



New York State Building Officials Conference

NYSBOC BOARD OF DELEGATES MEETING MINUTES

DATE: June 1, 2012

LOCATION: Slingerland

- * President Wayne Cichon called the meeting to order at 10:10 AM
- * Pledge of Allegiance
- * Moment of silence for deceased members
- * A roll was called and the following were present: (See Attached Sheet.)

Distinguished Guests: Jim Gilhooly, President BIANCO and George Clark, President, Central Chapter

Chapter	Name	X	Name	X	Name	X
Board	Cichon, Wayne	1	Morganson, Jim	1	Cusato, Ed	1
Board	Mekulik, Don	1	Scarson, Doug		Schwarz, Mark	1
Capital	Cordell, Robert	1	Griffith, Roger	1	Theriault, Rick	
Capital	Ricotta, Sam	1	Kinizzo, Tom (A)			
Central	Basile, Jim		Keeler, George	1	Williams, John	1
Columbia	Ferratto, Edward		Pratt, Kent		Vieni, Charles	
Finger Lakes	Bailey, Jim	1	Crooks, Jack	1	Morris, Pat	1
	Rech, Terry (A)	1				
Mid Hudson	Thompson, Bruce		Parrington, Denis (A)	1	Serino, Robert	
Mohawk Valley	Stine, Rich					
Monroe	Bowers, Don		Drexler, Rob		Scarson, Doug	
Nassau	Bonnie, Robert	1	Haramis, Stephen	1	Malitino, Michael	1
Nassau	Falmigetti, Eric (A)					
Niagara	Bleichfeld, Rich		Eberhardt, Jim	1	Rank, Kevin	
Niagara	Hazen, Rich		Metzger, Dave (A)			
Ontario	Benedict, Al	1				
Rockland	Berrios, Ruben	0	Buckley, Thomas	0		
Southern Tier	Cross, Brent	1	Ezell, Kevin		Platt, Richard	1
Southern Tier	Knickerbocker, Wm (A)	1				
St. Lawrence						
Suffolk	Donnelly, Joseph	1	Frabrizio, Edward	1	Maher, Tom	
Tri County (2/12)	Canfield, Gerard	1	Jaques, Eugene	1	Kidney, Wayne	
Tri County	Gettel, BJ (A)	1				



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Westchester	Blasi, Frank	1	Tarchine, Ralph		Testa, Michael	
WSTB	LaBarbera, Chuck (A)	1	Monaco, John		Pacanowski, James	
Yates	Lyon, Bruce	1				
NYS DOS	Addario, John	1	Nemeth-Weisser, Julie	1	Nichols, Dan	
NYS DOS	Piester, Ron	1				
Log Editor	Eberhardt, Jim	1				
Past Pres	Casella, Dan	0	Copp, Wm. Scott	0	Flanigan, John	1
Past Pres	Gregory, William		Kiebel, Ron		McCabe, Dennis	
Past Pres	McDaniels, Steve	1				
ICC	Drexler, Rob		Harris, Dottie	1	Piester, Ron	1

Secretary's Report: Don Mekulik

Posted with corrections Motion to approve by Jim & Pat - Agreed & Carried.

Presidents Report: Wayne Cichon

Correspondence from Brad Ziere, Empire B&B of Empire State. He is requesting us to join forces with him on web links. Wayne has not responded at this time.

Treasurers Report: BJ Gettel representing Doug Scarson

Motion to accept by George and Wayne – Agreed and carried

Committee Reports:

Ambassadors Report: Dan Casella and Steve McDaniels. Mark read Dan's Letter:

It is my opinion that the time is now for NYSBOC to continue to be on the cutting edge as leaders in our chosen profession and that every duly authorized NYSBOC representative continue to be represented and in the spotlight at our affiliate organizations...and to be duly supported in these endeavors both socially and financially...as true Ambassadors of proud First Preventers!

It is my recommendation that the Executive Board, Past Presidents, Code Development participants, and those duly authorized member representatives chosen or participating, be supported in this proposal to lead the way on a National level.

Thank you to all for your considerations in this regard.

Dan Casella
Ambassador Committee, Chairman



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Dan also offered the following proposal:

As I ponder the ways NYSBOC can get as many representatives to our various missions; there are thoughts that I propose for reimbursement to the following representatives, as follows;

- The entire Executive Board should be reimbursed when actively representing NYSBOC
- The Ambassador's should be reimbursed when actively representing NYSBOC
- The Code Development representative(s) should be reimbursed when actively representing NYSBOC
- The Membership at large should have a "sliding scale" reimbursement, (percentage based on local chapter membership as filed with our Secretary at dues time).

It is my intention not to favor any individual or group of individuals; but to offer a fair and equitable financial reimbursement framework that NYSBOC is financially able to provide to our fellow Officers & Members...

Perhaps we can utilize an amount from our savings, (interest accumulated or otherwise) that we can manage without "breaking the bank"...

From what I see we have currently \$17,000.00 budgeted in various ways.

Thank you!

Regards,
Dan

Further discussion followed:

1) Motion by Gene that NYSBOC pick up the expenses for the Executive Board to attend the ICC Conference in Portland, OR, second by Pat Morris.

Sam what does that cover... meals, airfare, travel, and how it is going to be covered but needs to be fined tune.

Jim Eberhardt – needs to be refined.

Wayne - Bar bills and dinner for the organization?

Final motion: NYSBOC is to pay for the Executive Board to attend the ICC Conference in Portland, Oregon and pick up the expenses for car rental, basic travel, lodging, registration fees, and annual banquet up to 5 days by Gene Jaques and second by Pay Morris - agreed and carried.

2) The ambassadors should be reimbursed as well when representing NYSBOC. Wayne recommends that Dan expand on this. We can certainly post this in the log and the website. Discussion followed. The Executive Board can make the decision. Wayne will be in contact with all the past presidents.



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Steve McDaniels' motion to increase the reimbursement to be put it off until September and send it back to the committee and second by Gene Jaques. Discussion followed. Fifteen in favor – eleven against. Motion agreed and carried.

3) Code Development representative: Steve McDaniels

We do not get reimbursed either. Funding is needed. Wayne says that Kevin Ezell needs to look at this. Gene stated that the ICC picks up all the expenses and meetings. When the hearings come up, the ICC only pays for the chairman to go. The ICC doesn't send the whole committee and pick up the expenses. One person cannot handle it all. Ron Piester explained. The ICC had to draw the line and sometimes the Board has to make the decisions and has to be careful with conflicts of interest. Steve claims we need more NYS representatives. Send this to Kevin Ezell and have him report back in September. Ron Piester wants to be included in this discussion. All agreed and carried.

Don stated that the reimbursements need to be written into the by-laws. Don asked Jim Bailey to prepare. Jim & BJ will work on it and get it out to everyone ASAP.

Association of Towns: Ed Cusato & John Flanigan

Ed gathering information to put a power point presentation together for the Town Supervisors and mayors in response to funding and responsibilities of the Code Enforcer. Examples are training, budgeting, inspections, and complaints. Some towns don't know the responsibilities and liabilities.

John Flanigan said there was 4 training classes of CEO's that we do not see at any other time of the year. 90 – 100 people attended the training. Their Supervisors have no idea what they are doing. They are there on their own. When something happens, you need to have your stuff together. Caution – make your community attorney is involved. Also call NYS DOS for assistance.

Building Log: Jim Eberhardt

Will be published shortly. Any last minute items need to be submitted ASAP. Send pictures with captions. This always helps us and gets the word out. Need ABM items. Get signed up on the website.

Bylaws: Jim Bailey & George Keeler

There were amendments that were presented at the April meeting. Jim made a motion to add more amendment changes, second by BJ Gettel. Discussion followed. Agreed and Carried.

ARTICLE V - DUES

Section 1. Annual Scale of Dues.

The annual scale of dues for membership in this Corporation shall be for membership classes as listed below. The annual membership fee for each class shall be as determined from time to time by a Resolution of



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the Board of Delegates. Dues are to be set by the Board of Delegates by the Annual Business Meeting of a given year, and are to be effective the following calendar year.

Active Member, Associate Member, Cooperating Member, Participating Member, Honorary Member

Section 2. Payment of Dues.

Dues for the required minimum ten members shall become payable ~~at or before the first regularly scheduled meeting of the Board of Delegates~~ by February 27 for the calendar year January 1st to December 31st.

Remove the previously accepted amendment below. It is addressed in Section 3.

Dues for remaining roster membership shall be due by the first meeting for the calendar year for the purpose of determining representation by Chapter Delegates as stated in Article III, Section 9.

Section 3. Default in Payment.

Any person or chapter which defaults in payment of the minimum annual dues by the first regularly scheduled Board Meeting after the start of the calendar year shall not thereafter be considered in good standing, and; no voting privileges will be extended at that meeting or until all dues for the chapter are paid in full. The chapter shall remit full dues for all members receiving benefits from the Corporation, on forms acceptable to the Secretary and Treasurer, by April 1st of the calendar year. ~~On April 1st the roster of membership and the LOG mailing list will be closed for the calendar year. Members who default on dues payments by April 1st shall not be considered members in good standing.~~ Failure of any person or chapter to pay ~~such~~ dues within thirty (30) days following the mailing by the Treasurer of a notice to make payment shall be deemed to constitute a suspension and such person, or Chapter may ~~thereafter~~ be reinstated as a new member only by a majority vote of the Board of Delegates.

Jim: Motion to approve the bylaw changes that were approved at the April meeting and not include page 13, second by BJ Gettel. Agreed and Carried. As always the entire list of By Law Changes can be found on the website.

Certification - NYSBOC: Donald Mekulik

Two applications have been received and they are being processed.

Codes Council: John Flanigan

Nothing on the appointments.

Jim Bailey: Where do we stand on adopting the 2011 Electrical Code? Ron Piester said the Codes Council gave the initial go ahead.

Codes Development Committee: Kevin Ezell

No Report



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Codes Division: Ron Piester

Staff changes – Eric Bradshaw will report to Julie and be the chairman of the Disaster Response Unit. He will be delivering pilot programs at the September ABM. The Secretary of State realizes that this is important. There will be more information to follow. We can now say CEDAR again.

Steve Rockland has retired however he is still serving on a technical subcommittee. Brian Tolason (?) to fill in for the time being until the vacancy approval happens.

Julie gave an overview of Eric's new role. He is establishing a network for the CEDAR Program. CEDAR Program is going to receive training. The State wants you to be equipped and receive ongoing in-service training. There will be qualifications and an application process. This time we will include design professionals, not just code enforcement officers. One thing that is going to be requested is that each chapter is to submit one to two people from each person as a contact person. The implementation is still being worked out. It has to be someone that can dedicate the time. The classes are going to be offered at the ABM this year. Eric is doing limited training. We need to talk about getting equipment.

Discussion followed: What about funding? FEMA is not making it easy. When we go to the next round we are not waiting for FEMA. We are filling out the forms for reimbursement then.

Ed Cusato: Despite the difficulties NYSBOC did one amazing job. One year later and still nothing has happened.

Ron Piester: We are getting ready for the next event. The new normal in government is giving us cause and concern. The true answer is we don't know but we are going to move forward and ahead. We want to provide the best service to the citizens.

John Addario: July thru Dec training is posted. SLIMS system is ongoing. More set up for the electronic registration. There was an email list that was not sent out but missed a lot of people. We are developing on line training for this. Currently there is one course available now. Next year we are revising the school education course. We are working on one hour programs and the 6 hour code update class.

Don: Basic training course – why not in TriCounty Area? John will see what he can do. Ron says the office is cut to the bone. We have requested to fill 17 positions. Complaints are on the rise and we are feeling it. Government can't provide the level of service that the public expects.

Dennis Parrington questioned if there is still a Technical Pier Group. Ron says it is still in existence and will keep Dennis informed. Dennis is the Chairman.

Conference of Mayors: Edward Cusato & Amy Bertini

No report



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Eastern States: John Flanigan

Up and growing again. The economics is not helping. Next year it is in New Jersey.

Education Committee: Mark Schwarz

Emergency responder classes are being developed.

Emergency Management: Mark Schwarz representing Dan Casella

Had 2 classes in Nassau. NIMS preschool class was one. Approved for 4 hrs of CEU's and it is free. 2 hours class from the FBI; What to be aware of from day to day inspections. They are refining this. Would like to suggest this class for the ABM. See Mark for contacts.

Green Committee: Dennis McCabe

No Report

Habitat for Humanity: James Morganson

No report

ICC:

Submission for Chapter Information needed to be in today. We just finished Building Safety Month, thank you for your support. This is not just a one month thing.

- 1) Board of Directors meeting in Dallas made a change to the Code Development cycle.
Group A - 2012
Group B – 2013
Group C – Green Code 2014
- 2) Thanks to NYSBOC – ICC has embarked a journey that will allow our members to be able to do remote voting and better access to the Code Development process. Ron & Rob serves on these committees. Hope to have this in place by 2018.
- 3) Registration for the Portland Conference is open. Sam will give more information. 2012 – 2013 A lot of team work for New York to be in the spot light and Ron will be leading the way. Responsibility that Ron is expecting all of us in Atlantic City next year. Show people we are leaders. Call Ron with ideas for leadership.
- 4) June 1st also means the start of Hurricane season. Since we are piloting the CEDAR program at the conference. We are asking for a joint press release so that you have something to take to your supervisor.

Dottie: The ICC is looking into launching a high school technical training program. Start the program in the high school years to get code officials started at an early level. Contact Dottie for further details. The purpose is to get them interested in the field. The State of Maryland has launched this program and is very successful with it.



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Ron – each year we give out awards. The time for nominations is open now. Information is located on the ICC website. Jim Bailey read a letter from Scott Copp recommending John Hudson be nominated for the ICC Community Service Award.

To the NYSBOC Board of Delegates,

Each year the ICC presents a series of awards to its members and affiliates for those who have made significant contributions to field of code enforcement, community safety and building safety. One of these awards is the ICC Community Service Award. Below is the summary of what this award is based upon.

ICC COMMUNITY SERVICE AWARD.

Presented when circumstances warrant a need to recognize meritorious service by an individual, organization, jurisdiction or community group that promotes the public health, safety and welfare by initiating activities or actions which are considered to be above and beyond the normal expectations.

I am unable to attend the June meeting of the Board of Delegates, but I ask that you consider that among our members there are individuals who are placed in the most difficult positions and they rise to the occasion and in fact they rise above the call of duty and perform a service to their community that should be recognized.

- I request that the members of the Board of Delegates take action to submit the name of John Hudson, the code official from the Town of Keene in nomination for the recipient of the ICC Community Service Award for 2012.

You will find attached to this letter a draft of the story that details John Hudson's actions on a fateful day last fall when hurricane Irene was raising havoc on many parts of our state.

- In addition, I request that the Board of Delegates cover the cost of having John and his wife attend the annual meeting of the ICC in Portland Oregon.

I hear the dollars rattling in the treasury as you read this, but we are an organization that has been established to serve the betterment of code enforcement within New York and I believe across the nation. We should be proud to have among us members that stand out for their service and I feel that we have the money to make this happen and we should step up to the plate and spend the money for the recognition John Hudson deserves.

Scott Copp

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The ICC Community Service Award

I would like to set the stage for the story of the code official for a small community in the Adirondack Mountains in New York State, the town of Keene. The population of Keene was 1,105 at the 2010 census. Keene is the home of Mount Marcy, the highest mountain in New York state, as well as the Great Range and 15 of the 46 High Peaks, and the Ausable Lakes, the source of the Ausable River. The entire town is in the Adirondack Park, the largest state park in the nation.

In late August 2011 as Hurricane Irene worked its way up the Atlantic coast and continued straight north up the Hudson River Valley, side swiping New York City, the world watched as town after town along its path was devastated by flooding.

- In the Town of Keene there is a little stream that county maps call Gulf Brook, a picturesque waterway littered with boulders that usually creates a friendly burble. On Sunday August 28, 2011 it became a raging torrent, carrying rocks down from the mountains and then eating away the bank on which Keene's volunteer fire department had its offices and engines. At 4:15 p.m., as the rain was sluicing off roofs in sheets, the firemen moved the trucks to higher ground. And at 6:07, one of the firemen said, "the firehouse went down." This was the beginning of the devastation that took out the center of the town and could have broken the spirit of the town, but it did not.

In instances of great destruction there are pillars of the community that stand out and by their own actions they gather the strength of the community together to plunge forward and face the crisis head-on. The call for assistance was made to neighboring communities for code officials to aid in the assessment of damaged structures so the people of Keene could re-enter their homes and business to get on with the work of re-building. What the responding code officials found when they made their way through the rubble that was once Main Street of Keene was the code official standing in the middle of Main Street working with State and Federal Disaster Relief agencies with a pair of shoes he had borrowed and the only clothes he had remaining because his were lost when his house was ripped from its foundation and bashed against the boulders in that little brook that at one time helped create the picture perfect trickle of water that ran down through town.

With the perseverance of hundreds, John Hudson the sole code official from this little town carried the hopes and fears of his community as he stood in that street focusing on the well being of his fellow citizens as the remnants of what was his home were washed away. What he did and what he stood for that day and the hundreds of days since as this small vibrant community rebuilds represents all that we work and strive for in the service to our community.

John selflessly put his own devastating losses aside and focused on the needs of his fellow citizens and in this effort his community has moved forward toward rebuilding all that made it the place attracts thousands of visitors to experience the Adirondack Mountains. He is still working on reestablishing a home and he continues to aid and assist hundreds in his job as the code official. John is a humble man and he will tell you he was only doing his job that day in late August 2011, but he humbles us all with the service he provided to his community through all the devastation and the good will he brings to the code enforcement community at large through his outstanding efforts.

Scott Copp



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Motion by Jim Bailey and 2nd by John Williams. Agreed and carried.

Candidates for ICC Board of Directors:

Sharon Myers
Jim Brown - Wyoming
Jack Laiden - RI
Tina Race
Ron Huber

Legislative/Technical Committee: Robert Cordell

Lobby day was May 22nd. We made the rounds and visitation was great. Met with Senator Betty Little. She received an award for raising the profile. We received a guided tour of the Senator Chambers.

The reason that we went was to talk about S7052 – prohibit the Code Council from approving the residential fire sprinklers in the single family homes. Firemen testified that this is not good. We did educate a lot of people that day. Discussion followed.

We need to keep up the pressure. There is still no Assembly introduction. There is a process that exists and we do need to let it run the course.

We need to develop a funding stream for the Code Books. Break it out over a couple of years versus all at once. Receptive to this and encouraged us to return in January.

This organization thanks Dottie for all her assistance. Ed thanked Bob Cordell for all his assistance.

Membership Committee: BJ Gettel

No report

Modular Homes: Kevin Ezell

No report

New York Codes Coalition: Gene Jaques

August 16th is FASNY Meeting. We need support for Code Council members. NYS Chiefs Show is on June 14th. ICC is exhibiting.

Nomination Committee: Steven McDaniels

The committee has met. Here is the list of eligible candidates:

President: Jim Morganson
1st Vice President: Ed Cusato
2nd Vice President: Don Mekulik



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Chuck LaBarbera

Secretary: BJ Gettel

Historian: Mark Schwarz

Northeast Region 6: Wayne Cichon

No report

NYSBOC ABM Committee: Ed Cusato

Information and registration is going on the website by Monday. 9 hours of Continuing Education. We dedicate the conference each year to somebody. This year we are looking to dedicate it to a NYSBOC member that has been deployed in the past 2 years. Please contact Ed Cusato.

Scholarship Committee: Wayne Cichon

The information has been posted on the website.

Special Programs: William Gregory

No report.

Ways & Means: Wayne Cichon and Doug Scarson

No Report

Website Management: James Bailey & BJ Gettel

On average 280 visitors with spending 4- 5 minutes. We are still getting overseas visitors. Have 280 people that have signed up for the newsletter. We have received a sponsor for the Platinum Level. The company is Business Management Systems. We are looking for more.

BIANCO: Jim Gilhooly

June 1st is a very important date: due date for the Chapter of Year Award. Use of social networking is crucial communication tool. Will be contacting each chapter about photo's, recommendations, and good deeds.

Old Business:

Sam: I went to Portland Oregon. 4 areas of interest that need to be covered.

- 1) Meet and greet: Sunday Evening – in the past NYSBOC has provided for all. This year the Coalition will contribute \$1000 towards this as well as Minnesota, North Dakota, NJ, Florida, Nevada, and Utah, Heartland of American Chapter, Region 3, and Texas. The Meet and Greet will be from 7PM to 10 PM. We made arrangements with the hotel and the information is on the website. We are directly across from the ICC conference. Minimum amount to spend is \$7500 total. We spent over \$13,000 last year.
- 2) Hospitality for New York State: NY Coalition and the fire service organizations have agreed to contribute to this as well. This is set up for *New Yorkers only*. This is a place where you can find out information. Not a true hospitality room. We are calling it a “Situation Room” and it is



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located on the 6th floor. We need to spend \$200 per day so that we don't get charged a fee for the room. We are next door to the NJ room. This room is available on Sun at 11 AM to Wed night. BJ is in charge of the room and this is for *NY people only*.

- 3) Reception for Ron Piester: Tuesday evening is a party in his honor. The hours are from 10 PM – 12 midnight. We negotiated this \$5000 expenditure. Same place as Meet and Greet. This is a NY Expenditure. Again, the NY Coalition will contribute. Rob Drexler will be announcing his re-election for Atlantic City.
- 4) Lodging: Red Lion – Government Rate for 70 rooms. New Yorkers should have made their reservations. NJ has been appraised as well. They have also opened the door to Florida and Virginia. We are supposed to have the entire top floor of this hotel. This hotel is the best located for the venues. Get your room reservations in now. Mention G12 rooms. Then let Sam know so that we can confirm with the hotel.

When all is finalized, the cost to NYSBOC is \$1550.00. Doug is to send Gene a check for that amount.

New Business:

Nomination for Honorary membership for Pat Morris by FLBOA and Monroe NYSBOC. Agreed and carried

Nomination for Honorary Membership for Mickey Palazzo by Mid-Hudson Valley Chapter
Agreed & Carried

Next Meeting date & location:

September 12th – 14th, 2012: Vernon Downs, NY

December 7, 2012: Middletown

March 1, 2013: Central Chapter, Syracuse

June 7, 2013: Slingerland Fire House

September 2013: Lake George area to be presented in September 2013 ABM (Region 3)

Motion to adjourn meeting made by: