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ELEVATOR SAFETY REVIEW BOARD MEETING

June 12, 2008

9:30 a.m.

The Report of Proceedings had in the meeting of the above-entitled cause, taken before Ann Marie Hollo, CSR, RPR, RMR, and Notary Public for Montgomery County, State of Illinois, at 9:30 o'clock A.M., on June 12, 2008, at the Office of the Illinois State Fire Marshal, 1035 Stevenson Drive, Springfield, Illinois, pursuant to notice.

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PRESENT:

ILLINOIS ELEVATOR SAFETY BOARD
MR. FRANK CHRISTENSEN, Chairman
MR. WILLIAM BOGDAN
MR. ROD GILLIS
MR. RICHARD GREGORY
MR. MARK HERTSBERG
MR. KENNETH MASON
MR. DARREL SWIENTON
MR. KELLY WELLER

OFFICE OF THE STATE FIRE MARSHAL

MR. JAMES AUBIN
MR. ROBERT CAPUANI
MS. ELAINE DEL GRECO
MR. RICHARD MAYER
MS. JODI SCHRAGE

1 CHARIMAN CHRISTENSEN: We're going to call
2 the meeting to order.

3 Okay. First when it comes to public
4 comment and that, you need to come to the
5 podium and announce that. We're going to start
6 with the Pledge of Allegiance. Please rise.

7 (WHEREUPON THE PLEDGE OF
8 ALLEGIANCE WAS RECITED.)

9 CHARIMAN CHRISTENSEN: Has the Board had a
10 chance to review the minutes from the last
11 meeting on April 22? Is there a motion to
12 accept the minutes?

13 MR. GREGORY: I so move.

14 MR. BOGDAN: I second it.

15 CHARIMAN CHRISTENSEN: It's been seconded.
16 Any questions, additions?

17 (NO RESPONSE.)

18 CHAIRMAN CHRISTIANSEN: All in favor, say
19 "aye."

20 (WHEREUPON THERE WAS A CHORUS OF "AYES.")

21 CHAIRMAN CHRISTIANSEN: All those against?

22 (NO RESPONSE.)

23 CHAIRMAN CHRISTIANSEN: The "ayes" have
24 it.

1 MS. DEL GRECO: Dick, no comments?

2 CHARIMAN CHRISTENSEN: I got the name
3 right.

4 MR. GREGORY: Right.

5 CHARIMAN CHRISTENSEN: We're going to go
6 to old business. The Elevator Safety Program
7 progress report from Bob Capuani.

8 MR. CAPUANI: The conveyances registered,
9 we're up to 20,114, 89 contractors, a hundred
10 twenty-nine inspectors, 1,694 mechanics, 648
11 apprentices and a hundred and twelve
12 municipalities.

13 CHARIMAN CHRISTENSEN: Is that it, Bob?

14 MR. CAPUANI: Yes.

15 MR. GREGORY: Good report.

16 CHARIMAN CHRISTENSEN: Good report.

17 B, Bob Capuani to report on the response
18 from the Joliet Fire Department regarding the
19 Otis request to install computer to monitor
20 elevators.

21 MR. CAPUANI: This is going to still be
22 ongoing.

23 CHARIMAN CHRISTENSEN: Okay. C, letter
24 from Thompson Inspection regarding requirements

1 for annual inspection tests. The Board will
2 review what the Code requires and report. And
3 that will be temporary?

4 MR. GREGORY: And you should have -- the
5 Board members should have my report in your
6 packet. Cutting to the chase, these category 1
7 tests are required in 8.11 --

8 MR. MASON: 8.6.1.

9 MR. GREGORY: The category 1 test.
10 Mr. Thompson's letter is correct. There is, in
11 my opinion, no action needed from the Board
12 because all we would be saying is he's supposed
13 to enforce the code, and that's the code.

14 CHARIMAN CHRISTENSEN: Any comments?

15 (NO RESPONSE.)

16 CHAIRMAN CHRISTIANSEN: None being, we'll
17 move on.

18 All right. B, Barnard Elevator
19 appearance.

20 MR. CAPUANI: I received a call from
21 Mr. Steve Figliulo. They've had several people
22 resign from the company. It's understaffed.
23 They could not make this meeting. He promises
24 to be at the July meeting.

1 CHARIMAN CHRISTENSEN: Okay. Is there any
2 other old business? None being --

3 MR. GREGORY: You want a report on that
4 173 business?

5 CHARIMAN CHRISTENSEN: That would be new
6 business.

7 MR. GREGORY: Okay.

8 CHARIMAN CHRISTENSEN: If there's no other
9 old business, we're going to move on to new
10 business. Dick Gregory?

11 MR. GREGORY: At the last meeting, we
12 held -- the chairman sitting here on my left
13 appointed myself, Tom Jirik and Mark Hertsberg
14 to look at A17.3 and give some kind of an
15 analysis of that. Mark and Tom and I met via
16 phone conversation yesterday, and it should be
17 in your package somewhere, Board Members.

18 MR. CAPUANI: I don't have it. Here it
19 is.

20 MR. GREGORY: And Elaine emailed everybody
21 also so you would have a chance to look at it.

22 So just to be upfront, I only got through
23 the end of hydraulic elevators. I didn't get
24 into escalators, moving walks, hand elevators

1 and so forth. But the bulk of our discussions
2 and issues will be with electric elevators and
3 hydraulic elevators, and I analyzed all of
4 that. And what the Board has in front of them
5 is a document that has -- this is all based on
6 A17 2005 because that's what we're supposed to
7 be on.

8 It has the part that -- the requirement
9 number from A17 2005, a very brief synopsis of
10 the requirement. And then it has a column that
11 says "frequency," and that is, quite frankly,
12 guesswork by me as far as how many elevators
13 are going to have this kind of an issue extent.
14 And then another column D for the danger. And
15 each one has a category, a scale of 1 to 5. So
16 a scale of 1 means that it's very unlikely to
17 be a lot of elevators that have this issue, and
18 5 means there's going to be a lot. The danger
19 scale of 1 is not as significant, and the
20 danger and a rating of 5 means very significant
21 danger.

22 And then in the last column, there are a
23 little bit of issues in discussion, which I
24 tried to also keep small. And I'll just give

1 you a sample so the Board can discuss this.

2 In this part 2 of A17.3 2005, 2.1.1A says
3 that passengers in elevators that penetrate
4 fire -- passenger elevators -- the enclosure
5 should be enclosed for the entire height, okay?
6 That means that if it's a passenger elevator,
7 you've got to have an enclosure the
8 entire hoistway. And what I'm saying is, that
9 there's not a lot like that. That's a 1. But
10 the danger, I'm saying, is a 4, because if it
11 doesn't have an enclosed hoistway, my comment
12 is there's two things -- spread of fire and
13 people being hit by the elevators or the
14 counterweight.

15 And you know what? I mean, I worked on
16 one case maybe 15 years ago or better, where a
17 truck driver at a warehouse in -- I think that
18 would have been on 39th and Western. Because
19 it's 15 years ago, I don't remember exactly
20 where. But a truck driver leaned over on, you
21 know, the mesh that was -- the elevator was
22 like in the stairwell, and the counterweight
23 came down and killed him. So it is a serious
24 issue, but I don't think there's a lot of them.

1 Going through all these items, all the way
2 through the end of this -- and I don't know if
3 we want to discuss this now -- these now apply
4 to all existing elevators, these requirements.
5 There are obviously two areas that are
6 worrisome to owners. That's retroactive
7 firefighter service, and underground, buried
8 cylinders without safety bulkheads. Those are
9 the two areas. And we had, in our rules, put
10 out, you know, somewhat of a delay for owners
11 to get at them, and then there's a passed bill
12 through the legislature that pushed it off even
13 further.

14 And if you want me to just stop and --

15 CHARIMAN CHRISTENSEN: No. Go ahead.

16 MR. GREGORY: Okay. As far as firefighter
17 service, I'll take the first one I mentioned
18 first. I'm not a firefighter. I've never been
19 a firefighter. I would not willingly run into
20 a burning building. So I would appreciate if
21 perhaps the Office of the State Fire Marshal
22 would take a survey of firefighters in the
23 state and ascertain, "What do you guys think?
24 Do you want firefighter service? At what

1 height do you think you would like it? What is
2 the issue?"

3 For example, in A17.3, it says travel
4 25 feet or more up or down from the egress
5 level, which is normally the ground level. So
6 that means a three-story building most likely
7 does not need firefighter service, and a
8 four-story building most likely does. And, of
9 course, if it's a Polish apartment house with
10 40 basements, it's going to definitely need it.
11 But it's -- you know, it's depending on that.

12 Now, what do the firefighters want? I
13 think we need to ask the Office of the State
14 Fire Marshal for some direction here, what they
15 feel.

16 In Chicago, in 1973 or thereabouts, it was
17 made retroactive that all buildings used for
18 residential purposes, in whole or in part, that
19 were more than 10 floors tall, retroactively
20 had that firefighter service. That's just one.

21 Indiana, in the early '80s, made
22 firefighter service retroactive.

23 But I think that since we're under the
24 State Fire Marshal, I would be very comfortable

1 in asking the State Fire Marshal Office to take
2 a survey and give us the opinion. And if we
3 need to fine tweak the rules or something, we
4 can make a motion to do that.

5 MR. CAPUANI: Let me just say, Dick, at
6 the Senate hearing, the Associated Firefighters
7 of Illinois were behind us a hundred percent,
8 behind me at that meeting.

9 MR. GREGORY: Okay. But I mean, I thank
10 you, and I think that's good information. I
11 think that if we had a letter from the Office
12 of the State Fire Marshal saying that we're
13 behind this firefighter service a hundred
14 percent -- there's two issues, two very simple
15 issues, which are listed in this report.

16 One, you get in the elevator when there's
17 a fire in the building. The fire causes the
18 button to malfunction. The elevator takes you
19 to the floor with the fire, and you are now
20 toast.

21 MR. CAPUANI: Can I interrupt you a
22 second?

23 MR. GREGORY: Yeah.

24 MR. CAPUANI: At the Senate hearing, this

1 doctor -- I forget her name -- informed me that
2 there's signs by the elevator, Dick, and you
3 can read the sign, and it tells you not to use
4 the elevator. I just wanted to make that
5 clear.

6 MR. GREGORY: Okay. All right. Are the
7 signs bilingual?

8 MR. CAPUANI: I did the same explanation
9 that you just did in front of the Senate
10 hearing, and that was her response. There's
11 signs in front of the elevator.

12 MR. GREGORY: And the signs are required
13 by code, too. I mean, that's wonderful, but
14 that doesn't mean everybody follows the sign.
15 Let's say they're in a wheelchair, you know?
16 How are they going to roll down the stairs?
17 That's not easy.

18 MR. CAPUANI: I said that, Dick.

19 CHARIMAN CHRISTENSEN: We went through it,
20 Dick, and she actually said that death was
21 acceptable, so.

22 MR. GREGORY: Well, I think if we got a
23 letter from the Office of the State Fire
24 Marshal saying this is what we demand as the

1 State Fire Marshal, fire service on whatever
2 they want to choose in height, I'm behind them
3 because they're the fire people. You know what
4 I mean? They're the fire people.

5 The other issue is, if you are
6 having -- you know, so we stop picking on the
7 guy in the wheelchair, and we start picking on
8 the old guys. So if I'm up there on the
9 10th floor having a heart attack, typically an
10 engine company and an ambulance respond to the
11 call. They put in a fire service key, they
12 bring down the elevator, and they can zip up
13 there, and you know, help me. But if there is
14 no fire service, there may -- they don't have
15 the ease of getting up there. So I mean,
16 there's two issues where firefighters emergency
17 operation is useful.

18 The other issue is -- the other big issue
19 is, hydraulic in-ground cylinders that do not
20 have a safety bulkhead. And I understand that
21 it was said that that doesn't -- hasn't caused
22 any problems.

23 MR. CAPUANI: No. Condos' hydraulic jacks
24 are safe.

1 MR. GREGORY: Oh.

2 MR. CAPUANI: That was her response.

3 MR. GREGORY: That's a good thing. I can
4 run out and buy a condo.

5 MR. CAPUANI: And my response was, I'm
6 glad that those hydraulic cylinders are still
7 making changes, commercial and condos.

8 MR. GREGORY: Well, the reality is, in
9 around 1964 -- of course, it wasn't a condo.
10 It was an elevator owned by General Motors and
11 installed by Otis Elevator Company. And that
12 elevator fell with a bunch of General Motor's
13 executives in it, and a bunch of them were
14 hurt.

15 MR. CAPUANI: I presented that, Dick. I
16 presented that to her, and she said those are
17 scare tactics.

18 MR. GREGORY: In Scranton, Pennsylvania, a
19 hydraulic elevator with a bunch of Christmas
20 carolers fell. In Cincinnati, Ohio, two people
21 that survived the Holocaust, who survived
22 Hitler, were killed when a hydraulic elevator
23 fell. In Chicago, a case that I still have
24 ongoing, an elevator with 12 people in it fell.

1 One guy died later. And, now, I'm not a
2 medical doctor and don't represent myself as
3 such, and I would -- in my opinion, he died of
4 AIDS, but then again, his lawyer feels he died
5 of the elevator fall. So whatever.

6 MR. CAPUANI: But that's in Chicago. It's
7 not in Illinois. That's her response to that
8 one.

9 MR. GREGORY: Okay.

10 MR. WELLER: Do you even have to respond
11 to that?

12 MR. GREGORY: They are a clear and present
13 danger. So, you know, we will go with where we
14 can go with this. But, you know, I think we
15 need to have her address and everything so that
16 the next plaintiff's case that comes up, if the
17 rule is revoked, we could give the plaintiff's
18 case her name, and they could have her in a
19 lawsuit, but it will cost about 25 grand in
20 legal fees.

21 So that is my report, unless anybody wants
22 to discuss. I realize the Board only had this
23 yesterday. So if you want to digest this for
24 the next meeting --

1 MR. CAPUANI: I think it's a great report.

2 CHARIMAN CHRISTENSEN: First of all, I
3 want to thank you, Dick, for putting the report
4 together.

5 MR. CAPUANI: Excellent.

6 MR. GREGORY: Thank you.

7 MR. CAPUANI: Excellent.

8 CHARIMAN CHRISTENSEN: I think we should,
9 since the Board hasn't had this, I think at the
10 next meeting, the July meeting, we'll --

11 MR. GREGORY: I totally agree.

12 CHARIMAN CHRISTENSEN: Okay. Any other
13 new business?

14 MR. CAPUANI: Yeah. I'm sure Dick will
15 expand on this.

16 As of June 23rd, ASME will be revoking the
17 QEI for Lift Technologies. We have a list of
18 28 inspectors, when their expiration date
19 expires from Lift Technologies. They will go
20 on suspension with the State unless we are
21 notified with a new QEI organization.

22 MR. GREGORY: And I will not go into any
23 of the personal background in this because it's
24 really not necessary. But the reality is,

1 Michelle Blankenship is no longer doing
2 business, and ASME, nor anyone else, for that
3 matter, could contact her. Anyone who is
4 currently certified, currently certified by
5 Lift Technologies, both of the other
6 organizations that certify inspectors, and that
7 would be NAESA and EIWTM. They both have
8 certification programs. If your certification
9 is current, they will take you in; you will be
10 certified by them until the end of your
11 expiration of the Lift certification. And then
12 you'll take their regular renewal test, which
13 either of them, like Lift, is supposed to have
14 a test every year.

15 If you sent your money to Michelle, and
16 your check was cashed, and you were unable to
17 contact her, both organizations will take you
18 in and under their program. And if you
19 are -- even if your certification has expired,
20 if you have the canceled check where Lift or
21 Michelle cashed it, they will take you in, and
22 you'll have to take their renewal test only.

23 If you have made no effort; in other
24 words, your certification with Lift expired,

1 and you made no efforts whatsoever, you've got
2 to start up from scratch with either
3 organization. And it's pretty, I think,
4 reasonable, fair, straightforward and whatever.
5 So I mean, that's the facts of the case or the
6 situation.

7 CHARIMAN CHRISTENSEN: So, Bob, is it your
8 recommendation to the Board right now that we
9 suspend the ones that are expired? I think
10 that's what --

11 MR. CAPUANI: Our rules state that you
12 need to notify the administrator within 24
13 hours of termination. I've got people here
14 that terminated 12-10-07, 8-20-07. I'm sure
15 they've recertified; I'm assuming they
16 recertified, but they never sent us an updated
17 QEI.

18 So what we will do, we will send the
19 letter out to all inspectors reminding them
20 that they have 24 hours to notify us. But the
21 Lift Technologies, once they expire, if they
22 don't notify us, they will be suspended.

23 CHARIMAN CHRISTENSEN: Okay.

24 MR. CAPUANI: We will have to send them a

1 new application.

2 CHARIMAN CHRISTENSEN: Do you need a
3 motion from the Board?

4 MR. CAPUANI: It's in our rules. We don't
5 need a motion for that.

6 CHARIMAN CHRISTENSEN: Okay. Is there any
7 other new business?

8 MR. GREGORY: Do you want to discuss this
9 article?

10 CHARIMAN CHRISTENSEN: We can. There was
11 an article written in the Oak Park Journal, and
12 it addresses a couple things on here, and I
13 will give you a response from Dick Gregory,
14 which was excellent. And it's in fine print,
15 so.

16 MR. GREGORY: Do you want a flashlight?

17 CHARIMAN CHRISTENSEN: "I comment as an
18 elevator consultant that is currently handling
19 four deaths on elevators and many more in the
20 past, also as a member of ASME A17.1 Standards
21 Committee that writes the National Consensus
22 Elevator and Escalator Safety Code, and I am a
23 member of the State of Illinois Elevator Board.

24 Illinois adopted the nationally accepted

1 standards, which is written by a consensus
2 process and approved by the American National
3 Standard Institute and the Canadian Standards
4 Association. The American Society of
5 Mechanical Engineers A17.1 Committee has a
6 balanced membership participating in the
7 process. The process is long and perhaps
8 tiresome, but results in an excellent safety
9 code.

10 Perhaps Mrs. Langer should ask the
11 relatives of two people who died in Cincinnati,
12 when a hydraulic elevator fell, how they feel
13 about this issue. Or she can ask the 12 people
14 in Chicago that were injured when a hydraulic
15 elevator fell. One died which I ascribe to a
16 different cause, but I'm not an M.D. If a
17 hydraulic elevator falls with the passenger, it
18 will be serious injury or death as has happened
19 before.

20 The building owner owes the highest duty
21 of care to people using elevators. This delay
22 is wonderful if you are a plaintiff's lawyer.
23 The testifying elevator experts are cutting
24 into their potential income by supporting the

1 Elevator Safety Law, but we do it anyway.

2 So government interferes in many ways.
3 Seat belts? Alcohol and driving? Speeding?
4 Stopping at red lights? Wearing personal
5 protective equipment on construction sites?
6 TSA screening at airports? Which of these is
7 Mrs. Langer" -- "or Ms. Langer willing to
8 ignore and place herself in danger?"

9 So I just wanted to comment, Dick, it was
10 an excellent comment.

11 MR. GREGORY: Thank you.

12 MR. CAPUANI: On that note, we're going to
13 put a letter out to all the contractors and
14 inspectors, and our agency wants to keep a
15 record of all incidents. So the companies will
16 have to report any incident, any accidents. If
17 the cylinder blows even under testing
18 conditions, our office wants to know. We will
19 send a letter out, and we'll keep the
20 statistics.

21 CHARIMAN CHRISTENSEN: Any questions?

22 MR. SWIENTON: That response is put in the
23 record, right?

24 CHARIMAN CHRISTENSEN: Yes.

1 MR. GREGORY: Would that include
2 inspectors with reports?

3 MR. CAPUANI: Yes. Inspectors need the
4 reports, too.

5 On that note, the inspection companies
6 will have to be -- I'm going to ask the
7 Board -- it's in the rules that right now it
8 will be published June 6th, that inspection
9 companies must register as a company. Does the
10 Board want a date on when this should be done?
11 I mean, it should be now, but do you want to
12 give a date? 60 days?

13 MR. GREGORY: 60 days. That sounds --

14 MR. CAPUANI: You have to vote on it.

15 CHARIMAN CHRISTENSEN: Okay. Is there a
16 motion on the time to give the inspection
17 companies to -- contracting inspection
18 companies, a licensed inspection company in the
19 State of Illinois?

20 MR. GREGORY: We have inspection companies
21 doing inspections that are not -- oh.

22 MR. CAPUANI: It was just published. The
23 rules were just published, Dick.

24 MR. GREGORY: Okay. 60 days. I move that

1 the inspection companies be given 60 days to
2 comply with the new rules and register with the
3 Office of the State Fire Marshal.

4 MR. CAPUANI: Yeah. You've got to
5 remember our office will take two to three
6 weeks to process this. So take that into it.
7 So we need 60 days.

8 MS. DEL GRECO: And the information on the
9 website.

10 MR. CAPUANI: And the application isn't on
11 the website right now.

12 MS. DEL GRECO: We just did the
13 application, and it will be put on the website.

14 CHARIMAN CHRISTENSEN: Is 60 days
15 sufficient?

16 MR. GREGORY: Then I would like to --

17 MR. CAPUANI: End of August?

18 MR. SWIENTON: Yeah. 90.

19 MR. CAPUANI: How about the end of August?

20 MR. GREGORY: August 31st.

21 CHARIMAN CHRISTENSEN: So what is your
22 motion, Dick?

23 MR. GREGORY: The motion is that
24 inspection companies will have until

1 August 31st to complete the forms and register
2 with the Office of the State Fire Marshal.

3 CHARIMAN CHRISTENSEN: Is there a second?

4 MR. SWIENTON: Darrel Swienton, second.

5 CHARIMAN CHRISTENSEN: Any questions?

6 (NO RESPONSE.)

7 CHAIRMAN CHRISTIANSEN: None being, all
8 those in favor say "aye."

9 (WHEREUPON THERE WAS A CHORUS OF "AYES.")

10 All those against?

11 (NO RESPONSE.)

12 CHAIRMAN CHRISTIANSEN: The "ayes" have
13 it.

14 MR. CAPUANI: Thank you.

15 CHARIMAN CHRISTENSEN: Is there any other
16 new business?

17 MR. GREGORY: Our new rules state that the
18 applicable code now is A17.1 2007.

19 MR. CAPUANI: Correct.

20 MR. GREGORY: And these were published on
21 June 6th.

22 MR. CAPUANI: Correct.

23 MR. GREGORY: So the question is, when do
24 we -- the question is this discussion right

1 now. When we enforce the 2007, should we say
2 that all permits that are existing now are
3 under the previous?

4 MR. CAPUANI: Yes, yes, yes. All the ones
5 that Jim would get in after June 6th. Or
6 today, we could make a date.

7 MR. GREGORY: How about July 1st? I mean,
8 I'm just -- the rules are not even on our
9 website yet. It makes it pretty tough for
10 someone to know that.

11 MR. CAPUANI: If you want to put a
12 July 1st deadline, that's okay.

13 MR. GREGORY: Does anybody have any other
14 thoughts? When will the rules be on the
15 website, do you think?

16 MS. DEL GRECO: They go to CMS, and it's
17 whenever they have people available to put them
18 on the Web. So it may be immediately, two
19 weeks; it could be three weeks. We never know
20 how long it's going to take.

21 MR. GREGORY: So you think maybe -- I
22 mean, two weeks is July 1st.

23 MS. DEL GRECO: The only thing we can do
24 is ask that they do it. It's not before that.

1 of? Is there anything else?

2 (NO RESPONSE.)

3 CHAIRMAN CHRISTIANSEN: Okay. We're going
4 to move and make a motion to adjourn.

5 MR. CAPUANI: No, no. Public comment.
6 You got public comments.

7 CHARIMAN CHRISTENSEN: Anybody that wants
8 to come up and offer public comment? We've got
9 Craig Zomdrek from Kelly Elevator.

10 MR. ZOMDREK: Good morning.

11 Two things. One thing is I'm lucky enough
12 to come down here to Springfield to go to the
13 meetings to hear what you guys have to say.
14 Last month, there wasn't a meeting. We showed
15 up and had no idea. So I guess what I'm asking
16 is, if there's a better way to get
17 dissemination of the information to elevator
18 contractors, not so much, you know, the bigger
19 companies, but the companies that can't have
20 somebody out here. You know, people that have
21 5, 10 people working for them.

22 CHARIMAN CHRISTENSEN: I'll explain that.
23 We had an emergency come up. There was an
24 amendment to the bill.

1 MR. ZOMDREK: I understand. I'm just
2 talking about in general. Because John -- and
3 Thompson makes us lists and makes life easy for
4 us, but it doesn't necessarily, you know, go
5 with some of the things you're saying, on
6 occasion.

7 MR. CAPUANI: But all the minutes are on
8 our website. You can review every minute of
9 this meeting on our website.

10 MR. ZOMDREK: A month later.

11 MR. CAPUANI: But any updates or Board
12 decisions will be put on.

13 MR. ZOMDREK: Right. And you're asking
14 for us to give you the information for the
15 cylinder and stuff, but that's not a problem.
16 You know, you have all our addresses, our fax
17 numbers or emails or something, you can shoot
18 something out. Hey, here's this or that, or
19 some dramatic change, here it is.

20 MR. CAPUANI: If there's a dramatic
21 change, then go on the website. That's the
22 best I can do right now, and cancellation for
23 the meetings is on the website. I mean, it's
24 hard to notify the companies.

1 MR. ZOMDREK: It's just a suggestion.

2 MR. CAPUANI: Right.

3 MR. ZOMDREK: The second thing is, in
4 February, I asked about the definition for
5 cylinder replacement, what needs to be replaced
6 and what doesn't need to be replaced. I've
7 been hearing different things from different
8 people, phone calls from elevator contractors,
9 consultants. A lot of people in buildings have
10 been calling the State for questions. Is it
11 the year? I'm just wondering if you could make
12 a final definition of what the contractors have
13 to tell these building owners. What is going
14 to make them replace their cylinder? Is it
15 going to be a date? Or do you need a piece of
16 paper saying "I have a safety bulkhead"?

17 MR. GREGORY: Well, I think it's going to
18 be very hard for us to give you some kind of a
19 hard and fast rule, especially considering that
20 there's the issue of this Barbara Langer trying
21 to undo the rules. So you realize whatever we
22 try to give you is tempered by not knowing
23 what's going to happen.

24 I would say if I'm a building owner, and I

1 have documentation that says that my cylinder
2 has a safety bulkhead -- okay. Let's say, for
3 example, I have a Dover jack. And Dover did
4 some with safety bulkheads in the '60s before
5 they were in the code. I don't know how many
6 they did or how many they didn't, but I know
7 that they did them. So they keep records.
8 And, as you know, the Dover records are under
9 the "E" number, which you can get off of their
10 equipment. And so the building owner could
11 write to the successor of the owner, namely,
12 and say, "Hey, would you look this up in the
13 records? Does this have a safety bulkhead?" I
14 mean, I'm picking on Dover because they install
15 a huge number of hydraulic elevators. So if
16 they get a drawing and a letter from
17 Thyssenkrupp that says "Yours was installed
18 with a safety bulkhead," I would say there
19 would be no reason for us. It meets the code.

20 MR. ZONDREK: Right. Correct.

21 MR. GREGORY: Colley Elevator will also
22 keep records.

23 MR. ZONDREK: Right. It's not for me, as
24 much as I go to a lot of Westinghouse Elevator

1 meetings. It's very hard for them to even get
2 a response from Schindler, to get a return
3 phone call.

4 And during the period where that's in
5 question, from '67 to maybe '74, there's a lot
6 of contractors that went out of business.
7 Other people took over the projects and
8 developed these projects. So something under
9 contract in 1967 came to fruition in, you know,
10 '74, a building project, whatever. So I'm
11 getting a lot of questions that I don't really
12 know what to tell them besides, you know,
13 you're going to spend \$30,000, \$40,000, \$50,000
14 to do this. And that's -- you know, I'm just
15 kind of looking for something quantifiable.

16 MR. CAPUANI: I would say, Dick, if they
17 didn't have documented proof that they have a
18 double bulkhead cylinder, they have to replace
19 it. I mean, there's no way to look
20 underground.

21 MR. ZOMDREK: I am hearing other people
22 going around telling other things. That's my
23 issue. They say, "Oh, I called this person,
24 this person, this person."

1 MR. CAPUANI: From where? Our office?

2 MR. ZOMDREK: Your office.

3 MR. CAPUANI: And what did they say?

4 MR. ZOMDREK: They said 1972.

5 MR. CAPUANI: It doesn't matter. It's
6 still a single bulkhead cylinder, correct?

7 MR. ZOMDREK: Right.

8 MR. CAPUANI: If it's a single bulkhead
9 cylinder, it needs to be changed according to
10 the code, correct?

11 MR. GREGORY: But there's only two people
12 that I know of. Now, if it was a small, little
13 company that was not related to any large
14 company, then I don't know. There's only two
15 people that I know of after 1971 that were
16 making cylinders without safety bulkheads, and
17 that was Esco, because Mr. Bannister, who owned
18 the company, did not believe in safety
19 bulkheads. He came up with a double cylinder.
20 So you could have a Esco elevator with a double
21 cylinder, which also meets code then, okay?
22 But if you have an Esco cylinder from 1967
23 that's not a double cylinder, you can be pretty
24 sure it doesn't meet the code because they made

1 none with safety bulkheads.

2 The other one would be in New Orleans,
3 American Crescent. They were making cylinders
4 without safety bulkheads into the '80s, and you
5 know, maybe into the '90s. So I would be very
6 concerned if you have a cylinder that was
7 manufactured by American Crescent in the New
8 Orleans area as opposed to American Crescent in
9 Mississippi.

10 MR. ZOMDREK: I understand what you're
11 saying. It's hard to get a direct answer. But
12 for the building owners, because I think some
13 people are doing work that they don't need to
14 do, and it's something that's going to help
15 them out a lot -- condos, to make them feel
16 more comfortable, and I know you're getting a
17 lot of backlash from condominiums. That's
18 probably the major people giving you grief. So
19 if there's something you could
20 quantify -- again, just a suggestion. It's
21 going to help me kind of disseminate the
22 information to them because they're returning
23 back from a hundred meetings, and they have all
24 the same questions.

1 MR. CAPUANI: If I was going to produce
2 the letter, all I would do was quote the bill.
3 To be honest with you, you could do the same
4 thing as a company.

5 MR. ZONDREK: Okay. I mean, that's fine.
6 I'll just tell people if they don't have
7 proof -- I mean, I just want to make sure that
8 everyone is on the same page. If everyone is
9 on the same page, then I have people going,
10 well, you know, another vendor might tell
11 something different, and all of a sudden,
12 there's a problem. And it comes out -- the
13 elevator comes out, and the work has been done,
14 and then all of a sudden, you start getting
15 phone calls. And I know you've been to
16 buildings like that.

17 MR. CAPUANI: Yes. And I call the
18 consultant or the inspector if their inspector
19 is called.

20 MR. ZONDREK: Right.

21 MR. GREGORY: Craig, I mean, I have one
22 client close to the North Shore, I guess I
23 would say, maybe they're in a couple miles from
24 the lake. But be that as it may, they have two

1 elevators that were installed by Montgomery
2 Elevator. So Kone still exists. And I was
3 attempted to tell them to write to Kone and ask
4 whether you have safety bulkheads there.

5 But when I realized -- this is a very
6 strange condominium, in that they've kept
7 records of everything since the building was
8 built. So from those records, I know that one
9 of them was replaced with a cylinder with a
10 safety bulkhead, and the other one was sleeved.
11 And you do a lot of sleeving, but it's pretty
12 hard to sleeve and then get a safety bulkhead
13 in there.

14 So I'm telling them, well, one of
15 them -- you know, you have the record. You
16 have the record that the cylinder was replaced
17 with the safety bulkhead. You've even got the
18 bills and so forth. And you have the other
19 records showing that it was sleeved by -- what
20 we call Hollywood Phil (phonetic). And, you
21 know, so that, I'm pretty sure, does not have a
22 safety bulkhead.

23 MR. ZONDREK: And I appreciate that. I'm
24 just asking you, because I want to confirm what

1 you said before. And if that's the case, then
2 I can say I went there and asked the question,
3 and this is what everyone said because everyone
4 is hearing a lot of different things. I get
5 three different contractors, and they're
6 hearing three different stories, and I think
7 that's part of the problem. And there are a
8 lot of irresponsible contractors out there that
9 will sell you the Brooklyn Bridge
10 unfortunately. That's it.

11 CHARIMAN CHRISTENSEN: Thanks, Craig.

12 MR. GIBBS: I just had a question about
13 what you were talking about. Can I ask this?

14 CHARIMAN CHRISTENSEN: Go ahead, but come
15 up to the podium please. I just don't want
16 this to happen too often.

17 MR. GIBBS: Mike Gibbs from Anderson.

18 So is it the Board's rule of thumb that
19 '71 and beyond is okay before they need a
20 letter?

21 MR. CAPUANI: '72.

22 MR. GIBBS: '72 and beyond, it's okay?
23 Prior to that, they need a letter that says
24 they have a bulkhead?

1 MR. GREGORY: I don't think we can take
2 that hard and fast. If you have a cylinder
3 that you -- there were some people who were
4 making their own cylinders in the '70s that
5 there's no way to document it. We don't know.
6 If you had a cylinder that was made by a
7 national manufacturer from '72 on, I think
8 you're fine. But there were some, let's say,
9 little, strange companies -- and I'm not going
10 to start naming them now -- but who were
11 installing hydraulic elevators at that time who
12 were a little different.

13 MR. GIBBS: Okay. Thanks.

14 CHARIMAN CHRISTENSEN: All right. The
15 next one for public comment is Don Plass from
16 Hoffman Estates.

17 MR. PLASS: Hi. Good morning. Thank you
18 for letting me speak here. I'm John Plass.
19 I'm the Director of Code Enforcement from the
20 Village of Hoffman Estates, and I have two
21 topics I'd like to talk on.

22 Mr. Gregory did address one of them that I
23 had a question on, because of the JCAR ruling
24 that has gone through and was actually

1 published June 6th. I was wondering when the
2 date was that it was going to be effective, and
3 that's cleared up.

4 The other part I have is, we have a
5 hundred and twelve municipalities, you said,
6 that have agreements. All of our agreements go
7 to the 2005 ASME. And I know John Fennel is
8 not here. All of us have done ordinances
9 through our village boards or city boards,
10 whatever. So I've got an ordinance now that
11 says I'm following the 2005 ASME, but now I'm
12 supposed to follow the 2007. Do I have to go
13 back and do I have to sign another agreement
14 with the Office of the State Fire Marshal?

15 MR. CAPUANI: No. We will send you an
16 updated letter stating that as of this
17 date -- August 1st?

18 CHARIMAN CHRISTENSEN: August 1st.

19 MR. CAPUANI: That the new code will be in
20 effect.

21 MR. PLASS: I don't really want to go back
22 to my board and have to do it.

23 MR. CAPUANI: Why not? No, we will send
24 you a letter on that, okay?

1 MR. PLASS: Okay. The other thing is,
2 when we've got the A17.3, I believe that's
3 probably going to be coming up within the year,
4 Dick? Is that -- would there be a new ASME
5 A17.3?

6 MR. GREGORY: In theory, we should publish
7 one this year. It should be in -- there should
8 be a A.17 2008. The publication department of
9 ASME is not, let's say, really fast movers.
10 And so I would tend to think that it would be
11 August or September before that comes out. I
12 mean, they tend to run behind. But I would
13 have to go on the ASME website and see if
14 there's anything.

15 MR. PLASS: So that would be the same
16 thing again? There would be a letter from the
17 state fire marshal?

18 MR. CAPUANI: Yeah. The Board has six
19 months, I believe, to adopt those codes.

20 MR. PLASS: That was part of the JCAR that
21 went through there?

22 MR. CAPUANI: Correct. We will update you
23 with the municipalities that have signed.

24 MR. PLASS: The other thing in the JCAR

1 rules, I noticed that they actually have
2 determined or stated or defined what a quorum
3 is. And I know that we don't have roll call on
4 the agenda, and we don't --

5 CHARIMAN CHRISTENSEN: That's addressed.

6 MR. PLASS: We don't identify who the
7 people are that are voting up here. And as a
8 suggestion, I would think that would be good to
9 bring the roll call in.

10 CHARIMAN CHRISTENSEN: Don, you brought
11 this up at a meeting after our meeting one time
12 in Illinois, the City of Chicago. I actually
13 went to the Robert's Rules of Order. They have
14 a website. There's books on it and all that,
15 and I checked on it. There's nothing enforcing
16 that. There's nothing in there that there has
17 to be a roll call. We sign in on a sheet. We
18 have a sign-in sheet for each Board member, and
19 that's good enough for this Board.

20 MR. PLASS: Okay.

21 CHARIMAN CHRISTENSEN: Okay?

22 MR. PLASS: It would be nice to be able to
23
24

1 have the people in the audience, though. Okay.

2 Actually, that's all I've got to cover
3 right now. Thank you very much.

4 CHARIMAN CHRISTENSEN: Thank you.

5 We have Patty Young, Thompson Inspection.

6 MS. YOUNG: You're finally forcing me to
7 look at you guys. My bad habit.

8 A couple things. A couple things have
9 been addressed that I wrote down there. I
10 appreciate Don bringing up about the
11 municipality agreement and that a letter will
12 be sent out because I know that will cause a
13 lot of confusion.

14 I think it will have to be -- the one
15 comment I do have is, I think it will have to
16 be evaluated per each municipality within their
17 board for, quote, their "books" as to whether
18 they have to go through that whole process,
19 because they've adopted their own ordinances
20 for saying that it's X, Y, Z codes. So there
21 may be some pain with that. So if there's a
22 way to ease that pain, I'm sure each
23 municipality would be interested in that.

24 I wanted to ask you about the inspection

1 company license. I know we just had a
2 conversation about the 90 days to comply with
3 the August 31st of '08, and the anticipation of
4 that application will be up on the website.
5 Within there, all the requirements of what is
6 required will be stated in there. I appreciate
7 that.

8 MR. CAPUANI: Yes.

9 MS. YOUNG: Also just because I know
10 there's a couple in-house inspectors within the
11 companies here, with those inspectors being
12 listed on the website for their companies and
13 their elevator repair companies' installers, if
14 those individual inspectors within those
15 companies, will their company -- for example,
16 Schindler or Kone -- need to fill out an
17 inspection company license as well?

18 MR. CAPUANI: Yes. You have to be an
19 inspection company or sole proprietorship, a
20 sole proprietorship.

21 MS. YOUNG: Okay. Is there a difference
22 between the fact that they're -- you know,
23 strictly have been defined as an elevator
24 repair installer and never have been, quote, in

1 the "inspection" business? Is that going to be
2 a conflict or some problems? I'm thinking
3 from --

4 MR. CAPUANI: Well, they could not -- you
5 could not inspect your own work, you know.
6 Just right now until August -- you know what I
7 mean?

8 MS. YOUNG: Right. I know that's coming
9 up. So I'm just kind of -- you know, if we're
10 saying August 31st, you know, and so that
11 August meeting? What is it? Like the 14th?

12 MR. CAPUANI: The 14th, yes.

13 MS. YOUNG: You know, now that we have the
14 new rules, we're kind of in that gray window,
15 so to speak. So I wanted to bring that up
16 publicly and to your attention that that could
17 possibly an issue. Okay.

18 MR. CAPUANI: Okay.

19 MS. YOUNG: Getting back to the
20 information regarding the Taylor situation; you
21 had mentioned that there is going to be a
22 letter that will be sent out to individual
23 inspectors telling them that you are -- you
24 know about Taylor. I guess my question is,

1 what exactly is the fire marshal's office
2 looking for to indicate what left this Taylor
3 environment and now I'm in this new
4 environment?

5 MR. CAPUANI: Whoever has a license.
6 Every inspector who has a license with the
7 state must notify our office. And by notifying
8 us, you can send us a copy of your current QEI
9 card.

10 MS. YOUNG: That's what I'm looking for.
11 So you need a copy of the QEI card?

12 MR. CAPUANI: That's all we need, right.

13 MS. YOUNG: And just a cover letter that
14 says, "Please find enclosed my copy of this.
15 I've transferred from X to Y."

16 MR. CAPUANI: Right. And, really, even
17 everyone from NAESA, if you're -- if it's
18 expired June 30th, they're supposed to notify
19 our office. Just fax in your card. That's all
20 we need.

21 MS. YOUNG: I didn't want to make it too
22 involved, but yet wanted to meet the
23 requirement that you are looking for, and
24 didn't want to put the effort and then find out

1 that's not what you're looking for.

2 MR. CAPUANI: And make sure everything
3 comes to the Chicago office. I mean, we're in
4 the process of changing all the addresses, but
5 everything really is going to be up in Chicago
6 except for registration, correct?

7 MS. SCHRAGE: Certificates of operation.

8 MR. CAPUANI: Certificates of operation
9 will come out of Springfield, but we're in the
10 process of changing all these addresses.

11 MS. YOUNG: I've got something else here.

12 Regarding the permit letter, Dick had
13 brought it up, and discussion was about the
14 August 1st as being the deadline. Just
15 reviewing back to the situation where we had
16 from last year; within that letter about the
17 use of when the permit issuance was, there was
18 the use of the May 4th, which was the rules
19 date that was issued --

20 MR. CAPUANI: Right.

21 MS. YOUNG: I guess I'm asking would it be
22 in the best interest to remain consistent from
23 one letter? Because we kind of randomly picked
24 a date of this August. And if somebody were to

1 try to find traceability for that, it doesn't
2 match up with the issuance of the June 6th.

3 MR. GREGORY: To me, it's convenient to
4 start things on the 1st of the month. It makes
5 everybody's life easier. I don't care.

6 MS. YOUNG: Well, we did write that letter
7 after the fact. So I'm just looking for
8 consistency. And in case somebody has a
9 question, that it makes sense. And because
10 that date has been determined and would be
11 buried within your meeting minutes, and that's
12 a needle in a haystack.

13 MR. GREGORY: But the reality is, the
14 rules aren't even on our website yet. So I
15 mean, we have to set some date.

16 MR. CAPUANI: Well, we could put it as a
17 Board decision on the website. I mean, it's up
18 to the Board. They made that recommendation.

19 MS. YOUNG: I just put it out there for
20 consistency sake because this is going to occur
21 as we move forward in time because it's never
22 going to go away. And there's going to be
23 an '09 and an '11. And we're going to have to
24 deal with this each and every time, not only

1 for the A17 code, but for every code that's
2 been adopted.

3 CHARIMAN CHRISTENSEN: Anything from the
4 Board? Do you want to do anything about it?

5 MR. SWIENTON: Not right now. Let's think
6 about it.

7 CHARIMAN CHRISTENSEN: We'll hold off on
8 this.

9 MS. YOUNG: All right. We'll put that for
10 the next meeting?

11 MR. CAPUANI: We'll put it as a Board
12 decision for August 1st. Okay.

13 MS. YOUNG: I just wanted to share that
14 observation with you.

15 Let's see. Registration list. I do
16 appreciate the fact that there is a list up on
17 the fire marshal's website. I wanted to find
18 out if that's just our step one, and we're
19 going to be working towards making a little bit
20 more user friendly? I see that the list is
21 listed per county, and then it's alphabetically
22 within the community or municipality, but then
23 when you go to the addresses, they're kind of
24 all over the joint. You know, you've got the

1 A's are up here, and then it goes to, you know,
2 Apple Street to Main Street, and then you're
3 back down to Apple Street.

4 And then also the registration numbers are
5 not tagged according to each address, nor is
6 there a description of each unit that
7 correlates with it. So from my perspective or
8 anybody else to look up what a conveyance
9 number is, because I want to verify so I can
10 assist all my clients with their monthly
11 reports, which requires the registration
12 number, it is not useful at all from my
13 perspective. So I'm offering to work with
14 whoever to see if we can make it more user
15 friendly and kind of give it a little bit more
16 "umph" to make it useable. It's also not very
17 sortable. It's just more of a PDF. It's just
18 kind of there. And a hundred and seventy-eight
19 pages is a lot of pages to go through.

20 MR. CAPUANI: We'll take that under
21 advisement.

22 MS. YOUNG: Okay. I'd appreciate that.

23 And let's see. The last thing -- aren't
24 you lucky? -- is I am asking the Board and the

1 staff how am I communicating to building owners
2 and my clients regarding the situation that
3 occurred recently in the month of May with the
4 Senate regarding this extension of 2013? It is
5 just like wild fire crazy talk out there.

6 MR. CAPUANI: It's pending legislation
7 right now.

8 MS. YOUNG: Okay. So at this point, I
9 would rather refer to your office because I'm
10 not in a position to make any comment.

11 MR. CAPUANI: The only comment would be
12 pending. It's pending.

13 MS. YOUNG: There is an impression out
14 there -- and I don't know how solidified
15 everything is -- is "whoo-hoo," we're off the
16 took until 2013, but, you know, 2009 is right
17 around the corner. And if people really do
18 have these upgrades -- and we still have to
19 respect that date -- there's going to be a lot
20 of people in big old trouble.

21 MR. CAPUANI: Right now, they need to
22 respect the date. Right now, the 2009, 2013
23 are in effect.

24 CHARIMAN CHRISTENSEN: 2009.

1 MR. CAPUANI: I'm sorry. 2009, 2011 are
2 in effect.

3 MS. YOUNG: Right. I'm sorry.

4 MR. CAPUANI: They're in effect right now
5 until the governor signs it.

6 MR. SWIENTON: Completely it's up to the
7 people. They're supposed to do it now. If
8 they want to gamble and hope this legislation
9 goes through, that's their choice.

10 MS. YOUNG: I want to hear from this table
11 so that I can take it back for communication to
12 the people that I deal with.

13 CHARIMAN CHRISTENSEN: Patty, the bill is
14 not done yet. It's not signed off by the
15 governor. You know, who's to say what might
16 happen there? So it's not a done deal yet.
17 But my hope is, that they believe that it
18 now -- if it's going to be 2013, that's the end
19 of the sunset date of this bill. And I hope
20 they don't -- they might believe, like I
21 believe this Dr. Barbara Langer does, that our
22 bill is over with in 2013. And I hope she
23 doesn't believe that, because I believe this
24 whole Board will fight that tooth and nail. I

1 believe we're doing some good things here.

2 MR. CAPUANI: What I heard from the
3 senator is it's not going to go away. They're
4 not going to put a safety bill out there and
5 retract it.

6 MS. YOUNG: I guess my question is, if I
7 have somebody who, quote, who doesn't believe
8 me or who wants further information, I will be
9 referring them to the fire marshal's office.

10 MR. CAPUANI: That's fine. We get 50
11 calls a day.

12 MS. YOUNG: I want to share.

13 MR. CAPUANI: No, thanks. We need more of
14 that.

15 MS. YOUNG: I think that was the last item
16 I had. Thank you very much.

17 CHARIMAN CHRISTENSEN: Thanks.

18 Any more for public comments? We don't
19 have any paperwork.

20 MR. PLASS: Could I just have a question?
21 One thing that Patty did --

22 CHARIMAN CHRISTENSEN: Come up to the
23 microphone please. I'm sorry. The podium.
24 I'm used to the microphone, but we don't have

1 one.

2 MR. PLASS: I'll speak loud.

3 The one thing I did want to clear -- and
4 I'm referring back to Patty when she talked
5 about the date -- I think it's August 1st that
6 we're looking for, the 2007 to be there? We
7 had talked earlier at other meetings that the
8 elevator, even if they were put in at a later
9 date, we would go with the building permit date
10 if that's correct. So if I have building
11 permit on a commercial building that is a 2006,
12 and they just give me the permit now, or even
13 after August 2nd, let's say, that still would
14 go back to the 2005 code, correct? Because we
15 referred to the date of the building permit, if
16 I remember correctly.

17 MR. CAPUANI: Yeah. The last time we did
18 go back to -- right, I remember. We went back
19 to the building permits when the building
20 permit was issued.

21 MR. MAYER: It was between when the prior
22 was made.

23 MR. CAPUANI: So we would have to do the
24 building permit before August 1st.

1 CHARIMAN CHRISTENSEN: I think that's
2 reasonable.

3 MR. PLASS: If they come in August 1st or
4 August 2nd for a building permit, I would
5 expect that they do the elevator to the ASME
6 2007.

7 MR. CAPUANI: Correct.

8 MR. PLASS: But prior to that, let's say
9 they come in July 30th or something like that,
10 and they've got a permit for awhile, they're
11 still back on the 2005 ASME A17.1.

12 MR. CAPUANI: Thank you.

13 MR. PLASS: I just wanted to make that
14 clear.

15 MR. CAPUANI: Thanks. That will be on the
16 Board's decision on our website.

17 CHARIMAN CHRISTENSEN: Is there anything
18 else for the Board? Didn't you have something
19 you want to change on one of the -- no?

20 MR. CAPUANI: No. We'll talk about it
21 later.

22 CHARIMAN CHRISTENSEN: All right. Nothing
23 else?

24 (NO RESPONSE.)

1 CHAIRMAN CHRISTIANSEN: Is there a motion
2 to adjourn?

3 MR. GILLIS: I make the motion.

4 MR. GREGORY: I second it.

5 CHARIMAN CHRISTENSEN: There's been a
6 motion made. The motion was made by Rod Gillis
7 and seconded by Dick Gregory.

8 Any questions?

9 (NO RESPONSE.)

10 CHAIRMAN CHRISTIANSEN: All those in
11 favor, say "aye."

12 (WHEREUPON THERE WAS A CHORUS OF "AYES.")

13 CHAIRMAN CHRISTIANSEN: All those against?

14 (NO RESPONSE.)

15 CHAIRMAN CHRISTIANSEN: The "ayes" have
16 it. Okay.

17 MR. HILTON: Jeremy Hilton, Lifts of
18 Illinois.

19 Two months ago, we had a meeting for the
20 variance for a vertical lift for casket use.
21 We went back to the manufacturer. And with the
22 way the codes are said, it will lift the weight
23 because it's 20 -- 26 percent bigger than what
24 we're wanting, but it's not tested for it

1 because the testing is supposed to be five
2 times that weight, and obviously it's not, but
3 it will hold 26 percent more without a
4 question. Because we're wanting it to carry
5 950 pounds -- I think Mr. Gregory said go ahead
6 and make it a round number up to a thousand, I
7 believe he said, in the minutes. Which
8 obviously if it's 750, it's five times that,
9 and it will hold it.

10 Like I said, we're just wanting a variance
11 so it can hold that casket.

12 MR. WELLER: I'd like to make a motion
13 that we accept the variance.

14 CHARIMAN CHRISTENSEN: There's a motion
15 made. Is there a second to accept the
16 variance?

17 MR. SWIENTON: Can we discuss it?

18 CHARIMAN CHRISTENSEN: Do you want to
19 second it?

20 MR. SWIENTON: All right. Darrel
21 Swienton. Second it.

22 CHARIMAN CHRISTENSEN: On the question.
23 Dick, do you want to talk about it?

24 MR. GREGORY: I do. Do you want to speak

1 first? You made the motion.

2 MR. WELLER: No.

3 MR. GREGORY: I'm concerned that this is a
4 slippery slope, because this letter from the
5 actual Wheel-O-Vator is somewhat obtuse. If
6 it's going to be -- if we're approving this
7 variance, that it's going to be allowed with a
8 platform, which based on the area, should be
9 rated for 950 to a thousand pounds, but he's
10 just saying it would be safe because they
11 tested it at five times the safety factor at
12 750 pounds, but he's not saying that they're
13 testing it at five times or five times the
14 safety factor for this larger platform area.
15 He's going around in a circle here. And that,
16 to me -- you know, that's undoing what the
17 safety code is about.

18 I mean, I don't have a convenient example
19 in mind, but certainly with anything else, in
20 A17.1, if somebody said, well, I want to make a
21 freight elevator that's so and so large, it has
22 to be rated or tested or engineered for that
23 new higher load. All he's saying is, we're
24 using our regular design, which was rated for

1 overload by 25 percent. Not that we have a new
2 or different design, some reinforcement to
3 enable to handle 950 or a thousand pounds.
4 He's not saying that. He's saying, well, 750
5 is fine because we tested it to five times the
6 750. I don't agree with that.

7 For example, if we're going to put in
8 guide rails, and we have -- there are
9 requirements on bending those on guide rails.
10 If the bracket spacing is such that you can't
11 meet those structural requirements, there are
12 ways of getting it. Either putting in bigger
13 guide rails, one, or channel backing on the
14 guide rails, two, so that you then meet the
15 structural requirements of guide rails. So in
16 elevators, we do that, because we need to
17 know -- we need to reinforce these items, and
18 then we meet the code.

19 And if you would design this tower to meet
20 this 950 or a thousand pounds, then I would not
21 object to issuing the variance on the platform
22 size if this tower was designed for that.

23 MR. HILTON: The tower actually is bigger.
24 I know it doesn't say that in this letter, but

1 the tower actually is bigger, but it's not been
2 tested for the five times because they've not
3 done the testing for the five times, but it is
4 bigger. And I mean, I guess my thinking of it
5 is, it's not something -- we're not going out
6 and trying to push these for sales. It's
7 hopefully a onetime deal, and it's for a
8 variance.

9 MR. WELLER: I have to agree with him.
10 This is a casket manufacturing company. It's a
11 church in the middle of Hoopdale (sic),
12 Illinois, where they have hopefully a very
13 occasional or not very occasional funeral.
14 They came back to us with something very
15 similar to what we asked for. I mean, I can
16 wordsmith this to be better, but they have come
17 back to us with what we requested. I would
18 vote for the affirmative, and ask all of you to
19 vote for an affirmative on this variance. I'd
20 like to call the question.

21 CHARIMAN CHRISTENSEN: It's been called to
22 the question. Kelly, do you want to give a
23 first vote?

24 MR. WELLER: Aye.

1 CHARIMAN CHRISTENSEN: Okay.

2 MR. MASON: Can I ask a question?

3 CHARIMAN CHRISTENSEN: Yes. Go ahead.

4 MR. MASON: So it should be rated for five
5 times a thousand pounds if that's what it is
6 tested for five times? That's what it is now
7 rated for?

8 MR. GREGORY: Or you can have a
9 professional engineer certify it, a registered
10 professional engineer.

11 MR. MASON: And he's saying that the tower
12 is made bigger, but it's not tested? So you're
13 saying that it was beefed up, but it's not
14 tested to be?

15 MR. HILTON: Correct. I mean, they've
16 built some for other churches in other states.
17 And I mean, this ain't their first one that
18 they've ever done.

19 MR. MASON: So is it acceptable to have
20 this variance and possibly have someone review
21 the revised structure with a stamp?

22 MR. GREGORY: Well, the manufacturer
23 should have the professional engineer review
24 the revised structure. You know, there's two

1 ways to do these things. Either do a test or
2 have a professional engineer certify it, so.

3 CHARIMAN CHRISTENSEN: So how hard would
4 it be for you to come back to the manufacturer
5 to ask for that engineer to okay it?

6 MR. HILTON: I mean, I'm not sure. I
7 mean, I don't know who they're going to
8 be -- the official engineer for stamping it is,
9 or if they have to build it and actually load
10 test it. I mean, I guess I don't know without
11 calling and talking to them. I don't know. I
12 can't answer that question.

13 MR. GREGORY: If they've already built it,
14 if they've already designed it and built it, as
15 you said, for a bunch of other churches around,
16 then it's very simple. You just put a couple
17 of 55-gallon drums on there if you don't have
18 test weights. I mean, as a elevator
19 contractor, you put water -- a thousand pounds
20 of water and see what happens.

21 MR. HILTON: So I mean, it's for that
22 instance. And I can -- me, personally, I can
23 go take 5,000 pounds and put it on there, run
24 it up and down, and by my word, it passes?

1 MR. GREGORY: Yeah. If you can document
2 that, and it has no ill effects, you know, we
3 can't argue with you.

4 MR. HILTON: So --

5 CHARIMAN CHRISTENSEN: Yeah, I know. I
6 kind of went around the Robert's Rules of
7 Order. I'm sorry, Kelly, but I think this is
8 something important, so.

9 MR. MASON: Well, the weight -- it could
10 have been written better, I believe, the
11 letter, because the way it reads, based on what
12 Dick has said, they might as well rate it as a
13 thousand -- 1,250 pounds. And that just says
14 that, you know, it would fall within this five
15 times weighted factor. That's what this letter
16 kind of says. There's no limit. It could be a
17 thousand, 1,200.

18 MR. HERTSBERG: They cannot go above 750?

19 MR. GREGORY: But they're asking for a
20 variance. So everything comes into it.

21 MR. HERTSBERG: Is it used for passenger
22 service, too, I suppose?

23 MR. GREGORY: We don't know.

24 CHARIMAN CHRISTENSEN: We don't know.

1 MR. WELLER: Well, if it's for passenger
2 service, it's not going to go over 750 pounds.
3 It's a wheelchair lift. They're using it to
4 lift a casket on an occasional country funeral.

5 MR. HILTON: It travels 9 feet per minute.
6 It doesn't go fast. It doesn't --

7 CHARIMAN CHRISTENSEN: All right. Ken,
8 the question has been called. So "yes" or
9 "no."

10 MR. MASON: It's hard to answer because
11 there's no -- I mean --

12 CHARIMAN CHRISTENSEN: I'll come back to
13 you.

14 MR. HERTSBERG: Can they put a sign up or
15 something there that would limit the amount of
16 people? Obviously 900 pounds is, what, five
17 people?

18 CHARIMAN CHRISTENSEN: Right now, "yes" or
19 "no."

20 MR. HERTSBERG: I'll probably go with
21 "yes." I mean, it's a church.

22 MR. BOGDAN: Yes.

23 MR. GILLIS: Yes.

24 MR. SWIENTON: Yes.

1 MR. GREGORY: No.

2 CHARIMAN CHRISTENSEN: Two "no's." The
3 rest were "yesees." It passes.

4 MR. HILTON: Thank you.

5 CHAIRMAN CHRISTIANSEN: The next variance.

6 MR. PECAK: Hi. I'm Chris with Kone. I
7 applied for both a variance and exception, not
8 knowing which this would fall under.

9 We have been awarded a project with the
10 metropolitan water reclamation district to
11 renovate five elevators at one of their
12 facilities, and two of those elevators go down
13 to the deep tunnel system. And the existing
14 installation has electrical limit switches
15 located on the car top, and we'd like to
16 maintain them on the car top. Current code
17 calls for them.

18 CHARIMAN CHRISTENSEN: Is this in Chicago?

19 MR. PECAK: It's in Des Plaines. It's in
20 Des Plaines.

21 MR. CAPUANI: I've been in that hole.
22 I've been down there.

23 MR. PECAK: So I'm applying for both the
24 variance or an exception, whichever it falls

1 under. I'm here to ask for the variance. If I
2 don't need to be in exception, that's fine.

3 MR. WELLER: Do you have them in front of
4 you?

5 MR. CAPUANI: You should have a copy of
6 it.

7 MR. PECAK: Yes. This should be it.

8 MR. CAPUANI: He basically wants to put
9 the car switches -- to keep the car switches on
10 the car. And I've been to this facility; it
11 does flood. I've worked on this elevator.
12 It's not pleasant to work on. Trust me. It's
13 not pleasant.

14 MR. GREGORY: I move -- how should this be
15 labeled? Variance?

16 MR. WELLER: Yeah, because it's four of
17 these elevators.

18 MR. CAPUANI: It's in the code. So you
19 just want the variance.

20 MR. PECAK: But it's an existing
21 installation. So I didn't know whether it fell
22 under variance or exception.

23 MR. CAPUANI: Exceptions would be like the
24 Otis, Gen2, the cables.

1 MR. GREGORY: I move we grant this
2 variance.

3 MR. GILLIS: I'll second it. Rod Gillis.

4 CHARIMAN CHRISTENSEN: Any questions?

5 MR. GREGORY: I just remark that I used to
6 maintain elevators in the deep tunnel, too, and
7 some of them originally had the limit switches
8 in the bottom of the hoistway, and you know,
9 they were trashed every time there was a heavy
10 rain. It was a wonderful stream of income
11 besides the stream of whatever else that was
12 down there. And in mine elevators, you know,
13 we do that kind of thing anyway because
14 it's -- you know that you're going to have that
15 problem. So this is why I move to grant that.

16 CHARIMAN CHRISTENSEN: The motion has been
17 made. It's been seconded. Any more questions?

18 (NO RESPONSE.)

19 CHAIRMAN CHRISTIANSEN: All those in
20 favor, say "aye."

21 (WHEREUPON THERE WAS A CHORUS OF "AYES.")

22 CHAIRMAN CHRISTIANSEN: All those against?

23 (NO RESPONSE.)

24 CHAIRMAN CHRISTIANSEN: The "ayes" have

1 it.

2 MR. PECAK: Thank you.

3 CHARIMAN CHRISTENSEN: Is there any more
4 public comment?

5 MR. CAPUANI: Variances.

6 CHARIMAN CHRISTENSEN: Any more public
7 comment? I'm sorry. Variance. Any more
8 variances?

9 MR. CAIN: Yeah, I have one. I'm George
10 Cain with Crawford Murphy & Tilly Architectural
11 Engineering Firm.

12 MR. WELLER: George, which one are we
13 working on?

14 MR. GREGORY: George, we didn't hear your
15 name.

16 MR. CAIN: George Cain, C-A-I-N. We are
17 the -- Crawford Murphy & Tilly is the
18 engineering architectural firm that designed
19 and is in the process of overseeing
20 construction at the Litchfield Water Treatment
21 Plant.

22 Unfortunately, the elevator shaft ceiling
23 was built -- there's a discrepancy in the
24 drawings between the architectural and the

1 structural. It was built to the structural,
2 which is, it looks like, about 9 1/2 inches
3 from the required 43-inch vertical area of
4 refuge height above the cab run. So we're
5 requesting a variance to reduce the 43-inch
6 vertical refuge space above the top of the cab
7 to 33.5 inches.

8 MR. WELLER: George, what kind of problems
9 does this create for the elevator? Do you see
10 any potential problems as the architect? Is
11 this going to cause any safety issues?

12 MR. CAIN: Only during the maintenance.

13 MR. CAPUANI: If I stand on top of the
14 car, the space is going to be lower?

15 MR. CAIN: Right. There's a refuge
16 space -- and I'm sure you all know this -- but
17 there's a space up there so if that somebody is
18 on top of the cab, testing or doing whatever
19 you do on top of a cab of an elevator, that if
20 it goes all the way to the top, he's not
21 sandwiched in above the elevator. The space
22 required is 43 inches. It was built to 33.5,
23 and we're requesting that that's enough space
24 for a person to still be safe.

1 MR. MASON: Is that 33 inches to a beam or
2 to the actual --

3 MR. CAIN: The beam will be removed. So
4 it's actually to the deck.

5 MR. MASON: Okay.

6 MR. CAIN: And, unfortunately, it's a
7 concrete deck, so.

8 MR. WELLER: There's no way it can go any
9 further? So you've still got a little less
10 than 3 feet? I would think it would be
11 appropriate if there was signage on both the
12 overhead door? And where else would you want
13 it?

14 MR. CAPUANI: At least on the crosshead
15 and maybe the hatch, visible. You know, a
16 large visible sign.

17 MR. CAIN: And I believe that the upper
18 level also is supposed to be painted a
19 different color than -- that's the way I
20 understood it to read.

21 MR. CAPUANI: We could request that.

22 MR. GREGORY: How much -- what's the
23 capacity of this car?

24 MR. CAIN: It's 2,500 pounds hydraulic.

1 125 -- 125 feet per minute.

2 CHARIMAN CHRISTENSEN: How many floors?

3 MR. CAIN: Two. And the occupancy in this
4 water treatment plan is probably about six
5 people, the elevator.

6 MR. GREGORY: Would you be willing
7 to -- because I've run into this on buildings
8 that were built where -- well, some of them
9 were these government facilities where we would
10 not dare take the roof off because there was
11 radioactivity. So what we did -- and, you
12 know, as I've told you, the federal
13 government -- you know, you can grant your own
14 damn variance, but they didn't want to do that.
15 I told them, well, put out a big sign about low
16 overhead clearance. Put another sign on the
17 back wall where you're going to step on and a
18 sign on the crosshead. And is this
19 counterweighted, or is this a hydraulic
20 elevator?

21 MR. CAIN: Hydraulic.

22 MR. GREGORY: You know, set your limit
23 switch as close as you can, so that
24 it's -- you're not going to be going to go up

1 too much. Make sure that your hoist ropes are
2 not making it convenient to -- is it a rope or
3 direct plunger?

4 MR. CAIN: That, I don't know.

5 MR. GREGORY: Try and then make as much
6 space on the back of the car, a refuge space,
7 you know, where the mechanic can, if necessary,
8 hide. The elevator people here know what I'm
9 talking about. You know, so there's a place
10 for the elevator guy. I mean, there's two
11 people on tops of cars. The elevator mechanics
12 and inspectors. And, you know, John Thompson
13 has lasted this long.

14 Are you asleep?

15 MR. THOMPSON: I'm here.

16 MR. GREGORY: But, yeah.

17 MR. CAIN: So signage?

18 MR. GREGORY: Signage.

19 And, you know, I can't remember -- the
20 Z535.1 or something like that. There is a
21 federal standard on signage or ANSI standard on
22 signage. You know, it's red letters because
23 that means danger. You know, danger,
24 insufficient overhead and so forth. So we give

1 the person a fighting chance. And then, again,
2 a whole bunch of stuff on the back behind the
3 crosshead here so that there is some place for
4 the guy to be.

5 MR. CAIN: Well, he has the whole --

6 MR. GREGORY: You don't have the whole car
7 because you have the car frame at the
8 top -- you know, in the middle, but --

9 MR. WELLER: I'd like to move a motion we
10 accept this with just one little -- as we've
11 talked about it, with the signage and
12 everything, that you send us a letter back from
13 your firm on your firm's letterhead that you
14 have put up the signage and did everything that
15 you need, as a professional, to make sure that
16 that's going to protect the mechanic and the
17 inspector.

18 MR. CAIN: I could do that.

19 CHARIMAN CHRISTENSEN: Is there a motion,
20 Kelly?

21 MR. WELLER: I'd like to make that a
22 motion.

23 MR. GREGORY: I'll second it.

24 CHARIMAN CHRISTENSEN: The motion was made

1 and seconded.

2 Any questions?

3 MR. MASON: This doesn't have front and
4 rear openings, does it?

5 MR. CAIN: No.

6 MR. MASON: That's all the questions I
7 have.

8 CHARIMAN CHRISTENSEN: Any more questions?

9 MR. GREGORY: Who is the inspector in this
10 area?

11 MR. CAIN: I don't know.

12 MR. GREGORY: Where is it?

13 MR. CAIN: Litchfield, Illinois.

14 MS. YOUNG: I would appreciate some
15 suggestions for the letter. I would like to
16 suggest, just because I'm visual and a picture
17 paints a thousand words, is that a photo of
18 this situation could be included in that letter
19 for the record that Kelly is suggesting. It's
20 just a suggestion I have.

21 MR. WELLER: I think that would be a fine
22 addition. I'm going to rely on your --

23 MR. CAIN: We could take a photo of the
24 shaft at this point, but because --

1 MR. WELLER: Well, yeah, it's not done
2 yet. We want to see it once it's done. We
3 want to see it once it's done.

4 MR. CAIN: Once it's done?

5 MR. WELLER: Yeah.

6 MR. MASON: Just for verification. And a
7 bright light on top of the cage.

8 MR. GREGORY: I would suggest because it's
9 danger, you look up this standard on signage.
10 And the standard is that yellow is caution and
11 red is danger. So I think this is a danger.
12 So you do it with red on white background of
13 permanent signage, not just printing it out on,
14 you know --

15 MR. CAIN: Well, we'll probably paint it
16 right on the underside.

17 MR. GREGORY: Something that's -- yeah.

18 CHARIMAN CHRISTENSEN: Is there any more
19 questions?

20 MR. THOMPSON: May I make a comment?

21 CHARIMAN CHRISTENSEN: Since we opened it
22 up, go ahead, John.

23 MR. THOMPSON: We're talking about low
24 overhead. And another solution to low overhead

1 is that the elevator company install an
2 auxilliary upper end limit 2 feet down, so that
3 you've got a little room to breathe and have it
4 tied to the inspection circuit. So when you're
5 on inspection, that limit is activated. When
6 you're off it, then it goes back to the regular
7 thing. That's another solution. But it will
8 cost money to engineer it and do all that. I
9 don't get involved in that, but I have seen one
10 time in my career that that was done. And the
11 elevator company added the special switch, so
12 when you switch open, the inspector limit came
13 into effect, and you couldn't go above it when
14 you're on inspection. And nobody got -- you
15 still had the safety sign, but it's another way
16 of solving a problem.

17 MR. CAIN: And you're only talking about 9
18 1/2 inches.

19 MR. THOMPSON: When I'm standing on top,
20 I'd like to have 4 or 5 feet because I don't
21 want to get squished.

22 CHARIMAN CHRISTENSEN: I think it's an
23 excellent idea.

24 Is there an amendment to that motion?

1 MR. WELLER: You know, as comfortable as I
2 am with that, I don't like stuff coming from
3 the floor in the middle of a vote to kind of
4 change the outcome of this. I mean, I think
5 it's a great idea, but for what we're looking
6 at --

7 CHARIMAN CHRISTENSEN: I know that. But
8 we opened it up a couple times, and we really
9 shouldn't, but I did, Kelly.

10 MR. WELLER: Can I ask a question, Dick,
11 or whoever knows? What are we looking at in
12 terms of added cost, added time?

13 MR. GREGORY: A limit switch? 50 bucks.

14 CHARIMAN CHRISTENSEN: Wiring.

15 MR. GREGORY: Wiring. The wire, another
16 couple hours, \$500. So the total thing, 600
17 bucks.

18 MR. CAIN: That should be fine.

19 MR. WELLER: Are you okay with that?

20 MR. CAIN: That's great.

21 MR. WELLER: Who wanted to make -- yes, if
22 you want to do that.

23 CHARIMAN CHRISTENSEN: There's been a
24 motion made with an amendment, that the proper

1 signage would be up there in red, and also that
2 there would be an added auxiliary limit switch.

3 MR. WELLER: For inspection purposes.

4 CHARIMAN CHRISTENSEN: And is that
5 amendment seconded?

6 MR. GREGORY: Seconded.

7 MR. CAPUANI: We need a copy of the prints
8 also to verify where this circuit is in.

9 CHARIMAN CHRISTENSEN: He's going to give
10 us the picture.

11 MR. GREGORY: Who's installing the
12 elevator?

13 MR. CAIN: Schindler.

14 MR. CAPUANI: Give us a copy of the
15 prints.

16 CHARIMAN CHRISTENSEN: Is there a second?

17 MR. GREGORY: Yes. I seconded it.

18 CHARIMAN CHRISTENSEN: Okay. Is there any
19 more questions?

20 (NO RESPONSE.)

21 CHAIRMAN CHRISTIANSEN: No questions.

22 All those in favor say, "aye."

23 (WHEREUPON THERE WAS A CHORUS OF "AYES.")

24 CHAIRMAN CHRISTIANSEN: All those against?

1 (NO RESPONSE.)

2 CHAIRMAN CHRISTIANSEN: The "ayes" have
3 it.

4 MR. CAIN: Great. Who do I give this to?

5 CHARIMAN CHRISTENSEN: Is there any more
6 variances? Do you have a variance or anything?

7 MR. GREGORY: Do they have to show up for
8 variances?

9 MR. CAPUANI: They need to appear before
10 the Board. Someone has got to explain the
11 variance.

12 MR. WELLER: Is that part of our process?

13 MR. CAPUANI: We tell them to send it into
14 our office seven days prior to appear before
15 the Board.

16 CHARIMAN CHRISTENSEN: Does everyone have
17 the one from Bristol Courts? I'm sure that
18 they believe their letter was sufficient.

19 MR. CAPUANI: Actually, I talked to the
20 Bristol Court, and they're going to wait.
21 They're going to see what the outcome is.
22 They've already started the work. They're
23 going to wait for the outcome of the
24 legislation.

1 CHARIMAN CHRISTENSEN: All right. Well,
2 no more variances.

3 Do we have a motion to adjourn?

4 MR. WELLER: So move.

5 MR. GREGORY: Second it.

6 CHARIMAN CHRISTENSEN: It's been seconded.

7 Say "aye."

8 (WHEREUPON THERE WAS A CHORUS OF "AYES.")

9 CHAIRMAN CHRISTIANSEN: The "ayes" have
10 it.

11

12 [MEETING WAS ADJOURNED.]

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NOTARIAL CERTIFICATE

I, ANN MARIE HOLLO, a Certified Shorthand Reporter for the State of Illinois, CSR# 084-003476, and a duly commissioned Notary Public within and for the State of Illinois, do hereby certify that there came before me at the offices of the Illinois State Fire Marshal, 1035 Stevenson Drive, Springfield, Illinois,

ELEVATOR SAFETY REVIEW BOARD MEETING,

which was by me reduced to writing; and this transcript is a true and correct record of the proceeding.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on June 20, 2008.

My commission expires April 5, 2010.

Notary Public