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BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
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Minutes

Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters
Division of Professional Licensure
1000 Washington Street, Room 1D
Boston, MA 02118
April 28 2017, 10:02 AM

1. Meeting called to order by the Chairman at 10:02 a.m., followed by roll call, the Chairman asked that members identify themselves and whom they represent:

Board Members Present:

Charles Borstel, Chairman
Dan Dumont, NE Mechanical Contractors
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

Board Members Not Present:

Leo Fahey, Pipefitter Member
Justin Fishlin, Sprinklerfitter Member
Jennifer Revill, Public Member

Guests Present:

Michael Giuffre, PJ Applicant
Christopher Ashley, RT Applicant
James Crump, RT Applicant
Nadeam Nahas, RT Applicant
Brad Surette, RT Applicant
James Wilhite, Jr., SJ Applicant
Barbara Lagergren, Gould Construction Institute
Gordon MacEwan, IAPMO
Tyler Neveu, Notch Mechanical
Wayne Thomas, PHCCMA
John Lawrence, DFS
Henry Mattuchio, DAS
Nedy Jean-Francois, DPL
Robert Anderson, OPS
Stephen Carley, OPS
Cesar I. Lastra, OPS

2. **Minutes:** The draft minutes from the March 22, 2017 Bureau meeting were reviewed. **Motion to approve the minutes made by Frank Norton, seconded by John Viola; motion passed by unanimous vote.**
3. **Review of the following applications to examine:**

Michael Giuffre (PJ) – Approved

Application to examine for Pipefitter Journeyman's license submitted by Michael Giuffre was considered. Mr. Giuffre is licensed in Rhode Island as a Master Plumber, Master Oil Burner, and Master 1 Pipefitter (Unrestricted). Mr. Giuffre is also licensed in Massachusetts as a Journeyman Plumber, Master Sheet Metal, and Process Piping Pipefitter. Mr. Giuffre did not provide documentation from an employer licensed in Massachusetts, nor the completion of hours through an approved school in Massachusetts. Mr. Giuffre



stated that he started as a plumber in Massachusetts and took the pipefitters exam in Rhode Island when he moved. Mr. Giuffre stated that he has not done a pipefitter apprenticeship program in Massachusetts, but Rhode Island does require a pipefitter apprenticeship program. Massachusetts Process Piping Pipefitter license was grandfathered. **Motion to approve the application made by John Viola, seconded by Pauline Lally; motion passed by unanimous vote.**

Brad Surette (RT) – Approved

Application to examine for Refrigeration Technician's license submitted by Brad Surette was considered. Mr. Surette has examined for the Refrigeration Technician's license twice "in the past year" and failed both exams. Mr. Surette stated that he was unable to examine for a third time due to being unable to provide documentation of completion from an apprenticeship program registered with DAS. The Chairman introduced documentation (provided by DAS Director Henry Mattuchio) that Mr. Surette completed 100 hours of an apprenticeship program, which Mr. Surette stated that he was unaware of being registered. Sharron Orr questioned whether or not a change in rule took place to prevent Mr. Surette from sitting for a third exam. Frank Norton responded to Ms. Orr's question by acknowledging the apprenticeship language in the last regulation change. **Motion to approve the application made by Brian Kelly, seconded by Frank Norton; motion passed by unanimous vote.**

Christopher Ashley (RT) – Approved

Application to examine for Refrigeration Technician's license submitted by Christopher Ashley was considered. Mr. Ashley sat for the Refrigeration Technician's license exam "a year ago" and failed. Mr. Ashley stated that he was unable to re-examine due to not being able to provide documentation of completion from an apprenticeship program registered with DAS. Cesar I. Lastra, Technical Code Coordinator for the Engineering section, addressed the Bureau with information pertaining to the apprenticeship language from the last regulation change. Mr. Lastra stated that, in the 2014 regulation change, the term 'trainee' was removed and Mr. Ashley may have fallen under a period where individuals started their programs before the change in language took effect. **Motion to approve the application made by Brian Kelly, seconded by Dan Dumont; motion passed by unanimous vote.**

Nadeam Nahas (RT) – Approved

Application to examine for Refrigeration Technician's license submitted by Nadeam Nahas was considered. Mr. Nahas was employed by Related Beal, under Robert Marando's license for three years (Mr. Marando was not present at the meeting). Mr. Nahas stated that he completed his schooling and applied for the exam at the time of the regulatory change to the apprentice language, however, Mr. Marando has since left the company and there is no one in his company to set up the apprentice sponsorship program. Mr. Nahas stated that his only options now are to leave his current employer to find an employer with a sponsorship program in place or wait until his employer has a licensed individual to set up the sponsorship. Ms. Orr acknowledged that Mr. Nahas' situation was similar to previous applicants for falling under the transition period of the DAS apprenticeship requirement. **Motion to approve the application made by John Viola, seconded by Brian Kelly; motion passed by unanimous vote.**

James Wilhite, Jr. (SJ) - Approved

Application to examine for Sprinkler Journeyman's license submitted by James Wilhite, Jr. was considered. Mr. Wilhite has 19 years of experience in the fire sprinkler industry and completed the sprinkler apprenticeship in the Commonwealth of Virginia. John Viola acknowledged Mr. Wilhite's experience and qualifications. **Motion to approve the application made by John Viola, seconded by Frank Norton; motion passed by unanimous vote.**

James Crump (RT) – Tabled

Application to examine for Refrigeration Technician's license submitted by James Crump was considered. Mr. Crump was not present at this meeting. **Motion to table the application made by Frank Norton, seconded by Jack Viola; motion passed by unanimous vote**

Greg Provencher (RT) – Tabled

Application to examine for Refrigeration Technician's license submitted by Greg Provencher was considered. Mr. Provencher was not present at this meeting. **Motion to table the application made by Brian Kelly, seconded by Frank Norton; motion passed by unanimous vote.**

4. Matters not reasonably anticipated 48 hours in advance of meeting

- The Chairman acknowledged the recent agency consolidation to the Division of Professional Licensure and stated his intent to continue Bureau business at the next scheduled meeting.
- The Chairman stated his intent to work towards compliance in the pipefitting, refrigeration, and sprinklerfitting industries.
- John Viola asked the Chairman if the agency consolidation will change the application process or if it will remain the same. The Chairman stated that the intent is to have applications and content to reflect the DPL, whereas policies and procedures will be worked with the Bureau.
- Sharon Orr asked the Chairman if meetings will continue to take place on the third Wednesday of the month at the Division of Professional Licensure Boston Office and if Commissioner Charles Borstel will be the Chairman going forward. The Chairman confirmed the meeting dates, location, and stated that it is his intent to be Chairman to learn about the Bureau as DPL has many close jurisdictional trades and wishes to maintain close communications with the DPL Boards and the Bureau.
- Brian Kelly stated that he spoke with Senator Walter Timilty, the chair of the commission that consolidated the two departments, and wanted to pass along Senator Timilty's comments regarding the testimony at the hearing being instrumental in making sure that [the consolidation] was the right thing to do. The Chairman acknowledged all who supported the consolidation and stated that the alignment of the agencies' core similar missions would lead to efficiencies for the benefit of the stakeholders.
- Mr. Viola asked the Chairman if online renewals will be available. The Chairman acknowledged the DPL e-licensing system and believes that concept is to be addressed down the road.
- Mr. Kelly asked Mr. Lastra if renewal notices are still being sent out online. Mr. Lastra stated that paper renewal notices are being sent out 60 days prior to expiration but licensees must notify the Office of any changes to their mailing address.
- Frank Norton asked the Chairman about the presence of inspectors at job sites. The Chairman stated that the nine of the DPS inspectors went to the Department of Fire Services to oversee the Boiler compliance and nine of the DPS inspectors remained with the Office of Public Safety and Inspections. The Chairman added that OPS inspectors are designated to districts for the purpose maintaining compliance of Amusement, Hoisting, and Bureau matters. Mr. Norton followed up with a question of sufficient inspector staffing at job sites. The Chairman stated that they are in 'assessment mode' but believes that eliminating the Boiler aspect will allow more time for the inspectors to focus on Bureau compliance.
- Pauline Lally asked the Chairman where the 'line of demarcation' would be drawn for inspections of high pressure steam piping on a high pressure steam boiler. The Chairman stated that the inspections will be coordinate with DFS who will oversee the inspection of Boilers.
- Ms. Lally asked the Chairman on the attainment of Mechanical Permits. The Chairman stated that Mechanical Permits are handled on the municipal level.
- Ms. Orr asked the Chairman on whom to contact going forward since the inspectors in the western part of the state are with DFS. The Chairman referred Ms. Orr to Dan Kilburn, Engineering Inspector Supervisor, and Chief Robert Anderson for assistance. Mr. Lastra added his availability to provide assistance as he works directly with Mr. Kilburn.
- Mr. Norton asked the Chairman if a Refrigeration exam review group will be established. Mr. Kelly informed the Bureau that a team was formulated two years ago to incorporate new questions and purge

out irrelevant questions. Neldy Jean-Francois asked if a sub-committee of the Bureau or of stakeholders was formulated for the exam review. Mr. Kelly stated that the sub-committee was a combination of Bureau members and stakeholders. Mr. Viola stated a Sprinklerfitter exam review group recently finished their review and was headed by Mr. Kilburn. Mr. Viola also stated that the exam review group was made up of staff members and contractors. Mr. Kelly and Mr. Norton both acknowledged Mr. Kilburn as the head of their last review group.

- Mr. Norton brought to the attention of the Chairman a letter of understanding that was established with Paul Kennedy, Chairman of the Massachusetts Board of Plumbers and Gasfitters, that would allow the refrigeration service technicians to work from the gas cock in on HVAC equipment. Mr. Norton stated that he would like to incorporate the language on to the refrigeration regulation for clarity. The Chairman acknowledged the request and stated that it must follow the public process for incorporation.

5. Motion to adjourn made by John Viola, seconded by Frank Norton; motion passed by unanimous vote, meeting adjourned at 10:44 AM.

The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters will be on Wednesday, May 17, 2017 at 10:00 AM. The meeting will be held at the Division of Professional Licensure, 1000 Washington Street, Room 1D, Boston, MA 02118.

List of Documents/Exhibits Used at this Meeting

- a. Draft minutes from meeting on March 22, 2017
- b. PJ Application - Michael Giuffre
- c. RT Application - James Crump (Tabled until next meeting)
- d. RT Application - Brad Surette
- e. Brad Surette's Letter of Apprenticeship Cancellation (Division of Apprenticeship Training)
- f. RT Application - Christopher Ashley
- g. RT Application - Nadeam Nahas
- h. RT Application - Greg Provencher (Tabled until next meeting)
- i. SJ Application – James Wilhite, Jr.