

In The Matter Of:
Illinois State Fire Marshal
Review Board Meeting

Chariman Frank J. Christensen
August 09, 2012

Marzullo Reporting Agency
345 North LaSalle, 1605
Chicago, IL 60654
(312) 321-9365

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Min-U-Script® with Word Index

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1 ELEVATOR SAFETY REVIEW BOARD MEETING
2 August 9th, 2012
3 8:30 a.m.
4 The Report of Proceedings had in the
5 meeting of the above-entitled cause, taken before PAMELA A.
6 MARZULLO, a Certified Shorthand Reporter and Notary Public
7 in and for the County of Cook and State of Illinois, at
8 9511 West Harrison Street, Des Plaines, Illinois, on August
9 9th, 2012, at the hour of approximately 8:30 a.m.
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1 PRESENT:
2 ELEVATOR SAFETY REVIEW BOARD
3 MR. FRANK J. CHRISTENSEN, Chairman
4 MR. DAVID A. DATILO, Member
5 MR. MARK HERTSBERG, Member
6 MR. K. DOUGLAS JONES, Member
7 MR. GERALD WOLIN, Member
8 MR. THOMAS GANIERE, Member
9 MR. KELLY WELLER, Member
10 MR. TOM JIRIK, Member
11 MR. WILLIAM BOGDAN, Member
12
13 ELEVATOR SAFETY REVIEW BOARD MEMBERS NOT PRESENT
14 MR. ROD GILLES, Member
15 MR. GERALD GROSS, Member
16 MR. JOHN D. FINCHAM, Member
17 MR. BRIAN WILSON, Member
18 MR. ANTHONY OTTEN
19
20 OFFICE OF THE STATE FIRE MARSHAL-ELEVATOR SAFETY STAFF
21 MR. BILL BARNES, Acting General Counsel
22 MR. JAMES AUBIN, Elevator Inspector
23
24

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1 MR. CHRISTENSEN: I'm going to call the meeting
2 to order. Please rise for the Pledge of Allegiance.
3 (WHEREUPON, the Pledge of
4 Allegiance was recited.)
5 MR. CHRISTENSEN: Has the Board had a chance to
6 review the minutes from May 24 in, 2012? Is there
7 any additions or corrections?
8 (No response.)
9 MR. CHRISTENSEN: Is there a motion to accept
10 the minutes?
11 MR. GANIERE: Ganiere, so moved.
12 MR. CHRISTENSEN: Is there a second?
13 MR. WOLIN: Second.
14 MR. CHRISTENSEN: Any additions or corrections?
15 (No response.)
16 MR. CHRISTENSEN: None being, all those in
17 favor, say "aye"?
18 (A chorus of ayes.)
19 MR. CHRISTENSEN: All those against?
20 (No response.)
21 MR. CHRISTENSEN: Ayes have it. Old business,
22 Elevator Safety Program Progress Report. James
23 Aubin?
24 MR. AUBIN: Total number of permits issued

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1 since January 1st, 235; total license applied for
2 243; registrations at this point were 548; and total
3 certificates issued were 7,010. The total number of
4 registered conveyances in the state are now at
5 33,683.
6 MR. CHRISTENSEN: Okay. Anything else?
7 MR. AUBIN: That's it.
8 MR. CHRISTENSEN: Okay. Rules update by
9 Attorney Bill Barnes. Counsel?
10 MR. BARNES: OSFM sent the certificate of no
11 objection received from J-CAR to the Secretary of
12 State, along with the proposed promulgation date of
13 October 1, 2012.
14 So, as of today, the old rules are in
15 effect; and come October 1, the new rules will be in
16 effect. So, we're in good shape.
17 MR. CHRISTENSEN: Thank you. Anything else?
18 MR. BARNES: Yes, may I add one more thing to
19 the Board Members? If you haven't done so already,
20 please take the Open Meeting Act training. It is
21 online through the Attorney General's website. It
22 is required now by law of all Board Members.
23 MR. CHRISTENSEN: That's it. That was old
24 business. We're going to move on to new business.

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1 This will be 5A CET program
2 reconsideration discussion. I'm going to call --
3 first of all, we have to have of a motion for
4 reconsideration before I would call anybody up for
5 this. Do you remember who made the motion or who
6 seconded the motion?
7 MR. BARNES: No, I don't.
8 MR. WELLER: Mr. Chair, can you give us a
9 little bit more information on this?
10 MR. CHRISTENSEN: Well, it was brought up that
11 they would like to have a reconsideration. I forgot
12 who brought it up. They would like to have a
13 reconsideration of the vote for the CET program, and
14 that was a program that we had a subcommittee over.
15 MR. WELLER: Okay. Who was on the
16 subcommittee?
17 MR. JIRIK: I thought that was Rod that brought
18 that up.
19 MR. CHRISTENSEN: Rod Gilles?
20 MR. JIRIK: Yes.
21 MR. CHRISTENSEN: Rod is not here today.
22 MR. WELLER: Who is on the subcommittee?
23 MR. JIRIK: Jandora.
24 MR. JONES: I think Rich.

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1 MR. WELLER: Are there slips here to speak on
2 it?
3 MR. CHRISTENSEN: Yes, there is.
4 MR. WELLER: I'll make the motion to hear the
5 discussion, Weller.
6 MR. CHRISTENSEN: The reconsideration?
7 MR. WELLER: Reconsideration.
8 MR. GANIERE: Point of order, the motion to
9 reconsider has to be made by someone who voted in
10 the majority for the original motion. Were you in
11 the majority?
12 MR. WELLER: I don't know, I can't remember. I
13 have to go back and look at the minutes.
14 MR. GANIERE: I know the motion failed,
15 correct?
16 MR. CHRISTENSEN: Correct.
17 MR. GANIERE: So, if you voted "no," you would
18 have voted in the majority.
19 MR. CHRISTENSEN: Kelly, I think you did vote
20 "no." I could be wrong.
21 MR. WELLER: Okay.
22 MR. GANIERE: I'm going to second it, just to
23 allow it to go forward for some exchanges, hear what
24 people have to say. I know I voted "no."

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1 MR. CHRISTENSEN: But if you voted "no," and he
2 voted "no," you are out of order.
3 MR. WELLER: No, you're the majority.
4 MR. GANIERE: We're the majority for that
5 decision.
6 MR. WELLER: Can we have the minutes checked,
7 just to make sure we've got an appropriate motion?
8 Maybe go on to the next item, while we're looking at
9 that.
10 MR. BARNES: When was the vote? If it was
11 before May --
12 MR. WELLER: I have to look at last two sets of
13 minutes. I walked out the door this morning without
14 my folder.
15 MR. GANIERE: It was two meetings ago.
16 MR. CHRISTENSEN: It was not at the last
17 meeting. It was probably the meeting before that.
18 Are you asking to make a motion to change of the
19 order of business?
20 MR. WELLER: We can go to B. Does anybody have
21 the last -- have notes from the last meeting, or do
22 we have access to the website? We've got a B item
23 on the same agenda item. I don't think we have to
24 redo the agenda.

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1 MR. JIRIK: I would like to make a motion to
2 table it until the next meeting.
3 MR. WELLER: I don't have a problem with that,
4 I just don't know who is here to speak on it, if
5 they had to travel to speak on it, because it was on
6 the agenda. You know, I always want to be conscious
7 of that.
8 MR. CHRISTENSEN: Okay. There was also a call
9 made to not have it on the agenda, to have it taken
10 off the agenda, but I guess it was too close.
11 Already people made flights to come out.
12 MR. WELLER: Okay.
13 MR. CHRISTENSEN: Okay. But they asked for it
14 to be taken out for another date.
15 MR. BARNES: It is new business. It's not like
16 any final action is to be taken on it today.
17 MR. CHRISTENSEN: Okay. We could table it but
18 still have discussion.
19 MR. GANIERE: I think the motion to table would
20 be an order after we have discussion.
21 MR. CHRISTENSEN: Okay.
22 MR. GANIERE: We probably should table it to a
23 specific date, specific meeting, so that whoever is
24 here to speak on it today knows exactly when we're

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1 going to take it up when.
2 MR. CHRISTENSEN: Okay.
3 MR. WELLER: I think the first thing we need do
4 is make sure you and I have an appropriate motion.
5 If we have an appropriate motion, then we can
6 discuss it. We don't know that yet.
7 Hopefully somebody is researching that.
8 In the interim, it sounds to me like we could have
9 discussion on it.
10 MR. CHRISTENSEN: Okay.
11 MR. WELLER: I'd just rather wait and see where
12 we are at, whether we have an appropriate motion,
13 and then we could maybe go to plan B if we do not.
14 MR. CHRISTENSEN: We'll move on to the next
15 subject, until we find out on that. Bill, you don't
16 have a problem with that, do you?
17 MR. BARNES: No.
18 MR. CHRISTENSEN: We're going to go to 5B,
19 remove an exemption for special purpose personal
20 elevator discussion. Who is to speak on this?
21 MR. AUBIN: I think Scott Harris.
22 MR. CHRISTENSEN: Scott, you want to come up?
23 MR. HARRIS: Hello, I'm Scott Harris with
24 Harris Companies, and I would just like to ask the

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1 Board to recommend removing the exemption for
2 special purpose elevator from the act.
3 Currently, special purpose elevators are
4 exempt under Section 10(c)(17). There's hundreds of
5 these types of elevators throughout Illinois and in
6 grain storage facilities, feed mills, flower mills,
7 processing plants and carrying anywhere from one to
8 four people.
9 As a manufacturer and service company, we
10 are seeing new elevators put in to pre-1996 code, as
11 well as existing elevators that do not have hoistway
12 or numerous safety I-pass during operatives.
13 Also, I have an E-mail from another
14 manufacturer, Jeff Schumaker, with Schumaker
15 Elevator, out of Denver, Iowa. He said as a
16 manufacturer, Schumaker Elevator Company would like
17 to recommend that the State of Illinois remove the
18 exemption of special purpose elevators under
19 Section 10(c)(17).
20 We see too often in grain processing
21 facilities that these units are improperly
22 maintained and tested, and safety is a major
23 concern. We believe that from a liability
24 standpoint, bringing these units back into the

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1 State's jurisdiction and up to current standards is
2 best for everyone in the long run.
3 MR. CHRISTENSEN: Thanks. Does anybody have a
4 question?
5 MR. JONES: Doug Jones. Have these types of
6 elevators ever been in our code? Have they ever
7 been?
8 MR. CHRISTENSEN: If I remember right, I think
9 we did have them in at one time; is that correct?
10 MR. HARRIS: The original legislation 920873
11 included special purpose. Then in the Public Act
12 0960342, they exempted them.
13 MR. HERTSBERG: Then Public Act 0960054 removed
14 the exemption, and then currently they are exempt.
15 MR. JONES: Thank you.
16 MR. WOLIN: As a person who is not familiar
17 with this kind of elevator, could somebody explain
18 what the negatives it would be doing this?
19 MR. CHRISTENSEN: Scott, why don't you come
20 back up. I should have asked if anybody had a
21 question for you. You want to repeat your question?
22 MR. WOLIN: I'm not an expert in that kind of
23 an elevator, or any kind of elevator for that
24 matter. Can you give me the negatives, and I would

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1 like to hear from anyone else that would have any
2 negatives?
3 MR. HARRIS: Negatives for?
4 MR. WOLIN: Doing what you are requesting.
5 MR. CHRISTENSEN: I think what he's asking is
6 over the safety issues, and having them not properly
7 maintained, what could end up happening?
8 MR. WOLIN: Well, no, I'm sorry, that is not
9 exactly my question. To me it sounds like a logical
10 request for safety reasons. Okay?
11 What are the negatives for us to approve
12 this? Does it create more work, and we don't have
13 staff?
14 MR. HARRIS: I was going to say our company
15 alone does over 400 in the State of Illinois, and I
16 know that's just a fraction of them. So, it is
17 going to generate income for the State and jobs as
18 well for the State of Illinois.
19 MR. CHRISTENSEN: Kelly?
20 MR. WELLER: Mr. Chair, our counsel over there
21 on another issue, my concern is it sounds to me like
22 we have a history of the legislation being amended,
23 which puts the legislature squarely in the middle of
24 this issue; and I don't know that we can rewrite --

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1 I'm sure that we cannot rewrite what's included and
2 what's not included. We can certainly make a
3 recommendation, if the Board feels --
4 MR. CHRISTENSEN: I think that is what he's
5 looking for. He's looking for we recommend we put
6 it back into the act.
7 MR. HARRIS: Right. Section 35(d) says the
8 Board shall be authorized to recommend the
9 amendments of applicable legislation when
10 appropriate to legislatures.
11 MR. WELLER: So, with that, if you wouldn't
12 mind, I would like to see a little bit more, a
13 two-page position paper, that maybe you could hand
14 out to the Board at the following meeting.
15 MR. HARRIS: Sure.
16 MR. WELLER: If you would like us to make some
17 action on that, I would like to know a little bit
18 more about it. It sounds like something we should
19 certainly look at.
20 MR. CHRISTENSEN: Okay. Would that be a
21 problem?
22 MR. HARRIS: No, that's not a problem at all.
23 MR. CHRISTENSEN: Thank you, Scott.
24 MR. GANIERE: If I recall correctly, we had

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1 significant discussion on this several meetings ago.
2 I don't know exactly when it was, but it may have
3 been in the meeting downtown. It's been that long
4 ago.
5 I think the Board took a position at that
6 time that we were against the exemption, if I recall
7 correctly, but we would have to go back and check
8 the minutes on that for sure. We could certainly
9 address it.
10 MR. CHRISTENSEN: Okay. I have several public
11 comment requests, but they say "any and all." Is
12 there anybody else that brought up a public comment
13 that would like to speak on the subject?
14 MS. YOUNG: Patty Young. I do not want to
15 speak on this particular subject.
16 MR. CHRISTENSEN: All right. There's no more
17 discussion, we're going to move on. Now we're going
18 to move on to public comment. I am not going to go
19 to the public comment on 5A yet until we hear from
20 counsel.
21 So, Don Plass, would you like to speak?
22 MR. PLASS: Not at this time, Mr. Chairman.
23 MR. CHRISTENSEN: Patty Young?
24 MS. YOUNG: I would like to speak on item 4B.

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1 Possibly we may need Bill for this. Mr. Barnes just
2 mentioned that October 1st is going to be the rules
3 implementation date. This will be the third time
4 that we are having a new code addition since the
5 implementation of the act.
6 For each implementation, there was a
7 letter issued, and that is what I presented to Jim
8 and to Frank. This was the last letter issued
9 regarding the code addition that we're currently on.
10 What my point is that this letter captured
11 the date for the building permit that was issued,
12 because we're going to kind of be in between a
13 little bit. So, if we have plan reviews that come
14 in for installs or upgrades, we need to have a
15 cut-off line, a cut-off date for when it is still
16 accepted under the current addition of today versus
17 where we're going in the future; and, so, this is
18 the last letter that was sent out.
19 So, I am hoping that a letter will be
20 issued, and we can all determine that date.
21 Unfortunately, the Board does not meet again until
22 November; and if we have this implementation in
23 October, we'll kind of be in a little bit of
24 trouble.

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1 MR. AUBIN: Bill and I have not talked about it
2 yet. There's going to be a letter that is going to
3 come out; and then as far as I think the permitting
4 issue would be when they requested and submitted the
5 plans for that particular unit would go under that
6 code and not the current as of October 1st.
7 So, if they submit anything prior to
8 October 1st, it actually would go under the new
9 code.
10 MS. YOUNG: I think probably everybody in this
11 room always looks for a letter for a point of
12 reference. Is that something we will be expecting
13 to see?
14 MR. AUBIN: I would say yes. Bill and I have
15 talked about it. We just haven't drafted a letter
16 to go out. We know what's going to be in the
17 letter, the new code updates.
18 MS. YOUNG: Great. Thank you.
19 MR. CHRISTENSEN: David, I believe it's Smarte?
20 MR. SMARTE: Smarte, yes. I would like to
21 defer until we find out -- we want to find out what
22 you are opposing on it and why. So, I really can't
23 comment until I know why it's being opposed.
24 MR. CHRISTENSEN: You just had it under new

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1 business. You didn't have it under 5A. Sorry about
2 that. That is the same with Karen Kennedy.
3 MS. KENNEDY: Yes, sir, I did not put 5A, I
4 apologize.
5 MR. CHRISTENSEN: Terry, yours is 5A, correct?
6 MR. SHANKLIN: Yes.
7 MR. CHRISTENSEN: Gary Moore?
8 MR. MOORE: I pass at this time.
9 MR. CHRISTENSEN: Todd Irvin?
10 MR. IRVIN: I'm here on the business of item
11 5A.
12 MR. BARNES: Just getting back to the issues
13 surrounding point 5A, we looked at the minutes for
14 the November 2011 meeting where we found the vote to
15 approve CET as an apprenticeship.
16 So, we have a list of members who voted in
17 approval and against it. Kelly, you voted "no," and
18 Tom was actually -- I don't think you were here.
19 MR. GANIERE: We did discuss it at a couple
20 meetings.
21 MR. BARNES: Right. Who can remember November.
22 But we do not have -- we're unable to find the
23 actual vote for reconsideration.
24 MR. CHRISTENSEN: There was never a vote.

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1 MR. WELLER: This would be the vote for the
2 reconsideration.
3 MR. BARNES: This is the vote to approve CET,
4 and we have the members who voted "yes." It was 8
5 to 3, and that was in November of 2011.
6 MR. WELLER: So, the only way you can vote to
7 reconsider is if one of the "yes" votes voted to
8 reconsider. I can't have it reconsidered, because I
9 voted "no." That would be a double.
10 MR. GANIERE: That's correct, under Robert's
11 Rules of Order, but I thought that we didn't approve
12 it.
13 MR. BARNES: It was approved.
14 MR. GANIERE: We did? Okay, I'm sorry.
15 MR. BARNES: Yes.
16 MR. WELLER: So, by that definition, Rod would
17 have had to have been in the affirmative on the vote
18 to have his motion be appropriate, right?
19 MR. CHRISTENSEN: Yes.
20 MR. WELLER: So, the only way we can reconsider
21 this if someone voted "yes" brings this up.
22 MR. CHRISTENSEN: Correct. Would you like to
23 table it at this time, or do we just leave it the
24 way it is?

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1 MR. WELLER: I'm perfectly willing to hear the
2 discussion, if people came here to speak on it. I
3 don't know why we're speaking on it, unless somebody
4 in the affirmative is going to change their mind.
5 MR. CHRISTENSEN: Okay. Bill, I don't know if
6 that vote is correct that you got 8 to 3.
7 MR. BARNES: Yes.
8 MR. CHRISTENSEN: I think it was a lot closer
9 than that.
10 MR. HERTSBERG: I think it was closer.
11 MR. BARNES: We just looked at the minutes. We
12 wrote down the names of the people voted affirmative
13 and negative.
14 MR. WELLER: If we approved them, that's it.
15 It is what it is. Who voted "no"?
16 MR. BARNES: Hertsberg, Jirik, Weller.
17 MR. WELLER: And, Tom, you weren't here.
18 MR. JIRIK: What about Gilles?
19 MR. GANIERE: I was not.
20 MR. BARNES: Gilles voted "yes." Hertsberg,
21 Jirik, Weller, "no."
22 MR. HERTSBERG: Gilles voted "yes"?
23 MR. BARNES: Yes. Gross, Gilles, Fincham,
24 Jones, Jandora, Wilson, Dattilo, Grant all voted

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1 "yes."
2 MR. WELLER: If Gilles voted "yes," I would
3 make the motion that we table this, because if he's
4 in the affirmative, and he wants to change his vote,
5 he's not here.
6 I would like to give him that ability to
7 do so, but I also would want to kind of acknowledge
8 that there might be people here.
9 MR. BARNES: To the extent that this is on the
10 agenda, we can have discussion about this; and, you
11 know, the Board can take whatever information is
12 brought forward by the public under consideration,
13 pending a future motion to reconsider.
14 MR. CHRISTENSEN: Here is what -- at the end of
15 this, somebody is going to bring it up for
16 reconsideration. Hang on one second. Somebody is
17 going to bring it up for reconsideration.
18 You can speak on this. I'm going to bring
19 it up to public comment and speak on it, but I would
20 tell you at the next meeting, it is probably going
21 to be brought back up for reconsideration. Okay?
22 MR. BERGER: So, I'm going to do some back
23 checking, and I'm no expert on this. Just a couple
24 thoughts here. I agree with General Counsel Barnes,

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1 it's on the agenda, which would permit the Board for
2 discussion on that topic. You know, public notice
3 was given 48 hours in advance, so it certainly is
4 open for discussion.
5 Motions to reconsider, I'm trying to check
6 if there is a limitation. Typically a motion to
7 reconsider is made at the same meeting that the vote
8 is occurring.
9 In the General Assembly world, if you had
10 just voted, a bill has been passed, someone who or
11 excuse me, a bill fails, someone who did vote in the
12 majority can then quickly, you know, move to
13 reconsider.
14 It's a common move where somebody changed
15 their vote at the last minute to put themselves in
16 the majority, so they can move to have it
17 reconsidered. I don't know if you can move to
18 reconsider something several meetings after.
19 What might be more appropriate is the
20 program sounds to me it's been affirmed by the
21 Board, it's been accepted. You could just simply
22 bring forward a proposal to remove the program's
23 acceptance as a separate proposal.
24 I'm Ted Berger, B-e-r-g-e-r, Chief of

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1 Staff, State Fire Marshal.
2 MR. CHRISTENSEN: Go Ahead, Kelly.
3 MR. WELLER: Mr. Chair, just to make sure we're
4 proceeding accurately, either one of those options
5 I'm sure would be acceptable to Rod, preferably the
6 first one, if that was his original intent, I'm
7 assuming.
8 It sounds like we have some issues that
9 need to get resolved that we can't resolve today. I
10 would like, if it's appropriate, I would like to
11 make the motion so we have everybody in the audience
12 clear what we're doing. We're tabling this until
13 the next meeting. I would make the motion to table
14 5A.
15 MR. BARNES: Don't we want the discussions and
16 then you table it?
17 MR. WELLER: Whatever the correct procedure is.
18 I just want to make sure we're clear that we can't
19 take any action on in today.
20 MR. CHRISTENSEN: Go ahead.
21 MR. JONES: Jones. As I recall, it was brought
22 up by a gentleman for public comment. Anyway, he
23 brought it up. We discussed it. I think it would
24 be appropriate for the Board to hear in detail what

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1 his objections are, so that at the next meeting, we
2 could consider it.
3 MR. CHRISTENSEN: He let the Fire Marshal
4 office know he did not -- he asked for it
5 originally, and then he wanted to be pulled out of
6 it, because he couldn't have the proper paperwork in
7 and the people that we wanted to show up at this
8 meeting at that time.
9 MR. JONES: Given that, Mr. Chairman, are there
10 those here today that would be able to speak on
11 that? What are the objections?
12 I would like to know what the objections
13 are, so they can be answered at the next meeting,
14 and give the other side of it an opportunity to
15 research and make an answer at the next meeting. Is
16 that possible?
17 MR. CHRISTENSEN: I'm going to open it up for
18 public comment. If they want to speak on it, one
19 way or another, but I do think it is probably going
20 to come up at the next meeting, no matter what,
21 Kelly.
22 MR. WELLER: Just noting the agenda, once we go
23 into public comment officially again, can we go back
24 to old business and then table this, or do we have

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1 to table this and then go into public comment? I
2 just want to make sure whatever we're doing, we're
3 doing it correct.
4 MR. GANIERE: The Chair has the authority to
5 amended order of business. So, he can amend the
6 order of business. We go public comment and then
7 come back to 5A.
8 MR. CHRISTENSEN: I believe the Chair has the
9 ability to accept a motion to change the agenda. I
10 don't know if the chair on its own would have the
11 ability to do that on its own.
12 MR. GANIERE: I think you do.
13 MR. WELLER: Let's just play it out. I make
14 the motion that we open up public comment on 5A,
15 period.
16 MR. DATILO: I'll second.
17 MR. CHRISTENSEN: Any questions?
18 (No response.)
19 MR. CHRISTENSEN: All those in favor, say
20 "aye."
21 (A chorus of ayes.)
22 MR. CHRISTENSEN: All those against?
23 (No response.)
24 MR. CHRISTENSEN: Ayes have it. Okay. Todd

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1 Irvin, come up here and speak.
2 MR. SMARTE: We're trying to figure out what
3 the opposition was before we all speak. I will say
4 we have your records here. My name is David Smarte.
5 Mr. Gilles voted "no," nay.
6 MS. KENNEDY: The vote was 7 to 4.
7 MR. SMARTE: Here is your transcript of how the
8 vote went.
9 MR. WELLER: So we have a discrepancy between
10 two sets of notes, what it looks like.
11 MR. SMARTE: That's what's on the website.
12 MR. WELLER: I don't know that this would
13 change the current motion we have, which is opening
14 up public comment.
15 MR. CHRISTENSEN: I'm just going to go back to
16 public comment. I'm going to go off the list of
17 what people came up with. Again, I'll ask Todd
18 Irvin if he wants to come up? Do you want to wait
19 until the next meeting to speak on it?
20 MR. SMARTE: I'll speak on what I believe. I
21 don't know that Todd has enough information at this
22 time.
23 MR. IRVIN: I would speak in favor of the CET
24 program today. Tod Irvin, I-r-v-i-n.

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1 I'm CET certified, and continue to keep my
2 certification current with a curriculum of classes
3 and continuing ed, and we support the program.
4 MR. CHRISTENSEN: Okay. Gary Moore.
5 MR. MOORE: I'm going to defer. I don't have
6 enough information at this time.
7 MR. CHRISTENSEN: Okay. Terry Shanklin?
8 MR. SHANKLIN: I'm going to defer at this time.
9 MR. CHRISTENSEN: Karen Kennedy?
10 MS. KENNEDY: I'm going to defer until I get
11 our position.
12 MR. CHRISTENSEN: David Smarte?
13 MR. SMARTE: I just would like to state that on
14 the education committee chair currently for any
15 city, and I was here and testified last time, I
16 think I was one of the few people who had knowledge
17 of both curriculums, since I did get mine as well, I
18 really need to know what type of problem they are
19 having and accepting, why all of a sudden it came up
20 two, three meetings later. I need some more
21 information so I can defend it.
22 MR. CHRISTENSEN: Is that it?
23 MR. SMARTE: Yes, sir.
24 MR. CHRISTENSEN: Is it Faye Carter Powell?

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1 MS. POWELL: I'll defer as well.
2 MR. CHRISTENSEN: Amanda Smith?
3 SMITH: I defer as well.
4 MR. CHRISTENSEN: Patrick Edwards?
5 MR. EDWARDS: Never one to defer, as long as
6 we're here.
7 MR. CHRISTENSEN: Patrick, I seemed to think
8 you were going to do that anyway.
9 MR. EDWARDS: Me and you, Frank, right?
10 MR. CHRISTENSEN: You got it.
11 MR. EDWARDS: Seriously, Patrick Edwards. Just
12 for the sake in case the next meeting is messed up
13 again, too, and some of us can't be here to again
14 present why we think the CET program is a good
15 program.
16 I know that there was a committee formed
17 by the Board that looked into the program, and they
18 came back with a very positive report about what the
19 CET program was like. So, what I asked NEC to do,
20 in preparation for today, is to tell me what's going
21 around, what's going on around the country, in terms
22 of licensing in general, and CET and CAT in
23 particular, and we throw these acronyms around a
24 lot.

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1 CET is the Certified Elevator Tech, and
2 CAT is a Certified Accessibility Tech. Currently,
3 there is no approved education program, I don't
4 think, correct me if I'm wrong, for the -- what's
5 called your limited license in the State of
6 Illinois.
7 There's one for elevators. So, we will be
8 working on the CAT in the future. I want to ask you
9 the 796, are those people in the program?
10 MS. POWELL: Yes, they are.
11 MR. EDWARDS: How many CETs are there? While
12 you're looking for that, currently registered in the
13 CET program there are 796 people around the country,
14 and there are 13 states that accept the CET program,
15 not as an apprenticeship program, but if you have a
16 CET certification, that is a way to get a license in
17 that state.
18 It doesn't have to be an apprenticeship
19 training program, it is just the CET certification.
20 I point that out because there is 13 states like
21 that, and then there is 22 states that have no
22 licensing at all.
23 If you add those two together, that is a
24 big number where what we're doing here in Illinois

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1 is way beyond what's being done around the country.
2 I'm not necessarily saying that is good or bad. I
3 just wanted to point that out.
4 What we're doing here is well beyond
5 what's being done in most of the United States; and
6 then there is the fact that the CET program has been
7 accepted by the U.S. Department of Labor as an
8 apprenticeship training program. So, the Federal
9 Government has accepted it, period, you can do it.
10 Illinois is one of the very few states
11 that that has a requirement in their law that says
12 the Board also has to approve it. In other words,
13 there might be something that this Board knows that
14 the U.S. Department of Labor doesn't. Of course I
15 don't see it that way.
16 I think all the evidence is that the
17 programs that are offered by the NEC, these two
18 programs, are very needy, and they are in wide use,
19 and they have wide acceptance.
20 MR. CHRISTENSEN: Thank you. Scott Harris?
21 MR. HARRIS: Scott Harris. I'm here to support
22 the CET program. I think it is a good program. I
23 was grandfathered in in 2004. Several of my
24 mechanics are CET as well.

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1 I currently have three going through the
2 program right now, in hopes that we'll be ready for
3 when the legislature for special purpose comes
4 about. I like the program. It also has continuing
5 ed requirements that are good for any mechanic.
6 MR. CHRISTENSEN: I might butcher the name,
7 Paul Creaturo.
8 MR. CREATURO: I'll defer.
9 MR. CHRISTENSEN: Did I say the name right?
10 MR. CREATURO: It's Creaturo.
11 MR. CHRISTENSEN: Patty Young?
12 MS. YOUNG: We will decline at this.
13 MR. CHRISTENSEN: Tom?
14 MR. PLASS: We'll decline also.
15 MR. CHRISTENSEN: David Hallman?
16 MR. HALLMAN: I'll defer at this time also.
17 MR. CHRISTENSEN: Well, that's it for public
18 comment on that. Is there anything from the Board?
19 MR. GANIERE: What meeting was that?
20 MR. WELLER: The meeting notes are from the 3rd
21 day of November 2011.
22 MR. GANIERE: Did we only discuss this at one
23 meeting?
24 MR. WELLER: We discussed this many times,

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1 probably three meetings.
2 MR. GANIERE: That was the final vote was 11 to
3 3, so the previous meetings we would have discussed
4 it at some point in time?
5 MR. WELLER: Correct. There's one
6 clarification, and I'm just reading this. We
7 approved that the education component was authorized
8 because it was U.S. Department of Labor. I think
9 the subcommittee did a nice job. I didn't
10 necessarily agree with it.
11 It pointed out what the circumstance -- at
12 no point in time did we approve their education or
13 apprenticeship program, which was always my
14 discussion. I'm reading that again as well.
15 So, again, what we voted for was to accept
16 their education component. We didn't approve any
17 specific education, like what every other
18 apprenticeship program would have to do for the
19 State of Illinois.
20 So, you know, as you are thinking about
21 what we did, it was very specific and very narrow,
22 in my mind. Again, I voted "no."
23 MR. JONES: That's correct, as a subcommittee,
24 we talked about their curriculum specifically. We

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1 talked about the curriculum and not anything beyond
2 that.
3 That's really what we approved as a
4 subcommittee, and that's what hopefully we
5 understood when we voted on that we were approving
6 as a group at that time that the curriculum met the
7 law.
8 MR. WELLER: Unless there's anymore, I would
9 like to -- go ahead.
10 MR. GANIERE: What are we being asked to do
11 now? Are we being asked to approve the
12 apprenticeship program or what?
13 MR. CHRISTENSEN: They are asking to reconsider
14 it and the vote that was taken for the program.
15 MR. WELLER: I don't think these folks know.
16 MR. SMARTE: I'm trying to understand why.
17 MR. BERGER: Mr. Chairman, can I do a whole
18 parliamentary? I just did a little homework on
19 this. A motion to reconsider would be limited to
20 the same meeting that the vote was taken.
21 A motion to rescind, under the new order
22 of Robert's Rules, the newest addition, a motion to
23 rescind could be made in subsequent meetings, such
24 as today. If it was posted on the agenda as there

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1 is a motion -- if at this meeting, as an example,
2 someone makes a move to rescind the approval of that
3 program, and you wanted to vote on it today, it
4 would require two-thirds majority.
5 If you made the motion to rescind the
6 program, and then table it until the next meeting,
7 the next meeting the vote would be taken. It would
8 require a simple majority. Either way, a member
9 would need to move to rescind, and I didn't see any
10 restriction that had to be in the majority. I'll
11 keep looking for that.
12 In the case of reconsider, it does need to
13 be in the majority; but to rescind action of the
14 Board, I think it's just a motion to make.
15 MR. CHRISTENSEN: Okay. So, you could rescind,
16 and then you could table it?
17 MR. BERGER: Correct. If you approve to
18 rescind, and it could be tabled, and then it would
19 be provided to public notice at the next meeting, so
20 everyone is made aware what you voted on at the next
21 meeting. Then it only requires a simple majority to
22 accept rescinding it the previous vote.
23 MR. CHRISTENSEN: Okay. At this time, is there
24 a motion to rescind?

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1 MR. JIRIK: I'll make that motion.
2 MR. CHRISTENSEN: There's been a motion made.
3 Is there a second?
4 MR. HERTSBERG: I'll second it.
5 MR. CHRISTENSEN: All right. On that motion to
6 rescind, and then we have to go to a motion to table
7 after that, correct? All right. Is there any
8 questions?
9 (No response.)
10 MR. CHRISTENSEN: All those in favor, say
11 "aye"?
12 MS. KENNEDY: We would like to comment on that.
13 MR. SMARTE: Absolutely.
14 MR. CHRISTENSEN: You're not going to be able
15 to.
16 MR. GANIERE: I'm going to make a motion to
17 table it until the next meeting.
18 MR. CHRISTENSEN: The motion right now is to
19 rescind.
20 MR. GANIERE: The motion to table it takes
21 precedence over there.
22 MR. CHRISTENSEN: All right. There is a motion
23 to table.
24 MR. GANIERE: To our next meeting.

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1 MR. JONES: I'll second.
2 MR. CHRISTENSEN: That's been seconded. On the
3 question, none be it.
4 MR. WELLER: Okay, I'm lost now.
5 MR. CHRISTENSEN: I'm voting with the
6 parliamentarian over here.
7 MR. WELLER: 5A is out of order, so it's struck
8 from the agenda. It can't be done because of
9 procedure. Rod is not here.
10 We are talking about the issue of
11 rescinding the education that we voted on
12 November 3rd, and we're at this point in time
13 putting it on the agenda, or we're making a motion
14 to rescind?
15 MR. CHRISTENSEN: We're putting it on the
16 agenda for the next meeting.
17 MR. WELLER: Okay, I'm okay with that.
18 MR. GANIERE: We're tabling the motion to
19 rescind until the next meeting, because the motion
20 to rescind has been made and seconded.
21 MR. WELLER: But it hasn't been approved?
22 MR. GANIERE: That's right, that is why a
23 motion to table is in order.
24 MR. BARNES: Right. I think we're all in

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1 agreement that it's been kicked to next week, or
2 next meeting.
3 MR. WELLER: We have the motion on the table.
4 These folks know the motion is out there. We have
5 no idea where the vote is at, what the count is or
6 anything.
7 MR. GANIERE: Right.
8 MR. WELLER: We're just tabling it. It will be
9 open for discussion at the next meeting.
10 MR. GANIERE: The motion to rescind should be a
11 specific item agenda on the next meeting agenda; and
12 at that point in time, the motion to rescind is in
13 front of the Board automatically.
14 MR. WELLER: Okay.
15 MR. GANIERE: Without further motion, we go to
16 discussion.
17 MR. WELLER: So, if we vote on tabling this,
18 then we're voting for bringing this up at the next
19 meet, correct?
20 MR. GANIERE: That's correct.
21 MR. BARNES: Yes.
22 MR. BERGER: Mr. Chairman, would it be
23 permissible I maintain we take a couple minute
24 recess so we can discuss the proper procedure and

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1 how this motion is going to go forward? I hate for
2 the Board to have to do something, have it in the
3 minutes and find out it is out of order.
4 MR. CHRISTENSEN: How long would you like, 5,
5 15 minutes?
6 MR. BERGER: 5.
7 MR. CHRISTENSEN: 5-minute recess.
8 (Recess taken.)
9 MR. CHRISTENSEN: I'm going to call the meeting
10 to order. After speaking with counsel, counsel has
11 told me that we are correct in what we're doing.
12 So, there is a motion to table, and it's been
13 seconded. Any questions?
14 (No response.)
15 MR. CHRISTENSEN: All those in favor, say
16 "aye."
17 (A chorus of ayes.)
18 MR. CHRISTENSEN: All those against?
19 (No response.)
20 MR. CHRISTENSEN: Ayes have it.
21 MR. BARNES: So, to be clear, the motion to
22 rescind the previous action taken by the Board will
23 be heard at the next regularly-scheduled Board
24 meeting?

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1 MR. CHRISTENSEN: Correct.
2 MR. BARNES: At which time there will be
3 additional time for public comment and a vote will
4 be taken.
5 MR. DATTILO: Excuse me, that has not come up
6 yet.
7 MR. BARNES: What?
8 MR. DATTILO: The motion to rescind.
9 MR. BARNES: The motion to rescind was.
10 MR. DATTILO: But it wasn't approved, was it?
11 MR. BARNES: No, we haven't voted on it. It
12 was tabled.
13 MR. CHRISTENSEN: Tabled.
14 MR. BARNES: It was raised, seconded and then
15 tabled to the next meeting. We want for the public
16 that is here, we want to make a date certain, at
17 which time we're going to hear additional public
18 comment and take action on it. It looks like it's
19 going to be the next meeting is Thursday,
20 November 8th, in Springfield.
21 MR. DATTILO: Thank you.
22 MR. CHRISTENSEN: All right. I'm going to ask
23 for a motion to adjourn, and then we're going to go
24 to variances and appeals. Is there a motion to

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1 adjourn?
2 MR. GANIERE: I so move.
3 MR. CHRISTENSEN: Is there a second?
4 MR. HERTSBERG: I'll second.
5 MR. CHRISTENSEN: All those in favor, say
6 "aye"?
7 (A chorus of ayes.)
8 MR. CHRISTENSEN: All those against?
9 (No response.)
10 MR. CHRISTENSEN: Ayes have it. What do you
11 have for variances? We have one gentlemen right
12 here. I'm going to pass them out first, Frank.
13 MR. BARNES: So, this is the variance, it went
14 through Dick Gregory, it went to the OSFM, and it's
15 being brought to the Board now for consideration.
16 MR. CHRISTENSEN: Who was the inspector on
17 this? Dan, you're asking for a variance in what was
18 done. It's already done, the piping?
19 MR. HITE: What happened is there was -- sorry,
20 Dan Hite, H-i-t-e. I'm a safety officer with
21 Illinois State University, and we had a renovation
22 project on a 30-story dormitory to comply with the
23 fire Springfield Dormitory Act. As part of that,
24 the existing fire pump had to be replaced.

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1 They pulled out a fire pump and replaced
2 it, but the test header for it needed to be bigger.
3 So, in the process, they upgraded the piping from a
4 four-inch to ten-inch line.
5 The old line ran through the bottom of the
6 shaft of one of our elevator banks. We have eight
7 elevators in the dormitory, and this actually
8 affects two of them. Everybody got the pictures. I
9 got handouts if they haven't.
10 If you look at page 5, that is where the
11 pipe enters the elevator shaft, and then page 6
12 shows its location to the car. It's at the bottom
13 of the shaft, and it is the test board, which means
14 it will only have water in it for about one hour,
15 one to two hours, one time a year.
16 The rest of the time it will be a dry
17 pipe. There is an existing four-inch fire
18 department connection that goes above that. I was
19 told that was existing and wasn't disturbed. That's
20 not an issue. The only thing that's in question is
21 the ten-inch line, the new line that's been
22 installed.
23 We didn't look at options to pipe it
24 without going through the shaft. As you can see on

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1 the estimate on the back, it is about \$6,600
2 additional cost to do that. What we're asking for
3 is the Board grant that variance.
4 We would shut that bank of elevators down
5 during that test time, and there would be somebody
6 within 50, 75 feet of that elevator shaft during the
7 entire test, and then we would drain the pipe back
8 down and bring the elevator back online.
9 MR. CHRISTENSEN: Dan, can I ask you a couple
10 of questions?
11 MR. HITE: Sure.
12 MR. CHRISTENSEN: Were you notified ahead of
13 time not to do this?
14 MR. HITE: No. What happened was one of our
15 elevator mechanics and the sprinkler fitters got
16 into a big disagreement, and then it was a lot of
17 finger pointing, and then we weren't even notified
18 of it.
19 We got a call from the Fire Marshal's
20 Office. The elevator inspector asked me to meet him
21 there. He received a complaint from the elevator
22 mechanic, himself, so we weren't even aware of it.
23 MR. CHRISTENSEN: I actually never seen a pipe
24 run through it like this.

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1 MR. HITE: There was an existing four inch that
2 was in place where this ten inch currently is. They
3 removed the four inch, and made the hole larger, put
4 the ten inch back in place.
5 MR. WELLER: So, the pipe was already there.
6 Because of some mechanical issue, you had to
7 increase the diameter of the pipe?
8 MR. HITE: Right. What happened is the old
9 fire pump didn't give us enough pressure at the
10 roof, so we had to increase the size of the fire
11 pump. Because of increasing the size of the fire
12 pump, the test connections to test the pump, itself,
13 had to be increased.
14 MR. WELLER: You're saying the four-inch pipe
15 was put in incorrectly from the very beginning? Is
16 there any approval you got on the original being
17 there?
18 MR. HITE: It was in 1968. I looked and
19 couldn't find it. That is when the building was
20 built, and that is when it was put in.
21 MR. GANIERE: Dan, was there an architect
22 involved in the redo of this?
23 MR. HITE: Yes, there was Cartigan and
24 Associates here in Chicago.

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1 MR. CHRISTENSEN: We also have a recommendation
2 from to Chet Janus and Jim Aubin, over a
3 recommendation from Dick Gregory. I don't know if
4 you have it.
5 MR. AUBIN: Everybody has a copy. When we
6 received the original variance, we went ahead and
7 turned it over to our consultant, because of the
8 size, just something we never saw before.
9 Chet went down, did the original
10 investigation on it. It was recommended that we
11 turn it over to our consultant. We sent it out to
12 Dick Gregory, and Dick Gregory E-mailed us back and
13 gave us his -- he considers that the feed pipe for
14 the sprinkler system to be covered under 2.8.2.4,
15 hence this pipe is prohibited, and the only choice
16 should be to relocate the pipe.
17 MR. HITE: I want to make sure it is not a
18 feeder pipe. That pipe is dry, except during the
19 test to the fire pump. That is one time a year for
20 less than one hour.
21 MR. WELLER: Or if the sprinkler system gets
22 activated.
23 MR. HITE: No, that pipe is shut down. It is
24 valved off, and that line is only wet during the

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1 testing of the fire pump, and that is one time a
2 year for less than an hour.
3 MR. WELLER: Why did they have to increase the
4 pressure to ten inch, if it's not carrying water to
5 the sprinklers for the top floor?
6 MR. HITE: It is carrying water when we have to
7 test the pump. We have to test the pump at
8 100 percent of the pressure of gallons per minute of
9 the pump.
10 So, it had to carry that volume of water
11 to the outside of the building, so we could flow and
12 do our pump test. The pump that feeds the building
13 is wet continuously, but that line only comes from
14 the pump directly to the outside; and it only has
15 water in it during the test, and then it's shut off
16 and drained.
17 MR. WELLER: For somebody who is really --
18 without Dick really being here, what is the risk
19 here?
20 You went from a four-inch pipe to a
21 ten-inch pipe. It was already bad to begin with,
22 but what's the risk? What's the risk to the public?
23 What's the risk to the mechanics?
24 MR. AUBIN: Well, the risk would be when the

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1 water is flowing through the pipe, if the elevator
2 systems are not shut down, the water and electricity
3 are just a bad mix in any situation, especially in
4 an elevator hatch.
5 MR. WELLER: So, would it be appropriate to say
6 any time that this pipe would have water in it, that
7 the elevator is affected by it would be shut down
8 for a minimum of 12 hours, 10 hours? I don't know.
9 MR. AUBIN: Whatever their testing time is. If
10 the Board was to allow it, they would have to go
11 ahead and shut down the whole the elevator bank
12 system. I don't know how many are in the bank.
13 MR. WELLER: Without that -- with that as an
14 acceptable compromise, what other risk is there?
15 MR. AUBIN: I don't see any to any personnel.
16 It looks like it's running in between the structure
17 of the pit. I don't see anything that would
18 interfere with service people there.
19 MR. WELLER: No risk to the riding public?
20 MR. AUBIN: No, not when the water is flowing
21 through.
22 MR. WELLER: For the 6 grand, in my opinion, we
23 either make them spend the 6 grand or shut the
24 elevators down for a day, while they do this test.

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1 Am I missing something?
2 MR. AUBIN: The only thought I had on it if
3 that pipe is removable where you only need to
4 install it when you test it, if it's viced up on
5 each end where you would take that pipe out of the
6 elevator hatch, you only use it once a year, come
7 and install the pipe, hook the system back up, turn
8 the elevators off, do your back-flow test or
9 whatever it is.
10 MR. WELLER: If it's not compromising the
11 safety or affecting the elevator in any way, why?
12 MR. AUBIN: It's in the code.
13 MR. WELLER: Well, that's why we've got
14 variances.
15 MR. GANIERE: Kelly, you have a point, except
16 when the original four-inch pipe was put in, we
17 didn't have the Elevator Code. When you are making
18 an upgrade, you are responsible for bringing that
19 upgrade to code.
20 The architect that did this should have
21 known that. It's not our fault that they didn't
22 bring it up to code, or find a way to bring it up to
23 code, or ask for the variance in advance.
24 I'm really tired of variances coming

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1 before this Board after the fact, after it's already
2 done, and they say, "Oops, we made a mistake."
3 MR. WELLER: In my mind, it almost makes it
4 easier for me, because it was not an intent to do
5 it. It was just a mistake.
6 You got a four-inch pipe, you got a
7 ten-inch pipe, you know, putting a ten-inch pipe
8 there without anything else being there, you know,
9 you simply, in my mind, if somebody -- right, the
10 elevator mechanic and these guys should have had a
11 better communication channel, but now it's done.
12 It's 6 grand. There's no -- unless
13 somebody can tell me there's some real safety
14 concerns here, tell him to shut the elevator down
15 when they test the pipe, and let's get on with it.
16 If not, vote "no," and that's fine, too.
17 MR. AUBIN: I have one question, Dan. With the
18 four-inch pipe, is that in the same position as the
19 ten inch?
20 MR. HITE: Exactly. They removed the four-inch
21 pipe. They cut the hole larger and put the ten-inch
22 pipe in. We did agree during the test of the
23 elevator, that bank of elevators would be shut down
24 during the testing. That was a given.

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1 MR. CHRISTENSEN: Mark?
2 MR. HERTSBERG: In 15 years from now, who would
3 implement shutting the cars down for the test? What
4 happens then?
5 I mean, right now, next year, they will do
6 that. What about 15 years down the road, 20 years
7 down the road? Where would it say that the elevator
8 is shut down for the period of the test?
9 MR. HITE: When we have a PM system, and when
10 it kicks that out, it is no different than any of
11 our other buildings that have asbestos.
12 We send a carpenter out to work on it.
13 There is special notes that say, "Before you do
14 this, this has to be done. This person has to be
15 notified," and those notes could be put on.
16 MR. HERTSBERG: \$6,000 is actually very
17 inexpensive to fix the code violation, in my view,
18 but that's -- you know, I'm not sure about that.
19 MR. GANIERE: I'm sure if it was done ahead of
20 time, it would have been a lot less than \$6,000 to
21 do it right the first way, the first time.
22 MR. CHRISTENSEN: Okay. All right. Is there a
23 motion to accept or not to accept?
24 MR. WELLER: I would like to make a motion to

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1 accept the variance.
 2 MR. CHRISTENSEN: Is there a second?
 3 (No response.)
 4 MR. CHRISTENSEN: None being, it's not granted.
 5 MR. BARNES: The OSFM will make a written
 6 finding by the Board and send it via mail.
 7 MR. GANIERE: Bill, there was a point
 8 mentioned. Do we actually need a motion to deny the
 9 variance or no?
 10 MR. BARNES: What was the motion?
 11 MR. GANIERE: The motion was to accept.
 12 MR. CHRISTENSEN: It was not accepted.
 13 MR. GANIERE: It failed.
 14 MR. BARNES: Maybe make a motion to deny it.
 15 He wanted to accept it.
 16 MR. GANIERE: I'll make a motion to deny the
 17 variance.
 18 MR. CHRISTENSEN: Okay. Is there a second?
 19 MR. JIRIK: I'll second it.
 20 MR. CHRISTENSEN: Any questions?
 21 (No response.)
 22 MR. CHRISTENSEN: I don't think you have to.
 23 Is there a second? I mean, there is a second. Any
 24 questions?

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1 (No response.)
 2 MR. HITE: None being, all those in favor, say
 3 "aye."
 4 (A chorus of ayes.)
 5 MR. CHRISTENSEN: All those against?
 6 MR. WELLER: No.
 7 MR. BARNES: So, the OSFM till write up the
 8 Board recommendation and send it to them. ISU does
 9 have one last request for reconsideration to the
 10 Board, if that's what they so choose, and there are
 11 limited circumstances, basically the new facts that
 12 have come to light, et cetera. I will advise ISU of
 13 those grounds for reconsideration as well.
 14 MR. CHRISTENSEN: Okay. Anything else?
 15 (No response.)
 16 MR. CHRISTENSEN: Is there a motion to adjourn?
 17 MR. GANIERE: So moved.
 18 MR. JIRIK: I second.
 19 MR. CHRISTENSEN: All those in favor, say
 20 "aye."
 21 (A chorus of ayes.)
 22 (WHICH WERE ALL THE PROCEEDINGS HAD.)
 23
 24

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1 STATE OF ILLINOIS)
 2 COUNTY OF C O O K) SS:
 3

4 PAMELA A. MARZULLO, C.S.R., being first duly sworn,
 5 says that she is a court reporter doing business in the city
 6 of Chicago; that she reported in shorthand the proceedings
 7 had at the Proceedings of said cause; that the foregoing is
 8 a true and correct transcript of her shorthand notes, so
 9 taken as aforesaid, and contains all the proceedings of said
 10 hearing.

11
 12 PAMELA A. MARZULLO
 License No. 084-001624

13
 14 SUBSCRIBED AND SWORN TO
 15 before me this ____ day
 of ____ 2012.

16 _____
 17 Notary Public

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