



Minutes of Professional Engineers in Private Practice (PEPP) Fall Conference Meeting  
Six Flags Great Escape Lodge, Queensbury, New York  
November 3, 200, 8:30 AM to 10:00 AM  
New York State Society of Professional Engineers

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To: Members of Professional Engineers in Private Practice, NYSSPE  
Kelly Norris, Executive Director, NYSSPE  
Marc Kriss, Esq., NYSSPE Counsel  
Pat Markes, NYSSPE Staff  
Jen Miller, NYSSPE Staff

Re: November 3, 2007, PEPP Fall Conference Meeting Minutes

Meeting Attendees:

Tom Petracca, PE, Chair, Suffolk, [tpetracca@tompetracca.com](mailto:tpetracca@tompetracca.com)  
Robert Stelianou, PE, NYSSPE President, Erie Niagara, [RStelianou@trautmanassoc.com](mailto:RStelianou@trautmanassoc.com)  
Randy Rakoczynski, PE, NSPE PEPP Chair, Erie Niagara, [RRakoczynski@gza.com](mailto:RRakoczynski@gza.com)  
Gregory Sachs, PE, Nassau, [GSachs@Empowerees.com](mailto:GSachs@Empowerees.com)  
Timothy Taber, PE, Central, [TPTaber@Sternswheeler.com](mailto:TPTaber@Sternswheeler.com)  
Joseph Fioraliso, PE, Nassau, [JFioraliso@db-eng.com](mailto:JFioraliso@db-eng.com)  
Terry Heneveld, PE, Nassau, [THeneveld@LKBinc.com](mailto:THeneveld@LKBinc.com)  
Brian Flynn, PE, Queens, [BEFlynnPE@aol.com](mailto:BEFlynnPE@aol.com)  
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Brian Flynn, PE, Queens, [BEFlynnPE@AOL.com](mailto:BEFlynnPE@AOL.com)  
Mike Hayes, PE, Central, [MHayes@CSCOS.com](mailto:MHayes@CSCOS.com)  
Andrew Haimes, PE, Suffolk, [ASHaimes@Optonline.net](mailto:ASHaimes@Optonline.net)

Guest:

Wally Najjar, PE, [WNajjar@Chashells.com](mailto:WNajjar@Chashells.com)

1. Past Meeting Minutes Approved: Meeting Minutes from Minutes of Professional Engineers in Private Practice Annual Meeting, Hyatt Hotel and Conference Center, Buffalo, New York, June 9, 2007, 8:00 AM to 9:30 AM. Approved as read (copy attached).



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2. Financial Status of PEPP Not Presented. (Chair's Note: Financial information status report presented below):
  - a. PEPP Balance (Jul 1 '06): \$39,844.02 (As of Jul '07)
  - b. PEPP Income from Dues: \$ 180.00 (Jul to Sep '07)
  - c. PEPP Expense: \$ 0.00 (Jul to Sep '07)
  - d. PEPP Total: \$40,024.02 As of Sep '07
  
3. New Business:
  - a. Draft Position Statement by NSPE Challenged: Chair asked Andy Haimes, PE, to present a DRAFT Position Statement from a Task Force composed of members from the Society of Fire Protection Engineers (SFPE), the National Institute For Certification of Engineering Technologies(NICET) and the NSPE, for discussion. The Paper's title is, "The Engineer and the Engineering Technician Designing Fire Protection Systems":
    - i. Andy Haimes, PE, the Engineer representing the NSPE on the Task Force, presented a summary of the paper (no copies available at meeting time to review) written by the Task Force. Copy of June version of document attached hereto for reference – Haimes has a copy of the July draft version:
    - ii. Discussion ensued due to concerns about the intent and content of the document.
      1. Chair stated that the Position Statement promulgates the performance of engineering design by a technician and that inasmuch as the objective of the NSPE is to promulgate engineering licensure, this document is in contrary to that objective and should therefore be eliminated.
      2. Haimes stated that the document does not state such.
      3. Chair will ask for opinions from the PEPP membership on their opinions of the basis and content of the document. Members are encourage to report back their comments to Petracca. A summation of the comments will be sent to Haimes so that he may report same back to the NSPE Task Force.



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- b. NYC's disciplinary actions against DP's passed: Presented by Brian Flynn, P.E.: Flynn stated:
- i. Many building failures (collapses) occurring in NYC apparently due to improper underpinning and shoring procedures.
  - ii. Contractors' aren't licensed or insured.
  - iii. The only licensed and insured entity is the Registered Design Professional (RDP).
  - iv. NYC Building Dep't recently passed new regulation that requires licensing of contractors for new homes up to 3-family.
  - v. Two of seven bills passed by NYS legislature. One of the bills provides for the censure of the RDP's (engineers and architects), including, the **LOSS OF YOUR RIGHT TO SUBMIT YOUR SEALED PLANS TO NYC.**
  - vi. NYC Building Department recently hired 46 new building inspectors to facilitate above. Flynn indicated that during his attendance of a hearing on an issue related to above, it did not appear that the City representative was acting impartial.
  - vii. Recommended actions of PEPP / NYSSPE from Brian:
    1. Engineer's title block only on submittal.
    2. Discuss further at Board Meeting for action by NYSSPE to be pro-active in the process by:
      - a. Alerting / Requesting NYC to provide all details of any prosecution to NYSSPE for review.
      - b. Communicating to members that NYSSPE will review cases and provide opinion to NYC on issue.
    3. (Post-Meeting Note by Chair): During discussion of this issue at the Board of Directors meeting immediately following the PEPP meeting, NYSSPE President Robert Stelianou, PE, stated that a letter will be drafted and sent to NYC and the State Education Department indicating our concerns over this issue.
- c. Special Inspections: Due to a lack of time, no discussion ensued on this item.
- d. Brian Flynn indicated that Engineers are being removed from ASTM standards. Actions to be taken to be discussed further.



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4. Meeting Adjourned: 10:00 AM.

Respectfully submitted,

A handwritten signature in black ink that reads "Thomas J. Petracca".

Thomas J Petracca, PE

Cc: Area V.P.'s  
Practice Division V.P.'s  
Chapter Presidents