

NYSBOC BOARD OF DELEGATES MEETING MINUTES

DATE: June 7, 2013

LOCATION: Slingerland Fire House

- * President Jim Morganson called the meeting to order at 9:45 AM
- * Pledge of Allegiance
- * Moment of silence for deceased members
- * A roll was called and the following were present:

Distinguished Guests:

Gilhooly, Jim - President, BIANCO
 Williams, John - NYS Fire Chiefs Association
 Magee, Richard - NYS Fire Districts
 Neske, Paul - President, STBOA
 Bates, Bruce - 2nd Vice President, STBOA
 Wilkinson, Jeff - President, NYS Fire Marshals

Roll Call:

President	Morganson, Jim	X			
1st Vice President	Edward Cusato	X			
2nd Vice President	Donald Mekulik	X			
Secretary	BJ Gettel	X			
Treasurer	Douglas Scarson	X			
Historian	Mark Schwartz	X			
Past President	Wayne Cichon				
Capital	Cordell, Robert	X	Griffith, Roger	X	Theriault, Rick X
Capital	Ricotta, Sam	X	Kinizzo, Tom (A)		Bergus, Roger
Central	Cusato, Ed	X	Keeler, George	X	Williams, John X
Columbia	Ferratto, Edward		Pratt, Kent		Vieni, Charles
Finger Lakes	Bailey, Jim	X	Crooks, Jack	X	Morris, Pat X
	Rech, Terry (A)	X			
Mid Hudson	Thompson, Bruce	X	Parrington, Denis		Corrao, Tom X
Mohawk Valley	Stine, Rich	X	Piemonte Vito		
Monroe	Bowers, Don		Drexler, Rob	X	Scarson, Doug X
Nassau (BIANCO)	Bonnie, Robert		Haramis, Stephen	X	Malitino, Michael X
Nassau (BIANCO)	Falmigetti, Eric (A)				
Niagara	Bleichfeld, Rich		Eberhardt, Jim	X	Rank, Kevin
Niagara	Metzger, Dave (A)				
Northern					
Adirondack	Morganson, Jim	X			

Ontario	Benedict, Al	X	Storke, Scott (A)		
Rockland	Berrios, Ruben	X	Buckley, Thomas	X	
Southern Tier	Cross, Brent		Ezell, Kevin	X	Platt, Richard
Southern Tier	Knickerbocker, Wm (A)		Bruce Bates		
St. Lawrence					
Suffolk	Donnelly, Joseph		Frabrizio, Edward		Maher, Tom
Tri County	Canfield, Gerard	X	Jaques, Eugene		Ben Maldonado
Tri County	Smith, Joe (A)				
Westchester	Blasi, Frank	X	Tarchine, Ralph		Testa, Michael
					Pacanowski,
WSTB	LaBarbera, Chuck		Monaco, John		James
Yates	Lyon, Bruce	X			
			Nemeth-Weisser,		
NYS DOS	Addario, John	X	Julie		Nichols, Dan
NYS DOS	Piester, Ron				
Log Editor	Eberhardt, Jim	X			
Past Pres	Casella, Dan	X	Copp, Wm. Scott	X	Flanigan, John X
Past Pres	Gregory, William		Kiebel, Ron		McCabe, Dennis
Past Pres	McDaniels, Steve		Jacobski, Wm		
ICC	Drexler, Rob	X	Harris, Dottie	X	Piester, Ron

Secretary's Report: BJ Gettel

A quorum is present. Motion to approve minutes as sent by mail by Pat Morris, 2nd by John Williams. Agreed and carried.

Presidents Report: Jim Morganson

I will have comments all over the place today. I especially want to jump in on Building Safety Month and the Annual Meeting in Atlantic City.

Correspondence:

The Board have all received this concern from the architects on how interior designers will have the right to stamp plans. There is a letter, on the surface it seems an odd request. It is a bill that would allow interior designers to stamp plans. The architects are asking for our support to oppose this. A letter will come from this Board that this is a legislative item and I will work with Bob Cordell and the Legislative Committee on this matter. Motion by Mark Schwartz to support the IAA, 2nd by Mike Malintino. Jim Eberhardt. The letter will be put on the website.

WE were also notified that Steve Rocklin has retired from DOS and now will be working for TYLin in the Albany Office.

Treasurers Report: Douglas Scarson

After 14 months, the IRS has now re-recognized the exempt status of NYSBOC, the organization will now need to file an annual 990, starting with 2012. I will work with Doug on that for 2012. The return is currently due August 15, and can be extended again until November 15 if need be.

As a reminder, it is possible, though unlikely, that the IRS may request corporation tax returns for the years when the organization was taxable. As a matter of policy they only request the last six years. I believe it was previously decided to cross that bridge when and if it came.

Chapters:

Based on our initial research, it appears that Southern Tier and Nassau have retained their exempt status. It appears that the rest lost their status, either at the same time NYSBOC did if they were part of the original group ruling or on 5/15/10 if they were newer.

There are basically two options to pursue for the chapters.

Group Exemption

The original plan was that once the application was approved, a group exemption would be applied for those chapters that did not have an exempt status. The advantage with that is that there is only one additional application, which would be both a time and money savings, (it's a \$4000 IRS fee (approximately) while separate apps are \$850 each). There will be smaller professional fees to process as well.

It is true that NYSBOC, under a group exemption, would be required to annually submit a list of subordinates that are part of the group exemption (not doing this is what caused the exemption to be lost). However, since the board now knows that the annual 990 must be filed it's a simple matter to file the annual information. Also, you would have to monitor that each chapter is properly filing an annual 990. Both of these are simple matters, and in fact, our firm could monitor that compliance very easily for you as part of our services by having the chapters send us copies of what they file. Other than that there is no additional work involved.

If, for any reason, a chapter doesn't want to participate in the group exemption they could choose not to be included in the application.

Separate Exemptions

The other option is for each chapter to request exempt status directly. That would mean that NYSBOC itself would have no ongoing responsibility to the chapters, but beyond that there is not much advantage. It will cost more and each chapter's operations and organizational documents will be directly investigated.

My suggestion is if you decide to pursue the group exemption, is that each chapter decide if they want to be a part of that, and then pass a resolution that they want to be part of the group exemption. They can agree to each pay their fractional share of the total costs (professional fees, and IRS fee).

In either case, the chapters that aren't currently exempt would not have to file a 990 or 990-N until 2014 for the 2013 calendar year.

Doug will proceed to get the 990 filed by August 15th. Tax exempt status for the chapters is the next project. Doug will get back to us.

President Morganson thanked Doug for his hard work. Motion to accept treasurer's report by Rich Stine, and Kevin Ezell 2nd, agreed and carried.

Committee Reports:

Ambassadors Report: John Flanigan

Members, who as individuals, can represent this Organization. Qualifications include length of service, committee memberships, office holders and persons with experience in many disciplines (Building/Fire). It shall be the goal of any ambassador to develop relationships with other Chapters, State Organizations and elected officials. A list of all our associates should be established and a continual upgrade should be done as the Ambassadors reach out.

Eastern States had a good conference because it was in Boston. New York is not represented well. The schooling is good but ours is the same. They are trying. Next year it is in Connecticut, the following year is New Hampshire.

New Jersey was in attendance. NJ is in needed of money for the ICC Conference, approximately \$38,000. It is a good step for us to move forward. We need your support for the ICC.

Association, Events & Conferences:

Combine the Association of Towns, Conference of Mayors, and Eastern State reports as time sensitive presentations. Only active subjects will be discussed as they relate to the Delegates Meeting calendar.

Annual Business Meeting Conference: Don Mekulik

Everything is set. We have people working on programs dealing with the history of codes. This will be finalized and submitted to DCEA for approval soon. The website has the information.

We are offering a boat ride on Lake George and a ghost tour will be on Wed Night. We are offering 6 hours of continuing education.

Jim Eberhardt – Are we are doing an end of the year report or regular report?

President Morganson stated the intent is to have a responsibly good time to enjoy ourselves after all is it the 85th Anniversary.

Building Log: Jim Eberhardt

The “Log” will serve as the “Official” source of all NYSBOC news and publications. Beyond that, the “Log” committee will act as Press Secretary to the NYSBOC community. They will insure that any time the Organization is mentioned in a part of the State, the story will be repeated in print across the State. Individual stories will become State wide press releases to promote the goodwill done by NYSBOC Members.

Everyone has had a lot of conferences; I would like some info from your conferences. I have worked out the press secretary item that you asked me about as well. A question has come up. Seeing how the website is doing so well, do you still want me to continue sending out the log?

Jim Bailey – we are always struggling for new articles for the website as well. So if you have anything please let us know. This is something to look at down the road. It is a workable project.

Bylaws: Jim Bailey & BJ Gettel

Maintain and update the policy and procedures for the organization.

No Report

Certification and Education: Sam Ricotta & Mark Schwartz

As a priority overseeing the Continuing Education Credits and ensuring new opportunities to improve course material, availability, and advancing recognition of the value of in-service credit hours.

Coordinating educational opportunities, with architects, engineers and industry.

No Report

Certification: Don Mekulik

One has been submitted from Niagara Frontier.

Codes Coalition: Rob Drexler

2 things:

- 1) FASNY Conference Aug 22nd – ICC Candidate call in will be conducted.

- 2) Code Development: Back in February we met and had a serious conversation about where DCEA is going. We are starting to work closely with our groups. We are going to have people testify at the ICC conference and finance people to do it. We want to be more active in the national process. We will be asking people to get involved. Finances will be a concern.
Don – we need to make a strong presence to this and agree 100%. Code Development is falling to us and we need to make a stronger presence in the whole process.

Rob stated the next meeting is at the Chief's Association Conference. Kudo's to Steve McDaniels who stepped up and did a lot of work for this. He wants to be part of this and Don recommends that anyone that wants to be a part of this should step forward to make our organization successful and up in front of this.

Codes Consensus: Don Mekulik

A technical advice group that would spread information with a common voice in response to code questions. A clearinghouse where members could get answers/guidance regarding code related matter. Ultimately any member could review and choose from a list of "standard" answers to a code questions about which other members have already reached "consensus".

No Report

Codes Development: Scott Copp

2013 is the time to expand NYSBOC's role in Code Development. To that end, I ask that we keep the existing subcommittee structure in place. That group will establish a format to continue dialog about relevant Code issues. Must have direct access and the ability to monitor the latest in DCEA & ICC Code Development discussions.

The existing sub committees are being looked at. The technical sub committees have met. It looks like the Governor's office has trumped all of this. Energy supposed to be on July 1st and we haven't seen anything on it. Not sure what will happen. Will keep us posted.

Committee for Information Management: Tom Costello

To develop a strategic development plan for information management services and support for the entire organization and techniques to substantially improve performance, efficiency, and outcomes.

No report

DCEA: John Addario

Ron Piester apologized for not being able to attend. We have some more retirees – Cheryl Fisher has retired and Dick Thompson in July. Staff workloads will be shifted and increased.

Updates to the Uniform and Energy Code will take place by mid July. No information has been given out at this time.

Training: Focusing on the updates to the Uniform and Energy Code. We are finishing the basic sequence this semester. In-service we are finishing out this semester with nothing new coming for the second half of the year. This will be posted on line.

Ron asked if any questions to go thru Jim Morganson and then to Ron.

Dottie: The DCEA is waiting for direction from the Governors' office. That office is down to 16 people and the work load is incredible.

Don: there is a move to modify the electrical code, is that stuck on the Governor's desk?

John: There are 4 rule makings on his desk. Yes.

Emergency Management/CEDAR Team: Dan Casella, Steve McDaniel, Ed Cusato, Mark Schwarz, Robert Cordell, Eric Bradshaw, and Eric Famigetti

Promote & complete the true implementation of the CEDAR program and continue to develop partnerships within the Emergency response structure. Serve and an advisory position to DCEA policy making for the betterment of the organization.

Many participated in the conference call on March 14th. Highlights: I offer the following summary of the CEDAR Debriefing held on March 14, 2013 @ 12:00 hrs;

Statistics:

- 183 Potential Responders listed/database, (I am responding)
- 33 Deployed for 11 days total
- 13, 000 structures evaluated

Discussion/Suggestions:

- Team Leaders being assigned to future events

- Hard hats, flashlights, vests, clipboards, etc. being assigned at time of event
- Vehicle placards for identification being issued
- Photo identification strongly suggested
- Improved mapping technology sought/ strongly suggested
- Car pooling being planned
- Communications; radios, phones planned for distribution
- Field “Forms” being reviewed
- Reimbursement approved, “Checks in the mail”...
- Engineers & Architects able to participate
- Statewide database for mapping being sought-Funding needed
- Pamphlets with details suggested for field distribution to residents

I will follow-up with DCEA to ascertain the most recent developments in this regard as we begin the Hurricane season.

ICC: Rob Drexler

Atlantic City the Elections will take place on October 1st.

Rob Drexler is up for re-election for the Director At Large

Dwayne Garriss for Section F: seeking our support.

Gil Gonzalez for Section C: seeking our support, running uncontested at this time.

Jim Brown, Director At Large: seeking our support.

Cash Olszowy is running for Sect/Treas

Section F: can only be filled by someone from that area. Dwayne Garriss will be seeking that seat.

Section C: Jeff Whitney is not running, sought by Gill Gonzalez.

Motion to endorse Rob Drexler by Sam Ricotta and 2nd by Rich Stine. Agreed and carried. Rob will continue as long he can. He thanks everyone for their support.

Someone from New York needs to step up to get on the Board. We need some young blood. Anyone else interested please contact the President.

PR Campaign – Rob is targeting the east coast, just received support from Region 7. Florida has committed their support. California has also given support. Have strong support from the Eastern States. The Coalition Candidate call-in is next. Rob reiterated his thanks to everyone for all their continued support and help. Dead line to file is the first week in August. We will know all the candidates then.

Rob Drexler: make sure you are signed up to be an eligible voter at the Atlantic City Conference. It is on the website. Make sure you are registered for the vote. The deadline is August 30th for the Municipalities.

Legislative/Technical Committee: Robert Cordell

We had the annual legislative meeting. Made the rounds and met with at least 8 and probably more. We were trying to get funding for our code books. It costs \$1.3 million the last time. We are trying to get the Legislature to include this money in a line item each year. We did get favorable feedback on this. We did receive a proclamation from Senator Little for Building Safety Month. This committee is asking that the delegates to reach out to their legislative representatives.

Dottie: Nationally we are seeing negative opposition to what we do. Codes are bad. We are getting tied into the UN. Building codes are bad. This is why we tied this into Building Safety Month and list the positives of what we do and why we do it. The home builders are putting money into legislation into updating 6 years not allowing a 3 year.

Bob – There is an Assembly and Senate bill about elevator inspections and inspectors. This is a Dept of Labor bill. There is nothing in the bill to allow a municipality to issue the permit or inspect them as well. I was against this at first but after talking to someone, the municipalities that have a good program to continue and those that don't can opt out of the process. S2917 – A5233 are the bill numbers.

Dottie: This is moving through the committee quickly. Any legislation that is a one house bill is not moving anywhere at this time.

The demonstration on the Burn Buildings and Fire Sprinklers was conducted in the Town of Bethlehem. Code council was notified and no one showed up except for John Flanigan. No politicians. Quite a few people from our chapter were there and the news media. Motion to pay bill for the cost of doing this project by Jim Bailey, 2nd by Rich T. Agreed and carried. Rich T. thanked Bob for spear heading this. We had a good crowd from the Capital District Chapter. These are the type of events that we need to keep doing. Thanked Roger Griffith for the use of the Training Center and the Bethlehem FD. When we get the video, let's send it to the legislatures. We will have it put it up on the website.

Building Safety Month:

Jim Bailey – Building Safety Month, FLBOA drafted a letter of support and a couple of editors took and distributed on to the local papers and it was published. Rob Drexler stated that the newspaper article made it to the ICC on their website.

Dan Casella – Proclamation was done with Rockville Center.

Jim Eberhart – Sent to the local papers. There is enough stuff on the website that didn't cost you anything. Jim Bailey stated that he did a lot of printing of material and placed information on the counter and distributed it.

Dottie – we used to bring the proclamations on the ICC website, we would like to reinstate this.

The President then informs the delegates on 2 additional items on Building Safety Month. President Morganson has been invited to NJ as your representative, Along with Sam Ricotta and Rob Drexler during their Building Safety Month.

Plus as President I entered into a partnership with Upnor Sprinklers. Unfortunately we could not meet at their factory in May. President Morganson read the following agreement:

AGREEMENT

Let the record show that from this day forward a partnership has been formed between:

The NEW YORK STATE BUILDING OFFICIALS CONFERENCE (“NYSBOC”)

and

UPONOR

PARTNERSHIP TERMS:

Whereas, it is the goal of both parties to promote the use of residential sprinkler systems.

Whereas, it is the collective opinion of both parties that the benefits of residential sprinkler systems outweigh any other considerations

Therefore, this partnership’s common goal is to find agreeable answers to the questions about residential sprinkler systems in new construction.

Further, it is the main purpose of this agreement to provide and decimate the best information available about residential sprinkler systems

That information shall include:

1. Planning and Design Assistance;
2. Methods and Materials Selection;
3. Hands on Training for All Interested Parties;
4. Cost Analysis for the Variety of Different Installations;
5. Requirements for Maintenance and Long-range Care of Systems;
6. Code Provisions and Common Code Language Based on the Aforementioned Goals of this Partnership;
7. Attendance at and Joint Participation in All Manner of Code Development Activities.

The Leaders of both parties hereby agree to work toward this common goal by use of each groups membership structure and the means available to communicate with those members.

Membership & Recruitment Committee: BJ Gettel & Kevin Rank

As a goal, can we get at least one person from each Chapter to promote NYSBOC. Help coordinate an effort to first account for and service our existing members while actively seeking new members. Be responsible for the gathering of membership information and membership dues from each Chapter yearly.

No Report

Scholarship Committee: Tom Corrao

We have 2 people that have applied.

Ways & Means: President & Treasurer

No Report

Website Management: James Bailey & BJ Gettel

Promoting, informing, and updating code enforcement officials through a means of the internet.

NYSBOC website: Jim read the recent stats from the website. The committee has updated info about the ABM, ICC, changed the header, moved around the icons, etc. Please go check it out. We are always looking for new articles, pictures, conference information, and vendors.

ICC Website – Conference app is being worked on for your mobile device. They want to have it available for the Atlantic City Conference. The CDP access is the next item we have been assigned to test. One of the huge concerns is security.

President Morganson mentioned that NYSERDA is going through another round of grants focusing on the website. Will keep you posted.

Old Business:

Dottie – It is the ICC 10th Anniversary. We do have an ad campaign and journal. It is not cheap. A ½ page add \$500 and \$1000 for a full page. Dottie will send out an email. In trying to promote Building Safety Month, I have joined the USGBC (US Green Building Council). Also your Chapter annual reports are due.

Rob Drexler – Board of Directors meeting in July in Chicago. One of the topics is “Evaluating the Director”. CDP access is being done also.

New Business:

Atlantic City:

President Morganson – How do we get people there? It is on our website and it has been emailed to everyone. Is there any indication how many people are going? What can be done to encourage people to attend? We would hate to miss this opportunity. We have a candidate and a president. We need to show our support with a large number of people attending. Any thoughts or suggestions please call me.

Kevin Ezell: We are talking about a bus with NFBOA.

Dottie: there is a lot being done to give a tour of Atlantic City. This is going to be one of our best conferences.

Bob Cordell – there is a problem with communications. Some people barely have money and the ICC. Is there money being set aside for reimbursement? Can we put this out to our members? That is incentive. The other was educational. The total amount was \$5,000, most people get about \$250 – \$300 back.

Sam Ricotta: Go back to your members and find out who may wish to attend. BJ is compiling a list and will be sending out any announcements. Make sure you are registered voter.

George Clark showed up. Mike Clemens' wife just had a liver transplant and is working their way through that. Nice to see everyone. President Morganson invited both to Lake George.

Motion to adjourn meeting made by: Ed Cusato and 2nd by Jim Bailey. Agreed and carried.

Respectfully Submitted,

BJ Gettel

BJ Gettel
Secretary

Next Meeting Date & Location:

September 29 – October 1, 2013: ICC Conference, Atlantic City, NJ

December 6, 2013: Owego Treadway Inn, Owego, NY.

March 14, 2014: Nassau County (BIANCO) to host.