engineer + urine diversion, RA second

Results: Motion Fails; JM yes, HK no, B no, JC no, WT no, SB yes, KG no
Vote: HK motion to deny, JC second
Results: Approved 5-4; JM no, RA no, SB no, DK no

25-PV-90418- Jonathan Salvon, 122 North Pleasant St, Amherst.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 Minimum Facilities, requesting permission not to install the required number of bathroom fixtures and drinking water station for a place of worship. The applicant is requesting to install 1 gender neutral accessible bathroom. The Local Inspector and the Board of Health have been notified.

Vote: HK motion to approve, RA second

Results: Unanimously approved

25-PV-90480-Daniel McCarthy, 292 Grove St, Reading.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 – Minimum Facilities, requesting permission not to install the required restroom for a 4,800-square-foot unconditioned garage. The petitioner proposes utilizing an existing restroom located in a separate building within 200 feet of the garage. The Local Inspector and the Board of Health have been notified.

JC – does not appear to be a hardship, especially for such a large building

SP – reminding board that similar situation was already addressed, board required bathrooms and tight tanks

Vote: HK motion to deny, JC second

Results: Denied; BK no, RA no, DK no,

25-PV-90518-Alan Gero, 10 Stafford Rd, Fall River.

The petitioner is seeking relief from 248 CMR 10.10, Table 1 – Minimum Facilities, for patron restroom facilities in retail establishments. The subject property is a 16,089-square-foot supermarket. The petitioner requests permission not to install the required patron restrooms. Bathroom facilities will be provided for staff use only. The Local Inspector and the Board of Health have been notified.

Vote: HK motion to deny, WT second

Results: Denied; BK no

Applicants thereafter indicated possibly allowing one bathroom, no proposal is in front of the Board so no action taken.

25-PV-90540- Rafael Wroblewski, 33 Nautical Way, Douglas.

The petitioner is seeking relief from 248 CMR 3.04 Product, Design, and Standards, requesting permission to install PVC piping that is not on the product-accepted site. The Local Inspector and the Board of Health have been notified.

Post install

MG – received test report, looks like more of a housekeeping/clerical issue when the business was transferred

Vote: WT motion to approve, JC second

Results: Unanimously approved, JM abstain

25-PV-90541- Rafael Wroblewski 35 Nautical Way, Douglas

The petitioner is seeking relief from 248 CMR 3.04 Product, Design, and Standards, requesting permission to install PVC piping that is not on the product-accepted site. The Local Inspector and the Board of Health have been notified.

Vote: DK motion to approve, RA second

Results: Unanimously approved, JM abstain

Board Delegated Staff Approvals- Special Permission

25-DAGV-60, 375 Washington St, Haverhill. Tom Donohue, P.E., Received full operation of a 300,000 BTU unlisted natural gas oven at the above address.

FYI – Board Delegated Staff Approvals – Board Vote Not Required

25-VSP-2000- James Primes, Bay Path Reg VTHS- 0 Fort Sumter Rd, Southbridge.

Students will install DWV, water distribution, and gas piping for a single-family home located at the above address.

25-VSP-2001- Steven Bradham, Diman Reg VTHS- 42 Crane Ave, Westport.

Students will install DWV, water distribution, and gas piping for a single-family home located at the above address.

BOARD WILL CONSIDER ANY MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

QUASI-JUDICIAL SESSION

(Disciplinary decisions - Closed per M.G.L c. 30A, §18)

NONE

EXECUTIVE SESSION

Upon conclusion of all open session items, the chair indicated the Board needed to enter into executive session to conduct character reviews.

Vote: DK to enter Executive Session at 11:29 a.m. to discuss applicants character, rather than competence, HK seconded. The motion passed unanimously. The chair noted that the Board would not entertain any other open business.

See separate minutes

ADJOURNMENT

At 11:40 a.m., a motion was made by JC to adjourn, this motion was seconded by WT and was approved unanimously.

Items relied upon in meeting

Agenda

Draft Minutes

Draft of 248 CMR 3.05 (1) (b) 10 e

Variance Applications