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MIKE KENNEALY  
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Commonwealth of Massachusetts  
Division of Occupational Licensure  
Office of Public Safety and Inspections  
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LAYLA R. D'EMILIA  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

Meeting Minutes  
STATE BOARD OF BUILDING REGULATIONS AND STANDARDS  
BUILDING OFFICIAL CERTIFICATION COMMITTEE  
OC Headquarters, 50 Maple Avenue, Milford, MA  
November 2, 2021 9:30 a.m.

Meeting called to order by the Chairman at 9:36 a.m. followed by roll call:

**1. Roll Call – Committee members present**

Bill Horrocks, Chairman - *BBRS Representative*  
Michael Giampietro - *Member At Large, Millis*  
Andrew Bobola - *Member At Large, Mattapoisett*  
John Naff - *Member At Large, Wrentham*  
David Fuller - *Massachusetts Building Commissioner's Association, Lowell*  
Jeffrey Clemons - *Building Officials of Western Massachusetts Member, Pittsfield*  
Michael Clancy - *Southeastern Building Official's Association, Hingham*  
Jennifer DeForge – *Member of Academia*

**Committee members absent**

Bonnie Weeks - *Member At Large, Palmer*  
Roger Fuller - *Massachusetts Municipal Association Representative*  
Vacant – *MetroWest Building Official Association*

**Guest Present:**

Kimberly Spencer, Office of Public Safety and Inspections  
Kristina Gasson, DOL  
Dave Sullivan, Office of Public Safety and Inspections  
Henry Fontaine  
Patty Sheehan

2. Members present reviewed minutes from the BOCC meeting on September 7, 2021 and October 5, 2021; MOTION to approve was made by John Naff and seconded by Michael Clancy. The vote was unanimous.

**3. Application for Certification Packets**

- a. On a MOTION by Michael Giampietro and seconded Jeff Clemons it was unanimously VOTED to approve the application of **Louis N. Cavagnaro** (City of Revere) for certification in the capacity of **Inspector of Buildings / Building Commissioner** having met the minimum qualifications for said position defined by MGL c 143 § 3. (BO-2017).
- b. On a MOTION by Michael Giampietro and seconded John Naff it was unanimously VOTED to approve the application of **Peter Howling** (City of Lowell) for certification in the capacity of **Local Inspector** having met the minimum qualifications for said position defined by MGL c 143 § 3. (BO-2183).



#### 4. Examination Approval Packets

- a. On a MOTION by John Naff and seconded by Michael Clancy it was unanimously VOTED to grant the request of **Weijie (Charlie) Dong** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Weijie Dong, based on education, meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- b. On a MOTION by John Naff and seconded by Michael Giampietro it was VOTED to grant the request of **Gaston Drouin** (City of Chicopee) for approval to take the required exams to become certified as a building code enforcement official. Gaston Drouin meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process. Dave Fuller and Michael Clancy opposed.
- c. On a MOTION by Jeff Clemons and seconded by John Naff it was VOTED to grant the request of **Moheb Garas** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Moheb Garas meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process. Dave Fuller abstains.
- d. On a MOTION by Michael Clancy and seconded by John Naff it was unanimously VOTED to grant the request of **Robert Gargano** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Robert Gargano meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- e. On a MOTION by Jeff Clemons and seconded by John Naff it was unanimously VOTED to **DENY** the request of **Timothy Hudon** (Town of Danvers) for approval to take the required exams to become certified as a building code enforcement official. The Committee reviewed the additional information submitted and was unable to find sufficient supervisory experience, education, or overall knowledge in building construction or design in Timothy Hudon's résumé to determine if they have the minimum qualifications as defined by MGL c 143 § 3.
- f. On a MOTION by Andy Bobola and seconded by John Naff it was unanimously VOTED to grant the request of **Higinio Jiménez** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Higinio Jiménez meets the minimum qualifications set forth by the BBRS for said position of local inspector defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.
- g. On a MOTION by Michael Giampietro and seconded by Dave Fuller it was VOTED to grant the request of **Hong Li** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Hong Li meets the minimum qualifications set forth by the BBRS for said position of local inspector and inspector of buildings / building commissioner defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process. Jeff Clemons opposed.
- h. On a MOTION by Michael Giampietro and seconded by John Naff it was unanimously VOTED to **DENY** the request of **Dennis Monteiro** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Dennis has experience as an electrical inspector, but the Committee was unable to find sufficient supervisory experience in building construction or design in Dennis Monteiro's résumé to determine if they have the minimum qualifications as defined by MGL c 143 § 3.
- i. On a MOTION by Jeff Clemons and seconded by Dave Fuller it was unanimously VOTED to TABLE the request of **James Pike** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. The Committee is requesting additional information on projects completed and 5 years' supervisory experience to determine if they meet the minimum qualifications as defined by MGL c 143 § 3.
- j. On a MOTION by John Naff and seconded by Jeff Clemons it was unanimously VOTED to TABLE the request of **Robert Poliseno** (No Affiliation) for approval to take the required exams to become certified as a building code enforcement official. Robert has a strong background in masonry. The Committee is requesting additional information on projects completed and 5 years' supervisory experience to determine if Robert meet the minimum qualifications, and is well rounded as a contractor, as defined by MGL c 143 § 3.

- k. On a MOTION by Dave Fuller and seconded by Michael Giampietro it was unanimously VOTED to grant the request of **Robert Vicari** (City of Gloucester) for approval to take the required exams to become certified as a building code enforcement official. Robert Vicari meets the minimum qualifications set forth by the BBRS for said position of local inspector defined by MGL c 143 § 3 and was granted permission to proceed with the required examination process.

## 5. New Employee Report Form Packets

- a. On a MOTION by Jeff Clemons and seconded by Michael Giampietro it was unanimously VOTED to acknowledge the *New Employee Report Form* of **Frank Boron** appointed to the position of **Building Commissioner** for the **City of Chicopee**. Appointed, not yet certified, on October 1, 2021. Eighteen-month grace period expires April 30, 2023, *NERF signed by Mayor*.
- b. On a MOTION by Michael Giampietro and seconded by Jeff Clemons it was VOTED to acknowledge the *New Employee Report Form* of **Brenden Cox** newly appointed to the position of **Local Inspector** for the **Town of Foxborough**. Appointed, on September 13, 2021, not yet certified. Twelve-month grace period will expire September 30, 2022. *NERF signed by Town Manager*. Bill Horrocks opposed.
- c. On a MOTION John Naff and seconded by Andy Bobola was unanimously VOTED to acknowledge the *New Employee Report Form* of **Gaston Drouin** appointed to the position of **Local Inspector** for the **City of Chicopee**. Appointed, on August 30, 2021, not yet certified. Twelve-month grace period expires August 31, 2022 *NERF signed by Mayor*.
- d. On a MOTION John Naff and seconded by Jeff Clemons was unanimously VOTED to not acknowledge the *New Employee Report Form* of **Timothy Hudon** appointed to the position of **Local Inspector** for the **Town of Danvers** as Timothy's qualifications were denied. A hearing will be held for Timothy Hudon and the Building Commissioner will be requested to attend. *NERF signed by Town Manager*.
- e. On a MOTION by Michael Giampietro and seconded by John Naff was VOTED to acknowledge the *New Employee Report Form* of **Michael Maniscalco** appointed to the position of **Local Inspector** for the **City of Lowell**. Appointed, not yet certified, on October 4, 2021. Twelve-month grace period expires October 31, 2022 *NERF signed by City Manager*. Bill Horrocks opposed.
- f. On a MOTION John Naff and seconded by Jeff Clemons was unanimously VOTED to acknowledge the *New Employee Report Form* of **Vincenzo Tirone** appointed to the position of **Building Commissioner** for the **City of Amesbury** on October 18, 2021. *NERF signed by Mayor*.
- g. On a MOTION by Dave Fuller and seconded by Michael Giampietro was unanimously VOTED to acknowledge the *New Employee Report Form* of **Robert Vicari** appointed to the position of **Local Inspector** for the **City of Gloucester**. Appointed, not yet certified, on August 30, 2021. Twelve-month grace period expires August 30, 2022 *NERF signed by Mayor*.

## 6. Extension Requests to be Certified Packets

*R7.1.7.4-5 a conditional appointee may petition the Building Official Certification Committee (BOCC) using the Extension Request form for an extension of time to comply with the examination schedule of R7. Upon establishment of cause, the BOCC may grant such an extension of time as it may consider appropriate.*

- a) On a MOTION by Jeff Clemons and seconded by John Naff it was unanimously VOTED to grant the request of **Jason Harris (Town of Hull)** for a first extension of time to become certified as a local inspector. Said extension shall expire May 31, 2022.
- b) On a MOTION by Michael Giampietro and seconded by John Naff it was VOTED to grant the request of **William Spinney (City of Pittsfield)** for a second extension of time to become certified as a local inspector due to State of Emergency. Said extension shall expire May 31, 2022. Jeff Clemons abstains.

## 7. Hearings

- a) None

**8. Review Application for Continuing Education** - *The current education training cycle has been extended through December 31, 2021 due to the current COVID-19 State of Emergency.*

Members present reviewed the continuing education submitted; MOTION to approve, as amended, was made by Jeff Clemons and seconded by Michael Giampietro. The vote was unanimous.

Name	Date	Course Description	CEU's	Cat	Course No.
Peter McLaughlin	5/5/2021	ICC Flammable Finishes	.5	1	<b>IC-388</b>
	5/2/2019	ICC Building Code Basics Residential 2012 Edition	.5	1	<b>IC-389</b>
Janice Sherman	8/10/2021	Permeable Interlocking Concrete Pavement for Stormwater Management offered by AECDaily	1.0	1	<b>C-3733</b>
	8/9/2021	LIVE Moss Wellness Walls: Soothing the Senses and Revitalizing Indoor Air offered by AECDaily	0	1	<b>C-3734</b>
	8/6/2021	A Holistic View of Carbon in the Built Environment offered by HanleyWood	0	1	<b>C-3735</b>
	7/28/2021	Occupant Aware Buildings, or Building Aware Occupants? Offered by HanleyWood	1.0	1	<b>C-3736</b>
	7/27/2021	RMI's Innovation Center: First-Year Lessons Learned offered by HanleyWood	0	1	<b>C-3737</b>
	7/21/2021	Residency: Urban Land Use and Growth offered by HanleyWood	1.0	1	<b>C-3738</b>
	7/19/2021	"Checking In" on Sustainability in Hotels offered by HanleyWood	0	1	<b>C-3739</b>
	7/18/2021	Black(water) is the New H2O – Water Re-use Emerging Trends offered by HanleyWood	0	1	<b>C-3740</b>
	7/14/2021	Introduction to Tubular Daylighting Devices offered by HanleyWood	1.0	1	<b>C-3741</b>
	6/30/2021	Energy in LEED today and tomorrow offered by HanleyWood	1.0	1	<b>C-3742</b>
Janet Collins	8/11/2021	Waterproofing Design and Application Procedures offered by AECDaily	1.0	1	<b>C-3743</b>
Goran Smiljic	8/19/2021	ICC 2018 IBC Essentials (not accepting credit hrs based on 2018 I code)	0		<b>IC-390</b>
Charlie Simmons	7/6/2021	Energy Savings with Air Curtains offered by AECDaily	0	1	<b>C-3744</b>
	7/6/2021	Panel Radiators: The Modern Radiator Solution offered by AECDaily	0	1	<b>C-3745</b>
	6/30/2021	DC Fast Charging offered by AECDaily	0	1	<b>C-3746</b>
	6/23/2021	Electric Vehicle Charging: Basics and Beyond offered by AECDaily	0	1	<b>C-3747</b>
	6/30/2021	Be Cool" How Designers Can Improve Thermal Comfort with HVLS Fans offered by AECDaily	0	1	<b>C-3748</b>
	6/30/2021	Conserving Water and Energy: Electric Tankless Hot Water Heaters offered by AECDaily	0	1	<b>C-3749</b>
	6/30/2021	Sun Control Window Films offered by AECDaily	0	1	<b>C-3750</b>
	9/16/2021	Ventilation Case Studies: Understanding How Ventilation Impacts Single- and Multifamily Housing offered by AECDaily	1.0	1	<b>C-3751</b>
Walter Morris	9/29/2021	Wall Bracing V: Wall Bracing in High Seismic Regions offered by APA	1.5	1	<b>C-3752</b>
Thomas McGrath	9/21/2021	Rethinking Acoustics offered by HanleyWood	1.0	1	<b>C-3753</b>
	10/3/2021	Predicting Daylighting Performance with New Modeling and Analysis Tools offered by HanleyWood	1.0	1	<b>C-3754</b>
	9/21/2021	Innovative Green Concrete for Sustainable Construction offered by HanleyWood	1.0	1	<b>C-3755</b>
	10/2/2021	Greater Heights and Innovative Design: A New Generation of Tilt-up Buildings offered HanleyWood	1.0	1	<b>C-3756</b>
Donald Jordan	10/23/2021	Preventing Slips, Trips, and Falls GNSC178 offered by MIIA	1.0	1	<b>C-3757</b>
	10/22/2021	Ladder Safety COMPL105 offered by MIIA	1.0	1	<b>C-3758</b>
	10/23/2021	Fall Protection GNSC168 offered by MIIA	1.0	1	<b>C-3759</b>
Tam Nguyen	10/6/2021	Building Sustainability: Wood's Role in Healthy Forests & Healthy Buildings offered Woodworks	2.0	1	<b>C-3760</b>
UMASS	10/4/2021	Air barrier and Insulation Installation	1.5	1	<b>C-3713N</b>
	10/4/2021	Common Firestop Mistakes and How to Avoid Them	3.0	1	<b>C-3713O</b>

	10/4/2021	Commercial Kitchens – 5 Key Rules to Grease Ductwrap	3.0	1	<b>C-3713P</b>
	10/6/2021	Expedite Your Plan Review	1.5	1	<b>C-3715F</b>
	10/6/2021	Residential HVAC Systems: Plan Review Basics	1.5	1	<b>C-3715G</b>
SBI	7/12/2021	State Building Inspector – Round Table	2.0	1	<b>SBI-0721</b>
District 12	9/30/2021	DPL and DFS guidance for Energy Storage System (ESS)	2.0	2	<b>A12-0921</b>
District 11	10/5/2021	Zoning & Quality of Life Issues / Access Code Options	2.0	2	<b>A11-1021</b>
District 13	10/6/2021	Model Floodplain Bylaw / Code Requirements for Mechanicals and Equipment in a Flood Plain	2.0	1	<b>D13-1021</b>
MBCIA	8/19/2021	Zoning with Jay Talerman	3.0	1	<b>MB-0821</b>
	9/23/2021	HERS Rating with Steve Roy	3.0	1	<b>MB-0921</b>
SEMBOA	10/20/2021	Chapter 1 with Billy Horrocks	3.0	1	<b>SE-1021</b>

**8b. Review Application for Continuing Education** - The BOCC previously reviewed and approved the following completed continuing education.

Name	Date	Course Description	CEU's	Cat	Course No.
Peter McLaughlin	2021	Instructor CSL Prep Course	10	2	<b>NO#</b>
	2021	Instructor CSL Continuing Education	10	2	<b>No#</b>
	8/5/2021	Wood Deck FAQs: Deciphering DCA6 and More – BCD307 offered by American Wood	1.0	1	<b>C-3223*</b>
	10/22/2019	Boring & Notching in Wood-Frame Const Simpson Strong-Tie ICC# 13482	1.0	1	<b>C-2940*</b>
	8/31/2020	2013 NFPA 241: Safeguarding Construction, Alteration and Demolition Operations	3.0	1	<b>C-3454*</b>
	9/11/2021	CSL Continuing Education – Greater Boston Code Consultants	4.0	1	<b>C-2755*</b>
Scott Barbato	4/8/2021	MASS Timber Construction ICC# 27675 ESBOF	6.0	1	<b>C-3626*</b>
John Mellon	10/3/2021	6 hr CSL Cont Ed course – Mass Contractors Academy (CS-010211)	6.0	1	<b>C-3464*</b>
	9/30/2021	6 hr CSL Cont Ed course – Mass Contractors Academy (CS-010209)	6.0	1	<b>C-3149*</b>
Matthew Bourque	10/5/2021	MA Building Official IBC-IRC-780 CMR #2 course	10.0	1	<b>C-3321*</b>
	10/4/2021	MA Building Official IBC-IRC-780 CMR #1 course	10.0	1	<b>C-3320</b>
Charlie Simmons	6/30/2021	Heat Recovery Ventilation: Why Efficiency Matters offered by AECDaily	1.0	1	<b>C-2613*</b>
William Holton	4/16/2020	2015/2018 NDS Example problems: Member Designs & Connection basics DES221 ICC# 24158	1.5	1	<b>C-3375*</b>
	4/8/2020	MASS Timber Construction ICC# 27675 ESBOF	1.0	1	<b>C-3626*</b>
	4/26/2020	Strong-Wall Shearwalls offered by Simpson Strong Tie	1.0	1	<b>C-2915*</b>
	4/17/2020	Soft Story Retrofit of Existing Buildings by Simpson StrongTie ICC #1025-3870	3.0	1	<b>C-2690*</b>
	3/26/2020	Deck Inspection for New and Existing Construction offered by Simpson StrongTie	1.0	1	<b>C-3113*</b>
	3/25/2020	Boring & Notching in Wood-Frame Const Simpson Strong-Tie ICC# 13482	1.0	1	<b>C-2940*</b>
	3/29/2020	Code Requirements for Conventionally Framed Roofs offered by Simpson StrongTie	1.0	1	<b>C-3112*</b>
	4/18/2020	Truss Fundamentals - Simpson O/L ICC #1025-6443	2.0	1	<b>C-2742*</b>
PSD	9/30/2021	Energy - Documentation for Energy Code Permit Applications (Comm 4.1 2018)	1.0	1	<b>C-3610*</b>
	9/30/2021	Energy - Third-Party Documentation & Does LEED = Code? (Comm 4.2 2018)	1.0	1	<b>C-3611*</b>
	9/30/2021	Energy - Designers, Bldrs & Code Officials Work Together for Energy Code Comp (Comm 4.3 2018)	1.0	1	<b>C-3612*</b>
	9/29/2021	Energy - Building Systems Commissioning: Saving Money and Meeting Code (Comm 8.1 2018)	1.0	1	<b>C-3615*</b>
	9/29/2021	Energy - Residential Ventilation Done Right: Why and How (3.3 2018)	1.0	1	<b>C-3600*</b>

	9/29/2021	Energy - Third-Party Documentation & Does LEED = Code? (Comm 4.2 2018)	1.0	1	<b>C-3611*</b>
	9/28/2021	Energy-Commercial: 9th Ed Energy Code: Top Ten Things You Need to Know Classroom	1.0	1	<b>C-3123*</b>
Michael Silva	4/22/2021	Applying the Codes to Cannabis Facilities ESBOF	6.0	1	<b>C-3627*</b>
William Fenner	8/20/2021	MASS Timber Construction ICC# 27675 ESBOF	6.0	1	<b>C-3626*</b>
	8/19/2021	Code Requirements for Conventionally Framed Roofs offered by Simpson StrongTie	1.0	1	<b>C-3112*</b>
	8/1/2021	Boring & Notching in Wood-Frame Const Simpson Strong-Tie ICC# 13482	1.0	1	<b>C-2940*</b>
Brian Bower	9/30/2021	12 Hour CSL Cont Ed Course – Mass Codes	10.0	1	<b>C-2233*</b>
Louis Cavagnaro	10/2/2021	12 Hour CSL Cont Ed Course – North Shore Code Consulting	10.0	1	<b>C-2233*</b>
	9/25/2021	OSHA 10 Construction Course	10.0	1	<b>C-035*</b>
Thomas McGrath	9/15/2021	Mixed-Occupancy Buildings: Design for Density with Confidence ICC# 28542 by WoodWorks	1.0	1	<b>C-3718*</b>
	10/3/2021	Reducing Fire Risk at the Perimeter of High Rise Structures	1.0	1	<b>C-3633*</b>
	7/19/2021	Truss Fundamentals - Simpson O/L ICC #1025-6443	2.0	1	<b>C-2742*</b>
	7/19/2021	Boring & Notching in Wood-Frame Const Simpson Strong-Tie ICC# 13482	1.0	1	<b>C-2940*</b>
	7/19/2021	Code Requirements for Conventionally Framed Roofs offered by Simpson StrongTie	1.0	1	<b>C-3112*</b>
Vargas DaSilveira	10/16/2021	MA Building Official IBC-IRC-780CMR 6hr CE #3	6.0	1	<b>C-3314*</b>
	10/22/2021	MA Building Official IBC-IRC-780 CMR 10 hr CE #1 online	10.0	1	<b>C-3321*</b>
	10/16/2021	MA Building Official IBC-IRC-780 CMR 10 hr CE #2 online	10.0	1	<b>C-3320*</b>
	10/22/2021	Boring & Notching in Wood-Frame Const Simpson Strong-Tie ICC# 13482	1.0	1	<b>C-2940*</b>
	10/23/2021	Code Requirements for Conventionally Framed Roofs offered by Simpson StrongTie	1.0	1	<b>C-3112*</b>
	10/23/2021	Soft Story Retrofit of Existing Buildings by Simpson StrongTie ICC #1025-3870	3.0	1	<b>C-2690*</b>
	10/23/2021	Concrete Repair Installation - Simpson O/L ICC #1025-5624	2.0	1	<b>C-2740*</b>
	10/23/2021	Concrete Repair Design - Simpson O/L ICC #1025-5626	2.0	1	<b>C-2739*</b>
Donald Jordan	10/24/2021	Decks, Porches and Boardwalks in Flood Hazard Areas	1.0	1	<b>C-3617*</b>
	10/21/2021	Deck Inspection for New and Existing Construction offered by Simpson StrongTie	1.0	1	<b>C-3113*</b>
	10/20/2021	Shear Wall Design with 2015 SDPWS - Simpson O/L ICC #1025- 6017	2.0	1	<b>C-2741*</b>
	10/20/2021	Concrete Repair Design - Simpson O/L ICC #1025-5626	2.0	1	<b>C-2739*</b>
	4/24/2020	Boring & Notching in Wood-Frame Const Simpson Strong-Tie ICC# 13482	1.0	1	<b>C-2940*</b>
Alexandre Flores	10/25/2021	CSL Continuing Education – Online Classes	6.0	1	<b>C-2755*</b>
Patrick Sands	10/25/2021	Soft Story Retrofit of Existing Buildings by Simpson StrongTie ICC #1025-3870	3.0	1	<b>C-2690*</b>
Joseph Stack	12/3/2020	Deck Building 101 – Beginner’s Course – Simpson Online ICC #1025-157	1.0	1	<b>C-2546</b>
	10/23/2021	CSL Continuing Education – Paul Spiro	6.0	1	<b>C-2755*</b>

## 9. Additional Business / Other matters as not reasonably anticipated 48 hours in advance of meeting

- a. On a MOTION by Michael Giampietro and seconded by Michael Clancy it was unanimously voted **Jeff Clemons** to Vice Chairman of the Building Official Certification Committee.
- b. At the September 7, 2021 meeting it was voted to REVOKE the certificate of Kenneth R. Brooks and David St. Hilaire for failing to maintain said certification. Signed documents were received after the hearing date to VOLUNTARILY surrender said certification.

On a MOTION by John Naff and second by Jeff Clemons it was unanimously voted to approve the request of Kenneth Brooks and David St. Hilaire to voluntarily surrender their certification.

- c. Request to *Voluntarily Surrender* Building Official Certification:

Joseph Latronica	Building Commissioner	BO-0645
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On a MOTION by Andy Bobola and second by Michael Giampietro it was unanimously voted to accept the above request to voluntarily surrender building official certification.

- d. Patty Sheehan, President Mass Federation, attended the BOCC meeting to discuss some concerns the Federation has been discussing with DOL Administration. As BOCC members are individuals representing all Municipal building inspectors the discussion factored on getting appropriate training to help all building inspectors understand the building code and Mass amendments.

Have the four Building Official Associations invite State Building Inspectors to provide training

Record individual chapters reviewing the upcoming 10<sup>th</sup> edition of the Building Code and post on the website to view and review as needed

- e. For Informational purposes:

There are currently:

- \* Active and Retired: 809 certified building inspectors
  - o 479 Inspector of Buildings
  - o 330 Local
- \* Active ONLY: 623 certified building inspectors
  - o 328 Inspector of Buildings
  - o 238 Local
  - o 57 Conditional local building inspectors
- \* Qualifications Approved
  - o 693 individuals' qualifications have been approved to take the exams, not currently affiliated
- \* 679 certified building inspectors required to have 45 credit hours
  - o 548 More than 45 credit hours
  - o 119 Less than 45 credit hours
    - o 40 between 44.5 - 40.5 credit hours
    - o 79 Less than 40 credit hours
  - o 12 have 0 credit hours
- \* 189 certified building inspectors required to have less than 45 credit hours - certified within current training cycle
  - o 79 More than 45 credit hours

- f. Further discussion on discipline for building officials who have not accumulated the minimum 45 credit hours.

**110.R7.4.1.3 Hearing.** Hearings held pursuant to 780 CMR 110.R7.4.1 shall be conducted in accordance with M.G.L. c. 30A and 801 CMR 1.02: *Informal/Fair Hearing Rules*. Any party may be represented by legal counsel at such a hearing. At the hearing, the certification holder shall be permitted to present an opening statement, testify on their own behalf, cross-examine all witnesses, present any relevant witness testimony, present any relevant documentary evidence, and offer a closing argument. Any person offering testimony at the hearing shall be sworn under oath. The BOCC may question any witness and include any records on file with the BBRs as exhibits. The BOCC may, at their discretion, conclude the hearing at any time and issue a recommended decision based on the evidence presented.

If a certification holder does not appear for the hearing, the BOCC may conduct a hearing and render a recommended decision based upon the evidence presented only after making a finding that the certification holder was provided reasonable and proper notice of the hearing as required by 780 CMR 110.R7.4.1.2.

**110.R7.4.1.4 Decisions and Discipline of Certification Holders.** The BOCC shall issue a written decision after the hearing. Decisions shall be issued in a reasonably prompt manner. The decision of the BOCC shall serve as a recommendation to the BBRs and shall be promptly forwarded by the administrator to the full board for review. If after a hearing the BOCC finds that the holder has violated any provision of 780 CMR 110.R7.4.1.5, it may recommend suspension of a certification for a fixed period of time, revocation of a certification permanently, or a reprimand of the certification holder. Further, the BOCC may recommend that any order include appropriate remedial or disciplinary conditions.

Once forwarded to the BBRs, the board shall either adopt the recommendation in its entirety, adopt the recommendation with amendment, reject the recommendation in its entirety, or remand the matter to the BOCC further proceedings. A certificate holder whose certification is revoked may apply in writing to the Board for reinstatement no sooner than one year from the date of the revocation.

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

1. The holder has obtained a certification by fraud or misrepresentation;
2. The holder has aided or abetted in practice as a certified building official any person not authorized to practice as a certified building official under the provisions of 780 CMR 110.R7;
3. The holder has fraudulently or deceitfully practiced as a certified building official;
4. The holder has been grossly negligent or has engaged in misconduct in the performance of any of his or her duties;
5. The holder has failed to maintain continuing education requirements as specified in 780 CMR 110.R7;
6. The holder has been found to have failed to report an offer, or bribe, or other favor in a proceeding under 780 CMR 110.R7;
7. The holder has made a false or misleading statement to the BBRs, or has made a material omission in any submission to the BBRs;
8. The holder has failed to appropriately enforce the provisions of 780 CMR as prescribed by M.G.L. c. 143, § 3;
9. The holder has engaged in any conduct in violation of 780 CMR or any state or federal law rendering them unsuitable to be certified as a building official.
10. The holder has been found to have violated state ethics laws by the State Ethics Commission.
11. The holder failed to cooperate in an investigation being conducted by the BBRs or its administrator.

g. BOCC next meeting December 7, 2021 location TBD

h. On a MOTION by Jeff Clemons and seconded by Michael Giampietro is was unanimously voted to adjourn.