

In The Matter Of:

Elevator Safety Board

January 15, 2009

*Marzullo Reporting Agency
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Chicago, IL 60654*

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Min-U-Script® with Word Index

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7 ELEVATOR SAFETY REVIEW BOARD MEETING
8
9 Thursday, January 15, 2009
10
11 9:30 a.m.
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15 REPORT OF PROCEEDINGS had at the meeting
16 of the Elevator Safety Review Board before ACTING
17 CHAIRMAN, KELLY WELLER, in Room 9-301 of the James R.
18 Thompson Center, 100 West Randolph Street, Chicago,
19 Illinois commencing on the 15th day of January, A.D.
20 2009, at the approximate hour of 9:30 A.M.
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22
23
24

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1 MR. CAPUANI: Just for everybody, Frank had
2 surgery so Mr. Weller is the acting chairman today.
3 CHAIRMAN WELLER: Thanks, Bob. Let's call the
4 meeting. Let's all stand for the Pledge of
5 Allegiance.
6 (WHEREUPON, the Pledge of
7 Allegiance was recited.)
8 Thank you for bearing with our slight
9 delay. Again, my name is Kelly Weller. I will be the
10 chairman today. If anybody has their cell phones on,
11 please put them on vibrate so we will not be disrupted
12 by that, and let's push on.
13 So can we do attendance? Do you want to
14 do that? I don't have to do roll call?
15 MS. DELGRECO: No.
16 MR. GANIERE: There is a sign-in sheet there.
17 CHAIRMAN WELLER: So you want to go right into
18 the review of the old minutes. Does anybody have any
19 changes or recommendations on the old minutes?
20 (No response)
21 If not, I would like to have a motion to
22 approve the minutes.
23 MR. GANIERE: So moved.
24 MR. MASON Second.

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1 PRESENT:
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4 ILLINOIS ELEVATOR SAFETY BAORD
5
6 MR. KELLY WELLER, Chairman
7 MR. THOMAS GANIERE
8 MR. DARREL SWIENTON
9 MR. MARK HERTSBERG
10 MR. KENNETH MASON
11
12
13
14 OFFICE OF THE STATE FIRE MARSHAL
15
16 MR. BOB CAPUANI
17 MR. JIM AUIN
18 MR. RICHARD MAYER
19 MS. ELAINE DELGRECO
20 MR. JOSEPH AUGUST
21
22
23
24

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1 CHAIRMAN WELLER: All in favor say aye.
2 (WHEREUPON, there was a
3 chorus of ayes.)
4 All right. Old business, Elevator Safety
5 Program. Bob.
6 MR. CAPUANI: Thank you. Elevator update, we
7 have 23,700 conveyances registered; 96 contractors;
8 110 inspectors. Now, that 110 inspectors was dropped
9 from 148 I believe or 146. The reason being is if
10 they do not work for a licensed inspection company,
11 their licenses were suspended. That's why we are down
12 to 110. Licensed mechanics, 1,744; apprentices, 739;
13 inspection companies, we have 21, municipalities with
14 agreements, 145; permits issued, and you can look at
15 Jim's fingers, 607; license renewals sent out, 1,403.
16 And Elaine's fingers.
17 CHAIRMAN WELLER: Any comment on Bob's report?
18 (No response)
19 All right. Let's go to the elevator
20 inspectors meeting on 12-4-08. Again, Bob.
21 MR. CAPUANI: We had an inspectors meeting. We
22 had I believe 37 inspectors attend, which we had a
23 pretty good turn-out. I feel it was very productive.
24 Basically the meeting was communication, how to better

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1 communicate with conveyance owners because there is so
 2 much confusion out there with the conveyance owners
 3 right now. That was basically our discussion, was how
 4 can we better communicate with owners, but I believe
 5 it was a very productive meeting. I want to thank
 6 everyone who participated.
 7 CHAIRMAN WELLER: Again, thank you from the
 8 board.
 9 Any comment on that from the board
 10 members?
 11 (No response)
 12 All right. C, let's reopen the
 13 discussion on the K-1 key per Dick Gregory on fire
 14 activation. Dick had sent me some information. I
 15 believe he e-mailed everyone on the board; correct? I
 16 am really comfortable with his interpretation that all
 17 of the keys have to be -- or all of the elevators have
 18 to be under the same key.
 19 MR. GANIERE: I think it is crystal clear under
 20 the act.
 21 CHAIRMAN WELLER: Help me with anybody who
 22 might have brought this up in the past. Where did
 23 this come from? I'm thinking it might have been
 24 Patty. Where's Patty Young.

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1 MS. YOUNG: Here.
 2 CHAIRMAN WELLER: Where we had different keys
 3 for different elevators.
 4 MS. YOUNG: It was presented if there were
 5 multiple and if you go mod one elevator and you have
 6 the rest of the elevators, that they are all supposed
 7 to have the same key. Gentlemen, help me out here.
 8 And so if you make a modernization to the
 9 one, that in effect becomes the domino effect for the
 10 remaining.
 11 CHAIRMAN WELLER: So if it changes the key,
 12 they all have to be --
 13 MS. YOUNG: So it is a all or nothing approach.
 14 MR. SWIENTON: In that building.
 15 MR. CAPUANI: I have e-mailed the ASME
 16 committee for an interpretation. I have not received
 17 a report back from them as of right now.
 18 CHAIRMAN WELLER: Well, I'm pretty comfortable
 19 with what Dick sent me. I'm going to rely on the two
 20 fire service members to kind of lead me, but I'm
 21 inclined to say if they are all in the same building,
 22 they all need the same key. I don't want you guys
 23 messing around.
 24 MR. SWIENTON: I have no problem with going in

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1 that building. If there is a complex of four or five
 2 buildings, no, the other buildings don't have to do
 3 that. That one building.
 4 CHAIRMAN WELLER: Right. I think that was
 5 Dick's -- you know, Dick had said if there is an
 6 underground -- I mean, he gave us like 15 different
 7 scenarios and I thought they were pretty clear.
 8 CHAIRMAN WELLER: Considered separate buildings
 9 even if they are connected.
 10 CHAIRMAN WELLER: If it is the same building, I
 11 believe we should take the position regardless of
 12 future unless it is contrary to what we are going to
 13 rule today.
 14 MR. GANIERE: Once again, Tom Ganiere, I think
 15 the act is very clear. The key switches required by
 16 2.27.2 through 2.27.5 for all elevators in a building
 17 shall be operable by the same key. All is the key
 18 word there. All doesn't mean one.
 19 MR. SWIENTON: That's what we are saying, in
 20 that building.
 21 MR. GANIERE: It doesn't mean four or five. It
 22 means every single one in that building.
 23 MR. SWIENTON: In that building, yeah. That's
 24 what Dick brought up. That's what Dick is saying.

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1 CHAIRMAN WELLER: Let's take this off the old
 2 business agenda. Can I have a motion to state that as
 3 crystal clear as we can make it?
 4 MR. GANIERE: I don't know if a motion is
 5 necessary since it is in the act, but I will make a
 6 motion that the board -- as to key switches, the board
 7 interprets the word all as its common meaning. All,
 8 every single one in a building.
 9 CHAIRMAN WELLER: So if one is modified, within
 10 a very reasonable amount of time I think --
 11 MR. GANIERE: The rest of them have to be
 12 changed.
 13 CHAIRMAN WELLER: -- the rest of them have to
 14 be changed.
 15 MR. CAPUANI: Well, you have some facilities,
 16 say a hospital, that has 30 elevators. This is costly
 17 to change these key switches. The are not going to
 18 change these overnight. I'm guessing about \$500 a key
 19 switch.
 20 MR. GANIERE: I don't think anybody expects
 21 that it will happen overnight.
 22 MR. CAPUANI: Is there a time limit on it?
 23 MR. GANIERE: Well --
 24 CHAIRMAN WELLER: I want to see an affirmative

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1 plan.
 2 MR. GANIERE: We should have a second to the
 3 motion before we start discussing it.
 4 MR. MASON: I second it.
 5 MR. GANIERE: I'm sorry, but, yeah, and I think
 6 that's going to depend on the number of elevators
 7 that's in the building.
 8 MR. CAPUANI: Okay. So they would have to
 9 approach the board for a time?
 10 MR. GANIERE: If they have two elevators in the
 11 building, they can probably do it the same time they
 12 are changing the other one, but if it is 30, that's
 13 another story.
 14 CHAIRMAN WELLER: So --
 15 MR. CAPUANI: So they would have to approach
 16 the board for a time.
 17 CHAIRMAN WELLER: My thought is we should kind
 18 of approach it this way: If they are going into this,
 19 and especially a hospital, more so than anything else,
 20 I would be totally mortified if a hospital dragged
 21 their heels on this because that's the most critical
 22 elevator for the fire service to make sure it works.
 23 So I think they have much more owners to get it done
 24 other than say a high-rise. So if I were sitting back

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1 and changing one elevator, I would want an affirmative
 2 plan from the building owner that we have got over the
 3 next "x" number of months or days to implement the
 4 strategy, and if they got that, then I think that to
 5 me is the reasonableness test. Now, if it's two
 6 years, that's not reasonable.
 7 MR. GANIERE: Maybe our best course -- we can't
 8 do that today because we don't have the appropriate
 9 notice. Maybe we should make a rule concerning it,
 10 say, for example, 30 days, and then if somebody can't
 11 comply within 30 days, they can ask for a variance on
 12 the rule. But we can't make a rule today because we
 13 didn't notice any rule changes, right?
 14 MR. AUBIN: I don't think you can change the
 15 rules.
 16 MR. CAPUANI: You can make a motion.
 17 CHAIRMAN WELLER: Because we are looking at how
 18 to apply it, not to change the rule, just how to apply
 19 it.
 20 MR. GANIERE: But it is like you said, okay,
 21 yeah, we are working on it, but two years later they
 22 still don't have them all changed. If we suggest a
 23 rule change, and the rule gets changed, then they can
 24 ask for a variance. They say, hey, we got 30

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1 elevators. We will need 60 days to do it. Fine. Get
 2 a variance.
 3 CHAIRMAN WELLER: I don't think I want to go
 4 that far. Let's look at the immediate problem which
 5 is getting this off the agenda.
 6 MR. GANIERE: All right.
 7 CHAIRMAN WELLER: So the motion -- the motion
 8 was to have all of the elevators in the same building
 9 working off of the similar -- same key.
 10 MR. GANIERE: Same, yes.
 11 CHAIRMAN WELLER: Now, I think we are all in
 12 consensus on that part. Let's talk about time frame
 13 again and try to come up with --
 14 MR. SWIENTON: Would that be a separate motion?
 15 Do you want to keep it separate?
 16 MR. GANIERE: I don't know if we can do
 17 anything with a time frame. Can we?
 18 MR. CAPUANI: Sure, you can.
 19 CHAIRMAN WELLER: There has to be a
 20 reasonableness test, and I mean, the reasonableness
 21 test is going to be subjective. I mean, it's not
 22 going to be --
 23 MR. CAPUANI: You can give them a time frame.
 24 CHAIRMAN WELLER: Why don't we -- you know,

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1 this is really a critical issue because I don't want
 2 to see someone trapped in a building because a fireman
 3 can't find a bloody key to get the elevator to work.
 4 I like the 30 days. That might be a little
 5 unreasonable. It might be unreasonable for a large
 6 facility to --
 7 MR. CAPUANI: Order the key switches.
 8 MR. HERTSBERG: Right. That's not feasible.
 9 CHAIRMAN WELLER: What would you think per
 10 elevator time-wise?
 11 HERTSBERG: My guess would probably be 90 days.
 12 CHAIRMAN WELLER: To complete a structure?
 13 MR. HERTSBERG: Right. By the time you order
 14 it, by the time the material comes, installed, I think
 15 so.
 16 CHAIRMAN WELLER: Is everybody comfortable with
 17 90 days?
 18 MR. GANIERE: Well, let me ask a question here.
 19 I mean, okay, are you going to go out and do the one.
 20 I guess what's being said is if you go out and do one
 21 and then you determine you have to change the other
 22 29, that's when you are starting.
 23 MR. CAPUANI: Right.
 24 MR. GANIERE: Of course, if you do it, if you

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1 know ahead of time at the beginning you have to change
 2 them all, you have ordered --
 3 CHAIRMAN WELLER: That's my thought.
 4 MR. GANIERE: You have ordered all your
 5 equipment and your time frame doesn't start until you
 6 change the first one, can you get 30 of them changed
 7 in 30 days if there is 30 elevators in a building? I
 8 guess that's my question.
 9 MR. CAPUANI: Figure 30 hours.
 10 MR. HERTSBERG: At which point the building is
 11 modified that they have to change the keys?
 12 CHAIRMAN WELLER: Let's not try to be so --
 13 because I think we are going to have this so tight,
 14 that we are going to be back here with a bunch of
 15 goofy discussions around it.
 16 Let's go with saying they all have to be
 17 under the same key. Let's leave the language open and
 18 say it needs to be done in a timely manner and let the
 19 lawyers fight it out if there is a problem. A
 20 reasonable and timely span between the change of the
 21 first key and the change to the last key. So that,
 22 you know, public safety is being followed. That way
 23 we don't have to get into a definition what is timely.
 24 So would you accept that?

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1 MR. GANIERE: If the secondary is acceptable, I
 2 would amend my motion to say, "and completed within a
 3 reasonable time period."
 4 MR. MASON: I think you need to put not to
 5 exceed on there somehow because reasonable is --
 6 MR. SWIENTON: Reasonable is wide open.
 7 MR. MASON: I would same in a reasonable manner
 8 not to exceed 90 days.
 9 MR. GANIERE: I don't have a problem with that.
 10 MR. MASON: They can come back after that.
 11 CHAIRMAN WELLER: Let's do 30 days per
 12 elevator.
 13 MR. MASON: Then if you have 30 elevators,
 14 yeah, it, you know --
 15 CHAIRMAN WELLER: Could it take that long?
 16 MR. HERTSBERG: No. not really.
 17 CHAIRMAN WELLER: Is 90 days -- you guys are in
 18 the industry. Is 90 days reasonable?
 19 MR. CAPUANI: In most facilities, I would say
 20 yeah.
 21 CHAIRMAN WELLER: Let's give them 120 then so
 22 we don't have to deal with it. All right? 120 days.
 23 MR. MASON: Not to exceed.
 24 MR. GANIERE: It shall be done in a reasonable

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1 time period not to exceed 120 days.
 2 CHAIRMAN WELLER: Okay. Do we need to call the
 3 motion back or are we okay with it?
 4 MR. SWIENTON: Are you going to second that
 5 one?
 6 MR. MASON: I will second it, but can you
 7 restate the motion?
 8 MR. GANIERE: The motion would be that the
 9 position of the Elevator Safety Board is that the word
 10 all would mean every single elevator in a building
 11 shall be keyed to the same safety switch, and when
 12 they are changed, all keys shall be changed within a
 13 reasonable time period not to exceed 120 days.
 14 MR. MASON: I second it.
 15 CHAIRMAN WELLER: All those in favor say aye.
 16 (WHEREUPON, there was a
 17 chorus of ayes.)
 18 All those opposed?
 19 (No response)
 20 Motion carries.
 21 Jim, your report on West Francis Street
 22 in Frankfort, Illinois.
 23 MR. AUBIN: I believe we are going to -- are we
 24 holding off on that?

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1 CHAIRMAN WELLER: You tell me.
 2 MR. CAPUANI: We received a letter concerning
 3 an individual supposedly jumping out some circuits and
 4 destroying a controller. Jim went out there, did the
 5 investigation.
 6 MR. AUBIN: Did the investigation, took
 7 statements from building manager, mechanic on the job,
 8 and I don't know if -- and the inspector himself.
 9 CHAIRMAN WELLER: Is this the issue that Frank
 10 asked me to table? The chairman has asked me to put
 11 this -- I don't -- I don't want to not address this,
 12 but the chairman specifically asked me to hold this
 13 one back until the next meeting. So let's keep this
 14 as old business and move onto -- this one is going to
 15 be a fun one, continued discussion on special purpose
 16 elevators. All right. Who wants to lead the charts?
 17 Bob, do you want to kind of define what has happened
 18 so everybody is up to speed?
 19 MR. CAPUANI: I believe at the November meeting
 20 someone from the grain elevators approached the board
 21 stating that their elevators were used for
 22 interior/exterior use; their special purpose
 23 elevators were exempt from the act. They are now in
 24 the act. There are people out there working without a

1 license, contractors without a license and mechanics
 2 working on the special grain elevators. The board is
 3 going to have to interpret this or we are going to
 4 have to interpret the legislation why it was taken
 5 out. The reasoning we don't know right now, but there
 6 are companies that are working right now on these
 7 units and they are not licensed.
 8 CHAIRMAN WELLER: Anybody have any comment on
 9 that or any action?
 10 MR. GANIERE: My comment is I think they need
 11 to be licensed unless they are truly a special purpose
 12 or interior/exterior maintenance.
 13 CHAIRMAN WELLER: I totally concur with that.
 14 MR. SWIENTON: The law is kind of vague as to
 15 what is special purpose, right?
 16 MR. CAPUANI: Right now.
 17 MR. GANIERE: What does the statute say that
 18 was read earlier?
 19 MR. AUBIN: Originally they were exempt.
 20 MR. CAPUANI: They were exempt in the act. The
 21 new act, it's not even in the act.
 22 MR. GANIERE: What does it say about the
 23 exemptions?
 24 MR. CAPUANI: It lists three.

1 seeing it right now, I don't know how we can let that
 2 go without being installed by licensed people. At
 3 least that's the chair's opinion at this point in
 4 time.
 5 Is there -- I would like to see a motion
 6 that we ask Bob to -- what would you suggest the best
 7 way to do that is? Go out directly? To send a
 8 letter?
 9 MR. CAPUANI: I would say we send a letter to
 10 the contractor suspending all the work right now until
 11 the board comes up with a decision or interpretation.
 12 CHAIRMAN WELLER: Are you not comfortable with
 13 in the interim that -- let's say that -- I don't want
 14 to slow this project down or to put these people in an
 15 uncomfortable, costly situation. If they have got an
 16 architect and engineer that says this is a special
 17 purpose, interior/exterior maintenance elevator, they
 18 can go on with the work.
 19 MR. CAPUANI: The project we are talking about,
 20 they started about three weeks ago. It is a two-stop.
 21 I'm sure --
 22 MR. HERTSBERG: It's done.
 23 MR. CAPUANI: -- it's done by now. Otherwise
 24 they would get a new contractor. So I would say from

1 CHAIRMAN WELLER: It lists three that are
 2 carved out.
 3 MR. GANIERE: Then everything else is not
 4 exempt.
 5 CHAIRMAN WELLER: By definition.
 6 MR. GANIERE: Right. The only exemptions are
 7 those which are stated in the act.
 8 CHAIRMAN WELLER: If the legislature carves one
 9 out, then they purposefully made a point to not exempt
 10 everything else.
 11 MR. GANIERE: Right.
 12 CHAIRMAN WELLER: Let's do this: I know we
 13 have got some immediacy to this. I don't want to kill
 14 this discussion because I think it needs some more,
 15 but what I do want to do is recognize that some of
 16 this construction is going on right now and we want to
 17 make sure that it is done in a safe manner. With
 18 that, I would like to seek a motion that we put the
 19 owners on -- the contractor and say, are these indeed
 20 interior/exterior maintenance elevators? If they are,
 21 then we have no jurisdiction. You tell us what your
 22 architect, engineer designed this elevator as. If it
 23 is, they can continue on. If it is not, then they
 24 fall under the act, and based on how we see it or I'm

1 now on that they -- we suspend their work until the
 2 board comes up with an interpretation. And our legal
 3 is also looking into this.
 4 CHAIRMAN WELLER: You are comfortable with
 5 that?
 6 MR. CAPUANI: It's my suggestion I send a
 7 letter out. I mean, it is up to the board. So now we
 8 are going to have to stop their work and their
 9 mechanics would not be able to work in Illinois or
 10 that contractor.
 11 CHAIRMAN WELLER: They would just have to be
 12 licensed.
 13 MR. CAPUANI: The problem is, they can't be
 14 licensed because they are not -- no mechanics that
 15 work for this company are licensed.
 16 CHAIRMAN WELLER: Then they will have to hire
 17 mechanics, licensed mechanics in Illinois until they
 18 can get some people up to speed.
 19 MR. CAPUANI: Or take the test.
 20 MR. GANIERE: Yeah. I mean, they can get
 21 licensed.
 22 CHAIRMAN WELLER: We can't change the law. the
 23 law is the law. It is just our focus is on how we are
 24 going to interpret that. Unless they can tell us it

1 is exempt from the act, it is covered by the act and
2 therefore it has to be installed and inspected
3 accordingly.
4 All right. Why don't --
5 MR. SWIENTON: So if a guy wants to put in a
6 special elevator today, he's got to write to you and
7 what, prove that it is a special -- that it is an
8 exempt elevator?
9 MR. CAPUANI: What I was going to do right now
10 is suspend all construction in Illinois on special --
11 from this one company that puts in these.
12 MR. SWIENTON: Or any company that claims they
13 are putting in a special.
14 CHAIRMAN WELLER: it's not just one company.
15 MR. SWIENTON: Any company that claims they are
16 exempt.
17 MR. CAPUANI: That are not licensed with the
18 state.
19 CHAIRMAN WELLER: Well, I want to keep an open
20 dialogue so let's keep it kind of informal.
21 MR. CAPUANI: Temporary suspension.
22 CHAIRMAN WELLER: If I'm going to put in one of
23 these types of elevators, I mean it seems pretty
24 straightforward to me. I can read the code and I'm

1 the piece of paper from the architect, engineer saying
2 it is a special purpose, interior/exterior maintenance
3 elevator.
4 MR. SWIENTON: It doesn't have to be double
5 checked by Bob or anything or Fire Marshal's Office?
6 MR. CAPUANI: Not if it is exempt.
7 MR. SWIENTON: How do you know? Just because
8 some architect says it is -- That's what I'm saying.
9 CHAIRMAN WELLER: But if they are putting their
10 license and reputation on the line --
11 MR. SWIENTON: Yeah.
12 CHAIRMAN WELLER: -- and if it comes out it is
13 not and someone gets hurt or killed or injured, you
14 know, and so the engineers and architects are going to
15 have to stay to their standards and say, you know,
16 that is not an interior/exterior.
17 MR. AUBIN: They would have to sign off on it.
18 CHAIRMAN WELLER: To me, that's what these
19 people do for a living. If they get it wrong, then
20 they are liable.
21 MR. SWIENTON: I don't know. I'm not -- I
22 would like to see it double checked. You know, why do
23 you consider this a special purpose elevator? Blah,
24 blah, blah, blah. Okay. All right. Yeah. I can go

1 going to say this is a special purpose
2 interior/exterior elevator. I'm going to have my
3 architect and engineer call it such. If it meets some
4 kind of reasonableness test that the industry is going
5 to code it that way, then if it is being built and
6 inspected by that, then it is outside of our
7 jurisdiction. If the architect and engineer is not
8 willing to put their license on it and say it is not
9 an interior/exterior and it it's a special purpose and
10 it is not exempted per the act or the three things
11 that are specifically exempted, then it is a special
12 purpose elevator. It falls under the act. It's got
13 to be done according to the act with licensed
14 mechanics and licensed inspectors.
15 MR. SWIENTON: So like I'm saying, so if I'm
16 starting up, I want to do one today, I have got to put
17 in writing to Bob, Fire Marshal's Office, showing him
18 why I think this is a special purpose elevator.
19 CHAIRMAN WELLER: I don't think -- That's where
20 we are differing. I think in my opinion they don't
21 have to do anything as long as their architect and
22 engineer stamps this thing it is an interior/exterior,
23 because then if we are random inspecting or one of the
24 inspecting companies go out and looks at it, they got

1 with that. Then you sign off. Not just, well, Harry
2 down the street, I'm an architect, special purpose
3 elevator. Now I don't have to do anything or go by
4 any rules. That's what I'm saying. Yeah, he might
5 lose his license or something, but there is a lot of
6 screwy people out there.
7 CHAIRMAN WELLER: How do we bridge that concern
8 without being oppressive in trying to -- I mean, we
9 are going to be -- we are going to be in a situation
10 where we are going to have 50 variances whether this
11 is or isn't and I don't know that that's our call.
12 MR. CAPUANI: I would suggest to the board a
13 temporary suspension until the next meeting when these
14 companies can come and approach the board and give the
15 board their side of the argument, and Dick Gregory was
16 doing more research.
17 CHAIRMAN WELLER: I don't even know that there
18 is another side to the argument. To me, I think we
19 are down to whether they have to affirmatively do it
20 or whether through their engineering and architectural
21 specifications they have to do it, and, you know what,
22 this might already be done. We might be arguing about
23 something that is already an industry standard. Why
24 don't we go with what Bob's immediate issue so we can

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1 address that.
 2 MR. SWIENTON: That one today, yeah
 3 CHAIRMAN WELLER: This one today.
 4 MR. SWIENTON: Then the rest of it we got to
 5 make more permanent changes.
 6 CHAIRMAN WELLER: Why don't we post for public
 7 comment at the next meeting. So why don't we do this:
 8 Do we need a motion on that?
 9 MR. GANIERE: I don't think you need a motion.
 10 CHAIRMAN WELLER: Why don't we do this, why
 11 don't we go ahead and push forward with putting it on
 12 them directly right now. If they got specs and
 13 architectural papers for this particular installation,
 14 that's great. If not, then we will stop it. If it is
 15 interior/exterior maintenance, then it is exempt. If
 16 it is not, it falls under special purposes to be
 17 regulated by the act. So cease and desist on anything
 18 that you have that would not meet the
 19 interior/exterior maintenance standard. Let's ask for
 20 public comment at the next meeting and let's get this
 21 thing off the agenda.
 22 MR. CAPUANI: You want me to send the letter
 23 stating that all future construction be suspended
 24 until they can prove to the board that this is used

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1 for interior/exterior maintenance?
 2 CHAIRMAN WELLER: In the interim, yes. I don't
 3 know that -- I don't know that I'm comfortable with
 4 them having to prove to the board in on ongoing
 5 situation, but I think until we can get to the next
 6 meeting --
 7 MR. CAPUANI: How about a temporary suspension?
 8 You need to make a motion I send this letter.
 9 MR. AUBIN: Can you suspend these jobs that are
 10 in progress already?
 11 CHAIRMAN WELLER: Well, unless -- I'm willing
 12 to give them the out that if they got a piece of paper
 13 from their architect and engineer that says this is an
 14 interior/exterior maintenance elevator, then I don't
 15 want to shut them down. I'm inclined to say, you
 16 know, I'm not going to argue with your architect and
 17 engineer, but there is some debate whether we want to
 18 verify that or not, and in the interim I think we can
 19 skip the verification process to keep business moving
 20 along.
 21 MR. AUBIN: Right.
 22 CHAIRMAN WELLER: If in the future the board
 23 wants to change that, I would say let's post it for
 24 discussion on whether we want that to be an

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1 affirmative decision or we go back and look at it case
 2 by case or it is good unless there is some reason to
 3 believe that our inspectors see it differently or the
 4 inspectors out there see it differently so...
 5 MR. MASON: So Kelly, in other words, Bob is
 6 going to shut them down unless they can show proof
 7 from an architect or engineer that this is in fact the
 8 special purpose elevator?
 9 MR. GANIERE: We are only talking about
 10 shutting down unlicensed firms, right? I mean, that's
 11 what the whole topic is.
 12 CHAIRMAN WELLER: Right. If you are doing this
 13 with licensed installers and mechanics, then it is not
 14 even an issue. We are talking about out of state
 15 contractor coming into Illinois under a kind of a gray
 16 area, and I would rather -- I want to give them some
 17 latitude, but I don't want it to be ridiculous either.
 18 MR. HERTSBERG: What about the existing ones?
 19 CHAIRMAN WELLER: I don't know that we can
 20 do -- I don't know that that's our immediate concern
 21 right now. If they were already built, then, you
 22 know, it is the -- can't go out and make them rip it
 23 out.
 24 MR. CAPUANI: There is actually no code that

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1 regulates the existing.
 2 MR. SWIENTON: We can adjust that maybe later
 3 if it ends up being not exempt, they will have to have
 4 a licensed inspector come in and inspect it. So we
 5 can catch them later on when they go out for
 6 re-inspection.
 7 CHAIRMAN WELLER: Let's go on with what we got.
 8 So we are clear -- go ahead, Tom, you know what --
 9 MR. GANIERE: I will give it a shot.
 10 MR. CAPUANI: What is this letter going to be?
 11 MR. GANIERE: I make a motion that Mr. Capuani
 12 send out a letter temporarily suspending all
 13 construction by unlicensed -- is mechanics the word I
 14 want? Unlicensed firms in the State of Illinois. I
 15 think that covers everything, and I will wait until I
 16 get a second.
 17 MR. SWIENTON: Illinois license, yeah.
 18 CHAIRMAN WELLER: Can I get a second so we can
 19 discuss this?
 20 MR. HERTSBERG: I will second it.
 21 CHAIRMAN WELLER: All right, Mark.
 22 MR. GANIERE: Right. It should say Illinois
 23 license.
 24 MR. SWIENTON: Illinois license, right.

1 MR. GANIERE: Because, yeah, I mean, if they
 2 got an Indiana license and they can come in and say I
 3 got an Indiana license. Valid Illinois license is
 4 what the motion should say, and I think -- I mean,
 5 that covers more than just what we are talking about
 6 today. It covers any construction by an unlicensed
 7 firm period, whether it is on a special use or if it
 8 is on a regular elevator, and that's the way it should
 9 be.
 10 MR. CAPUANI: The argument is they are going to
 11 say that they're working on a unit that is not covered
 12 by the act.
 13 CHAIRMAN WELLER: Right. It is exempted by the
 14 act, and I'm willing to give them that as long as
 15 their architect and engineer sees it the same way.
 16 MR. GANIERE: That's up to them to prove it is
 17 exempt by the act.
 18 CHAIRMAN WELLER: In the interim.
 19 MR. GANIERE: Right.
 20 MR. CAPUANI: Okay. So we are --
 21 MR. MASON: He needs to restate the motion to
 22 include that component.
 23 CHAIRMAN WELLER: Let's try it again.
 24 MR. SWIENTON: Have her read it back.

1 CHAIRMAN WELLER: So lift should be replaced
 2 with conveyance. So that's one, and the last part of
 3 it was unless they can provide --
 4 MR. GANIERE: Unless proved it is exempt from
 5 the act. I think that language is fine.
 6 CHAIRMAN WELLER: Which would mean they would
 7 have to fall into interior/exterior maintenance.
 8 MR. CAPUANI: They would have to prove it to
 9 us.
 10 CHAIRMAN WELLER: And I ask for amendment too
 11 that we post for public comment on this issue at the
 12 next meeting.
 13 MR. GANIERE: I think -- Should that be a
 14 second motion?
 15 CHAIRMAN WELLER: You think it should be?
 16 MR. GANIERE: Uh-hum.
 17 MR. AUBIN: Do you have a time limit on that,
 18 Kelly?
 19 MR. CAPUANI: No.
 20 MR. AUBIN: I mean, the letter goes out, the
 21 time they get to respond.
 22 MR. CAPUANI: No. It is suspended as of today.
 23 CHAIRMAN WELLER: Yeah. Once they receive --
 24 MR. CAPUANI: We will send the letter out

1 MR. GANIERE: No. I think we added to it a
 2 couple of times. I move to have Mr. Capuani send out
 3 a letter to firms --
 4 MR. AUBIN: Unlicensed.
 5 MR. GANIERE: Let me start over again. Move to
 6 have Mr. Capuani send out a letter temporarily
 7 suspending all construction of lifts within the State
 8 of Illinois by non-licensed or non Illinois licensed
 9 contractors, firms.
 10 CHAIRMAN WELLER: Unless --
 11 MR. GANIERE: Unless it is proved that the
 12 conveyance is exempt from the act.
 13 CHAIRMAN WELLER: That's broad enough, yeah.
 14 Now we need a new second.
 15 HERTSBERG: I will second it again.
 16 CHAIRMAN WELLER: All right. So discussion.
 17 Can you read it back?
 18 (Requested motion read)
 19 MR. SWIENTON: The owner proves, yeah.
 20 MR. GANIERE: Well, someone.
 21 MR. CAPUANI: I wouldn't use the word lift. I
 22 would just word it conveyances not covered under the
 23 act.
 24 MR. GANIERE: First lift should say conveyance.

1 immediately. Right, Elaine?
 2 MS. DELGRECO: Immediately.
 3 (Laughter)
 4 CHAIRMAN WELLER: So as we got it right now, we
 5 have got Tommy's motion with one amendment. So let's
 6 vote on the amendment and change the motion. So all
 7 in favor of the amendment from lifts to conveyance say
 8 aye.
 9 (WHEREUPON, there was a
 10 chorus of ayes.)
 11 All opposed?
 12 (No response)
 13 All right. So now on the motion as
 14 amended, all in favor say aye.
 15 (WHEREUPON, there was a
 16 chorus of ayes.)
 17 All against?
 18 (No response)
 19 Motion carries.
 20 Okay. Now, second motion I would like if
 21 someone would be so inclined to make a motion that we
 22 post for comment on this at the next meeting.
 23 MR. GANIERE: So moved.
 24 CHAIRMAN WELLER: Second?

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1 MR. MASON: Second.
 2 CHAIRMAN WELLER: All those in favor say aye.
 3 (WHEREUPON, there was a
 4 chorus of ayes.)
 5 All opposed?
 6 (No response)
 7 CHAIRMAN WELLER: Okay. Got that one off the
 8 agenda.
 9 All right. Complete Elevator Service
 10 continuing education program. Bob, is that you or Jim
 11 or...
 12 MR. AUBIN: No. They just have to present
 13 their program to the board.
 14 CHAIRMAN WELLER: Okay. I know we had -- Let's
 15 see here.
 16 MR. AUBIN: This was left over, Kelly, from the
 17 last meeting.
 18 CHAIRMAN WELLER: So we want to do this now?
 19 MR. AUBIN: They just got to distribute their
 20 program.
 21 CHAIRMAN WELLER: You must be John Perkins.
 22 MR. PERKINS: Correct.
 23 CHAIRMAN WELLER: Let's see if I have anybody
 24 else here.

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1 MR. SWIENTON: Try to make this a little easier
 2 than the last agenda.
 3 CHAIRMAN WELLER: Before we get started please
 4 state your name for the record.
 5 MR. PERKINS: My name is John Perkins,
 6 president of Complete Elevator Service.
 7 MR. STEINBACHER: My name is Tom Steinbacher.
 8 CHAIRMAN WELLER: And why are you in front of
 9 the Board?
 10 MR. PERKINS: We are in front of the Board to
 11 produce our continuing education program for our
 12 mechanics.
 13 CHAIRMAN WELLER: Okay.
 14 MR. PERKINS: Actually I would like to pass one
 15 of these out as well.
 16 (Documents tendered)
 17 Once again, our continuing education
 18 program consists of 20 hours every other month for our
 19 employees. We would like to have eight hours
 20 recognized in the event our employees are on call,
 21 couldn't make a particular Saturday, is out on
 22 shut-downs or in the event of an emergency or
 23 something like that. We do offer the 20. I can
 24 honestly say that most of our mechanics would at least

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1 get, you know, the 20. You know, most of them would
 2 get the 20. Like I say, with the exception of any
 3 type of service call or being pulled off to do calls
 4 for that particular weekend.
 5 MR. CAPUANI: You have to have a minimum of
 6 eight.
 7 MR. PERKINS: Correct. Now, with the 20, like
 8 I said, we feel that it not only meets the statute but
 9 also exceeds it. As you can see, the book is put
 10 together very well. We are very -- my business
 11 associate and I are both very knowledgeable in every
 12 aspect of that book. We are both licensed mechanics.
 13 I am also QEI certified and a licensed elevator
 14 inspector in the State of Illinois as well.
 15 CHAIRMAN WELLER: All right. With that, is
 16 there any comment on the training program that has
 17 been presented to us?
 18 MR. CAPUANI: Who's the instructor? You are
 19 the instructor?
 20 MR. PERKINS: Myself and my business associate
 21 do, either one of us or both of us at the same time.
 22 MR. AUBIN: Once it is completed are you going
 23 to print out a certificate? I don't see one in here.
 24 MR. PERKINS: You know what, we didn't have a

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1 certificate. We realized we needed a certificate. We
 2 do have mechanics that have completed this program.
 3 This program has been in place for two years now.
 4 Until recently when I got my license renewal I
 5 realized we needed a certificate. So we will be
 6 issuing certificates for last year as well as upon
 7 completion of this year.
 8 MR. CAPUANI: If you are approved, that
 9 certificate needs to be stamped with a date.
 10 MR. PERKINS: That's easy enough.
 11 MS. DELGRECO: A completion date.
 12 MR. PERKINS: And if the board feels necessary,
 13 you are more than welcome to attend any one of the
 14 meetings.
 15 MR. CAPUANI: Do you have classes on safety
 16 handbook?
 17 MR. PERKINS: We do. We have discussed it. I
 18 don't know if I put it in this. Actually, yes. If
 19 you look at February 21st, we are going to cover one
 20 hour of the Field Safety Handbook. We also cover, you
 21 know, current elevator codes as well. I just didn't
 22 bring all those books for everybody. I think we are
 23 all familiar with them.
 24 CHAIRMAN WELLER: While I'm looking through

1 this, is there any comments or questions that any of
 2 the board members might have?
 3 MR. SWIENTON: They presented last meeting.
 4 The biggest thing was just getting materials.
 5 MR. AUBIN: They came to the last meeting. He
 6 didn't have --
 7 MR. SWIENTON: The material.
 8 MR. STEINBACHER: We didn't have it for
 9 everybody.
 10 MR. PERKINS: We didn't have the materials for
 11 everybody.
 12 MR. SWIENTON: That's the only thing.
 13 CHAIRMAN WELLER: And they had no --
 14 MR. SWIENTON: Brochure.
 15 CHAIRMAN WELLER: Unless there is any questions
 16 or concerns from any of the board members, I would
 17 seek a motion from someone to bless this training
 18 program for the record.
 19 MR. SWIENTON: I make a motion that we accept
 20 Complete Elevator's training program as presented.
 21 CHAIRMAN WELLER: Do I have a second?
 22 MR. GANIERE: Second.
 23 CHAIRMAN WELLER: All those in favor of
 24 approving this training program say aye.

1 are talking about dates set for continuing education
 2 program for state licensed inspectors in DesPlaines.
 3 Bob Capuani.
 4 MR. CAPUANI: Okay. We probably got a date
 5 agreed upon with Mr. Gregory. It is April 6th. We
 6 will send a letter out to all licensed Illinois
 7 inspectors. It will be at our DesPlaines facility.
 8 It will start at 8:00, go to 5:00, with a break for
 9 lunch and this will qualify for the NAESA eight hours
 10 continuing education credit.
 11 I believe the fee is \$25. I will double
 12 check with Mr. Gregory. This will all -- the letter
 13 will be sent out within a month.
 14 CHAIRMAN WELLER: Do you need anything, or is
 15 that just notification?
 16 MR. CAPUANI: Yeah.
 17 CHAIRMAN WELLER: Okay.
 18 MR. CAPUANI: I have more.
 19 CHAIRMAN WELLER: Oh, you have more. All
 20 right. If it is not on the agenda, I'm sorry. Bob,
 21 please go with more new business.
 22 MR. CAPUANI: Okay. Those who were inquiring
 23 about limited contractors or limited mechanics license
 24 test, I did get the e-mail back. We should have the

1 (WHEREUPON, there was a
 2 chorus of ayes.)
 3 All those opposed?
 4 (No response)
 5 CHAIRMAN WELLER: Mr. Perkins, we have approved
 6 your training program.
 7 MR. PERKINS: Thank you very much. Appreciate
 8 it.
 9 MR. STEINBACHER: Thank you.
 10 CHAIRMAN WELLER: That concludes our old
 11 business section, and we are going to go now into new
 12 business. So let's start with Item A.
 13 UNIDENTIFIED SPEAKER: We submitted one as well
 14 for training program.
 15 CHAIRMAN WELLER: Last meeting?
 16 MR. CAPUANI: That would be public comment.
 17 Did you submit it?
 18 UNIDENTIFIED SPEAKER: Yes, I did.
 19 CHAIRMAN WELLER: This was old business. You
 20 are going to be coming up under new business.
 21 UNIDENTIFIED SPEAKER: I'm sorry. Excuse me.
 22 CHAIRMAN WELLER: I'm just trying to go down
 23 the agenda here so we will make sure we get there.
 24 So now we are going to new business. We

1 disk by the end of this week and hopefully have this
 2 program onboard by I want to say March 1st. So the
 3 test should be ready by March 1st. This would be for
 4 a limited mechanics license test.
 5 Next, the board has inspection forms. I
 6 apologize. The board does not have inspection forms.
 7 MS. DELGRECO: We just got them this morning.
 8 MR. CAPUANI: There were a few changes we made
 9 to inspector forms and we realize that we will have to
 10 make a motion to get this accepted, have to give the
 11 inspection companies a time limit to use this.
 12 We made -- I believe we added the
 13 inspector's signature, and there would be a statement
 14 at the bottom of the inspection form. The reason for
 15 the statement is I'm getting a lot of calls from
 16 municipalities accusing the state, as usual, for
 17 mandating that there be two inspections a month -- a
 18 year. I'm sorry. Our act says that it's an annual
 19 inspection. So at the bottom of every inspection form
 20 it reads: "This is the official inspection form
 21 approved by the Office of the State Fire Marshal,
 22 Division of Elevator Safety. The Elevator Safety Act
 23 K92-0873/120 mandates each conveyance be inspected
 24 annually."

<p style="text-align: right;">Page 41</p> <p>1 That is the change I would like to 2 present to the board and ask for approval. 3 CHAIRMAN WELLER: So, Bob, it's just -- only 4 discussion point right now, only thing that was added 5 to this is the disclaimer and the signature line? 6 MR. CAPUANI: For the inspector, yes. 7 CHAIRMAN WELLER: All right. 8 MR. CAPUANI: We wanted the inspector's 9 signature. 10 CHAIRMAN WELLER: Didn't we have a committee 11 that we had put together late last year? 12 MR. SWIENTON: Patty. 13 CHAIRMAN WELLER: That had went over all this. 14 Did the subcommittee see this or... 15 MR. CAPUANI: No. There was no subcommittee. 16 What it was is I had a meeting with the elevator 17 inspectors, okay, but I believe -- and which we will 18 have one in the future, but I believe right now we 19 need this form approved to clarify that the state only 20 mandates an annual test. 21 CHAIRMAN WELLER: I'm going to ask a little -- 22 I'm going to be a little out of order here. Some of 23 you folks had some concerns about your computer 24 programs and some of the -- Go ahead, Patty.</p>	<p style="text-align: right;">Page 43</p> <p>1 there for a signature. 2 MS. YOUNG: It says inspector. There is a 3 line. 4 MR. CAPUANI: Inspector's name. 5 MS. YOUNG: It says inspector, and that's the 6 signature spot for the inspector. 7 CHAIRMAN WELLER: It doesn't say inspector 8 signature. 9 MS. YOUNG: Well, it doesn't say the word 10 signature, but... 11 MR. CAPUANI: We would like -- 12 CHAIRMAN WELLER: That's an easy one to fix. 13 MS. YOUNG: So you are just adding the word 14 inspector's signature? 15 MR. CAPUANI: Signature, with a line above it, 16 correct. 17 CHAIRMAN WELLER: Instead of name. 18 MS. YOUNG: What about -- if we are talking 19 about signatures, I mean, I would think that people 20 understand that if there is a line it means signature. 21 CHAIRMAN WELLER: I would expect it too. Just 22 for the purpose of -- I don't think this will require 23 you to throw away your stock, so... But let's be 24 clear what we are looking for. We are looking for a</p>
<p style="text-align: right;">Page 42</p> <p>1 MS. YOUNG: Finish what you are saying. 2 CHAIRMAN WELLER: I just want to make sure this 3 isn't going to knock you out for the time that it 4 takes you to get -- 5 MS. YOUNG: Well, if you approve this right now 6 I put another order in for three to six months of 7 printing. So last year when we made a change we had 8 made it effective approximately three to four months 9 after with the idea that inspection companies could 10 deplete their current stock and then begin, you know, 11 using that. 12 CHAIRMAN WELLER: I would be comfortable with 13 that. Can I ask you to kind of recognize Bob's 14 concern and maybe, you know, you have got these little 15 stick-on labels or something that you can put on 16 the -- 17 MS. YOUNG: I can figure something out. It 18 might be in Font 2, but... 19 CHAIRMAN WELLER: As long as we can get it on 20 there and we can address Bob's concern in the interim. 21 Where are they currently signing it? 22 MS. YOUNG: They have always signed it. There 23 has always been a signature spot. 24 MR. CAPUANI: But there has never been a line</p>	<p style="text-align: right;">Page 44</p> <p>1 signature, not a spelled out name, and if you could 2 please in the interim anyone who is doing inspections 3 off of old forms, please include Bob's disclaimer from 4 the state. It helps us, and it's not an inconvenience 5 to you guys. So run out your stock and then we will 6 go ahead and switch to this new form. 7 With that, I would like a motion as such 8 from -- 9 MR. SWIENTON: How do you want it to read? 10 MS. YOUNG: Kelly, where is the building rep 11 supposed to sign? 12 CHAIRMAN WELLER: Was that on the old form? 13 Oh, up at the top. 14 MR. MASON Left-hand side. 15 MS. YOUNG: Oh, you changed the top. 16 CHAIRMAN WELLER: We haven't changed anything. 17 MS. YOUNG: Well, you did. You changed the 18 top. 19 MR. CAPUANI: Well, yeah, Because we took ACME 20 Elevator out of there and just put your inspection 21 company name, street address. 22 MS. YOUNG: But you changed the whole layout of 23 the top there so there is more changes than the two 24 items you mentioned.</p>

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1 MR. CAPUANI: How did you get a copy of this?
 2 MS. YOUNG: He just handed it to me.
 3 MR. SWIENTON: I just gave it to her.
 4 MR. CAPUANI: I believe the board would have to
 5 approve this without the public reviewing it.
 6 MR. SWIENTON: They are part of the committee
 7 working on this.
 8 CHAIRMAN WELLER: For right now I'm asking for
 9 a comment on it. So I'm inclined to say these are
 10 minor changes.
 11 MR. GANIERE: Is this available electronically?
 12 MR. CAPUANI: Yes. It will be posted on the
 13 website.
 14 MR. GANIERE: Okay.
 15 CHAIRMAN WELLER: I want to go ahead and look
 16 to see to get this approved. In the interim please
 17 run out your stock. Don't feel like you have to
 18 change to this, but we would like you in four months,
 19 four months put --
 20 MS. YOUNG: June 1st would be an ideal date.
 21 CHAIRMAN WELLER: June 1st it is, unless there
 22 is some objection.
 23 MR. GANIERE: Let me ask a question. The form
 24 that is available electronically, can it be modified

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1 and to the extent that the inspection company can go
 2 in and put in their name and address and stuff up
 3 there?
 4 MR. CAPUANI: Yes.
 5 MS. YOUNG: Not on line. It has got to be
 6 printed out.
 7 MR. CAPUANI: You have to print it out.
 8 MR. GANIERE: Then take it somewhere to be
 9 modified?
 10 CHAIRMAN WELLER: That is pretty inefficient.
 11 We need to improve that.
 12 MR. GANIERE: In the future we need to improve
 13 that so they could modify that section up there. They
 14 can put in their name and address and that kind of
 15 stuff. That could save them cost in printing. They
 16 can print it right off their own computer.
 17 MS. DELGRECO: That's out of our control. That
 18 is through CMS and that is set up on our website in
 19 order to go in and fill out a document.
 20 MR. GANIERE: They have it for other divisions.
 21 MS. YOUNG: Do they?
 22 MR. CAPUANI: We will look into that.
 23 CHAIRMAN WELLER: I think that would be -- then
 24 we don't have to keep having this discussion.

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1 MR. CAPUANI: We will look into that.
 2 MR. GANIERE: Revenue, you can go in and fill
 3 out revenue forms and print them out. You can't save
 4 them, but you can print it out. If they can do that
 5 then, they wouldn't even have to send them out to a
 6 printer.
 7 MS. DELGRECO: Okay.
 8 CHAIRMAN WELLER: This seems to keep popping
 9 up. We have a subcommittee that we have looked at to
 10 do this. Obviously there are certain things we want
 11 done. Let's go ahead and push on with this. Let's
 12 defer any changes to the subcommittee. Hopefully they
 13 will have this done by June 1st. I will ask Frank to
 14 kind of put this under advisement at the next meeting
 15 to see how he wants to handle that, but for right now
 16 let's move on with this. Can I get a motion to get
 17 this form approved in the interim until June 1st?
 18 MR. GANIERE: So moved.
 19 MR. SWIENTON: Second.
 20 CHAIRMAN WELLER: All right. All those in
 21 favor say aye.
 22 (WHEREUPON, there was a
 23 chorus of ayes.)
 24 All those opposed?

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1 (No response)
 2 Okay. Done.
 3 So let's put on the agenda, Elaine, for
 4 next meeting to put the subcommittee back together for
 5 the forms and take it under advisement at that point
 6 in time.
 7 Okay. Bob, keep going. Do you have
 8 anything else?
 9 MR. CAPUANI: I am finished, Mr. Chairman.
 10 CHAIRMAN WELLER: All right. That was an easy
 11 one. I'm inclined to want to do the new business.
 12 No. I want to do his training program under new
 13 business. That would be -- is that Morris?
 14 Mr. MOORE: Moore.
 15 CHAIRMAN WELLER: Moore. I would call to
 16 review your training program. Don't hold anything
 17 that I said about Indiana contractors against me.
 18 Mr. Moore, please state your name and
 19 your company's name and the purpose that you would be
 20 in front of the board today.
 21 MR. MOORE: My name is Gary Moore. I'm with
 22 Amco Elevators. The purpose of our appearance here
 23 today is to seek approval of our continuing education
 24 program as a preferred provider or recognized provider

1 of continuing ed. We feel like our program meets all
 2 the criteria and conditions of the statute and as such
 3 we would request that you approve it so our mechanics
 4 can continue their education.
 5 MR. CAPUANI: Are these weekly meetings,
 6 monthly meetings?
 7 MR. MOORE: Pretty much monthly -- or weekly.
 8 It depends on what time of year. We have a calendar
 9 in there for you, a schedule.
 10 CHAIRMAN WELLER: Give me your best five-minute
 11 speech from front to back about this program why we
 12 should approve it.
 13 MR. MOORE: We have been around for a long
 14 time. We have been doing -- done continuing ed on a
 15 normal basis just like all elevator companies have.
 16 Safety is extremely important in this industry
 17 obviously, and we take that very seriously. We feel,
 18 like I said, all the criteria that's set forth in the
 19 statute pretty much is in line with what we have done
 20 all along. Our documentation as well as all the other
 21 conditions pretty much reflect that, you know, our
 22 program is in line with what it should be.
 23 We use different modules --
 24 CHAIRMAN WELLER: Walk me through a couple.

1 MR. GANIERE: The other one actually has the
 2 training materials in this.
 3 MR. CAPUANI: Yes. This does not.
 4 HERTSBERG: It is an overview.
 5 MR. MOORE: It is an outline of the program.
 6 CHAIRMAN WELLER: What I would like from you,
 7 do you have a business card?
 8 MR. MOORE: Absolutely.
 9 CHAIRMAN WELLER: How has your safety been with
 10 this program? Have you had a good track record with
 11 it?
 12 MR. MOORE: Excellent. Everything is recorded.
 13 CHAIRMAN WELLER: You are putting your
 14 reputation on the line with this training program?
 15 MR. MOORE: Absolutely, sir.
 16 CHAIRMAN WELLER: Any questions or concerns for
 17 Mr. Moore?
 18 MR. SWIENTON: Bob, do you see any problems?
 19 Relying on the expert here.
 20 MR. CAPUANI: No.
 21 CHAIRMAN WELLER: All those in favor of
 22 accepting, I want to get this right, Amco Elevator
 23 Mechanics Consulting Continuing Education Program?
 24 MR. SWIENTON: Make a motion? I will make a

1 MR. MOORE: Well, the NAEC modules we use on a
 2 regular basis. The safety --
 3 CHAIRMAN WELLER: Are they in here, in this?
 4 MR. MOORE: Yes. You will see in the back.
 5 CHAIRMAN WELLER: Go ahead. I didn't mean to
 6 interrupt.
 7 MR. MOORE: I was just saying so I guess from
 8 that standpoint I sat on the board of the NAEC, and as
 9 such I know what a lot of the other companies do in
 10 terms of training. I feel that ours is right up there
 11 with all the rest of them in terms of quality, in
 12 terms of what we put out. Like I said, we are very
 13 serious about training for our people, and as such we
 14 would request that you approve this program.
 15 CHAIRMAN WELLER: So this meets all of the
 16 standards set out by the statute?
 17 MR. MOORE: We believe so, sir.
 18 MR. CAPUANI: Do you have any problem with our
 19 inspectors sitting in on one of your sessions?
 20 MR. MOORE: Absolutely not. Absolutely not.
 21 CHAIRMAN WELLER: Well, this one seems pretty
 22 thin compared to the other one. What's the
 23 difference?
 24 MR. SWIENTON: What's missing?

1 motion that we accept Amco Elevator's safety program.
 2 CHAIRMAN WELLER: Continuing education.
 3 MR. SWIENTON: Continuing education safety
 4 program.
 5 CHAIRMAN WELLER: All those in favor?
 6 MR. SWIENTON: You need a second.
 7 CHAIRMAN WELLER: Excuse me. I need a second.
 8 MR. MASON: I second it. I have a question for
 9 Bob.
 10 CHAIRMAN WELLER: Please. Go.
 11 MR. MASON: Bob, do you feel that you have
 12 enough information and you are comfortable?
 13 MR. CAPUANI: Like I said, I mean, they are
 14 just --
 15 MR. AUBIN: It's just an outline of what their
 16 program is going to consist of.
 17 MR. CAPUANI: You cover these A17.1. You
 18 cover -- basically out of the code book what they are
 19 covering, so...
 20 CHAIRMAN WELLER: Right.
 21 MR. CAPUANI: Do you have a safety -- do you do
 22 anything out of the safety handbook?
 23 MR. MOORE: Yes, sir, we have a safety director
 24 as well, and we have a safety meeting every month.

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1 MR. CAPUANI: You do?
 2 MR. MOORE: Yes, sir.
 3 MR. CAPUANI: How long is your safety meeting?
 4 MR. MOORE: It's about an hour and a half.
 5 MR. CAPUANI: Every month?
 6 MR. MOORE: Yes, sir. Expensive.
 7 CHAIRMAN WELLER: It is very cheap actually
 8 when you consider the repercussions. Dick sends us
 9 all these beautiful pictures that I rather not see, so
 10 please.
 11 MR. CAPUANI: I forwarded that to you
 12 yesterday.
 13 CHAIRMAN WELLER: I'm inclined to press on
 14 unless is some... So all those in favor of accepting
 15 Darrel's motion say aye.
 16 (WHEREUPON, there was a
 17 chorus of ayes.)
 18 All those opposed?
 19 (No response)
 20 Thank you, Mr. Moore. Your training
 21 program has been approved.
 22 MR. MOORE: Thank you. Appreciate it.
 23 CHAIRMAN WELLER: I think --
 24 MR. CAPUANI: Can you hand Jim one of your

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1 cards?
 2 MR. MOORE: Sure. Absolutely.
 3 MR. CAPUANI: Jim might contact you and sit in
 4 on one of your sessions.
 5 CHAIRMAN WELLER: Okay. I want to try to keep
 6 pushing on. I know we are running late. I got to do
 7 public comment next, I believe.
 8 We are going to move from new business
 9 into public comment. I have three forms here. I'm
 10 going to shuffle them and go with Tom first. Please
 11 state your name, your company and your purpose in
 12 front of the board.
 13 MR. GRUNION: Tom Grunion, ACM Elevator.
 14 Couple things today. I would like to submit our new
 15 safety book for the year.
 16 CHAIRMAN WELLER: Okay.
 17 MR. GRUNION: We are under the umbrella of
 18 Otis. We have the same safety program as Otis. I'm
 19 sorry. I only brought one, but the only difference
 20 between our book and Otis' book is the cover.
 21 Everything else is the same, and you will see there is
 22 OSHA stuff and emergency evacuation of elevators. We
 23 are already approved. I'm just giving you an updated
 24 book.

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1 CHAIRMAN WELLER: Thank you. Do we need a
 2 motion on that?
 3 MR. CAPUANI: No. Thank you.
 4 MR. AUBIN: Let's see that.
 5 (Tendered)
 6 MR. GRUNION: Two questions. Two other
 7 questions. Number one, I was wondering if the board
 8 would reconsider reinstating inspectors working for
 9 the company, QEI inspectors to inspect Category I
 10 hydraulic testing. The test -- you know, scheduling a
 11 testing by the inspection services, you know, we have
 12 to wait quite a long time for --
 13 CHAIRMAN WELLER: Tom, are you new? Have you
 14 been coming to a lot of these?
 15 MR. GRUNION: Yes.
 16 CHAIRMAN WELLER: Really? I have missed you,
 17 Then you know we have thought this over and over and
 18 over.
 19 MR. GRUNION: And Kelly, I thought it was -- we
 20 were going to revisit this after the first of the
 21 year. From my end of the thing when I have to wait
 22 three months for some inspections and I'm trying to
 23 schedule stuff with a customer in a hospital it makes
 24 it kind of tough, you know, and I was thinking through

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1 attrition, you know, I know Bob said we have what, 146
 2 active inspectors?
 3 MR. CAPUANI: 110.
 4 CHAIRMAN WELLER: We dropped, yeah.
 5 MR. GRUNION: Through attrition, and how many
 6 of those inspectors maybe just have their license
 7 hanging on somebody's shingle, and they are not really
 8 inspecting, you know? I have a license myself. I
 9 don't do any inspecting, but we feel this is a way we
 10 can -- and not just us, throughout the whole industry,
 11 help keep some people working in this time of the
 12 down-turn in the economy. You know, we could -- we
 13 could have a person stay on the payroll as, you know,
 14 I'm sure other companies could too, just to do this,
 15 and, you know, it certainly would take money away from
 16 Elevator Inspections and Thompson, but you know it
 17 helps us out and I'm only talking about the Category I
 18 hydraulic testing. We have issues out in the open
 19 areas, and sometimes we have to wait a long time to
 20 get somebody out there to perform the pressure tests
 21 and/or witness a pressure test rather.
 22 CHAIRMAN WELLER: Last time we had this
 23 discussion I think we had the -- we had dueling
 24 differences between the inspectors and the installers,

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1 right? I think the inspectors were saying they
 2 weren't getting the calls and the installers were
 3 saying they were getting told the otherwise. Exactly,
 4 tell me again what you are looking for and why you
 5 want it.
 6 MR. GREEN: I'm looking for the board to
 7 consider reinstating the witnessing of Category I
 8 hydraulic testing for licensed inspectors employed by
 9 the elevator companies.
 10 CHAIRMAN WELLER: For how long? Forever?
 11 MR. GRUNION: Well, not necessarily, or until,
 12 you know, we feel that we are caught up again.
 13 CHAIRMAN WELLER: Until -- unfortunately, the
 14 until keeps coming up about every three months.
 15 MR. GRUNION: Forever is good for me.
 16 CHAIRMAN WELLER: Yeah. I'm sure. (Laughter)
 17 I'm sure that Patty and the inspectors might not like
 18 that as well either.
 19 MR. GRUNION: Forever will work for a lot of
 20 people except for Patty and, you know, but there are
 21 some issues. I know we lost some inspectors. We
 22 probably gained some. The inspectors typically are
 23 retired personnel and they through health reasons or,
 24 you know, whatever reasons they tend to only work a

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1 couple of years and that's it, but, you know, like I
 2 said, through attrition they lose some inspectors and
 3 I think out of those 110 inspectors I don't know if
 4 the website is current, Bob, with the list of
 5 inspectors.
 6 MR. CAPUANI: It's current.
 7 MR. GRUNION: So...
 8 CHAIRMAN WELLER: Now, Tom, you do installs?
 9 MR. CAPUANI: They do everything.
 10 MR. GRUNION: We do everything. We do
 11 modernization, repairing, maintenance.
 12 CHAIRMAN WELLER: Let me just hold right here
 13 just a second and let me -- since I got Rick and Patty
 14 here, Rick, what are you finding out there? Are you
 15 having problems with yours?
 16 MR. JANDORA: Tom makes a good point. It
 17 does -- you know, the process for us, we get a
 18 proposal prepared to perform the witnessing, we will
 19 then send a form to Thompson to schedule the work.
 20 Thompson will then reach out to their inspectors and
 21 have their inspectors communicate with our mechanics
 22 in the field, and it does take several months in some
 23 cases before we actually see the inspection performed,
 24 and in some cases it is only a few weeks, but it is

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1 very difficult for us to manage the program to see
 2 that all of the units are completed within the allowed
 3 time frame with us having very little control over it.
 4 CHAIRMAN WELLER: So you are still finding some
 5 push back?
 6 Patty, what are you seeing from your
 7 side?
 8 MS. YOUNG: What Rick stated is, you know,
 9 true, in the sense that scheduling can occur fairly
 10 quickly depending upon what is going on, but then
 11 there are particular pieces of equipment such as the
 12 traction cars that in order for that testing to occur
 13 you can only get two units done in one day. Three if
 14 a miracle happens and all goes well. So you get a
 15 situation where you got -- help me out, guys. Usually
 16 older buildings have the traction cars and those are
 17 going to take --
 18 CHAIRMAN WELLER: But it is pressure testing is
 19 what --
 20 MS. YOUNG: I'm talking overall testing, but
 21 then you got to squeak in all your pressure tests,
 22 your annual pressure tests, and because of the key
 23 word, annual, as Tom said, it is a wish for forever
 24 because the test always has to be there. The test is

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1 always needed to be done, and in the past historically
 2 that has always been the component shock of a code
 3 inspection to make sure the test was done by
 4 identifying on the valve with the tag the date and et
 5 cetera. If there ever was an issue, anybody could
 6 have asked, show me your testing results to prove that
 7 was done, or we would ask for a retest because
 8 something seemed funny.
 9 CHAIRMAN WELLER: So it sounds like to me you
 10 are -- you are concurring that it is -- that this rule
 11 or this implementation is impeding the industry in
 12 some manner.
 13 MS. YOUNG: The witnessing aspect has put a
 14 tremendous -- I don't want to use the word burden,
 15 challenge for the whole industry in the State of
 16 Illinois in order to ensure testing is completed.
 17 Now, I would love to hear from EIS.
 18 CHAIRMAN WELLER: We can't. If you didn't give
 19 me a public comment, I -- please put public comment
 20 down on here, because this is -- we got to regulate
 21 this in some manner.
 22 I know Frank might run it a little
 23 differently, but I'm going to rely on the sheets in
 24 front of me.

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1 UNIDENTIFIED SPEAKER: We didn't know this
 2 topic was going to come up. So can we fill out a
 3 sheet now and give it to you?
 4 CHAIRMAN WELLER: Let's do this: You know,
 5 I'm not the chair and I don't want to do something
 6 substantive without Dick and Frank being here. I
 7 mean, I will get lynched. So I don't want to -- But I
 8 do want to continue a little more on the conversation
 9 so we can recognize Tom's concern. Go ahead.
 10 MS. YOUNG: What I would like to add, August
 11 14th was the switch, and we are about six months into
 12 it now. At the August 14th meeting there was nothing
 13 documented to say that a re-evaluation of the
 14 situation would occur. And so I think if anything,
 15 Tom would be interested, and others in the room as
 16 well, to have a re-evaluation of a situation and to
 17 really dig a little bit deeper into the topic.
 18 CHAIRMAN WELLER: All right. Give me the
 19 inspectors first. My inspectors out here, are you
 20 guys in favor of this dialogue or...
 21 MR. GRAY: Maybe only somewhat. There has been
 22 a situation. We have to back up a little bit of
 23 history here. Midpoint of last year we were receiving
 24 a number of requests for witnessing assignments and

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1 the dates that were coming forward were from pressure
 2 tests that hadn't been done six months ago and now we
 3 are being squeezed for kind of an immediate response
 4 to meet the compliance of one-year schedule. Okay?
 5 And that became very, very difficult to respond to the
 6 various elevator service companies because several of
 7 them were coming with that crunch all at the same
 8 time, and of course December 31st was an immovable
 9 date, and we still had to meet that requirement.
 10 That's the position we experienced a number of times.
 11 CHAIRMAN WELLER: I know we have really been --
 12 and I have to tell you, this has come up so many
 13 times, and I'm wrestling with it. Why don't we do
 14 this: It sounds like we have some people who are
 15 really kind of want to have a discussion around this.
 16 Go ahead, Patty.
 17 MS. YOUNG: What I would love to see is the
 18 documentation on letterhead from other states that
 19 have state programs who have had to deal with this
 20 situation.
 21 CHAIRMAN WELLER: You know, we have very, very
 22 limited resources. If you want to put some research
 23 together for us and present it, I'm all for it, but
 24 the --

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1 MS. YOUNG: Maybe it needs to be a subcommittee
 2 of people that can provide that to --
 3 CHAIRMAN WELLER: Let's stick with the
 4 immediacy because I think Tom has a concern that
 5 appears to be -- I'm sorry.
 6 JODI: I'm sorry. Jodi With Elevator
 7 Inspection Service. Our contracted municipalities of
 8 course is our first priority. The open areas seem to
 9 be very difficult to get someone out and do it. My
 10 idea would be if they could do open areas until they
 11 become possibly one of our territories, that they
 12 should be able to --
 13 CHAIRMAN WELLER: By open areas you mean they
 14 are not covered under the --
 15 JODI: They are not covered through either
 16 Thompson or...
 17 CHAIRMAN WELLER: That's a pretty good idea.
 18 JODI: Just because it is hard to get out to
 19 areas that aren't covered through the state or through
 20 us, and, you know, as again, our first priority are
 21 municipalities that are contracted with us.
 22 CHAIRMAN WELLER: Tom, would that address your
 23 concern?
 24 MR. GRUNION: I mean, it would be better than

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1 nothing, but, you know, this would, you know, also
 2 help stimulate the economy, and in a down-turn
 3 economy --
 4 (Laughter)
 5 I know that's not why we are here, but we
 6 pledge allegiance to the flag and, you know, we want
 7 to, we want to keep Americans working, and, you know, I
 8 will tell you Patty and Jodi have been, you know,
 9 great to myself. I have dealt with Jodi before in
 10 emergency situations and Patty, and, you know, but
 11 then again there are those times when, you know, I'm
 12 waiting three months to schedule a crew to, you know,
 13 to go in and do a Category 5 testing.
 14 CHAIRMAN WELLER: Give us just a minute.
 15 MR. GANIERE: Mr. Chairman, I got a point. I
 16 think you are leading to something that we can't do.
 17 We can't take any action on this today because it is
 18 not on the agenda. We need to put it on the agenda
 19 for next month and we can take action on it then.
 20 CHAIRMAN WELLER: Let's post it. Okay. So
 21 what I would recommend is that, if you are going to
 22 speak, Frank, I would encourage you to put your name
 23 down so we know that you want to make a comment. I'm
 24 going to -- I thank you for your concern. I thank you

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1 for the comment. I have to table this.
 2 MR. GRUNION: That's fine. I just -- I just
 3 ask for consideration, you know.
 4 CHAIRMAN WELLER: So I'm going to -- we don't
 5 need a motion, but what I would like is a motion that
 6 we put this as a new business item on the next agenda.
 7 MR. GANIERE: Elaine has already written it
 8 down.
 9 CHAIRMAN WELLER: All right.
 10 MR. GANIERE: She's good.
 11 CHAIRMAN WELLER: I don't think we need a
 12 motion.
 13 MR. GANIERE: No. No.
 14 CHAIRMAN WELLER: Let's put that as new
 15 business, and I want to encourage you if you do have
 16 comment on it, I'm open either way, but I want at
 17 least some dialogue around a solution instead of keep
 18 pushing this out and out.
 19 MR. GRUNION: I have one more question.
 20 CHAIRMAN WELLER: Okay.
 21 MR. GRUNION: And you may or may not be able to
 22 answer this. Just listening to you guys talk about
 23 the fire service key switches, K-1 switches, if you
 24 modernize a particular elevator or set of elevators in

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1 a building, I understand that you want all the keys to
 2 be the same for all the elevators in the building, and
 3 the City of Chicago requires that also. Are you going
 4 to require that these K-1 key switches have to be
 5 behind the locked panel?
 6 MR. GANIERE: It is specified in the act.
 7 MR. GRUNION: Or are we just replacing existing
 8 key switches that are not up to code, and then are you
 9 going to have to update the fire service?
 10 MR. CAPUANI: No.
 11 MR. GRUNION: We are just talking about putting
 12 key switches in wherever they are at now when --
 13 MR. CAPUANI: To operate the rest of them.
 14 MR. GRUNION: They don't have to be behind a --
 15 CHAIRMAN WELLER: All heck is breaking lose,
 16 people hanging out of the building, fire trucks are
 17 showing up, I don't want the elevators to work off of
 18 five different keys.
 19 MR. GRUNION: Nor do I, but I don't want the
 20 inspectors coming in and say you have to bring this up
 21 to 2003 code because it has to be behind --
 22 CHAIRMAN WELLER: Just the key.
 23 MR. CAPUANI: The existing key switch.
 24 MR. GRUNION: As long as it is clear in the

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1 act. As long as it is clear.
 2 MR. GANIERE: The act spells where the key is
 3 supposed to be.
 4 CHAIRMAN WELLER: That's all separate. We
 5 didn't make any change for that.
 6 MR. CAPUANI: That's for new construction.
 7 That's not for existing. I would say we just replace
 8 the key switch, the existing key switch. You can't
 9 upgrade 30 elevators in a hospital or a building.
 10 MR. GANIERE: No. No. No.
 11 CHAIRMAN WELLER: The key.
 12 MR. GREEN: Just the key.
 13 MR. CAPUANI: Just replacing the existing key,
 14 the existing key switch with a K-1 key switch.
 15 MR. GRUNION: Yeah. I just wanted to be sure.
 16 It was kind of unclear.
 17 CHAIRMAN WELLER: Let's go to Rick. State your
 18 name and company, purpose why you are in front of the
 19 board today.
 20 MR. JANDORA: Rick Jandora, Otis Elevator
 21 Company. Purpose, we do have an approved elevator
 22 safety program for Otis Elevator Company. We do have
 23 an updated copy for our tool box discussion. So I
 24 would like to show that to the board.

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1 CHAIRMAN WELLER: Thank you.
 2 MR. JANDORA: The other item that I would like
 3 to have clarified today is, there was a letter that
 4 was sent out on December 15th regarding conveyance
 5 registration, and I just wanted to point out that it
 6 is in conflict with what the rules state under the
 7 implementation schedule under the rules that were
 8 prepared on May 27, 2008. I do have a copy of that
 9 for your review.
 10 CHAIRMAN WELLER: This would be Page 8 which
 11 low and behold --
 12 MR. JANDORA: It is Item D, if you look at the
 13 bottom. Item D, implementation schedule. What Item D
 14 implementation schedule allows, it allows mechanics
 15 and inspectors to visit a conveyance one time after
 16 November 1st, 2008.
 17 (Mr. Mayer enters)
 18 And only one time, whereas the letter
 19 that went out on December 15th states July of 2007,
 20 which I think was just an error.
 21 The only reason I bring this up is
 22 obviously we have a number of units on maintenance.
 23 We have elevator mechanics who are a little concerned
 24 about having their licenses pulled.

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1 CHAIRMAN WELLER: Okay. Walk me through this
 2 again, Rick.
 3 MR. JANDORA: Well, here's a letter real quick,
 4 Kelly. It is a registration of conveyance letter that
 5 was posted on the website.
 6 MS. DELGRECO: It's not on the website.
 7 MR. JANDORA: I just printed it off this
 8 morning I think, yeah.
 9 MR. CAPUANI: Okay. Okay. "Before July 1st,
 10 2008 owners of existing conveyances shall register
 11 conveyances with the OFSM as required by Section 80 of
 12 the act and pay a registration fee of \$30.
 13 Inspectors, contractors, mechanics are permitted to
 14 service an unregistered existing conveyance one time
 15 after July 1st, 2007 and provide the owner with notice
 16 that the conveyance is required is be registered." So
 17 they were really supposed to be registered before July
 18 1st, 2008.
 19 CHAIRMAN WELLER: He's looking at 180. You are
 20 looking at 120.
 21 MR. JANDORA: I will admit there is actually a
 22 conflict within the rules. If you look under
 23 conveyance registration section that Bob is currently
 24 under.

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1 CHAIRMAN WELLER: Okay. Versus what?
 2 MR. JANDORA: Versus the implementation
 3 schedule, there is somewhat of a conflict.
 4 Implementation schedule states that we have a one-time
 5 visit after the 1st of November, and again, the reason
 6 I bring this up is, in knowing that we had that
 7 flexibility for sometime, and as the act renewed --
 8 well, actually when the act was amended and the rules
 9 were modified as a result --
 10 CHAIRMAN WELLER: Let him catch up for just a
 11 minute because I want to make sure I'm staying --
 12 MR. CAPUANI: But either way, July 1st or
 13 November 1st, they are overdue.
 14 MR. JANDORA: Correct.
 15 MR. CAPUANI: I mean, that date is gone.
 16 MR. JANDORA: The date is gone; however, we do
 17 have that one visit after November 1st --
 18 MR. CAPUANI: Correct.
 19 MR. JANDORA: -- if we haven't been to a
 20 conveyance since November 1st. Our mechanics can go
 21 with some assurance that their license won't be pulled
 22 and they don't have to worry about their livelihood.
 23 CHAIRMAN WELLER: So back up and tell me again.
 24 By November 1st, 364 days forward?

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1 MR. CAPUANI: November 1st was the drop dead
 2 date that they had to be registered with the State.
 3 CHAIRMAN WELLER: Okay. And you are saying if
 4 your guys go out and work on these and they are not
 5 registered, they are going to lose their license?
 6 MR. HERTSBERG: They are allowed one time.
 7 MR. JANDORA: That's what the implementation
 8 schedule states; however, the letter that is on the
 9 website is inconsistent with --
 10 MR. CAPUANI: It says July 1st of 2008.
 11 MR. JANDORA: So we have our field personnel
 12 reading what's available to them, saying that, "Look,
 13 if I go out and work on this elevator I can have my
 14 license pulled. I can't have that happen." The issue
 15 is, we over the last year we have offered some
 16 flexibility in that. If the customer can show that
 17 they faxed the registration form to the State Fire
 18 Marshal's Office and put that in the machine room,
 19 that would suffice, and we have had that happen, but
 20 we are still not seeing the placards.
 21 MR. CAPUANI: Exactly.
 22 MR. JANDORA: So we have some confusion out
 23 there in what's going on. What I would like to do in
 24 response to this, is any time a mechanic goes out to a

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1 building now that is not registered, that does not
 2 have a placard, they are to call the office. The
 3 office will do everything we can in our power to
 4 assist our customers in getting the registration
 5 completed. There may be a technicality where they
 6 didn't fill out the form correctly or they didn't pay
 7 it, or whatever it may be, obviously, we are going to
 8 do everything we can to make sure that these units get
 9 registered. I don't want our mechanics refusing to
 10 work on it. This offers the flexibility under the
 11 implementation schedule, and I don't want to lose
 12 business because they are going to find someone else
 13 to work on it if I don't. So I have --
 14 MR. CAPUANI: Let me know who else works on it.
 15 And the problem is we are finding, Rick, yeah, they
 16 faxed in, okay, they got invoiced, but for some reason
 17 they haven't paid their invoice in a year, six months.
 18 All of a sudden now -- actually, we are going to
 19 Springfield next week only because we are getting
 20 overwhelmed with registrations. Now all of a sudden
 21 everybody wants their tags because companies like you
 22 and inspection companies refuse to inspect them and
 23 work on them. Yeah, we are putting the pressure on
 24 the conveyance owner.

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1 MR. JANDORA: And I don't want to drag this out
 2 any longer. I think, you know, Kelly mentioned years
 3 ago that, you know, look, we pick this date or we pick
 4 a date in the future, we are always going to have this
 5 issue, and, you know, what I would like to see
 6 specifically, and what I would suggest would help in
 7 this case, inspectors under the implementation
 8 schedule have the flexibility to inspect one time.
 9 Their inspection frequency is six months or a year,
 10 year per the act. If we encourage or recommend that
 11 the inspection agencies when they go out on the visit
 12 do not see a placard, they should be issued a
 13 violation. They are issued a violation, they have 30
 14 days in which to cure, that's going to help us a lot
 15 more than, "Hey, Mr. Customer, you need to register."
 16 It's, you know, we can ask so many times.
 17 MR. CAPUANI: I believe that's what they are
 18 doing, because we are not going to issue a certificate
 19 of operation without their inspection certificate and
 20 they are not going to inspect a unit without a tag,
 21 correct?
 22 MS. YOUNG: First time --
 23 MR. GRAY: Violation is non-tagged violation.
 24 MR. CAPUANI: That's a violation?

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1 MR. GRAY: Yes.
 2 CHAIRMAN WELLER: So have we addressed your
 3 concern or what --
 4 MR. JANDORA: What my concern is, there is a
 5 letter on the website that states if you are working
 6 on these elevators you will have your license pulled.
 7 Contractor can have his license pulled. Inspectors
 8 can have his license pulled as well as mechanic.
 9 That's what everybody sees, right, so I have mechanics
 10 out there --
 11 MR. CAPUANI: I had a meeting with some
 12 mechanics and no one is really going to take their
 13 license away right now, and if you got a one-unit
 14 building, come on, we have to get it running. You are
 15 not going to leave people stranded, but if a mechanic
 16 say goes in today, I go in a building today and tell
 17 my owner, "Hey, you know what, you need to register
 18 the elevator." "Okay. I will fax it in today." Now
 19 he comes back next month, it is still not registered.
 20 He comes back the following month, still not
 21 registered. He goes back in three months, it is still
 22 not registered, it is a problem. Because we are
 23 basically about four weeks behind in sending out
 24 registrations. Then I would say there is a problem.

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1 CHAIRMAN WELLER: Yeah, but we are leaving it
 2 vague and I understand your concern. So this is on
 3 the website?
 4 MR. CAPUANI: Yes.
 5 CHAIRMAN WELLER: Okay. And what would you
 6 have us do, pull this?
 7 MR. JANDORA: Rescind it and maybe send out
 8 another letter that's consistent with the
 9 implementation schedule, Item D.
 10 MR. HERTSBERG: November 1st.
 11 CHAIRMAN WELLER: That's a very reasonable
 12 request.
 13 MR. CAPUANI: You know, November 1st, they are
 14 still overdue.
 15 MR. JANDORA: I know.
 16 CHAIRMAN WELLER: But they still get 365 from
 17 that date.
 18 MR. JANDORA: I get one time.
 19 CHAIRMAN WELLER: You get one time within the
 20 year.
 21 MR. JANDORA: Well, the inspectors will get one
 22 time a year.
 23 CHAIRMAN WELLER: It could be one time ever.
 24 MR. CAPUANI: They can go in November 2nd.

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1 That's the one time.
 2 MR. JANDORA: I just want our mechanics if they
 3 go out to a conveyance and see it is still not
 4 registered, they can do their work, call the office,
 5 let us know we have a non-registered unit out there.
 6 It needs to be registered. We will do everything in
 7 our power to get it registered.
 8 CHAIRMAN WELLER: So your guy goes out and sees
 9 it is not registered, and then the client wants you to
 10 work on it immediately.
 11 MR. JANDORA: Elevator could be shut down. One
 12 elevator in a building.
 13 CHAIRMAN WELLER: And we are saying that we are
 14 going to give you one bite at the apple.
 15 MR. JANDORA: Yeah.
 16 CHAIRMAN WELLER: And that's reasonable, right?
 17 Is that fair?
 18 MR. JANDORA: Well, it is going to have to be,
 19 yeah.
 20 MR. GANIERE: Well, here's the point: I mean,
 21 if they have already been told once they have to have
 22 it registered and you are going out the second time
 23 and it is not registered and they still want you to
 24 work on it, look, it is not your fault, it is their

1 fault, because they didn't register.
 2 MR. JANDORA: Understand that, and I would tell
 3 you this: I don't have the exact figures, but I would
 4 say we are about 90 percent compliant with this, okay.
 5 So 90 percent of our customer base is registered.
 6 There is 10 percent of them that either have sent in
 7 the paperwork, we have faxed copies in the machine
 8 room which would suffice under previous flexibility
 9 offered to the group, you know, customer saying I sent
 10 it in. We are just -- we just don't know what to do.
 11 MR. CAPUANI: If you have a problem with a
 12 building that refuses to register, you need to contact
 13 the office. We could, the board, there is a fine set
 14 for that. We could impose a fine.
 15 CHAIRMAN WELLER: Well, would that help?
 16 MR. JANDORA: It would help if you would
 17 rescind the letter and send out another letter stating
 18 what the implementation --
 19 CHAIRMAN WELLER: Let's work on that first. Is
 20 that reasonable?
 21 MR. CAPUANI: We could just change the date on
 22 the letter to November 1st, but you are still -- You
 23 are still in violation.
 24 MR. JANDORA: But if we haven't been out there

1 CHAIRMAN WELLER: I would say I would be
 2 inclined to do that if they could do exactly what you
 3 said, which is, they got all the paperwork filed, they
 4 got everything in and it is our issue within a month,
 5 but...
 6 MR. GANIERE: If they haven't sent in a
 7 registration, I'm sorry.
 8 CHAIRMAN WELLER: If you go out the first time
 9 and you tell this guy, building owner, "Hey, listen,
 10 your conveyance is unregistered. You need to get it
 11 registered. We are going to go ahead and work on it,
 12 we are going to get you up and running. If this thing
 13 breaks down again, we can't work on it unless you have
 14 got documentation that it is either in the process of
 15 being registered or is registered." Fair enough?
 16 MR. JANDORA: Yeah.
 17 CHAIRMAN WELLER: But if it is a one-unit
 18 building, we can't leave people stranded either.
 19 CHAIRMAN WELLER: No. It is not going to leave
 20 him stranded. Well, he can't work on it. Even if it
 21 is down, he can't. How can he do that? He is going
 22 to lose his license.
 23 MR. AUBIN: He can have them register that
 24 conveyance right at that moment too.

1 we are not in violation. If we have been out there,
 2 then you are right, we are in violation.
 3 CHAIRMAN WELLER: They till got the one time
 4 bite at the apple.
 5 MR. GANIERE: What's the problem with that?
 6 CHAIRMAN WELLER: I don't see a problem with
 7 that unless there is some --
 8 MR. HERTSBERG: Change the date to November.
 9 MR. AUGUST: I'm still unclear about the issue.
 10 MR. CAPUANI: He wants to change this date.
 11 Instead of July 1st, 2008, which we put on the letter,
 12 this is out of the rules, but then out of the
 13 implementation it says November 1st.
 14 MR. GANIERE: It is two different dates.
 15 MR. CAPUANI: In Section 120 it says July 1st
 16 and -- it says July 8th and here it says November 1st.
 17 MR. GANIERE: That's only part of what he's
 18 asking for.
 19 CHAIRMAN WELLER: Right. I want to try to
 20 get --
 21 MR. GANIERE: The second part of what he's
 22 asking for is if they go out there the second time
 23 they want to be able to work on it pending the
 24 registration. I say no. And it is not their fault.

1 CHAIRMAN WELLER: I'm fine with that too as
 2 long as he can show documentation.
 3 MR. CAPUANI: Yeah.
 4 MR. AUBIN: Fax it on the spot.
 5 CHAIRMAN WELLER: But you can't work on it
 6 unless they began or are in the process. We don't
 7 have any flexibility around that.
 8 MR. JANDORA: All right. I don't want to drag
 9 this out any longer.
 10 CHAIRMAN WELLER: So you want November 1st on
 11 the letter. Rescind this, put November 1st on there,
 12 and we understand that it is --that you can work on
 13 these as long as there is --
 14 MR. JANDORA: So we have that one time visit
 15 post November 1st, and, you know, if we have a
 16 customer that, you know, we help register, has the
 17 paperwork that they have attempted to register, we can
 18 work on it that second time within say a 30-day
 19 period?
 20 CHAIRMAN WELLER: I would say yes.
 21 MR. JANDORA: In anticipation of that placard
 22 being on the wall.
 23 MR. CAPUANI: But if that placard isn't on
 24 there in two or three months, there is a problem.

1 MR. JANDORA: So if we can clarify within that
 2 letter stating the company inspectors are allowed to
 3 work on the elevator one time post November 1st.
 4 MR. CAPUANI: We are going to copy it right out
 5 of the act.
 6 MR. JANDORA: Or allow a 30-day window from the
 7 date that they demonstrated that they have attempted
 8 to register, because if they register today, let's
 9 say, say I go out for the first time today and I see
 10 it is not registered, the elevator is shut down, we
 11 fix it, we go to the office of the building, explain,
 12 look, I can't work on your elevator again until this
 13 is registered. I risk losing our business, our
 14 ability to do business in this state. Oh, I didn't
 15 realize that. I'm sorry. They fill out the
 16 paperwork. They send it to you.
 17 MR. CAPUANI: Right then and there.
 18 MR. JANDORA: It is going to take 30 days to
 19 get the placard. So if I can get --
 20 MR. CAPUANI: I can't do that.
 21 CHAIRMAN WELLER: Why?
 22 MR. CAPUANI: Because it's in the rules. It is
 23 not in the rules. The rules state they can work on it
 24 one time and this is what we are going to copy.

1 difference, right.
 2 MR. AUGUST: No. Even if they have been there
 3 already one time, if we put down November 1st,
 4 November 1st is a start date.
 5 MR. CAPUANI: Then this gives them another
 6 time.
 7 MR. AUBIN: It is another -- second time.
 8 MR. AUGUST: It basically gives them after
 9 November first of this year one time visit, even if
 10 they have been there before November 1st.
 11 CHAIRMAN WELLER: I mean, that is what it is.
 12 MR. JANDORA: I mean that's what it is. That's
 13 what the law says.
 14 MR. AUGUST: But sometimes they can go two
 15 times. They get one shot for November. So even ones
 16 they might have been to last year, they have not
 17 registered, they can go back one more time.
 18 CHAIRMAN WELLER: I'm still wanting to find a
 19 bridge from him trying to keep his customer happy and
 20 us because we are -- we can't register on a moment's
 21 notice.
 22 MR. CAPUANI: But they have to use a little
 23 common sense. I mean, the mechanic has to use some
 24 common sense.

1 CHAIRMAN WELLER: But then if they are
 2 registering it --
 3 MR. SWIENTON: It's in the process.
 4 CHAIRMAN WELLER: -- then it's our delay.
 5 MR. AUBIN: Would a faxed receipt be --
 6 MR. AUGUST: Continued work -- if he needs to
 7 come back two or three days to complete the work, I
 8 think that's one time, but you can't fix it, and then
 9 come back three weeks later and start repairing
 10 something else because there is another problem. They
 11 are not registered. And the problem we have, the
 12 problem he has they send the stuff in, we never get
 13 invoices paid or they send in wrong material and you
 14 ask for corrections back and you never get it.
 15 MR. CAPUANI: Right.
 16 MR. MAYER: So it is lingering.
 17 CHAIRMAN WELLER: And it sounds like the 10
 18 percent is causing the problems, but I really believe
 19 this letter we sent out is the --
 20 MR. AUGUST: But the change in the letter
 21 though, if you extend it out to November 1st, 2008,
 22 they still got one time. Even if they have been there
 23 one time.
 24 CHAIRMAN WELLER: It doesn't make any

1 CHAIRMAN WELLER: But we are not giving them
 2 any latitude to use any common sense. We are saying
 3 yes or no.
 4 MR. SWIENTON: Well, you are saying the 10
 5 percent. What about the 90 percent that complied and
 6 they did it the right way, you know, and then now we
 7 are going to give the 10 percent a break when the 90
 8 percent --
 9 MR. CAPUANI: They have all known about this.
 10 MR. AUGUST: Here's an option. The board can
 11 grant him the authority on special times to make
 12 exceptions. So if there is an issue out there, real
 13 issue that comes up, something needs to be corrected,
 14 they can't wait until they are registered, they can
 15 call and he can grant an exception.
 16 CHAIRMAN WELLER: Why don't we give that to the
 17 State Fire Marshal.
 18 MR. AUGUST: That's what I meant, give it to
 19 Bob, the State Fire Marshal. If there is a real issue
 20 that comes up and these guys are faced with a problem,
 21 there is no option, they need to fix it and they are
 22 not registered.
 23 MR. SWIENTON: What you are saying, yeah, we
 24 sent it in, we didn't get it. Call Bob, and Bob will

1 say, no, I never got it, or yeah, it's here. I just
 2 didn't get to it.
 3 MR. CAPUANI: I can double check. I can check
 4 if the invoice is paid or not.
 5 MR. GANIERE: Once again, we can't take any
 6 action. It is not on our agenda. We have to put it
 7 on the agenda for next month.
 8 MR. CAPUANI: No. You can take action.
 9 MR. GANIERE: No.
 10 MR. AUGUST: No. It is not on the agenda.
 11 MR. GANIERE: To take action under the
 12 public -- the open meetings act it has to be a
 13 specific issue on the agenda. Public comment doesn't
 14 allow proper notice under the act. It rolls to the
 15 next meeting.
 16 MR. AUGUST: Rolls to the next meeting to allow
 17 us to take any action on it.
 18 CHAIRMAN WELLER: Patty, go ahead.
 19 MS. YOUNG: One of the questions I have, if I
 20 go out there for the first time and see they are not
 21 registered, no paperwork, nothing, to even prove that
 22 they have attempted the process, when the application
 23 is sent in and the inspection report is required to be
 24 attached to the application, does that inspection

1 agenda. Let's put it on the agenda and discuss it. I
 2 somewhat disagree. I think we need to give you guys
 3 some latitude to get some stuff done and to get these
 4 things fixed, but I got to listen to legal as well.
 5 So let's put it on the agenda as new business for next
 6 month as to your concern as to when you can -- whether
 7 it is a 30-day window, whether it is a two-week
 8 window, whether it is no window. Go ahead.
 9 MR. JANDORA: It is somewhat time sensitive in
 10 that I get a call today, elevator shut down, we go out
 11 there, non-registered. I'm allowed within the rules
 12 implementation --
 13 CHAIRMAN WELLER: You know what, Otis is a very
 14 exemplary company and you have oodles of lawyers and
 15 compliance people. I think that that's a great
 16 question to ask them.
 17 (Laughter)
 18 Because you are in an area that's right
 19 or wrong, and we go through that all the time. I
 20 think that if you are operating the business in an
 21 approved manner, you have not seen this board take
 22 action that would indicate otherwise, that we are
 23 going to be swinging a hammer around hitting you over
 24 the head. We don't do that. Run your business. Do

1 report have to be a passing mark?
 2 MR. CAPUANI: No.
 3 MS. YOUNG: It does not?
 4 MR. CAPUANI: No. And actually, really you
 5 don't have to send in the inspection form.
 6 MS. YOUNG: Even though there is check box on
 7 the application form that says attach it so now I have
 8 a conflict.
 9 MR. CAPUANI: We are still registered without
 10 that. Yeah. That form has been changed.
 11 MS. YOUNG: Okay.
 12 CHAIRMAN WELLER: Can we rein this back in a
 13 little bit? Let's address your first concern. Are we
 14 all okay with November 1st? Let's get that done
 15 first.
 16 MR. CAPUANI: Can we change this because it is
 17 not --
 18 MR. AUGUST: That's the board can authorize you
 19 to write a letter.
 20 MR. CAPUANI: So we will change the date.
 21 CHAIRMAN WELLER: So we don't need a motion.
 22 We are going to go ahead and get that done.
 23 Second issue is how much latitude we can
 24 give you between registration, and let's put it on the

1 what you got to do. You know, you got to keep your
 2 customers happy and we have to recognize that so...
 3 MR. JANDORA: Okay. We want to do the right
 4 thing. We don't want to be in conflict with the rules
 5 and act.
 6 CHAIRMAN WELLER: I totally understand, and if
 7 you and your customers and everybody are trying to get
 8 this thing registered and we can't process it fast
 9 enough, I don't think that's you or your customer's
 10 problem. That's our problem.
 11 MR. GANIERE: That's something we have to
 12 discuss next month.
 13 CHAIRMAN WELLER: But we got to address it. In
 14 the interim --
 15 MR. GANIERE: Follow the rules.
 16 MR. JANDORA: However, in the interim --
 17 CHAIRMAN WELLER: Got some latitude to get
 18 things done.
 19 MR. JANDORA: It is important to understand
 20 when you have an elevator that is shut down, you go
 21 out there, you troubleshoot it, you think you have
 22 diagnosed the issue. It could be this item here, you
 23 make a correction, elevators running, you leave.
 24 CHAIRMAN WELLER: Just don't close the ticket.

1 MR. JANDORA: Next week the same thing happens.
 2 What you thought was the issue was not in fact the
 3 issue.
 4 CHAIRMAN WELLER: Then don't close the ticket.
 5 MR. JANDORA: So you find another problem.
 6 Between now and the next meeting we can have a few
 7 calls on that same trouble call.
 8 CHAIRMAN WELLER: Just don't close the ticket.
 9 And it would stay open. I'm fixing it. I got to come
 10 back. I got to order a part.
 11 MR. SWIENTON: Don't send them the bill.
 12 MR. JANDORA: We will, like I mentioned, we are
 13 trying to do the right thing.
 14 CHAIRMAN WELLER: And we are too. We will try
 15 to get this thing within what we can do.
 16 MR. JANDORA: You know, just make it real clear
 17 that it says contractors are allowed to service an
 18 elevator one time. I have a service agreement on a
 19 unit, I service it one time, Anderson Elevator or
 20 ThyssenKrupp Elevator have not serviced it one time.
 21 Does that allow ThyssenKrupp Elevator to come and
 22 service it one time because they have never serviced
 23 it before?
 24 CHAIRMAN WELLER: Put that on your --

1 CHAIRMAN WELLER: I like your definition. I
 2 can't believe you would want that, but then the
 3 responsibility falls on you to say, wait, this
 4 elevator has been worked on. So one of their
 5 competitors calls you. You go in, you look at the
 6 service. You say this thing has already been worked
 7 on, we got to walk away from this.
 8 MR. JANDORA: I would lake to interpret it that
 9 all -- no contractors period can work on this unit
 10 more than one time.
 11 MR. CAPUANI: It does say that inspectors,
 12 contractors, plural. Not contractor. It says
 13 contractors, inspectors.
 14 MR. JANDORA: Okay.
 15 CHAIRMAN WELLER: Show up in the log, right?
 16 In the elevators log, there would something that said
 17 the elevator was worked on on this date.
 18 MR. JANDORA: You know, I'm not looking --
 19 MR. CAPUANI: Possibly.
 20 MR. JANDORA: -- for you to pick this apart.
 21 CHAIRMAN WELLER: Yeah. It is an interesting
 22 comment. Thank you.
 23 Patty. And I know we are running late so
 24 please address the board. Tell us your name, company

1 MR. CAPUANI: It would be helpful if we
 2 clarified that.
 3 MR. JANDORA: Well, contractor is meaning
 4 contractor, right? It could be any contractor.
 5 MR. HERTSBERG: See, but the question is, are
 6 they going to know?
 7 MR. CAPUANI: How would you know? Right.
 8 MR. SWIENTON: So...
 9 MR. JANDORA: I'm not trying to -- I mainly
 10 want to make sure, I go out there and I refuse service
 11 because the rules state that I can't service it, I
 12 want to make sure that my competitor doesn't get a
 13 phone call, goes out and services it, with the
 14 assumption that they have that one time.
 15 CHAIRMAN WELLER: Wouldn't you want that?
 16 MR. JANDORA: No.
 17 CHAIRMAN WELLER: Because if not, the
 18 responsibility falls on you to say this has already
 19 been serviced once. We can't fix it. Do you want
 20 that?
 21 MR. JANDORA: I would lose business if my
 22 competitors start coming out and servicing equipment.
 23 So I can't have that. I just want to make -- I'm
 24 hoping that --

1 and the purpose that you would like us to discuss.
 2 MS. YOUNG: Patty Young, Thompson Elevator
 3 Inspection Service. My first point is that, Bob, I
 4 just wanted a clarification regarding the April 6
 5 meeting. You had mentioned it was a NAESA continuing
 6 ed class. You mentioned a charge. Is this considered
 7 a mandatory meeting, or is this a voluntary meeting?
 8 MR. CAPUANI: Voluntary meeting. If they want
 9 continuing education with NAESA, this is a way to do
 10 it.
 11 MS. YOUNG: Do we know what the topic is going
 12 to be?
 13 MR. CAPUANI: Dick Gregory is the one that is
 14 going -- I believe it is A17.3. I believe.
 15 MS. YOUNG: Is this meeting only open to
 16 inspectors, or is it open to anybody who needs
 17 continuing education?
 18 MR. CAPUANI: Only Illinois state inspectors.
 19 MS. YOUNG: Only inspectors?
 20 MR. CAPUANI: Yes.
 21 MS. YOUNG: Will there be a separate class
 22 possibly offered for others in the industry about what
 23 Dick is going to talk about? Because I do believe
 24 that anything related to existing elevator for code

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1 would be a value to all in the industry.
 2 MR. CAPUANI: That's up to the companies.
 3 This class is for our inspectors that are licensed by
 4 the state.
 5 MR. HERTSBERG: Dick is doing it for the
 6 Chicago Association.
 7 MR. CAPUANI: Dick is doing other classes.
 8 MS. YOUNG: So none for any of the state
 9 licensed mechanics?
 10 MR. CAPUANI: No. You can find out from Dick
 11 his schedule.
 12 MS. YOUNG: Okay.
 13 MR. CAPUANI: And I'm not positive on the price
 14 either.
 15 MS. YOUNG: It seems awfully low to be honest
 16 with you.
 17 MR. CAPUANI: That's --
 18 CHAIRMAN WELLER: We are not in it to make a
 19 profit. Dick cannot --
 20 MR. AUBIN: That's the stipend that comes --
 21 MR. CAPUANI: I believe that's the amount that
 22 NAESA charges. He cannot add anything to that.
 23 MS. YOUNG: He's not doing it pro bono?
 24 MR. CAPUANI: No. He cannot. He's a board

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1 member. He's doing this free, but he has to charge
 2 for the NAESA credit.
 3 MS. YOUNG: Getting back to the inspection
 4 forms, I just wanted to clarify to make sure -- we
 5 were busy talking there, is that a subcommittee is
 6 going to be suggested at the February meeting to go
 7 over the proposed -- or the changes.
 8 CHAIRMAN WELLER: We have asked to have that
 9 put on the agenda.
 10 MS. YOUNG: Is it possible also to add --
 11 MR. CAPUANI: No. The changes were voted on.
 12 CHAIRMAN WELLER: These changes are going
 13 through.
 14 MS. YOUNG: No additional?
 15 MR. CAPUANI: Right.
 16 CHAIRMAN WELLER: Or we want to make sure we
 17 get it right by June 1st. So if there are other
 18 things that might pop up if there are some concerns.
 19 MS. YOUNG: At the inspectors meetings in
 20 Springfield it was proposed that to have a separate
 21 new construction state form, and I would like to see
 22 if the subcommittee can have that on their agenda
 23 because many of the items on the current form are very
 24 specific more for just new construction installation

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1 and are not necessarily applicable --
 2 CHAIRMAN WELLER: I think if somebody wants to
 3 take charge and get a form that works, then --
 4 MR. SWIENTON: I thought we had a committee.
 5 CHAIRMAN WELLER: That's what I thought too.
 6 MR. CAPUANI: What the committee was, I met
 7 with the inspectors, and we came up with this form
 8 basically.
 9 CHAIRMAN WELLER: Is that annual review?
 10 MR. CAPUANI: At the inspectors meeting I did
 11 say we will have another meeting probably in the
 12 summer with all the inspectors and then we will review
 13 the form again.
 14 CHAIRMAN WELLER: Well, why don't we do this:
 15 You guys know you are all at three, four months stock.
 16 We got until June 1st. I support trying to get
 17 everything done b June 1st so that when you have to
 18 reprint the form will be done, at least you should
 19 count on that being a solid form for a year, and then
 20 we will revisit it annually from there on out. How
 21 does that sound? Unless something changes.
 22 MR. SWIENTON: That's something you guys work
 23 out. That's for you guys to make your job easier.
 24 MS. YOUNG: The changes that you wanted to

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1 implement immediately here, that comes effective for
 2 June 1st. Then from June 1st we would have the
 3 subcommittee meet.
 4 CHAIRMAN WELLER: No. If we do this, we are
 5 going to have all the changes by June 1st so you know
 6 by June 1st that's the form you are going to be
 7 working with. Right now we know we got these changes.
 8 So without any other changes the form you are seeing
 9 in front of you is going to be effective June 1st.
 10 MS. YOUNG: That's not how I interpreted it
 11 when it was under new business.
 12 CHAIRMAN WELLER: Okay. I just made it clear.
 13 MS. YOUNG: So the June 1st date might need to
 14 be readjusted because if we come to the February
 15 meeting and the subcommittee then -- realistically the
 16 subcommittee is not getting together unit February,
 17 March type of time frame. We might miss the March
 18 meeting for presentation, which means April, possibly
 19 May, depending upon how we can all get together and
 20 decide, and then if we still have June 1st, a lot of
 21 people -- I don't know what your lead time is for
 22 ordering. Mine is approximately two to four weeks for
 23 forms. So June 1st --
 24 CHAIRMAN WELLER: We are going to set June 1st

1 for right now, and you know how we are about dates.
 2 We always love to change them.
 3 MS. YOUNG: I appreciate the flexibility.
 4 CHAIRMAN WELLER: We will leave the one date.
 5 If we need to, we will push it out.
 6 MS. YOUNG: Okay. So just to clarify with what
 7 Rick was mentioning about the registration, I do
 8 believe that we are only dealing with the really bad
 9 procrastinators and catch-me-if-you can people is how
 10 I like to define the people, and so the approach there
 11 with it still being the one time service is I have a
 12 situation that if I go there, there is no registration
 13 and I'm looking -- I'm saying the registration is
 14 completed when it is permanently affixed to the
 15 controller, okay? So that's a stance I'm taking.
 16 Regardless of whether they show me a fax sheet or this
 17 or that, that's how we are taking the approach for
 18 completion of registration. I will fail it
 19 automatically if I do not see that there and will not
 20 return to the property until it is known through
 21 either working through our municipality agreements or
 22 the building owners state it is permanently affixed.
 23 CHAIRMAN WELLER: I think that protects you
 24 absolutely 100 percent, but you are talking about a

1 have to get these items in 30 days. Kelly, if
 2 that was the approach --
 3 CHAIRMAN WELLER: And it's still not
 4 registered?
 5 MS. YOUNG: Possibly. This could be the first
 6 time I'm going to a building.
 7 CHAIRMAN WELLER: Yeah, but after 30 days the
 8 thing should be registered. If you went in -- if we
 9 got a four-week backlog, right, and nothing is
 10 registered in four weeks, then it is shut down.
 11 MR. CAPUANI: See, we run into another problem.
 12 Your inspector goes out there, looks at the
 13 controller, right, no tag, I'm out of here. Okay?
 14 Here's the problem we have run into. You get a
 15 building owner who lives in Indiana.
 16 CHAIRMAN WELLER: Don't pick on Indiana. Ohio.
 17 MS. YOUNG: Florida.
 18 MR. CAPUANI: He receives the registration
 19 tags, never forwards them to the building because he
 20 figures, well, we are registered. Now the building
 21 has no tags. We are running into this a lot.
 22 MS. YOUNG: I know.
 23 MR. CAPUANI: Yes they are registered, have the
 24 placard, but not in place.

1 different issue than he's talking about because he's
 2 got to work on it. You are talking about the
 3 inspection.
 4 MR. GANIERE: It is still a one-time issue. It
 5 is still the same issue.
 6 MS. YOUNG: But I have a situation if I go out
 7 there -- Well, that's why I was asking about the
 8 application. Let's say I go out there first time ever
 9 to this property. I do the inspection, say, you got
 10 to get registered. I come back in the 30 days and
 11 they still aren't registered, but what I cited on my
 12 inspection report is the telephone is not working.
 13 That's a critical life-saving issue. There could be
 14 other issues that are considered life safety that are
 15 critical for getting it completed.
 16 So we are at a standstill in the sense of
 17 being able to complete the inspection and also to kind
 18 of motivate them to get items completed. We would
 19 hope that they are looking --
 20 CHAIRMAN WELLER: You are not in the stance
 21 though because the elevator is shut down. Right? You
 22 shut it down.
 23 MS. YOUNG: No. I cited them for 30 days. The
 24 elevator could still be operating. It is just you

1 MS. YOUNG: That is correct. So we have to
 2 take -- because the letter that comes back says
 3 permanently affixed, to me that means completion of
 4 registration.
 5 MR. CAPUANI: They possibly never got that
 6 letter.
 7 MS. YOUNG: Oh, there could be -- there's five
 8 different steps in this process.
 9 MS. DELGRECO: Right.
 10 MS. YOUNG: So one person could be at Step 1 or
 11 2 or 0 or be at 3 or 4, and you know, we have been to
 12 properties to do like a pressure test. Everybody in
 13 this room can relate to it. Everybody thinks it is
 14 registered because they have been told, showed them the
 15 faxed paperwork and now we go out there, nobody can --
 16 oh, yeah, we are registered. We got the tags. Who's
 17 got the tags? I don't know. Where are the tags?
 18 They are in somebody's desk drawer. Oh, they're is
 19 still with the owner that's in the school
 20 administration office.
 21 CHAIRMAN WELLER: See, the way I view this,
 22 maybe is a little simple, but you are protecting --
 23 MS. YOUNG: We are out there in the field.
 24 CHAIRMAN WELLER: You are protecting me. You

1 are in a protection looking down saying is everything
 2 done right. So to me you have the highest standard.
 3 If it ain't right, it ain't right. This isn't moving.
 4 He's in the business of making sure the elevators get
 5 worked on or whatever. He also has some incentive to
 6 make it right, but you are policing him.
 7 MS. YOUNG: Oh, understood.
 8 CHAIRMAN WELLER: So I'm going to give him more
 9 latitude to get his people out there to try to get
 10 this thing working than I'm going to give you because
 11 you are --
 12 MS. YOUNG: I'm not technically out there as
 13 frequently either as other --
 14 CHAIRMAN WELLER: But in the scheme of things
 15 of how you should -- how it should be viewed, I mean,
 16 you have the public's interest immediately at hand.
 17 If it is not right --
 18 MS. YOUNG: I'm not complaining, but, you know,
 19 saying -- I have shared this with Bob last week when
 20 we had a little bit of a discussion about the letter.
 21 Is that is the approach that will be taken is that if
 22 it's not permanently affixed, it is a failed
 23 inspection, cannot be completed due to
 24 non-registration.

1 UNIDENTIFIED SPEAKER: Actually at the meeting
 2 in Springfield Bob had made the suggestion that if an
 3 inspector has a difficulty that goes to the 30 days or
 4 beyond, please notify his office and he will dispatch
 5 one of his men to say you're in trouble with our
 6 office.
 7 CHAIRMAN WELLER: He's a wise guy. Not in a
 8 bad way. He's a wise guy.
 9 MR. CAPUANI: I didn't hear. I'm sorry.
 10 UNIDENTIFIED SPEAKER: At the inspectors
 11 meeting down in Springfield one of the inspectors had
 12 brought up the topic what if non-compliance goes
 13 beyond the 30 days, and your recommendation was then
 14 contact my office and I will dispatch a state
 15 inspector to lower the boom on that building, and
 16 everybody walked out of the meeting thinking that was
 17 the process.
 18 CHAIRMAN WELLER: If you guys aren't happy in
 19 30 days, I think you owe it to me and the public to
 20 make it right and by making it right, you escalate it.
 21 You get it to him, and you know, you --
 22 MR. CAPUANI: Jim's got nothing to do all day.
 23 CHAIRMAN WELLER: So did I address that?
 24 MS. YOUNG: I thought his fingers fell off from

1 CHAIRMAN WELLER: But it is different. If he
 2 goes out and looks at the elevator and says I'm not
 3 going to work on it. He can call somebody else and
 4 they can come work on it. The difference is you go
 5 out and look --
 6 MR. GANIERE: He can't. The rules say they
 7 can't.
 8 MS. YOUNG: Right. We just clarified that.
 9 CHAIRMAN WELLER: Up until now he was worried.
 10 That's what we tried --
 11 MR. GANIERE: I understand he's worried, but
 12 that's not what the rules state.
 13 CHAIRMAN WELLER: They can't. Nobody else can
 14 come out to inspect that elevator.
 15 MS. YOUNG: But if I just came out there, and
 16 then somebody calls and EIS goes out there. How is
 17 EIS going to know? The building owner is not going to
 18 say, oh, yeah, I called them. I got you now. It is
 19 never going to be known and vice-versa.
 20 JODI: We are contracted though.
 21 CHAIRMAN WELLER: I thought they can't do that.
 22 MS. YOUNG: No. Open areas.
 23 MR. CAPUANI: Open areas.
 24 CHAIRMAN WELLER: Open areas is a problem.

1 those permits though. Okay. I think that was my last
 2 item. Thank you.
 3 CHAIRMAN WELLER: Okay. Thank you.
 4 All right. We need to push on, and I
 5 think we are at adjournment.
 6 MR. GANIERE: No. Other. Under other. Not
 7 today because it is getting late and I got to be back
 8 in Ottawa very quickly, but I think at our next
 9 meeting we should have a discussion about meeting
 10 times. I mean, we are sitting around waiting today
 11 because of people caught in traffic. I think we need,
 12 and this is my opinion, and the full board needs to
 13 discuss it, we need to change our meeting time so we
 14 are not conflicting with rush hour, but let's discuss
 15 it at the next meeting.
 16 CHAIRMAN WELLER: Let's put board agenda and
 17 times on the agenda or...
 18 MR. CAPUANI: The problem with that is, we
 19 scheduled these rooms a year in advance.
 20 MR. GANIERE: Well --
 21 MR. CAPUANI: Actually we are in 2010.
 22 CHAIRMAN WELLER: Is there a requirement that
 23 we have to meet in a state building?
 24 MR. GANIERE: Well, we will have to pay for it

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1 then.
 2 CHAIRMAN WELLER: Look at all these people out
 3 here from the industry that have got board rooms and
 4 places for us to meet. I mean, Otis has got to have a
 5 room bigger than a house. I mean, come on.
 6 (Laughter)
 7 You know, this is -- we are all in this
 8 together so I would think that there is somewhere we
 9 can meet if we have to.
 10 MR. GANIERE: I understand the building
 11 concerns, but we still need to have a discussion and
 12 see what we can do, because --
 13 CHAIRMAN WELLER: I think we can be flexible.
 14 I would recommend we be as flexible as we can to keep,
 15 you know, the public informed and all of our board
 16 members here. Weekends would be perfect because
 17 nobody would show. We would just table everything
 18 from month to month.
 19 Okay. Let's adjourn. Can I have a
 20 motion for adjournment?
 21 MR. GANIERE: So moved.
 22 CHAIRMAN WELLER: Second for adjournment?
 23 MR. SWIENTON: Second.
 24 CHAIRMAN WELLER: All those in favor say aye.

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1 (WHEREUPON, there was a
 2 chorus of ayes.)
 3 Opposed?
 4 (No response)
 5 Now we are going to go into variances.
 6 Do I have any variances? One?
 7 MR. AUBIN: Two. We got one follow-up.
 8 CHAIRMAN WELLER: Okay. Do I have a public
 9 comment on the variance?
 10 MR. AUBIN: No.
 11 CHAIRMAN WELLER: I have to wait until Darrel
 12 comes back, but why don't you guys come up and we will
 13 get ready and when he comes back we will push on.
 14 Are you Colley?
 15 MR. LANOCHECK: Yes.
 16 CHAIRMAN WELLER: Okay. State your name, from,
 17 and purpose in front of the board.
 18 MR. LANOCHECK: Craig Lanoccheck, Colley
 19 Elevator. The purpose is Proviso East High School,
 20 they have an existing building from 1931. The pit is
 21 43 inches. We are looking for a variance to put some
 22 low shallow pit signs and signage up and so we can
 23 get -- the elevator is currently shut down now.
 24 CHAIRMAN WELLER: All right. Is this our

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1 last -- We did this once because they had a sewer
 2 underneath.
 3 MR. AUBIN: No. This is a different one.
 4 CHAIRMAN WELLER: No, but I'm trying to think
 5 what our precedent was. We made them look to see what
 6 they could do.
 7 MR. LANOCHECK: The building was constructed in
 8 1931. There were -- when they did the renovations and
 9 built the other part of the building there is no plan
 10 and stuff so there may be footings down there or
 11 construction members. I have no idea.
 12 CHAIRMAN WELLER: I just want to stay with
 13 consistency. Let us talk a second.
 14 MR. GANIERE: They want to go to 43. What's
 15 the standard?
 16 MR. MASON: 48.
 17 MR. GANIERE: It is supposed to be 48?
 18 MR. CAPUANI: Currently this is 43.
 19 MR. GANIERE: That's what it is now, 43?
 20 MR. LANOCHECK: Yes, sir.
 21 MR. HERTSBERG: It's missing five inches.
 22 CHAIRMAN WELLER: This is at the bottom, right?
 23 MR. GANIERE: My concern here is, unlike the
 24 other variance we gave, we knew definitively that

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1 there was a problem. In this one we don't, because
 2 the letter says, "I do not believe it would be
 3 reasonable." We don't know for sure whether it is or
 4 isn't. Without having -- my concern, without having
 5 the report from a structural engineer saying it is not
 6 possible, I'm not inclined to grant the variance
 7 because I don't know that they actually need it or
 8 not. That's my opinion.
 9 CHAIRMAN WELLER: Mark. Thoughts?
 10 MR. HERTSBERG: I would grant it.
 11 MR. MASON: Is there any -- does it clear 43
 12 inches completely? Length, width, no footings, no
 13 nothing?
 14 MR. LANOCHECK: Nothing. In the pit is 43
 15 inches and we are slowing the car speed down.
 16 MR. HERTSBERG: So you are going to keep the 80
 17 feet per minute?
 18 MR. LANOCHECK: No. We are reducing it to 80
 19 feet per minute.
 20 MR. MASON: So on compressed buffer would be
 21 what with the dimensions?
 22 MR. LANOCHECK: Springs. Under the car you are
 23 probably looking at 36 inches. Assuming. I don't
 24 know. The car is shut down. There was water damage

1 back in September. There is some people being home
 2 schooled currently, and December you didn't have a
 3 meeting here to address these and so that's kind of
 4 important.
 5 MR. HERTSBERG: I suggest we put the signs
 6 there.
 7 MR. AUBIN: We allowed it before with signage.
 8 MR. MAYER: What's the distance, compressed
 9 buffer?
 10 MR. LANOCHECK: I'm assuming somewhere around
 11 36 to 38 inches. I don't know. The car is stuck
 12 between the second and third floor.
 13 CHAIRMAN WELLER: Okay. 1931?
 14 MR. LANOCHECK: 1931.
 15 CHAIRMAN WELLER: School?
 16 MR. LANOCHECK: School.
 17 CHAIRMAN WELLER: They don't have too many more
 18 years that this school is going to be up and running I
 19 would suspect. 75-year-old school and so --
 20 MR. GANIERE: Schools in my town are much older
 21 than 75 years. Two minutes for Darrel to catch up to
 22 speed. What you are looking for.
 23 MR. LANOCHECK: Proviso East was built in 1931,
 24 The elevator has been modernized in 1970 and they had

1 They did not really have plans. They had plans from
 2 their 1955 renovations when they built the other parts
 3 of the building, but there was nothing back from then
 4 to tell me if there is construction members.
 5 MR. MAYER: What's the size of the pit, length
 6 and width?
 7 MR. LANOCHECK: It is a 4,000 pound capacity
 8 pit. So I'm assuming it's 8 by 60, something like
 9 that.
 10 CHAIRMAN WELLER: Your thoughts.
 11 MR. GANIERE: Well, I was just going to tell
 12 him what my comment was. My comment was, they don't
 13 know there is a problem increasing the depth of the
 14 pit. They are just assuming that, and my thought, and
 15 my comment was, without definitively knowing, i.e., a
 16 structural engineer's report saying we can't do it
 17 because, I'm not in favor of the variance.
 18 MR. SWIENTON: We have done this before on
 19 other things that were proved to us through an
 20 engineer. Show something from an engineer or
 21 something there is a structural problem, and you might
 22 get the variance, but he would have to, you know.
 23 Whoever does that, engineers or
 24 something, go down there and say, you know, sign off

1 water damage back in September when the DesPlaines
 2 River flooded into the building, and it got probably
 3 about six feet into the elevator, shorted everything
 4 out. They need an entire equipment replacement. We
 5 have a shallow pit, 43 inches. 48 inches is the
 6 standard for new construction modernization. We are
 7 looking for a variance to accept the 43 inches and put
 8 signs up. We did reduce car speed from 125 feet a
 9 minute to 80 feet a minute knowing that we did have a
 10 shallow pit, for additional life safety for the refuge
 11 area and for space to get down and away.
 12 CHAIRMAN WELLER: And the reason they are doing
 13 that is it could come down too fast and compress below
 14 the 36? Is that?
 15 MR. LANOCHECK: If you have a faster car, the
 16 car is going to come down faster.
 17 MR. AUBIN: It is going to compress no matter
 18 what the speed is.
 19 CHAIRMAN WELLER: It doesn't matter? So
 20 slowing the car doesn't make any difference?
 21 MR. MASON: The distance.
 22 MR. CAPUANI: If it is going to go, it is going
 23 to go. It is a refuge space.
 24 MR. LANOCHECK: I talked to the school system.

1 that there is a structural problem. Then bring it
 2 back and --
 3 MR. GANIERE: That's my opinion.
 4 CHAIRMAN WELLER: Okay. Here's my thought, and
 5 then we will call it to a vote. I'm inclined -- it is
 6 a 75-year-old school. I don't think it is productive
 7 to spend a huge amount of money given the shelf life
 8 left of probably what they are looking at. Signage in
 9 my opinion, and some -- you are talking about
 10 protecting the mechanics and the inspectors. I'm
 11 inclined to go with you if it is well marked and well
 12 laid out. That's my thought.
 13 So with what, I would propose a motion
 14 either to deny or accept the variance.
 15 MR. HERTSBERG: I will move to accept, grant
 16 the variance.
 17 CHAIRMAN WELLER: Do I have a second?
 18 MR. MASON: I will second it. And we need to
 19 discuss a little further about what the requirements
 20 are, what he has to do.
 21 CHAIRMAN WELLER: Perfect. Open for discussion
 22 on the motion to accept.
 23 MR. MASON: What did we do for the last one?
 24 We made --

1 MR. SWIENTON: An engineer came out and showed
 2 us proof that there was a structural problem, you
 3 know, a beam or whatever in the way. They couldn't go
 4 any deeper. Otherwise the building would collapse.
 5 That's basically what we are getting at.
 6 MR. GANIERE: But then we made them put signage
 7 in.
 8 MR. SWIENTON: Once it was proven, yes, if you
 9 dig the hole bigger it would screw the building up,
 10 then we made them put signs up.
 11 MR. AUBIN: I think the initial one we passed,
 12 the first one we made them put signage and the second
 13 one we had a letter from the structural engineer
 14 saying that that type of footing couldn't be dug out.
 15 MR. SWIENTON: Correct.
 16 MR. AUBIN: But it was for a lot larger
 17 distance.
 18 CHAIRMAN WELLER: The first one was at the top.
 19 MR. AUBIN: Well, that was a different one. We
 20 had two pits. This is five inches shorter than what
 21 the code calls for right now. The other two were
 22 extremely -- they were greater dimensions. They were
 23 like ten inches.
 24 MR. CAPUANI: We are talking five inches.

1 inches -- I don't think in my opinion it is going to
 2 make that much difference.
 3 MR. SWIENTON: I think we already --
 4 CHAIRMAN WELLER: We have got dialogue. We got
 5 a motion. Is there any more discussion?
 6 MR. MASON: Well, I just asked him were they
 7 replacing the springs. The answer was no. I said
 8 could they go to a reduced stroke to get more
 9 clearance on the buffer. so instead of it compressing
 10 down on whatever it compresses, they go to a reduced
 11 stroke spring.
 12 MR. CAPUANI: You're going to have a run-by?
 13 CHAIRMAN WELLER: Well, if he slowed it to 80
 14 feet, run-by is three inches on 80 feet and it was six
 15 inches.
 16 MR. LANOCHECK: I'm guesstimating because right
 17 now the car is not operational. Whoever needs --
 18 handicap people who need the elevator can't go to
 19 school. So I can't get the car down because of
 20 malfunction due to the water damage. So I don't know
 21 the exact distance. I'm guesstimating.
 22 CHAIRMAN WELLER: I'd like to call the
 23 question?
 24 MR. MAYER: Where did the water come from?

1 MR. AUBIN: Five inches.
 2 MR. CAPUANI: You are talking about five inches
 3 Is it possible that a percentage of that pit could be
 4 dug out five inches for refuge space?
 5 MR. LANOCHECK: We could find out.
 6 MR. CAPUANI: You now what I'm saying?
 7 CHAIRMAN WELLER: You know, is it possible, but
 8 you are talking about an 80 year-old school. I mean,
 9 how much commitment do we want for five inches? I
 10 mean I understand, but this has got to be pragmatic.
 11 MR. MAYER: The car coming down. You got to
 12 find a spot to hide. You got to get yourself down 36
 13 inches.
 14 CHAIRMAN WELLER: I can get down in 36 inches,
 15 but I'm not a big guy.
 16 MR. MAYER: That's the point I want to make, if
 17 that car came down, you want all the room you can get.
 18 MR. CAPUANI: You want all the room you can.
 19 MR. MAYER: That's the point of the code. Five
 20 inches is not a heck of a lot, but five inches there
 21 means a lot.
 22 MR. CAPUANI: When you are under that car and
 23 it is coming down on you, five inches is a lot.
 24 CHAIRMAN WELLER: I don't think that extra five

1 MR. LANOCHECK: DesPlaines River.
 2 MR. MAYER: So now it is prone to water in the
 3 pit because it is next to the river. You are in the
 4 pit, and you have got five inches less than you had
 5 before, and it's prone to water. What if there is
 6 water in the pit?
 7 MR. LANOCHECK: This is a catastrophic
 8 situation. We had rains in September. People got
 9 water that didn't usually get water.
 10 CHAIRMAN WELLER: I'm going to limit the
 11 discussion on this, and we are going to go ahead and
 12 call the question. So all those in favor of granting
 13 the variance say aye.
 14 MR. HERTSBERG: Aye.
 15 MR. MASON: As presented now , I would like to
 16 give them the variances. I just think if they are
 17 going to replace the pit equipment, they might as well
 18 do whatever they can to get the maximum amount of
 19 space. So I would say I would grant the variance if
 20 they can provide a reduced stroke springs. If they
 21 weld it, paint it. You know, identify it.
 22 CHAIRMAN WELLER: I accept -- What do you say
 23 about that?
 24 MR. LANOCHECK: Sure.

1 CHAIRMAN WELLER: All right. Done. I accept
 2 the -- Who made the motion?
 3 MR. GANIERE: I didn't.
 4 MR. HERTSBERG: I did.
 5 CHAIRMAN WELLER: Mark, do you accept the
 6 amendment?
 7 MR. HERTSBERG: That's fine.
 8 CHAIRMAN WELLER: Would you bring those specs
 9 back to us so you can put them with the variance that
 10 we are going to vote on right now?
 11 MR. LANOCHECK: Yes.
 12 CHAIRMAN WELLER: What you have done? And the
 13 signage, will you get him what we voted on last time?
 14 MR. AUBIN: I think last time we got
 15 documentation. Guy brought in photographs.
 16 CHAIRMAN WELLER: I would like that to be with
 17 this too so we got all that on file.
 18 MR. CAPUANI: That's in the code too, the
 19 signage, the height of the --
 20 CHAIRMAN WELLER: All those opposed?
 21 MR. GANIERE: Naye.
 22 MR. SWIENTON: Naye.
 23 CHAIRMAN WELLER: Motion carries 3 to 2.
 24 Please provide us with the information.

1 whatnot.
 2 Outside of Chicago we need a five-foot
 3 pit to meet code. With the toe guard that you have on
 4 there, on our elevator, previously we have been
 5 approved with different variances with the collapsible
 6 toe guard.
 7 The committee last month did not want to
 8 grant that variance if we could easily dig out and get
 9 the extra one foot for the pit. So we didn't have the
 10 engineering data at the time. We met -- the owner met
 11 with the structural engineer. Unfortunately he's got
 12 a great beam connected to caissons that the pit sits on.
 13 So he would have to remove the great beams,
 14 reconfigure the caissons and then repair.
 15 CHAIRMAN WELLER: This is a brand new building?
 16 How did you guys miss that?
 17 MR. CAVE: Well, we came on late. It was
 18 originally going to be a hydraulic elevator, which is
 19 a four-foot pit, and then the owner came through and
 20 said, hey, I rather not have a hydraulic elevator and
 21 instead rather have a traction.
 22 UNIDENTIFIED SPEAKER: We made the decision to
 23 go with Kone after we actually built according to
 24 specifications for Schindler hydraulic lift. Our

1 Do we have one more?
 2 MR. AUBIN: We have a follow-up from last
 3 meeting.
 4 CHAIRMAN WELLER: While he's passing it out,
 5 please state your name, company and purpose.
 6 MR. TRUSKOWSKI: Jeff Truskowski, Kone
 7 Elevator, follow-up on last -- the variance request
 8 from November. Kind of pretty similar to what we just
 9 went over. We didn't have the structural engineer
 10 information in November and now we do. So we are here
 11 to present that. The variance is for a four-foot pit
 12 in lieu of a five-foot. Retraction elevator.
 13 CHAIRMAN WELLER: Okay. Comments. Slow it
 14 down again and tell me exactly what you are looking
 15 for here and what they made you come back with last
 16 time because I missed the --
 17 MR. CAVE: Brian Cave with Kone Elevator. Last
 18 time -- it is a new building, but this building was
 19 basically built by the time the elevator was awarded.
 20 We are providing an eco space elevator for this, and
 21 outside --
 22 CHAIRMAN WELLER: What's an eco space elevator?
 23 MR. CAVE: Machine room lifts, traction
 24 elevator, because of the energy savings and oil and

1 electrician introduced us to cost savings.
 2 CHAIRMAN WELLER: The standards are a lot
 3 higher on you guys than a 1931 school, an elevator for
 4 handicapped kids. So don't think --
 5 MR. SWIENTON: And the reason you switched
 6 elevator types was just for --
 7 UNIDENTIFIED SPEAKER: Well, really I think for
 8 energy efficiency. I mean, as best we can we are
 9 trying to incorporate some environment friendly
 10 features to the building, and we thought with this
 11 elevator we would be drawing less electricity to get
 12 the lower maintenance requirement. We thought all in
 13 all it would be a better product for our buyers. At
 14 least this is what the salespeople told me.
 15 (Laughter)
 16 MR. CAVE: All the refuge space, all the things
 17 required by code is met. All we are doing is putting
 18 a collapsible toe guard because the toe guard extends
 19 from the platform and with the updated code, we need a
 20 five-foot pit. So if it didn't run into the pit, the
 21 toe guard would not hit the bottom of the pit.
 22 CHAIRMAN WELLER: So it is just the toe guard
 23 that extends into the four-foot area.
 24 MR. CAVE: Right. What we do is a collapsible

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1 toe guard. so if it did extend, it wouldn't collapse
 2 the toe guard. We provided all the engineering data.
 3 CHAIRMAN WELLER: Yeah. I got that. All
 4 right. Everybody, you guys know what that is?
 5 MR. MASON: Yeah. So you meet all the
 6 requirements of refuge space? It's just the toe
 7 guard?
 8 MR. CAVE: Right, and we would have done the
 9 five foot. It's a challenge because the city has the
 10 older code and so architects pick the four foot and
 11 the outside they pick the five, and we don't look to
 12 do this very often, but the building was already
 13 built.
 14 CHAIRMAN WELLER: You are comfortable with what
 15 you are doing and you think the safety is there?
 16 MR. SWIENTON: He did the engineer. That's
 17 what we were looking for.
 18 MR. AUBIN: Board has okayed the collapsible
 19 toe guard before.
 20 MR. MASON: Call for a motion.
 21 CHAIRMAN WELLER: I would entertain a motion to
 22 accept this variance.
 23 MR. SWIENTON: I will make a motion.
 24 MR. MASON: I second it.

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1 CHAIRMAN WELLER: All those in favor say aye.
 2 (WHEREUPON, there was a
 3 chorus of ayes.)
 4 Opposed say naye.
 5 (No response)
 6 Do we have any other business in front of
 7 the board in variances?
 8 CHAIRMAN WELLER: Your variance has been
 9 granted.
 10 MR. AUBIN: You still got to apply for a
 11 permit.
 12 CHAIRMAN WELLER: The meeting is adjourned.
 13 The variance session is over.
 14 (Which were all the
 15 proceedings had at this
 16 time on the above-entitled
 17 cause.)
 18
 19
 20
 21
 22
 23
 24

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1 STATE OF ILLINOIS)
 2 COUNTY OF C O O K) SS:
 3
 4 KATHLEEN T. MUHNE, being first duly
 5 sworn, on oath says that she is a Certified Shorthand
 6 Reporter doing business in the City of Chicago, County
 7 of Cook and State of Illinois;
 8 That she reported in shorthand the
 9 proceedings had at the meeting of the above-entitled
 10 cause;
 11 And that the foregoing is a true and
 12 correct transcript of her shorthand notes so taken as
 13 aforesaid and contains all the proceedings had at said
 14 meeting.
 15
 16 -----
 17 KATHLEEN T. MUHNE, C.S.R.
 18
 19 SUBSCRIBED AND SWORN TO
 20 Before me this _____, 2009.
 21 _____
 22 Notary Public
 23
 24

	20,23,24	4,000 (1) 111:7	ability (1) 81:14
\$	2	43 (8) 106:21;107:14,18,19;108:11,14; 110:5,7	able (5) 20:9;63:12;65:21;78:23;98:17
\$25 (1) 39:11	2 (3) 42:18;100:11;117:23	48 (3) 107:16,17;110:5	above (1) 43:15
\$30 (1) 69:12	2.27.2 (1) 7:16		above-entitled (1) 122:16
\$500 (1) 8:18	2.27.5 (1) 7:16	5	Absolutely (6) 50:20,20;51:8,15;54:2;97:24
0	20 (5) 34:18,23;35:1,2,7	5 (1) 64:13	accept (11) 13:24;37:19;52:1;110:7;112:14, 15,22;116:22;117:1,5;121:22
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1	2007 (2) 68:19;69:15	50 (1) 24:10	accepted (1) 40:10
1 (1) 100:10	2008 (7) 68:8,16;69:10,18;71:10;78:11; 82:21	6	accepting (2) 51:22;53:14
1,403 (1) 4:15	2010 (1) 104:21	6 (1) 92:4	according (2) 22:13;119:23
1,744 (1) 4:12	21 (1) 4:13	60 (2) 11:1;111:8	accordingly (1) 21:3
10 (4) 77:6;82:17;84:4,7	21st (1) 36:19	607 (1) 4:15	accusing (1) 40:16
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