



# The Drawingboard

## Queens Chapter

New York State Society of Professional Engineers

June 2010

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### President's Message

*By George Tavoulareas, P.E.*

*President*

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Last week, past presidents Joel Miele, Brian Flynn and I attended the annual NYSSPE conference in Saratoga, NY. The conference was well attended by engineers from all parts of NY State. One of the society's goals is to protect our license from others. As I write this message, other groups, professions and individuals are trying to dilute the value and integrity that our license brings us. NSPE is the only organization that is looking out for the interests of all professional engineers. Whether it be the land surveyors and their attempts to restrict us from adding to plot plans to the City of NY's attempt to require all special inspection agencies to spend tens of thousands of dollars in yearly fees for accreditation, NYSSPE is looking out for you. Due to the bad economic times, I am also sad to report that we were told the state lost two hundred members last year. We need you to recruit new members to OUR society and I need your help.

Several weeks ago I e-mailed all Chapter members the proposed DOB special inspections amendment requesting your feedback. You can view this proposed amendment by clicking [www.nyc.gov/html/dob/downloads/rules/rule\\_101-06\\_proposed.pdf](http://www.nyc.gov/html/dob/downloads/rules/rule_101-06_proposed.pdf)

Please forward your comments to me by next Monday and remember the public comment period ends on July 8, 2010. During the conference we had an MCPC (five NYC chapter presidents) meeting and we discussed the proposed amendment. The five chapters object to the current agency structure language that will be construed as allowing Incs./general business corporations from performing these inspections by hiring a professional engineer as their director. This will lead to rubber stamping. Special inspections are the practice of engineering and

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in accordance with NYS law we believe that only professional engineers (sole proprietor), engineering firms with a certificate of authorization and the handful of grandfathered engineering Inc's. are the only entities that are allowed to perform these inspections. One other major concern with the proposed amendment is trades people, ie. plumbers, fire alarm contractors, etc. signing off on a handful of inspections. Some of these inspections involve life safety and we are adamantly opposed to them signing off on these inspections. For example, plumbers, according to the amendment will now be able to signoff on drywells, detention tanks, standpipes, etc. There is more to drywells than just pipes. Do plumbers know what ¾-inch crushed stone is and where it goes? I don't think so. Joe Pasaturo, PE, NYSSPE, President of the Staten Island Chapter and MCPC is drafting a letter to the DOB's Director Alan Price, PE summarizing our concerns. A letter to the City of New York's Corporation Counsel (law department) has been sent by the state chapter of NYSSPE informing them of our concerns. There are major changes to the special inspection requirements as shown in APPENDIX A and I urge everyone who performs special inspections to read the proposed amendment and Appendix A.

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Last week James Hansen, PE provided the chapter with a seminar on the NYC Fire code. The Powerpoint presentation can be viewed at:  
[www.nyc.gov/html/fdny/pdf/firecode/fc\\_aia\\_nyc\\_presentation\\_102209:draft.pdf](http://www.nyc.gov/html/fdny/pdf/firecode/fc_aia_nyc_presentation_102209:draft.pdf)

The lecture was well attended and we had approximately thirty engineers and several architects in attendance. FDNY has many rules and regulations in the Fire code and it appears that the FDNY is trying to put sprinklers in all buildings, new and existing.

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Dr. James Yarmus attended last month's meeting and summarized his accomplishments as president of NYSSPE. He also presented past President Chris Petallides, PE a presidential certificate for his many years of service to the society. I look forward to giving the certificate to Chris when he returns. I would also like to thank Dr. Yarmus, PE for his service and I want to wish incoming NYSSPE, President Louise Doyle, PE a successful term. Louise will attend one of our general membership meetings at the end of the year.

Lastly, I want to wish everyone a safe and healthy summer and I hope to see you at the next general membership meeting.

## Next Meeting

The next general membership meeting will be held on Thursday, June 24<sup>th</sup> at 6:30PM  
There will be a charge of \$10 for members and \$25 for non-members.

Mr. Alfred Webb of Airside Products Sales, Inc. will present when fire, smoke, and combination fire smoke dampers should be used, how the code requires they be controlled or monitored, and what are the various requirements for installation,.  
The following topics will be covered:

- Various codes
- Portions of the current codes
- Application of the current codes
- Products available
- UL requirements

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## Professional Opportunity

The basic job description will have the selected candidate: Reviewing calculations and drawings , using your PE stamp to sign off on both of those. Running a team of 4-5 piping designers, duties will mostly be in the Manhattan office but will be required to be on site for field QA/QC checks and interfacing with sub-contractors.

Regards,

Tom Doak  
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## Meeting Minutes

### **State Engineering & Land Surveying Board meeting-Friday 6-11-10**

The board reviewed the following issues during the public part of the meeting:

1. Question: When a municipality or agency requires that an engineer provide a signed a sealed document, is all of the work needed to produce that document considered to be the practice of engineering?
2. Special Inspections: NYC DOB is implementing the final rules. State board is sending a clarification to DOB. NYS DOE is working to establish legislation for all professions where local municipalities are by passing state law. Letter previously sent to DOB that all special inspections are considered the practice of engineering.
3. Discussed energy audit program being implemented by NYC may result in illegal practice.
4. Committee Reports - 25% non professional ownership will not make it through the legislature. The medical profession strongly opposes this bill. There may also be unintended consequences as a result. - Condominium law involving real property law and property subdivision falls under the practice of Land Surveying. - The proposed definition of Land Surveying is very broad and includes planning, which is considered the practice of engineering.

### **MCPC Meeting Friday 6-11-10**

The Municipal Chapter Presidents Council (of the five boroughs) considered the following issues:

1. Issuing letter to DOB in support of the NYSDOE position that special inspections are the practice of engineering.
2. Discussed the Expediter issue and the illegal practice of engineering.
3. Presidents are encouraged to attend the commissioner's DOB EAR (Engineers & Architects Roundtable) and is held monthly.
4. Reviewed and commented on the proposed rules for Progress Inspections and the Energy Code requirements for design and Progress Inspections.

### **PEPP Meeting Saturday - 6-12-10**

The Professional Engineers in Private Practice division met with the Professional Engineers in Construction (PEC) to discuss the following issues:

1. Reviewed the new structure of special inspection agencies in NYC.
2. Requested clarification from NYS Board of Engineers and Land Surveyors on the following question, does the requirement of an engineer's signature and seal by a municipality also define the work leading up to the form also is the practice of engineering?
3. Accreditation of special inspection agencies was investigated by PIE as a potential accreditation agency. PIE does not appear to be capable at this time due to the limited market of only Class 1 Agencies requiring accreditation.
4. The NYS energy code will require energy audits that require a PE or RA. Additional qualifications may also be needed.
5. Continue to file complaints with the OPD against unlicensed individuals as well as fellow professionals that abuse their privileges or practice unprofessionally.

## **NYSSPE Board of Directors Meeting - Saturday 6-12-10**

This is a summary of the meeting highlights:

1. NYPE magazine will no longer be issued quarterly after this year. It will only be issued for the June Meeting, with the current membership roster. It will be replaced by the email news letters currently sent out every week.
2. The state has lost 200 members from last year and is experiencing an operating loss as a result.
3. Marc Kriss, our council and lobbyist, discussed the current pending legislation. NYS has serious deficits. Bills advocated include QBS, modifying corporate forms of practice to include 25% non-professional ownership and the geologists bill which allows engineers to practice geology but geologists can not practice engineering.
4. The National Society may allow state only or national only memberships in the future. A vote will be held at the national meeting this year.
5. Reports were given by FEE, PIE and STEM.
6. Reports by the practice divisions, PEG, PEI, PEC, PEPP
7. New Business: The board endorsed Angelo Santabarbara, PE, who is running for office in the NYS Assembly. The endorsement was to promote community involvement of all of our members.

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