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**Commonwealth of Massachusetts**  
**Division of Professional Licensure**  
**BOARD OF STATE EXAMINERS OF PLUMBERS**  
**AND GAS FITTERS**

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UNDERSECRETARY OF  
CONSUMER AFFAIRS AND  
BUSINESS REGULATION

**CHARLES BORSTEL**  
COMMISSIONER DIVISION OF  
PROFESSIONAL LICENSURE

**NOVEMBER 1, 2017 BOARD MEETING MINUTES**

<b>MEMBERS</b>	<b>APPOINTMENT</b>	<b>PRESENT</b>	<b>ABSENT</b>
Vacant Seat	Chairman, Journeyman Gasfitter		
Mr. Joseph McNamee	Member, Master Gas Fitter	✓	
Mr. Bahig A. Kaldas, P. E.	Member, Plumbing Engineer	✓	
Ms. Sara Badway	Consumer Member	✓	
Mr. Joseph Waskiewicz	Member, Master Plumber	✓	
Ms. Ruth Alfasso	Member, Dept. of Public Health	✓	
Mr. John Cruz	Member, LP Installer	✓	
Mr. Harold Knight	Member, Journeyman Plumber	✓	
Mr. Dan Kilburn	Member, Public Safety	✓	

**9:00 A.M. AGENDA REVIEW:** By Chairman Joseph McNamee

**9:05 A.M.: APPROVAL OF PREVIOUS MEETING MINUTES:**

- The October 25, 2017 Board Meeting Minutes

*A motion was made to Approve by Mr. Harold Knight and seconded by Mr. John Cruz.*

*Result: Unanimous*

- The October 25, 2017 Executive Session Minutes

*A motion was made to Approve by Mr. Harold Knight and seconded by Mr. John Cruz.*

*Result: Unanimous*

**VARIANCE REQUEST(S)**

**PV-57 ALVIN AND JEAN REJNIAK - 414 COLES MEADOW RD. -NORTHAMPTON**

The petitioners (Mr. and Ms. Rejniak) are seeking a variance from 248 CMR (code citation not provided) to install a mechanical vent for use with a washing machine connection for use with a washer that is to be temporarily located in the middle of a first floor room in lieu of extensive venting normally required. The



Petitioners indicate that this variance is needed due to medical issues. The Board of Health was properly petitioned.

*Meeting Notes: The Petitioner failed to appear*

*A motion was made to table by Ms. Alfasso and seconded by Mr. Knight.*

*Result: Unanimous*

**PV-58 FIN SEAFOOD INC. – 800 MAIN ST, RT 6A, - DENNIS**

The Petitioner Johnathan Smith is requesting a variance from 248 CMR 10.10 to convert existing non-handicapped accessible first floor male and female bathrooms into a single handicapped accessible compliant user unisex bathroom. The Petitioner indicates that this is required due to requirement of the Architectural Access Board via its variance procedure. The Petitioner indicates that there is an existing unisex bathroom located on the second floor. Finally, the Petitioner states that this building was built in 1795 in a historic district and will serve more than 20 patrons (the Petitioner did not provide the number of seats). The hardship is based on space restrictions. The Board of Health was properly petitioned.

*Meeting Notes: The Petitioner failed to appear*

*A motion was made to table by Ms. Ruth Alfasso and seconded by Mr. Harold Knight.*

*Result: Unanimous*

**PV -59 JO-ANNE SHEA RESIDENCE – 30 MT. VERNON RD. –WEYMOUTH**

The petitioner Jo-Anne Shea is requesting a variance from 248 CMR 3.04 to install a non-product accepted custom made lavatory sink in her residence. The Board of Health was been properly petitioned.

*Meeting Notes: The sink does not have an overflow. The sink does not have a stop on the drain. The sink is made of concrete*

*A motion was made to approve by Mr. Knight and seconded by Mr. Waskiewicz.*

*Condition(s): None*

*Result: Unanimous*

**PV 60 – JONATHAN KERNER RESIDENCE – 63 PERRY ST. – BROOKLINE**

The petitioner Jonathan Kerner is requesting a variance from 248 CMR 3.04 to install a non-product accepted copper kitchen sink in his residence. The Petitioner indicates that this sink was previously used in the house, which was built in 1892, and is desired to be utilized with a product accepted faucet as part of a renovation to keep the historical character of the house. The Board of Health was been properly petitioned.

*Meeting Notes: This is a pantry sink and is not the primary kitchen sink. The sink is made of copper.*

*A motion was made to approve by Mr. Waskiewicz and seconded by Mr. Knight.*

*Condition(s): None*

*Result: Unanimous*

## FYI – Board Delegated Staff Approvals – Board Vote Not Required

**DAGV 38** - Hanover Insurance Co. - 440 Lincoln St. – Worcester- New Gas train for existing boiler #1

**DAGV 263-MATEP** - 474 Brookline Ave. – Brookline- Duct Burner

### APPEAL OF INSPECTORS DECISION

At approximately 9:10 a.m., by unanimous consent, the Board heard from both parties in the matter of Galen Miller v. Robert Friedrich, Plumbing Inspector for the town of Ayer. After conducting this hearing in a session open to the public, a motion was made by Ms. Alfasso, seconded by Mr. Kilburn, to suspend the open meeting and enter into quasi-judicial session pursuant to M.G.L. c. 30A, §18 and c. 142, §13.

A full record of the matter, including the Board’s decision, will be issued in writing in a separate decision.

### EXECUTIVE SESSION

At approximately 9:37 am, the Chairman stated the Board would need to enter into Executive Session and would return to an Open Session for the purpose of adjourning and then commencing a separately posted subcommittee meeting. Participants were asked to leave the room until called.

*A motion was made to enter executive session pursuant to M.G.L. c. 30A, section 21, to discuss an applicant’s character, rather than competence, by Mr. Knight and seconded by Ms. Alfasso, thereafter a roll call vote was taken:*

MEMBER	YEA	NAY	ABSENT	RECUSED	ABSTAINED
Mr. McNamee	✓				
Ms. Badway	✓				
Mr. Waskiewiez	✓				
Mr. Kaldas	✓				
Ms. Alfasso	✓				
Mr. Cruz	✓				
Mr. Knight	✓				
Mr. Kilburn	✓				

At 9:57, the Board returned to open session.

### Matters not reasonably anticipated by the Chair

By unanimous consent, on an ongoing basis the Board will meet once a month on the first Wednesday. Additional meetings will be scheduled if necessary. Accordingly, the next Board meeting will take place on December 6.

MOTION TO ADJOURN at 9:58 A.M. by Mr. Kilburn seconded by Mr. Knight.

#### LIST OF DOCUMENTS USED:

1. Meeting agenda

2. Minutes from prior meeting
3. Variance applications for above referenced agenda items

Respectfully Submitted By;

Frederick M. Lima  
State Plumbing and Gas Inspector/Investigator

Respectfully Authorized by;

Charles Kilb, Board Counsel  
Board of Examiners of Plumbers and Gasfitters