

**STATE BOARD OF BUILDING REGULATIONS AND STANDARDS
BUILDING OFFICIAL CERTIFICATION COMMITTEE**

APRIL 4, 2012

**@ Sturbridge Public Safety Building
Sturbridge, MA**

MEMBERS

		<u>PRESENT</u>	<u>ABSENT</u>
Donald R. Torrico Chairman	- Building Officials of Western Massachusetts Member, Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jeff Richards Vice Chairman	- Massachusetts Building Commissioner's Association, Weymouth	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Clancy	- Southeastern Building Official's Association, Marshfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Clemente	- Member At Large, Andover	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bonnie Weeks	- Member At Large, Amherst	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Andrew Bobola	- Member At Large, Mattapoissett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roger Fuller	- Massachusetts Municipal Association Representative	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Peter McLaughlin	- Member from Academia	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Horrocks	- BBRS Representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The purpose of the meeting was to review applications for certification, applications for continuing education credit, and general business matters.

NAME	CITY / TOWN	ACTION TO BE TAKEN	Approve / Deny	M	S/M
Meeting Minutes March 7, 2012			A	CC	AB
On March 13, 2012, at their regular meeting, the Board of Building Regulations and Standards approved the February 1, 2012 meeting minutes					
Application for Certification:					
Foody, Kenneth	No Affiliation	Local Certification 1A - 11/18/1995 1B - 2/23/1999 3B - 1/31/2001 1C - 12/29/2000 Bldg Plan Rev 4B - 12/19/2000 Mechanical Gen 4A - 12/19/2000 Mechanical 1 & 2 Fam Residential Plans Examiner - 5/15/2010 Residential Energy Insp - 4/8/2010 Commercial Energy Insp - 4/9/2011 Commercial Energy Plans - 4/2/2011 Property Main & Housing - 4/29/2001 Commercial Bldg Insp - 1/29/2006 Residential Building Insp - 1/9/2006 Building Inspector - 1/9/2006	A	BH	CC

NAME	CITY / TOWN	ACTION TO BE TAKEN	Approve / Deny	M	S/M
Marsilia, Robert	City of Lowell	I of B Certification Local Certification 3/7/2012 23 CEU's (2011 - OK)	A	AB	PM

Examination Approvals:

Antonellis, Nino	No Affiliated	Qualifications Local and/or I of B No supervisory experience	DENY	BH	PM
Bianchi, John	No Affiliation	Qualifications Local and/or I of B Denied based on resume	DENY	BH	AB
Bowers, Edwin	No Affiliation	Qualifications Local and/or I of B	A	BH	PM
Bowie, Mark	No Affiliation	Qualifications Local and/or I of B Bill Horrocks recused	DENY	CC	MC
Casaceli, Michael	No Affiliation	Qualifications Local and/or I of B	A	AB	CC
Halley, Michael	No Affiliation	Qualifications Local and/or I of B <i>NERF Boston</i>	A	BH	PM
Jodice, Anthony	NO Affiliation	Qualifications Local and/or I of B <i>Completed 1 & 2 Family Dwelling Inspector 2/21/2000</i>	A	BH	AB
Luchietti, Christopher	No Affiliation	Qualifications Local and/or I of B	A	BH	AB
Mitchell, Harold	No Affiliation	Qualifications Local and/or I of B No construction experience	DENY	AB	MC
Pelletier, Andrew	Town of Auburn	Qualifications I of B Local Certification 8/16/2000 49 CEU's (2011) <i>NERF Auburn</i> No construction experience	DENY	BH	AB
Smiljic, Goran	No Affiliation	Qualifications Local and/or I of B <i>Application for Certification</i> Chris Clemente opposed	A	BH	PM

New Employee Report Forms:

Baiardi, Charlene	Town of Goshen	Acknowledge NERF Building Commissioner Appointed 1/23/2012 Local Certification 3/4/2008 Quals approved 8/8/2008 96.5 CEU's (2011)	ACK	CC	AB
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NAME	CITY / TOWN	ACTION TO BE TAKEN	Approve / Deny	M	S/M
Crisafulli, Michael	Town of Ashland	Acknowledge NERF Local Inspector Appointed 3/19/2012 Local Certification 10/19/2000 140 CEU's (2011)	ACK	CC	AB
Halley, Michael	City of Boston	Acknowledge NERF Local Inspector Appointed 3/5/2012 <i>Review Quals 4/4/2012</i>	“	“	“
Jennings, John	Town of Boxborough	Acknowledge NERF Building Commissioner Appointed 2/13/2012 Local Certification 12/17/2001 Quals approved 5/8/2007 46 CEU's (2011)	“	“	“
Morra, Rob	Town of Amherst	Acknowledge NERF Building Commissioner Appointed 4/9/2012 I of B Certification 1/25/2006 CEU's 92.5 (2011)	“	“	“
Pelletier, Andrew	Town of Auburn	Acknowledge NERF Building Commissioner Appointed 2/27/2012 Local Certification 8/16/2000 Sent email request Exam Approval Form to be completed and returned 49 CEU's (2011) <i>Tabled pending receipt of Examination Approval Form</i>	DENY	CC	AB
Shanahan, Shaun	City of Lowell	Acknowledge NERF Local Inspector Appointed 4/8/2011 Quals approved 4/6/2011 Previously acknowledge 4/6/2011; ltr from City did not appoint until quals were approved.	ACK	CC	AB
Thompson, Jon	Town of Amherst	Acknowledge NERF Local Inspector Appointed 2/16/2012 Quals approved 5/8/2007	“	“	“
Zahariadas, Anastasios	Town of Boylston	Acknowledge NERF I of B Appointed 3/14/2011 I of B Certification 1/8/2007 187.5 CEU's (2011)	“	“	“

NAME	CITY / TOWN	ACTION TO BE TAKEN	Approve / Deny	M	S/M
Extension Requests to be Certified:					
Fuller, David	City of Lowell	Local Certification Appointed 3/1/2011 6 months 9/30/2011 12 months 3/31/2012 Quals approved 9/1/2010 Passed B1 8/31/2011 Failed B2 1/26/2012 11.5 CEU's (2011) <i>Scheduled for the F3 4/4/4012</i>	A 6 MOS 9/30/2012	CC	PM
On a MOTION by Andy Bobola and SECONDED by Peter McLaughlin it was voted to review Mr. Nuzzo out of order.					
Nuzzo, Edward	City of Somerville	I of B Certification Appointed 1/4/2010 6 months 7/31/2010 18 months 7/31/2011 Quals approved 4/7/2010 Scheduled 11/28/10 for test 12/1/10 Hearing 8/31/2011 Extension through 3/31/2012 Failed 1A 12/1/2010 12/8/2011 3/8/2012 26.5 CEU's (2011)	A 6 MOS 9/30/2012	PM	CC
Extension Requests for Continuing Education:					
None					

Hearings:

Miller, Charles BOCC 02-2012	Town of Westhampton	Beyond 18 mos to be certified as I of B Appointed 7/1/2008 Local Certification 10/14/2009 6 mos 1/30/2009 18 mos 1/30/2010 Extension through 7/30/2010 1/30/2011 <i>No copies of any exams completed</i> 84.5 CEU's (2011)	DENY	CC	MC
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STATE BUILDING OFFICIAL CERTIFICATION COMMITTEE HEARING

DATE: April 4, 2012

BOCC 02-2012

On April 4, 2012, a hearing for **Charles Miller**, Town of Westhampton, was held in Sturbridge before members of the State Building Official Certification Committee to review an Extension of Time request by Mr. Miller to complete the required Legal/ Management and the Technology Examination for Inspector of Buildings / Building Commissioner.

Synopsis of Testimony

The chairman of the Committee called the hearing to order. The facts of the case were read into the record. Mr. Charles Miller was present to offer testimony.

Mr. Miller stated he was appointed July, 2008, as the Building Commissioner for the Town of Westhampton, a small town of about 1300 people. Mr. Miller has office hours 2 hours per week and inspections are down as needed during the week or on weekends. The town receives approximately 120 permits in a good year; he mostly deals with zoning issues. Mr. Miller stated the mail sent to him in Westhampton must then be forwarded to his home address; therefore there is a lapse in receiving his mail. Mr. Miller keeps in communication with other Westhampton departments by telephone since they do not have office hours. Any problems that come up he discusses with Louise Hasbrouck, I of in Northampton, for direction.

Mr. Miller stated he has not attempted to take the required Legal/Management or the Technology exams since his appointment, and subsequent two previous extensions.

Decision

Following testimony based on the fact Mr. Miller has not attempted to take any exams, on a motion by Chris Clemente and seconded by Michael Clancy it was voted to deny Mr. Miller's Extension request to become certified in the capacity of Inspector of Buildings / Building Commissioner. A letter will be sent to Mr. Miller and Chairman, Town of Westhampton Board of Selectman, recommending Mr. Miller resign his position of Inspector of Buildings.

Deffely, David BOCC 03-2012	No Affiliation	CEU Extension Denied Local Certification 12/16/1999 1999 = 10.5 2002 = 48.5 2005 = 48 2008 = 46.5 2011 = 17	DENY	BH	PM
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STATE BUILDING OFFICIAL CERTIFICATION COMMITTEE HEARING

DATE: April 4, 2012

BOCC 03-2012

On April 4, 2012, a hearing for **David Deffely**, No Affiliation, was held in Sturbridge before members of the State Building Official Certification Committee to appeal a previous decision by the BOCC to deny an Extension of Time request by Mr. Deffely to accumulate the required CEU's to maintain his local certification.

Synopsis of Testimony

The chairman of the Committee called the hearing to order. The facts of the case were read into the record. Neither Mr. David Deffely nor any representative on his behalf attended the hearing.

Progression of Case

Section R7.3.1 of 780 CMR-7, *The Rules and Regulations for the Certification of Inspectors of Buildings, Building Commissioners and Local Inspectors*, requires certified building code enforcement officials to maintain a minimum of 45 hours of acceptable education credit over the course of each certification renewal cycle. Section R3.3 of this regulation requires each certified individual to maintain a record his\her education credit; the Board of Building Regulations and Standards (Board) shall also maintain a record for each certified individual. Mr. Deffely's training report for this renewal period, January 1, 2009 to December 31, 2011 illustrates that he had maintained **seventeen** hours of continuing education credit during this renewal cycle.

Decision

On a motion made by Bill Horrocks and seconded by Peter Mclaughlin it was unanimously voted to recommend to the Board that the certificate issued to Mr. David Deffely (Number 99-12-1123) certifying him in the capacity of Local Inspector, dated December 16, 1999, be revoked for his failure to maintain the continuing education credit required of 780 CMR R7.

Name	Date	Course Description	CEU's	Cat.	Course Number
		Approved Motion By: BH Second Motion By: AB (*) Courses previously approved			
District 4	2/22/2012	Code Review & Demolition	2.0	1	D4-0212
District 9	2/15/2012	Residential Sprinkler / Round Table	1.0	2	D9-0212
District 11	10/26/11	Sharon - Mechanical Permits	1.0	2	D11s-1011
	12/28/2011	Sharon - Office Procedures	2.0	2	D11s-1211
	2/2/2012	Sharon - Permit Fees	2.0	2	D11s-0212
	2/29/2012	Brockton - Unsafe Structures	1.0	1	D11b-0212
District 12	3/28/2012	Wind Borne Debris	2.0	1	D12-0312
District 13	3/27/2012	Wind Borne Debris	2.0	1	D13-0312
District 14	3/6/2012	ATC-45	2.0	1	D14-0312
Matthias Mulvey	3/2012	OSHA 10	10.0	1	C-035
William Cassanelli	2/28/2012	Deep Energy Measures Verification	6.0	1	C-2117*
	2/21/2012	Design Aides for Reinforced Concrete	4.0	1	C-2222*
Ronald Durgin	2/28/2012	2009 IRC Fundamentals Building Provisions	8.0	1	IC-160
	3/2/2012	2009 UPC - Plumbing Alternatives	0		
	3/2/2012	2009 UMC Mechanical Alternatives	4.0	1	IC-161
CET	2/22/2012	High Performance Homes	5.0	1	C-2096*
FCAM	2/9/2012	2009 IEBC Fundamentals w/ Mass Amendments	6.0	1	C-2223
Frank Ramsbottom	3/2012	AAB Regs	2.5	1	C-1510*
MetroWest	3/13/2012	Retaining Structures	2.0	1	MW-0312
Vern Harrington	2/28/2012	Deep energy Measures Verification	6.0	1	C-2117*
Guy Webb	3/5/2012	2012 IECC	1.0	1	C-2224
Mike McLean	2/21/2012	Design Aides for Reinforced Concrete	4.0	1	C-2222*
Michael White	3/17/2012	Draft & Enact a Zoning Amendment	1.5	1	C-2225
	3/17/2012	Writing reasonable & defensible decisions	1.5	2	C-2226
	3/17/2012	Chapter 40B	1.5	1	C-2227
	1/11/2012	High Performance Homes	5.0	1	C-2096*
	2/14/2012	Recognizing Alcohol Abuse	0		
	3/2012	OSHA 10	10.0	1	C-035*
	8/19/2011	High Performance Homes	5.0	1	C-2096*
Brian Bower	1/25/2012	Right to Know Law & Mass Right to Know	2.0	1	C-2228
MBCIA	3/23/2012	MGL 40A Zoning Updates	2.0	1	MB-0312
Michael Flynn	2012	Florida Cont Ed	10.0	1	C-1873*
	7/22/2010	Corps of Engineers - Const Quality Management for Contractors	10.0	1	C-2229
George Kincaid	2/21/2012	Design Aides for Reinforced Concrete	4.0	1	C-2222*
John Bavuso	3/28/2012	MEHA - Local Environmental Health Officials	3.0	1	C-2232
Richard O'Regan		MassNail It - 12 hour CEU	10.0	1	C-2233
SEMBOA	3/14/2012	Soil	3.0	1	SE-0312
Marc LaPointe	3/21/2012	SFPE Life Safety Code for 2012	6.0	1	c-2047*

Name	Date	Course Description	CEU's	Cat.	Course Number
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Additional Business:

1. Review responses received from letters sent regarding retirement.

R7.2.4 Retired Persons. Any person who has been duly certified in accordance with R7 and who retires from service in good standing, may petition the committee to receive "retired status" certification. Upon approval said certification shall be denoted "retired" and shall not be deemed revoked. Revocation shall only be invoked for cause. Any person who has been approved for "retired status" certification and who wishes to reactivate said certification shall comply with the examination schedule as defined in R7 for the level of certification sought.

Earl Midgley

2. Barre Town Administrator David Battistoni reported the Selectboard agreed to provide Mr. Ricker resources and time to study to pass the two required exams for Inspector of Building / Building Commissioner.

3. On a **Motion** by Bill Horrocks and **Seconded** by Michael Clancy to recommend revocation to the BBRs

R7.4.1.5 Grounds for discipline. The following shall be grounds for discipline of a certification holder:

5. The holder has failed to maintain continuing education requirements as specified in R7;

** Letter sent to request 'Retirement Status'		
*** Notification letter sent reminder less than 20 CEU's		
<i>Name</i>	<i>Cert Title/Number</i>	<i>Hours as of 12/2011 May 31, 2012</i>
Bruce Austin**	I of B / 92-11-225	22
Frank Avilla**	I of B / 92-11-515	0
Joseph Barbeau***	Local / 07-05-1513	0
Raymond Beale***	Local / 08-05-1574	25
Richard Bishop***	Local / 98-06-1013	21
Barton Blanchard**	Local / 98-03-981	5
Timothy Brennan***	Local / 09-03-1632	13
Clark Burritt***	Local / 95-11-667	0 3.5
Philippe Chevalier**	Local / 05-05-1396	0
Todd Clark**	Local / 98-03-984	14
William Clougherty**	I of B / 04-01-1327	34 39
David Conley Town of Foxboro	I of B / 92-11-533	30
Gene Covington**	Local / 06-02-1439	6
David Deffely***	Local / 99-12-1123	17
Philip Delorey	I of B / 99-07-1092	39 (reqd 108 by 12/2011 needs 21.5 more) 45
Joseph DeVito*** City of Cambridge	Local / 92-11-121	10
Stephen Dupre***	Local / 98-03-985	16.5
Carl Feraco*** Town of Oxford	I of B / 98-03-987	10
Patrick Franey***	Local / 08-04-1567	10
Ralph Gandolpfo**	I of B / 92-11-413	0
Darcey Gardner	Local / 07-06-1517	34.5
Ernest Gauthier	I of B / 00-06-1153	32
Nicholas Gazerro**	I of B / 92-11-345	10
John Goodwin*** City of Springfield	Local / 08-03-1561	4

Name	Date	Course Description	CEU's	Cat.	Course Number
Thomas Hackenson***		I of B / 92-11-331	0		
Glenn Hand*** Town of Uxbridge		I of B / 05-06-1397	18		
Ronald Haverty**		I of B / 92-11-1001	5		
J. Alan Hezekiah*** Town of Swampscott		Local / 09-06-1655	14		17
Joseph Inman**		I of B / 92-11-570	19		
Peter Johnson**		I of B / 96-02-675	0		
Harry Johnson**		I of B / 92-11-461	1		
John Kent		Local / 10-07-1715	4		7
George Landers		Local / 07-04-1511	30		35
Chip LaPointe		I of B / 98-01-962	36.5		
John Lojek*** City of Newton		I of B / 05-03-1384	34		37
Brian Main		Local / 92-11-256	30		
Bruce Maksy***		Local / 09-10-1674	11		14
David Mattos**		Local / 05-04-1392	0		
William Milioto***		Local / 09-04-1644	0		
Robert Mottau***		I of B / 92-11-030	0		
Joseph Murray		Local / 97-03-722	38		48 ID Card Issued
Anthony Patillo**		I of B / 92-11-394	19		
Chester Penza**		I of B / 92-11-013	10		
Wayne Reid Town of Windsor		I of B / 02-07-1251	38		42 ID Card Issued
Gerald Rivel*** Town of Blackstone		I of B / 06-12-1482	18.5		
Richard Roggeveen**		I of B / 92-11-320	0		
Dana Root***		Local / 09-04-1649	0		
Pat Schena City of Groveland		I of B / 92-11-227	32		39
Gregg Schoener		Local / 04-06-1356	39		
Rudolph Schultz		I of B / 92-11-419	0		
James C. Sheehan***		Local / 09-12-1683	17.5		
Sean Smith***		Local / 06-10-1472	0		
Joseph Stack*** Town of Pembroke		Local / 10-04-1700	15		20 ID Card Issued 19 CEU's req. cert 4/2010
Ken Surette**		I of B / 92-11-213	0		
Rudolph Susienka*** Town of Upton		I of B / 92-11-396	14		
Philip Taylor City of Boston		Local / 98-08-1020	35.5		
Mark Tebbetts**		I of B / 06-10-1475	18		
Walter Tortorici**		Local / 07-09-1530	1		
Scott Van Ryswood*** Town of Eastham		Local / 99-03-1068	26.5		38.5
David Vines***		I of B / 04-01-1329	0		
Robert Walton**		I of B / 98-01-960	10		
Clinton Watkinson**		I of B / 99-07-1093	20		
Wayne Wilson Town of Nahant		I of B / 00-08-1163	32		

Name	Date	Course Description	CEU's	Cat.	Course Number
Anthony Zagzoug**		I of B / 92-11-132	4		
Feliz Zemel***		Local / 08-04-1573	16		37

Clarifications regarding :

- Effective March 1, 2006, must receive prior approval prior to taking exams
- Clean slate as of January 1, 2008; previous history will be looked at for anyone who has already received an extension prior to 1/2008
- Extensions granted from ending date of last extension or when should have been certified
- Table resumes or outlines until following month after more information has been required; if info not received qualifications will be voted on again with info on hand
- Questions regarding application for certification "approved pending receipt of information requested"
- Acknowledge New Employee Report Forms if qualifications have not been previously reviewed and approved.
 - ❖ If appointee meets the minimum qualifications proceed as normal.
 - ❖ If the Committee deems the person does not meet the minimum qualifications TABLE for one month. Present qualifications to the Full Board for their determination if the appointee meets minimum qualifications.
- Hearings - Vote to CONTINUE; extended for a cause
- Can NERF be denied when Inspector of Buildings has been appointed without the Local certification? **YES**
- Effective February 6, 2011 no more than three extensions will be granted.

Next meeting scheduled for **Wednesday May 2, 2012** - Sturbridge