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ELEVATOR SAFETY REVIEW BOARD

REPORT OF PROCEEDINGS had at the MEETING of
the ELEVATOR SAFETY REVIEW BOARD before CHAIRMAN DAN
BAUMANN, at the Suburban North Regional Office Facility,
Des Plaines, Illinois, commencing on the 20th day of
March 2014, at the approximate hour of 8:30 a.m.

1 BOARD MEMBERS PRESENT:

2 CHAIRMAN DAN BAUMANN

3 TONY OTTEN

4 THOMAS JIRIK

5 K. DOUGLAS JONES

6 MARK HERTSBERG

7 EDWARD CHRISTENSEN

8 JOHN FINCHAM

9 DAVID DATTILO

10 CRAIG GRANT

11 JENNIFER NOLTE

12 THOMAS GANIERE

13 WILLIAM BOGDAN

14

15

16 DICK GREGORY, Consultant to the Board

17

18

19 OSFM STAFF PRESENT:

20 ROBERT CAPUANI, Director of Elevator Safety

21 ANGELA STINSON-MARTI, General Counsel

22 CELENA JEFFRIES, Licensing

23

24

25

1 CHAIRMAN BAUMANN: I would like to call the meeting
2 to order.

3 And, Bob, will you begin with the Pledge of
4 Allegiance?

5 MR. CAPUANI: Let's start with a little moment of
6 silence for all our veterans, those who have passed
7 away, those who are still fighting for our country.

8 (WHEREUPON, a moment of silence
9 followed by the recitation of the
10 Pledge of Allegiance by all.)

11 CHAIRMAN BAUMANN: Let's start with the agenda.
12 Has everybody received the minutes of the meeting from
13 November 7th, 2013?

14 (No verbal response.)

15 CHAIRMAN BAUMANN: Any question, changes, or
16 additions?

17 (No verbal response.)

18 CHAIRMAN BAUMANN: Or motion to accept?

19 MR. GANIERE: So moved.

20 CHAIRMAN BAUMANN: I've got a motion to accept. Is
21 there a second?

22 MR. OTTEN: Seconded.

23 CHAIRMAN BAUMANN: All those in favor, say "aye."

24 (Chorus of "ayes.")

25 CHAIRMAN BAUMANN: All those opposed?

1 (No response.)

2 CHAIRMAN BAUMANN: Minutes accepted.

3 Old business, Bob Capuani?

4 MR. CAPUANI: It's our statistic report. I ran it
5 on 3-11-2014.

6 Total permits this year, 80.

7 Licenses, 84.

8 Registration is 119.

9 Certificates, 1,663.

10 CHAIRMAN BAUMANN: That's it?

11 MR. CAPUANI: That's it.

12 CHAIRMAN BAUMANN: New business. The Elevator
13 Safety Board decision on ThyssenKrupp, do we have a
14 discussion on that?

15 MR. CAPUANI: Yeah. What I handed out to you, I
16 reached out to all the states and these are the
17 responses. I got 11 responses. So this is why they
18 allow/not allow. We do have representatives from
19 ThyssenKrupp here for any questions. They're here for
20 any questions the Board may have.

21 Craig ...

22 MR. GRANT: Yes. I was wondering, Bob, as I read
23 the information provided, the process for this approval
24 is permitted under the version of ASME A17.7 that this
25 state has adopted; is that correct?

1 MR. CAPUANI: Correct.

2 MR. GRANT: Okay. Thanks.

3 CHAIRMAN BAUMANN: Any other questions?

4 (No response.)

5 CHAIRMAN BAUMANN: Is there a motion?

6 MR. JIRIK: The motion is accepted.

7 MR. GRANT: Seconded.

8 CHAIRMAN BAUMANN: The motion to accept is
9 seconded. Any questions on the motion?

10 (No response.)

11 CHAIRMAN BAUMANN: No questions. All those in
12 favor, say "aye."

13 (Chorus of "ayes.")

14 CHAIRMAN BAUMANN: All those opposed?

15 BOARD MEMBER: Aye.

16 CHAIRMAN BAUMANN: The record will reflect that one
17 voted no. The ayes have it. Motion has been granted.

18 The next new business is a brief description
19 from Richard Gregory about the new ASME Code.

20 MR. GREGORY: Okay. The American Society of
21 Mechanical Engineers adopted a new version of A17.1,
22 Canada B44, and -- effective in Octo- -- well, adopted
23 in October of 2013.

24 The State of Illinois -- I'm going to have to
25 sit down so that I can play with the computer at the

1 same time.

2 The State of Illinois is required to adopt the
3 latest edition of the Code. The Code that applies to
4 any specific conveyance is the Code in force when the
5 permit for the installation was obtained. And then
6 Part 1, "Scope, Purpose and Exceptions, and
7 Definitions," says that there are some elevators -- some
8 issues in the Code, so A17.1-2013, that are retroactive.
9 That means they apply to all elevators no matter when
10 they were installed.

11 And if you have any questions, I'm not sure
12 I'll see you. But raise your hand or let out a yell.
13 It's better if I answer them, you know, and everybody
14 gets the benefit. Because if you stop me in the parking
15 lot, nobody else gets that benefit. And I know I'm not
16 that good that I'm going to cover everything that you
17 really want to know.

18 So elevators used for construction are -- are
19 covered under the new Code. And elevators used for
20 construction, if you don't know, are elevators that are
21 going to be in the building being used when the building
22 is done for actual elevators. These are not the outside
23 skip hoists, like A10.4 equipment. These are elevators
24 that are going -- later be real elevators.

25 Also retroactive: 8.1, "Security," which

1 covers the keys that are used for elevators;

2 8.6, "Maintenance, Repair, Replacement, and
3 Testing." There's a lot of changes here. And of course
4 it's my favorite section because I'm the chairman of
5 that;

6 8.7, "Alterations;

7 8.9, "Code Data Plate;

8 8.10, "Acceptance Inspections and Tests;

9 8.11, "Periodic Inspections and Witnessing of
10 Tests; and,

11 A17.3, "Safety Code for Existing Elevators and
12 Escalators." And I think we have to realize that's to
13 the extent that has been adopted by the authority having
14 jurisdiction, which is a little questionable on some
15 areas here in Illinois -- well, in Illinois, where we
16 are, as opposed to Chicago, which is some other place.

17 From the Forward to the ASME document, we say
18 that new requirements have been added to address new
19 types of elevator equipment being used, specifically
20 wind turbine elevators and outside emergency elevators.
21 I'll get into those.

22 In addition, requirements have been added to
23 address a new feature called occupant evacuation
24 operation by elevators, which allows for the use of
25 elevators during occupant evacuation; i.e., fires, as

1 opposed to now, there's no way, Jose.

2 An extensive update to the seismic
3 requirements was made, which has been -- it's probably
4 taken 15 years. But the Building Codes and the United
5 States seismic type people finally settled on seismic
6 issues, and so now A17.1-2013 covers the seismic design.
7 And, in fact, a guide for elevator seismic design has
8 been separately published.

9 Now, if you're doing business here in
10 Des Plaines, you don't care. But if you're doing
11 business down in East St. Louis, there's a huge fault
12 called the New Madrid Fault, which, before I was born,
13 which is over 100 years ago, that New Madrid Fault
14 changed the course of the Mississippi River. So there,
15 you would want to be considering.

16 Requirements have been updated related to the
17 maintenance control program in order to improve clarity
18 and organization for records, content availability, and
19 format. And that's exactly what ASME describes.

20 And then Section 8.6, recalling what I said
21 earlier, maintenance is retroactive.

22 Regarding qualifications for elevator
23 inspectors, ASME quit accrediting organizations. And
24 organizations are now being accredited by ANSI, American
25 National Standards Institute, to certify inspectors. So

1 it's actually seamless in the fact that -- well,
2 certainly NAESA and what was EIWPF, now called QEITF,
3 are now covered retroactively.

4 Just so you know and so we're not hiding
5 anything, I was on the Ethics Board of EIWPF from the
6 day it started certifying inspectors until December 31st
7 of last year when they went under the ANSI. And,
8 concurrently, I became a member of the Board of
9 Certification for NAESA, N A E S A. So whatever.

10 There's a lot of clarifications in Part 2,
11 "Electric Elevators." And for those of you who are not
12 sure, electric elevators are traction elevators. They
13 have cables or some other kind of suspension means. It
14 makes understanding easier, but it's really of interest
15 to elevator companies and inspectors. There's some
16 changes in emergency operation and signal devices
17 bringing it more in line with what -- how the actual
18 telephones work.

19 And this is an area that I had a lot of
20 arguments with Emergency Operations Committee over the
21 years. Nobody there knew how telephones work and how
22 the telephone line works. And they always said I was
23 wrong. But now, apparently, I was right. And how did I
24 learn this? 6 of my 9 years in the Illinois National
25 Guard was spent installing telephones.

1 So Firefighters Emergency Operation, FEO, some
2 clarifications have been made. And one of the changes
3 covers the new OEO, Occupant Evacuation Operation. So
4 there's a 2.27.11, "Occupant Evacuation Operation."

5 And if anybody wants to know exactly how this
6 works, this grew out of the World Trade Center 9/11
7 catastrophe. There were meetings held -- There was a
8 huge meeting held in Atlanta. And then ASME started a
9 task force that met always in Boston, because we always
10 got several firefighters from that area to the meeting.
11 I always went to -- I went to every meeting. Of course,
12 I have two granddaughters in the area; so that's a
13 better excuse.

14 But we took years and beat this whole Occupant
15 Evacuation Operation down through very detailed hazard
16 analysis and finally came up with Code. It has been
17 added as allowed. It's not mandated.

18 Based on many studies -- And there was studies
19 presented that showed that you can evacuate a building
20 more quickly if you use elevators and stairs. And
21 there's a plan as to what floors you evacuate first.
22 And this is not something that can be made retroactive
23 very easily in an existing building because there's some
24 requirements, like where's the water going to go and
25 things like that. But the firemen can override this

1 and put the key in -- the key is in my coat pocket --
2 put the key in, override it. And the firefighters still
3 have total control.

4 So wind turbine elevators. Now, you drive
5 around 55, 57, whatever, you see all these windmills.
6 We're not in Holland. Those are different kind of
7 windmills. And windmills popping up all over. The same
8 thing, you go through Indiana. And they -- almost all
9 of them -- There's baby windmills, teenage windmills,
10 and full-sized windmills. The full-sized ones, all have
11 elevators in them.

12 And the windmill people thought, well, we can
13 install these in -- I don't know -- Poland; so,
14 therefore, we can just pop them up here. And they got
15 severely beat down in many states, and it was severe. I
16 mean, it -- they were told we're shutting your windmill
17 down and you're going to take it out of this state, like
18 Pennsylvania, Ohio, and so forth.

19 So they finally hired a consultant, who you
20 probably know, John Koshak. And he worked with them for
21 several years and got an A17.7 document which would
22 allow the windmill elevators. But that was a temporary
23 basis, because you don't want to be A17.7 for the rest
24 of your life because those certificates expire and
25 you're going to come back with a new certificate in 3 or

1 4 years, maybe 5 years, whatever. So Koshak then worked
2 on developing wind turbine tower elevator codes, and
3 that's been added in as Section 5.11.

4 Section 5.12, "Outside Emergency Elevators."
5 Now, this is -- I don't know of any in the United States
6 or Canada or Mexico. So that's covering all the places
7 that I know. This was invented by an Israeli company,
8 you know. And if you're on the outside of an apartment
9 building in Israel, you're going down on an outside
10 emergency elevator, that's not, to me, very safe because
11 there will be some bad guys from the Gaza Strip shooting
12 at you or whatever.

13 They tried to get around elevators, and they
14 went to get approved by the American Society of Testing
15 Materials. ASME went to ANSI and said, Uh-uh. This
16 elevator, it belongs to us. So finally there is outside
17 emergency elevators allowed in the Code. And I don't
18 know. Whether there will be any is unknown.

19 Elevator seismic requirements is substantially
20 redesigned. It's totally different than what it was,
21 lets say, 25 years ago when I was more familiar with
22 that. And it's been a very tough road in some respect
23 because the guy who was the seismic chairman for years
24 and years, George Gibson, he no longer wanted to travel
25 because of his asthma. And a couple of really good

1 seismic people wanted ThyssenKrupp and wanted Schindler.
2 Neither of them wanted to be the chair. But they
3 finally got this all done. And of course I mentioned
4 the New Madrid Fault already.

5 8.6, "Maintenance, Repair, Replacement, and
6 Testing." There's extensive revisions. This was a big
7 issue. And the -- There has to be a maintenance control
8 program, which I'll call MCP. And it has to be
9 accessible to elevator personnel. And, remember, in the
10 definitions, elevator personnel includes inspectors. So
11 elevator mechanics, elevator inspectors are all elevator
12 personnel. And the whole issue is to ensure that there
13 is on-site documentation and on-site records of all the
14 work including repairs, replacements, callbacks, and
15 tests so that it can be known what is going on.

16 Some companies are ahead of the curve on this.
17 Some states, like Washington state, Jack Day Chief
18 (phonetic), is way ahead of the curve on this. And
19 there's issues that there are solid state safety devices
20 which have safety integrity levels, and they have to be
21 properly covered.

22 And we also allow for alternative test methods
23 for car safety. So you don't have to bring in the
24 4,000 pounds of weights. When Bob was a helper, the
25 weights came in 50-pound hand weights, me too. Now, we

1 put them in 500-pound carts, much easier. But in order
2 to use the alternative method, you first have to do a
3 full load, full speed safety test and do the
4 measurements with the alternative method so that you
5 have a baseline.

6 I can -- If you want, I can either stop here
7 or I can go into more detail on 8.6 maintenance. Your
8 choice.

9 CHAIRMAN BAUMANN: As brief as you want to make it,
10 Dick. It's your brief description of the ANSI codes.

11 MR. GREGORY: The biggest changes are in 8.6. And
12 the general requirements of elevators must be maintained
13 in accordance with 8.6, which we had an argument here
14 several years ago where somebody left out those words.
15 Baloney.

16 In accordance with the requirements of 8.6 and
17 the Code in effect as of the date of installation, the
18 applicable requirements of any alteration and A17.3 if
19 adopted. Chicago adopts almost all of A17.3. Illinois
20 makes some exceptions. But it doesn't affect
21 maintenance.

22 By law, the State is going to adopt A17.1 in
23 2013. When I was chair of Chicago, I brought them up to
24 2007. My successor got it up to -- the work done, but
25 it never got done. They lost focus, and there's no

1 action going on to 2010. There has to be a written
2 maintenance control program, written, written, not
3 something, Oh, our mechanics know what to do because
4 their father was a mechanic and their grandfather was a
5 mechanic. No. And for every unit has to be provided by
6 the person or the firm maintaining the equipment
7 viewable on-site, or else you got to be able to find out
8 how to see it.

9 This is important for you inspectors, but it's
10 important for building owners, if there's building
11 owners here. Okay. MCP will include but not limited to
12 the Code-required maintenance tasks, maintenance
13 procedures, and examination and tests. And if that
14 changes, you've got to update the MCP. MCP shall
15 reference on-site documentation needed to fulfill the
16 requirements. And if the MCP is remote, you have to be
17 able to know how to get to it in the machine room, okay,
18 a little sign at least, an eighth of an inch high
19 letters.

20 And specific maintenance intervals are
21 required based on the equipment age, condition,
22 accumulated wear, design, inherent quality, use,
23 environmental conditions, and approved technology.

24 And manufacturer's recommendations for any
25 safety integrity level, SIL-rated devices. And the

1 manufacturer's recommendations based on ASME A17.7,
2 a la the ThyssenKrupp Endura, if I'm getting their name
3 right, they will have recommendations for maintenance.
4 And that's got to be in the maintenance control program.

5 And then procedures have to be in the
6 maintenance control program, how to do inspections,
7 et cetera, et cetera. And on-site documentation, you
8 have to have procedures for tests, inspections,
9 maintenance, replacements, up-to-date wiring diagrams
10 for the critical circuits, and, I think, written
11 checkout procedures for electrical electronic --
12 programmable electronic safety things. Leveling speed
13 with doors open, how do you check that out? How do you
14 check out the overspeed valve? How do you check out
15 best way to reversal stopping device? How do you check
16 out the handrail force?

17 And here's the crucial thing for the building
18 owners. Maintenance personnel shall be -- Maintenance
19 repairs, replacements, and tests shall be performed only
20 by elevator personnel. So Joe the plumber, who's pretty
21 darn smart, he's not supposed to be working on your
22 hydraulic elevator because it's got a pipe. Okay. And
23 that means licensed elevator contractors employing
24 licensed elevator mechanics in the state. The City does
25 not license -- The City requires that there be a

1 licensed supervisor. And the records --

2 You know, I think we'll stop about here.

3 You got on-site maintenance records available
4 including dates of when what is done, repair and
5 replacement records, repairs on-site.

6 Other records on-site: Oil use; firefighters
7 emergency operation exercise, monthly; periodic tests;
8 suspension means; acceptance test records. Okay. You
9 go in there, and you pick some inspector here. He goes
10 in there, and they say this elevator is accepted for
11 public use. Those acceptance test records will have to
12 be there permanently. And callbacks have to be --
13 records have to be maintained. And we also say safety
14 devices shall not be made inoperative except during
15 maintenance inspection or test. Lubrication, things
16 that need to be lubricated need to be lubricated.
17 Controllers should be kept clean, no temporary wires or
18 jumpers left on, maintain the circuits, proper fuses,
19 similar.

20 Special Provisions: FEO must be exercised
21 monthly. Two-way communication, usually telephones,
22 must work and be tested annually. If I was a building
23 owner, I would have my guy go in there and push the
24 button every month. And access keys are only available
25 to the proper people.

1 If there's no questions ...

2 CHAIRMAN BAUMANN: Thank you very much.

3 MR. GREGORY: Okay.

4 CHAIRMAN BAUMANN: Thank you for your brief
5 description.

6 MR. CAPUANI: I just want to tell everyone that I'm
7 going to touch a little bit on those windmill elevators.
8 I'm working with John Koshak to come to one of our board
9 meetings and give a brief class on those windmill
10 elevators. I'll post it.

11 CHAIRMAN BAUMANN: Any other questions for Dick?

12 MR. JONES: Is there any -- This is Doug Jones. Is
13 there any standardization for the MCP as far as
14 template, or is that just going to be whatever anybody
15 comes up with?

16 MR. GREGORY: There is -- There is no
17 standardization performed, but there is a non-mandatory
18 appendix which would allow somebody to say, Oh. I'll
19 just copy this out of ASME and use it.

20 MR. JONES: So there could be some standardization
21 that --

22 MR. GREGORY: They could standardize it if they
23 wanted to. A non-mandatory appendix is not mandatory.

24 MR. JONES: Right.

25 MR. GREGORY: So -- And there are people -- And I'm

1 going to put this down so that we can see Bob. But --
2 And then there are people who are selling maintenance
3 programs. You know, you buy it from some guy. I forgot
4 his name now. But, you know, you have to do the work of
5 what you're going to tell your guys what to do. But it
6 outlines all the issues. And then you can do it for
7 each elevator. It's a lot different. If you're going
8 to maintain an Otis 1SOB that was installed in 1925,
9 it's a lot different than maintaining an Otis 401 that
10 was installed in 1999.

11 CHAIRMAN BAUMANN: Any other questions for Richard?

12 MR. JANUS: Just one quick question. You mentioned
13 earlier on A17.7 that you don't want to sit there in
14 limbo indefinitely when you may be guard to the windmill
15 elevators. The new technologies, I just want to be
16 clear on this. For instance, with ThyssenKrupp, will
17 these folks have to come back in 3 years because they're
18 under A17 --

19 MR. GREGORY: It's a number of years. I don't
20 remember the exact. But their certificate, which I
21 could -- except I've taken this down -- their
22 certificate has an expiration date on it.

23 MR. JANUS: Well, you have to rehash to get it
24 3 years or whatever that date is?

25 MR. GREGORY: No. I would -- They would -- I

1 would -- This is a guess. If you remember the MRLs, the
2 traction MRLs, and Aconay (phonetic) was the first with
3 that and Andy Uha (phonetic) spent 2 years traveling the
4 country getting that all organized all over the place.
5 And now it's finally in the Code.

6 So I'm presuming the hydraulic people will do
7 something similar and get this product in the main body
8 of the Code. And I'm sure that they hope to have that
9 done for the 2016 edition. But I'm not on the hydraulic
10 committee, so I cannot speak for the hydraulic
11 committee. But, I mean, if I was them, that's what I
12 would be doing. If they don't, their certificate will
13 expire and they will have to come here again.

14 MR. JANUS: Thank you.

15 CHAIRMAN BAUMANN: Could you please stand and give
16 the court reporter your name and your position?

17 MR. JANUS: I'm sorry. Chet Janus, Inspector with
18 the State Fire Marshal's Office.

19 MR. GREGORY: Their certificate expires
20 December 17, 2016. Okay. So none of this -- So that --
21 It's 3 years. Then you got to come back again if you
22 haven't managed to get it in the main body of the Code.
23 So, you know, I mean, it's simple.

24 MR. EDWARDS: These --

25 CHAIRMAN BAUMANN: Can you please rise and announce

1 your name?

2 MR. EDWARDS: Oh. Sorry. Patrick Edwards from
3 Integrity Group.

4 But if their certificate expires and I assume
5 they would -- somebody that has that would try renewing
6 it before it expires, are you saying that they would
7 have to come before this Board again? Or if they
8 renewed it with the -- whatever that organization is
9 called, if they renewed it through that system, would it
10 just continue?

11 MR. GREGORY: It's up to the Board.

12 CHAIRMAN BAUMANN: Any other questions for
13 Mr. Gregory?

14 (No response.)

15 CHAIRMAN BAUMANN: No more questions. I guess
16 we're looking for a motion to accept the current --

17 MS. STINSON-MARTI: They --

18 CHAIRMAN BAUMANN: I'm sorry?

19 MR. GREGORY: This is information.

20 CHAIRMAN BAUMANN: Hold on.

21 MR. GREGORY: You don't need a motion there.

22 MS. STINSON-MARTI: They have to adopt it. They
23 can adopt it as presented or adopt and amend according
24 to the rules. But we need to be clear exactly what
25 code, what standards we're adopting so that we're clear

1 on the record and then our office is clear because we'll
2 have to update the rules.

3 CHAIRMAN BAUMANN: Okay. So that we're looking for
4 a motion for just for that.

5 MS. STINSON-MARTI: Move to adopt whatever the
6 specific standards are. I have here the mandatory ones.
7 And then Dick Gregory can correct me if I'm wrong. But
8 I have that the mandatory codes that the Board needs to
9 adopt per the statute is A17.1, the 2013 edition; A18.1,
10 the 2011 edition; and QE11, 2013 edition.

11 MR. GREGORY: Yes. Somebody has to make a motion.
12 I can't make a motion.

13 MR. CAPUANI: And then update A17.2 also.

14 MS. STINSON-MARTI: Then there is a non-mandatory
15 Code that the Board -- not mandatory per statute, but
16 A17.2, which Bob can explain.

17 MR. CAPUANI: It's the guide for inspection of
18 elevators.

19 MR. JONES: Can we have a little discussion on that
20 one you just talked about, Bob, the last one, the
21 non-mandatory one?

22 MR. CAPUANI: It's the guide that the inspectors
23 follow for inspections.

24 MR. JONES: What's your -- well, anybody's thinking
25 on that? Since it's non-mandatory, we should probably

1 have some discussion to whether it's valid.

2 MR. GREGORY: Oh. It's crucial.

3 MR. CAPUANI: It is valuable because the form is
4 based off of that -- off of that book.

5 MR. GANIERE: If we adopt it, does that make it
6 mandatory then?

7 MR. GREGORY: It's titled as a guide.

8 MR. CAPUANI: It's a guide, yeah. It's not a Code.
9 It's a guide to help guide the inspector.

10 CHAIRMAN BAUMANN: Patty, did you have something?

11 MS. YOUNG: Yes.

12 CHAIRMAN BAUMANN: Can you rise and --

13 MS. YOUNG: Sure. Patty Young, Thompson Elevator.

14 I'm looking at the rules here, and I just want
15 to make sure. In addition to the ones that were
16 mentioned, there's also the automated people mover
17 standards. Has that one been moved up yet in terms of a
18 release? And just to make sure that the rest of the
19 Board knows that it's not included. So if it is not
20 included, it would remain the same as ASCE 21, the
21 '05/'06 edition.

22 MR. CAPUANI: The people mover, there's only one in
23 the state, which is the one at the airport, which is in
24 Chicago. So there is -- there aren't any in the
25 Illinois jurisdiction, in our jurisdiction. And I don't

1 see any in the future. Actually, I don't see why it's
2 even in the Act, to be honest with you.

3 MR. GREGORY: Oh. I know, but that's beside -- But
4 also A17.3-2011 and A17.5-2011.

5 MR. CAPUANI: Well, we cannot adopt the A17.3-2011.

6 MR. GREGORY: Okay. I'm just -- The latest one,
7 A17.5-2011, that's electrical requirements.

8 MS. STINSON-MARTI: That's not mandatory per the
9 statute.

10 MR. GREGORY: Okay.

11 MS. STINSON-MARTI: And it's not anywhere -- We
12 don't have it in our rules as -- You know --

13 MR. GREGORY: That's fine.

14 MS. STINSON-MARTI: -- we have A17.3. But per the
15 statute and the rules, we're only required to upgrade
16 pursuant to the 2005 edition. So we don't actually have
17 to.

18 MR. GREGORY: And do we have A17.6-2010?

19 MR. CAPUANI: It's not in our statute, no.

20 MR. GREGORY: Okay.

21 MR. CAPUANI: We would have to change the statute
22 for that.

23 MR. GREGORY: Some day think about that because
24 that's -- suspension means it was taken out of the
25 A17.1.

1 MR. CAPUANI: Correct.

2 MR. GANIERE: I would like to make a suggestion
3 that we get the specific Code references in our agenda
4 for the next meeting and then make our adoptions at the
5 next meeting just to make sure that we're complying
6 completely and specifically that that now requires. If
7 it's in our agenda, then everybody has notice exactly
8 what they're voting on instead of just a general
9 statement to bring it up to Code. So we have those
10 exact numbers of the Code that we're adopting in our
11 agenda for the next meeting, I think it would be better
12 to do it then.

13 MR. FINCHAM: I would concur. I mean, this is the
14 first I've heard of this talk about updating, you know,
15 to the newer Code. So I don't have a comfort level of
16 understanding what it is we're going to be voting on.
17 So I would agree with Tom to give us the information for
18 the next meeting, get a chance to review it, you know.

19 MR. CAPUANI: Our rules state that you have to
20 adopt it within a year. So we have till October,
21 correct, Dick? They were adopted in October of 2013?

22 MR. JONES: So, Bob, do we need to make a motion to
23 that effect, to table till the next meeting? Do we need
24 a motion on that?

25 MS. STINSON-MARTI: Well, it's on the agenda

1 for -- to adopt, so you wouldn't need to table it.

2 MR. JONES: I would like to make the motion to
3 table it until our next meeting.

4 MR. GANIERE: I'll second that.

5 CHAIRMAN BAUMANN: Okay. It's been moved and
6 seconded to table the motion -- or table to adopt the
7 additions. All those in favor?

8 (Chorus of "ayes.")

9 CHAIRMAN BAUMANN: All those opposed?

10 (No response.)

11 CHAIRMAN BAUMANN: The ayes have it. And next
12 meeting will be ...

13 MR. CAPUANI: June 6th? I'm not sure. I believe
14 it's June 6th.

15 CHAIRMAN BAUMANN: Then it will be postponed until
16 June 6th and will be on the agenda for the vote,
17 correct?

18 MR. CAPUANI: Yes. We will put it on the agenda.

19 CHAIRMAN BAUMANN: I'm sorry. June 5th.

20 All right. That's finished with new business.

21 But we do have a new member to the Board. I
22 would like to introduce Jenny Notte.

23 MS. NOTTE: Good morning.

24 (A round of applause.)

25 CHAIRMAN BAUMANN: Real quick, we'll start here and

1 say our names for the record.

2 MR. OTTEN: Tony Otten.

3 MR. HERTSBERG: Mark Hertsberg.

4 MR. GREGORY: Dick Gregory.

5 MS. NOTTE: Jenny Notte.

6 MS. STINSON-MARTI: Angela Stinson-Marti.

7 MS. JEFFRIES: Celena Jeffries.

8 MR. CAPUANI: Bob Capuani.

9 CHAIRMAN BAUMANN: Dan Baumann.

10 MR. CHRISTENSEN: Ed Christensen.

11 MR. GANIERE: Tom Ganiere.

12 MR. JONES: Doug Jones.

13 MR. GRANT: Craig Grant.

14 MR. BOGDAN: Bill Bogdan.

15 MR. JIRIK: Tom Jirik.

16 MR. DATILLO: Dave Datillo.

17 MR. FINCHAM: John Finchman.

18 CHAIRMAN BAUMANN: Great. Now we're going to open
19 up the floor for public comment. And we'll start with
20 Faye Carter Powell.

21 MS. CARTER POWELL: No comment.

22 CHAIRMAN BAUMANN: No comment.

23 Jonathan Amarilio ...

24 MR. AMARILIO: Pass. No comment. We reserve our
25 right to respond.

1 CHAIRMAN BAUMANN: Thomas Gray ...

2 MR. GRAY: No comment at this time.

3 CHAIRMAN BAUMANN: Thank you.

4 Anthony DiBiase ...

5 MR. DiBIASE: Thank you. For the record, my name
6 is Anthony DiBiase. I represent Elevator Inspection
7 Services, better known as EIS.

8 What I would like to ask -- I would like
9 clarification on an issue regarding permits for door
10 restrictors. Lately our office has gotten several calls
11 claiming that the State has mandated these door
12 restrictors require a permit.

13 Now, I know in 8.7 it says that door
14 restrictors are considered an alteration. And, also, in
15 the public act, all alterations require a permit. But I
16 would like to refer back to the Elevator Safety
17 Agreement Program, specifically Item No. 7. Should I
18 read it?

19 MR. CAPUANI: Go ahead.

20 CHAIRMAN BAUMANN: Yes.

21 MR. DiBIASE: "In accordance with the Elevator
22 Safety and Regulation Act and the Administrative Rules,
23 with the exception of the registration fees, the fees
24 and procedures for application permits, inspection, and
25 enforcement under the Local Authority's Program shall

1 remain the jurisdiction of the Local Authority and such
2 procedures shall take precedence over the procedures
3 adopted by the OSFM and Board."

4 Now, the way I understand this is
5 municipalities in agreements with EIS can decide
6 themselves if they want door restrictors permitted or
7 not. I would like you to tell me that I'm wrong about
8 that or I'm in my right. And then I'll go on to explain
9 why I feel that permits are not required for this
10 particular device.

11 MR. CAPUANI: All right. I'll explain my position
12 on it. And then Angela will help you out with your
13 question.

14 The State requires a permit. I feel it's a
15 safety device added to an elevator. The safety device
16 needs to be inspected and a permit. You want to make
17 sure it's installed correctly and it's functioning
18 correctly.

19 I did shoot out an e-mail that I would be
20 happy to talk to any municipality or conveyance owner
21 and explain to them why I would require a permit. The
22 municipality agreement, Angela's going to have to --

23 MS. STINSON-MARTI: I'll have to look at this.

24 MR. CAPUANI: She's going to have to look at that.
25 This is the same issue that came up with forms.

1 But under State jurisdictions, we require
2 permit and we require an inspection. And that is my
3 reasoning. It believe it's a safety device. It's added
4 to the elevator. Plus it's covered -- the Building Code
5 says you must have a permit.

6 MR. DiBIASE: So does your comments supersede the
7 safety agreement?

8 MR. CAPUANI: This is Angela's decision. I hate to
9 put her on the spot, but ...

10 MR. DiBIASE: Angela, before you continue, I would
11 like to explain my position on this.

12 MS. STINSON-MARTI: Sure.

13 MR. DiBIASE: For those of you who don't know, door
14 restrictors prevent the cab doors being opened once the
15 elevator gets past the unlocking zone away from the
16 floor. There is a mechanical device, and then there is
17 an electrical mechanical device, two basic types. And
18 there are several varieties of them.

19 We feel that this device does not interfere
20 with the motion control of the elevator, it doesn't
21 interfere with the speed of the elevator, nor does it
22 interfere with the torque of the door motor. Now, on
23 our round of inspections, we inspect these door
24 restrictors. We just -- Our inspectors know not just to
25 see if there is one available, but they're to test it

1 and make sure it's adjusted properly, because any one of
2 them could be rendered enabled.

3 We feel that the cost for a permit is an undue
4 burden on the building owner. You can believe that if
5 the contractor has to pay 100 or \$200 for a permit, that
6 cost is going to be passed on to the building owner. We
7 service many condominiums that the entire residents are
8 retired, on fixed income. And it's a burden for them to
9 pay extra for this device. That's how we feel about it.

10 But if you -- Angela, if you state that Bob's
11 statements supersede the agreement, then we will abide
12 by that.

13 MR. GANIERE: I just want to see that language that
14 he's referring to quickly.

15 (Document tendered.)

16 MR. GANIERE: Thank you.

17 MS. STINSON-MARTI: To the extent it's a safety
18 issue, then your procedures have to be at least as
19 stringent as the State. Now, this is the first time I'm
20 hearing about this, so I would actually have to go back
21 and talk to Bob about it. But he's saying it's a safety
22 issue. And if it's a safety issue, then it has to be as
23 stringent as the State. So if the State requires
24 permits, then that would mean that the local
25 administrators would also have to require permits. But,

1 again, I would have to go back and look at this issue.

2 MR. GANIERE: The language that the gentleman is
3 referring to only pertains to the fees. The fees are
4 what the local jurisdiction determines, not whether a
5 permit is needed or not. They just determine what the
6 fee is for that permit. And that's exactly what that
7 language you're quoting says. It doesn't say they're
8 exempt from the permit. It says they get to determine
9 what the fee is for that permit.

10 MR. DiBIASE: No. I thought that the program --

11 MR. GANIERE: It's only pertaining to the fees.

12 CHAIRMAN BAUMANN: Fees and procedures.

13 MR. DiBIASE: The fees and procedures for
14 applicants' permits and inspections.

15 MR. GANIERE: Right. The fees and the procedures
16 to get the permit, that's all that refers to. It
17 doesn't refer to whether the permit is needed or not.
18 The permit is still needed. Just how much they're going
19 to charge for it is what they determine, if they're
20 going to charge anything. They don't have to charge
21 anything. It's up to the jurisdiction.

22 MR. DiBIASE: Well, I didn't see it that way. But
23 is that what the Board feels?

24 MR. GANIERE: Well, that's my opinion. It's not up
25 to me.

1 MR. CAPUANI: It's not a Board decision.

2 MS. STINSON-MARTIN: No. That's a legal decision.
3 I mean, I'll take into -- I'm going to look at this when
4 I get back and, you know, take into account what you
5 said and what he had said and what Bob said. Bob's
6 trying -- Bob is actually saying what would supersede
7 all of that is that if it's a safety issue, then it
8 needs to be as stringent as the State.

9 MR. CAPUANI: Dick, can I ask your opinion on this
10 as a neutral person here?

11 MR. GREGORY: No. I think you should not have door
12 restrictors. All these people fall down a hatch, and I
13 make a lot of money.

14 No. It's a safety -- It's a serious, serious
15 safety issue which is why restricted opening was put
16 into ASME A17.1 in the first place. And there are just
17 too many people -- I would tell you too many stories,
18 and you would all get bored and go to sleep. But it's a
19 serious safety issue. And I've had dozens of cases of
20 people going down the hatch before restricted opening,
21 little kids, big people, you know.

22 CHAIRMAN BAUMANN: Anthony ...

23 MR. DiBIASE: Well, I was hoping to get closure on
24 this issue now. I certainly don't want it to drag on
25 any longer. But if you feel that it's a safety issue

1 and requires a permit.

2 MR. CAPUANI: As of right now, all door restrictors
3 in the state will need a permit.

4 MR. DiBIASE: Unless at the next meeting Angela
5 clarifies this in a different way. As of right now, you
6 need a permit and an inspection on a door restrictor
7 and, actually, all the items on that list for 2015.

8 MR. GREGORY: Going around looking at elevators, I
9 find half of the door restrictors defeated. And it
10 doesn't matter who made them and who installed them.
11 Somebody figures out how to defeat them. And -- You
12 know, so I don't have to jump on any manufacturer, half
13 of them have been defeated.

14 CHAIRMAN BAUMANN: Anthony ...

15 MR. DiBIASE: One final question. On your permit
16 application for the State, it says any permits for
17 renovations require an acceptance inspection. Does that
18 hold true for the door restrictor?

19 MR. CAPUANI: Yes. Yes.

20 MR. DiBIASE: Thank you.

21 MS. YOUNG: (Gesturing.)

22 CHAIRMAN BAUMANN: Is this re--

23 MS. YOUNG: It's related. Patty Young, Thompson
24 Elevator.

25 In addition to receiving Bob Capuani's e-mail

1 regarding the door restrictors, I would like to request
2 to the Board to have the State Fire Marshal's Office put
3 something formally on the website and also a letter sent
4 out to all the elevator contractors as well as the
5 inspection companies regarding this decision that Bob
6 said until further notice.

7 I also want to bring up that even though the
8 municipalities are under a local program and are being
9 as stringent as the State, they can be more stringent.
10 And to be more stringent, that is including the Building
11 Code. And typically everybody is on the IBC, the
12 International Building Code. And within Section 105 is
13 the permits. In that section, it references that if
14 there's an alteration to any mechanical system (and an
15 elevator falls in that definition in that Code; at
16 Chapter 30 is the elevator section. It references the
17 A17.1) then it is subject to a permit and proper
18 inspection. So I just wanted to make sure everybody was
19 aware of that.

20 Lastly, if the local program were to decide
21 not to issue a permit, I would believe that the local
22 program would be contacting the State Fire Marshal on
23 their letterhead, that municipality's letterhead, with a
24 request to say we would like to not require permits for
25 this particular item and/or any item that's especially

1 coming up with the 2015 upgrade. I think -- To date, I
2 know my clients have not requested that or expressed
3 that. I would believe that you have not received
4 anything from any local program to that effect.

5 MR. CAPUANI: No, not yet.

6 MS. YOUNG: Okay. So -- Because it is ultimately
7 the local program's decision. They need to make their
8 final call. And it should be on their letterhead that
9 they are exempting because they are the local program
10 holder. And I just work for them.

11 MR. JONES: If that were a change, it would be a
12 change in code. All the processes of code change is not
13 just the administrator saying we don't do this. It has
14 to go through a code change if they're using the IBC as
15 local.

16 MS. YOUNG: Exactly. It would be quite cumbersome.

17 CHAIRMAN BAUMANN: We'll look at that.

18 The next one, Doug Henderson ...

19 MR. HENDERSON: No comment.

20 CHAIRMAN BAUMANN: Gary Hooper ...

21 MR. HOOPER: No comment.

22 CHAIRMAN BAUMANN: Leigh Fabbri ...

23 MR. FABBRI: No comment.

24 CHAIRMAN BAUMANN: Patty Young ...

25 MS. YOUNG: At this point, I would like to reserve

1 the right to comment on anything else that comes up in
2 the meeting.

3 CHAIRMAN BAUMANN: Patrick Edwards ...

4 MR. EDWARDS: No comments. I reserve the right.

5 CHAIRMAN BAUMANN: Phillip Hampton ...

6 MR. HAMPTON: No comment at this time.

7 CHAIRMAN BAUMANN: James Woellert ...

8 MR. WOELLERT: No comment at this time.

9 CHAIRMAN BAUMANN: Todd Bergeman ...

10 MR. BERGEMAN: No comment at this time.

11 CHAIRMAN BAUMANN: Joe Gawrik ...

12 MR. GAWRIK: No comment at this time.

13 CHAIRMAN BAUMANN: David Hirsch ...

14 MR. HIRSCH: No comment at this time.

15 CHAIRMAN BAUMANN: That is the end of the public
16 comments.

17 Bob ...

18 MR. CAPUANI: Like I said before, I'm going to try
19 to set this up for John Koshak to come in and give a
20 presentation. After that, once we adopt the codes that
21 will be under our jurisdiction, I will ask John Koshak
22 if he can hold a class for all of the inspectors. And
23 maybe we'll have a class up here, maybe a class in
24 Springfield if John is willing to do this. But I will
25 keep everyone informed what's going on with that.

1 CHAIRMAN BAUMANN: Also, we were supposed to have a
2 subcommittee meeting this afternoon right after this
3 meeting for the forms. And one of our subcommittee
4 members is not available, is sick. We're asking to have
5 it at another time. So we'll send out an e-mail or make
6 phone calls to the subcommittee for the new meeting.

7 MR. CAPUANI: I'll try to put something out within
8 the next month.

9 CHAIRMAN BAUMANN: There's no variances or appeals?

10 (No response.)

11 CHAIRMAN BAUMANN: I have a motion to adjourn?

12 MR. CHRISTENSEN: Motion to adjourn

13 CHAIRMAN BAUMANN: Motion to second?

14 BOARD MEMBER: Aye.

15 CHAIRMAN BAUMANN: All in favor?

16 (A chorus of "ayes.")

17 CHAIRMAN BAUMANN: So adjourned.

18 (END OF PROCEEDING AT 9:35 A.M.)

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