

Meeting held April 4, 2017
Division of Professional Licensure (DPL)
1000 Washington St., Boston, MA

Present for the meeting:

Commissioner Charles Borstel, DPL
Neldy Jean-Francois, Chief of Staff
Robert Borden (President of MFBO)
Arthur Lawler (Vice President of BOWN)
Tin Htway, (Vice President MWBOA)
Kathleen Nugent (Vice President SEMBOA)

The "points of Discussion" prepared by Robert Borden and previously shared with the Commissioner was the guideline of discussion. Commissioner Borstel introduced himself and Chief of Staff Neldy Jean-Francois then gave an overall description of the Division and the various Boards under such. The Commissioner mentioned the previous hearing and assured us that Public Safety is paramount. He added that he has never received a call from the Office of Consumer Affairs asking to lessen the codes. As part of the discussion it was revealed that his position changed from Director to Commissioner through the Article 87 legislation. Commissioner Borstel reviewed the Chain of Command.

The Building officials expressed concern for the loss of staffing from the previous Department Of Public Safety through retirement and attrition. The Commissioner explained that there was no immediate plan to replace or increase building code related staffing.

Commissioner Borstel further explained that inspectors in the Engineering Division would have more time to focus on the Amusements since they would no longer have to conduct inspections for the oil burners (oil burners were transferred to DFS). As a result, the State Building Inspectors may possibly be freed up to devote more time to assisting the state district inspectors.

We briefly discussed the ISO reviews of local Building Departments and their frequent assessment that departments are under staffed. The Commissioner, though sympathetic to our plight, did not feel he could offer a state solution. The Commissioner discussed "Sub-Codes", plumbing, sheet metal, electric, etc. and lack of coordination with the Building Code. He informed us that the administration was supporting the BCCC mandated decisions bill with some amendments to the board's configuration and voting requirements. We discussed

that the ICC is a "family" of codes and their relationship to the IBC and IRC. The Commissioner expressed interest in how the ICC family of codes were adopted and used in other jurisdictions and asked if we could ascertain what states have done so.

Bob Borden discussed the concern that grants and funding sources for training and education of building officials such as FEMA, MEMA, and block grant programs may no longer be available to the new office and building officials. The Commissioner was quite confident that these funding sources would still be available.

There was a lengthy discussion about Education. We discussed continuing education credits, requirements and training. The discussion also included Rob Anderson's recently developed Massachusetts specific "On-Boarding" classes and particularly continuing the "Codes & Standards" test of the ICC CBO required testing. We discussed that the Federation is of the opinion that Certification should be the full ICC Certification along with mandatory "On-boarding". We discussed MGL 143 and the requirements of providing education.

We also discussed the ICC Preferred Provider program. Bob expressed the opinion that the mandatory 15 hours annually of continuing education for building officials should be provided by the state and additional credit hours attained through the regional associations.

While discussing the State Building Code we discussed our preference that Chapters 7, 9 and 10 be maintained and not be moved to Fire Services. The Building Officials explained that all the chapters of the code work together and cannot function without these 3 chapters.

Bob discussed the discovery of the possible funding source through MGL 175 Section 195. Commissioner Borstel took note of this funding opportunity, instructed Chief of Staff Jean-Francois to look into this further and stated he would speak to the Commissioner of Insurance.

In closing the Commissioner was invited to a Federation meeting and meeting dates of the various regional associations were reviewed with the Commissioner. The Commissioner once again asked that we please share with him what other states are doing.

Respectfully submitted, *Kathleen Nugent*

A personal note of my take from the meeting was that Commissioner Borstel was anxious to work with the MFBO and the Associations to make this reorganization work for all concerned, the State, Building Officials and the regulated community. Advancing the alternative funding source and consolidation of the construction codes, in which he did show interest, would move this in the right direction.

Robert C. Borden
President
Massachusetts Federation of Building Officials