

Minutes Approved

11/15/11

City of Cortland Examining Board of Plumbers

Examining Board of Plumbers Special Meeting
Mayors Conference Room, City Hall
Wednesday, October 5, 2011 at 4:00 pm

Members of the Board:

Mark Baranello, Chairman	present
James Romer, Master Plumber	absent
Gary Howe, Journeyman	present
Chris Bistocchi, DPW Superintendent	present
Deputy Fire Chief William Knickerbocker, Plumbing Inspector	present

Guests:

Rafael Felix, Master Applicant
Patrick Perfetti, Corporation Council
Ken Romer, Master Plumber
Ted Romer, Master Plumber

Meeting Called to Order: 4:05 PM

Agenda

- Rafael Felix, Master Plumber Exam Applicant. Mr. Felix is at the meeting tonight. Discussion regarding documentation of education and experience. Mr. Felix carries a degree in Technology and studied in civil engineering but he doesn't have the diploma or transcripts because he lost them in a fire. He has a degree in mechanical technology from SUNY Morrisville. **Motion by William Knickerbocker to approve this application with the substitution of education provided, proving that it brings Mr. Felix within the scope of time of eight years to sit for the Master Plumbers Exam. Seconded by Gary Howe. UNANIMOUS.**
- Dallis Heating & Air Conditioning, Dallis Letizia is applying for a Heating License. Mr. Letizia is out of Syracuse, NY. The completed application and all other required information has been provided to the Board. **Motion by Chris Bistocchi to accept this application for a Heating Technician License. Seconded by Mark Baranello.**
- Dannan Plumbing, Richard Dannan, Temporary Plumbing License Applicant. This company is out of Nedrow, NY. This is for work being done at 80 Floral Avenue through a grant. The completed application and all other required information has been provided to the Board. **Motion by Gary Howe to accept this application for a Temporary Plumbing License. Seconded by Chris Bistocchi.**
- DWC Mechanical, David Cloy is applying for a Heating License. Mr. Cloy is out of Cheektowaga, NY. I didn't see any verification of a license in the folder. We also lacked

three written forms as they had provided us with a list. **Table until the complete application and all required documents have been provided.**

- DBR Plumbing, Danial Franklin, Temporary Plumbing License Applicant. This company is out of Syracuse, NY. This is for work being done at 14 Clayton Avenue. The completed application and all other required information has been provided to the Board. **Motion by William Knickerbocker to accept this application for a Temporary Plumbing License. Seconded by Gary Howe.**
- Flood Plain Installations: Discussion regarding installation of equipment in Flood Plain designated areas as required by the Residential Code of New York State and the City code. If a single family owner is not required to have flood insurance, can they sign a waiver to eliminate this process? Gary Howe states that according to Code Enforcement in Albany, the only way to enforce this law, is as part of a substantial improvement-which is half the value of the home, not the cost of the furnace or water heater. Deputy Chief W. Knickerbocker states that utilities are separate from that substantial improvement. Substantial improvement relates to the building itself. The local code is more restrictive and states two feet above the base flood elevation. We first must determine what the base flood elevation is. Corporation Council P. Perfetti asks who determines that? Deputy Fire Chief W. Knickerbocker states that an engineer or surveyor determines that specific to each property, so we have applied past practices and I have also placed a call to Jim King, our regional guy and maybe he can shed some light on this for us. I have not heard back from him. Discussion regarding certain installations.

Corporation Council P. Perfetti states that according to section RR324.1.5, setting aside the definition of "substantial improvement", "if replaced as part of a substantial improvement, shall meet the requirements of this section". It could be interpreted is if you don't come under this improvement-then you are exempt. Deputy Fire Chief W. Knickerbocker states that we can get through the state code but we need to get through the local code. The local code is something that we are required to do after the last round of flooding, FEMA said you have to have a regulation and it doesn't set it up as an exemption. It clearly says new or replacement. Discussion regarding the intent of the section being safety. Deputy Fire Chief W. Knickerbocker states that the hazard is safety for the occupant or the fire department because those guys are always called to shut off the gas. The flood waters extinguish the flame and then you have raw gas. Discussion on how to proceed. It is determined to continue to work on it.

- PC 109-1 and 120 Discussion regarding owner occupied plumbing. The Board has been working to address this. Chairman M. Baranello explains that what we are trying to do is trying to create a fair and equitable code language that provides for the performance of plumbing work for an owner by himself for himself on property that he owns and we have to watch out for that to because we have to define 'own'-because LLC has become an issue. We have to draw the line somewhere because some guys don't know how to do it and some aren't actually doing the work themselves-they say that they are but they aren't the maintenance guy is doing it. Certain property owners that own multiple properties are in the field doing the work themselves and they have the workmanship that isnt' a concern however, there are other property owners, particularly ones that are not owner occupied, that own the multi family housing, that report to do the job and don't. They hire someone

unlicensed, they have staff that do it and it's clearly out of bounds. Chairman M. Baranello continues to explain that we are trying to come up with some language that is clear, consistent and enforceable when someone comes in for a permit. Corporation Council P. Perfetti states that the clearest and easiest solution is that you would only allow the listed owner to do work for themselves and to not let landlords do work on their own properties unless they reside there. Corporation Council P. Perfetti states that his concern would be to protect the City against liability, in terms of the code office, an owner occupied is only exposing himself to whatever plumbing or heating installations they are making but landlords are exposing others. Deputy Fire Chief W. Knickerbocker states that another issues is industrial properties and that they are doing their own repairs. The Board had initially discussed a third layer of licensing as an idea.

Section 109.1 the language requires that any time you open a drain you get a permit. Corporation Council P. Perfetti asks what the original intent of the section was and asks if the section is antiquated and no longer needed? Deputy Fire Chief W. Knickerbocker states that what we are dealing with is getting into all kinds of different things like flooring people who are getting into pulling toilets, Master Plumbers that are pulling permits for pulling toilets. Corporation Council P. Perfetti suggests that the Board have a licensed plumber exempt from having a permit for something like that and if it's a non licensed person-you have to have a permit, that way if it does require a permit, you are regulating it. Chairman M. Baranello states that I think we should redraft it.

Section 120 is reviewed. Deputy Fire Chief W. Knickerbocker asks if the way you interpret this is to regulate as the physical work that being done on the system or the licensing process that is required by that book. Corporation Council P. Perfetti states that he would read this as to say that it makes the plumbing code of the City applicable to any physical infrastructure regardless of whether it was inside or outside of the corporate boundaries of the City and it would then entail the licensing and permitting of what is required by the Code Office.

- Application for Master Application for Rafael Felix. It has been brought to the Boards attention that there is a large discrepancy in the records submitted for the Master License Test Application. The application states that he worked for Romer and Sons from Jan 2001 to Dec 2006. This is believed to be inaccurate. Futher investigation will be needed as this proposes liability issues as well as the submission of a fraudulent application. Chairman M. Baranello states that we will investigate further into this.
- **Motion by William Knickerbocker to adjourn this meeting. Seconded by Mark Baranello. UNANIMOUSLY APPROVED**

Meeting Adjourned: 6:27PM
Minutes respectfully submitted:

Shelley A. Knickerbocker