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4 ELEVATOR SAFETY DIVISION PUBLIC HEARING

5 September 13th, 2007

6 8:00 o'clock a.m.

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12 The report of proceedings had in the hearing of  
13 the above-entitled cause, taken before PAMELA A. MARZULLO, a  
14 Certified Shorthand Reporter and Notary Public in and for  
15 the County of Cook and State of Illinois, at the 100 West  
16 Randolph, Suite 900, Chicago, Illinois, on September 13th,  
17 2007, at the hour of 8:00 o'clock a.m.

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MARZULLO REPORTING AGENCY (312) 321-9365

1 PRESENT:

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3 ILLINOIS ELEVATOR SAFETY BOARD

4 MR. FRANK CHRISTENSEN, Chairman

MR. THOMAS GANIERE

5 MR. KELLY WELLER

MR. TOM JIRIK

6 MR. RICHARD GREGORY

MR. DARREL SWIENTON

7 MR. ROD GILLES

MR. MARC HERTZBERT

8 MR. BILL BOGDAN

9 OFFICE OF THE STATE FIRE MARSHAL

10 MR. BOB CAPUANI, Elevator Safety Division Manager

MR. JIM AUBIN

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1 CHAIRMAN CHRISTENSEN: I'm going to call the  
2 meeting to order. First business is stand for the  
3 Pledge of Allegiance.

4 (WHEREUPON, the Pledge of  
5 Allegiance was recited.)

6 MR. CAPUANI: Bob Capuani, C-a-p-u-a-n-i.

7 CHAIRMAN CHRISTENSEN: Frank Christensen,  
8 C-h-r-i-s-t-e-n-s-e-n.

9 MR. GREGORY: Richard Gregory, G-r-e-g-o-r-y.

10 MR. GILLES: Rod Gilles, G-i-l-l-e-s.

11 MR. SWIENTON: Darrel Swienton,  
12 S-w-i-e-n-t-o-n.

13 MR. BOGDAN: Bill Bogdan, B-o-g-d-a-n.

14 MR. WELLER: Kelly Weller, K-e-l-l-y  
15 W-e-l-l-e-r.

16 MR. GANIERE: Thomas Ganiere, G-a-n-i-e-r-e.

17 MR. JIRIK: Tom Jirik, J-i-r-i-k.

18 MR. AUBIN: Jim Aubin, A-u-b-i-n.

19 CHAIRMAN CHRISTENSEN: Did everybody get a

20 chance to review the minutes from the last meeting?

21 MR. GREGORY: I think we need a minute. I was

22 reading the minutes earlier. There are lots of

23 pages, 79 printed pages. I think we need to get

24 these minutes to the Board by E-mail earlier, so we

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1 have a chance to go through them.

2 MR. CAPUANI: Off the record.

3 (Discussion off the record.)

4 CHAIRMAN CHRISTENSEN: Is there a motion to  
5 accept the minutes?

6 MR. GREGORY: So moved. Except I have some  
7 corrections.

8 CHAIRMAN CHRISTENSEN: Hang on a second. Is  
9 there a second?

10 MR. SWIENTON: Darrel Swienton. Second.

11 CHAIRMAN CHRISTENSEN: Any additions or  
12 corrections to the minutes?

13 MR. GREGORY: Yes. On page 5, the way it's  
14 printed, it would be page 6 in the legal document,  
15 line 12 and line 24, Otis safety, and it says "tax,"  
16 and we meant to say "tags," t-a-g-s.

17 So, any place in the minutes where it says  
18 "Otis safety tax," we mean to say "Otis safety  
19 tags." Mr. Christensen's name is spelled various

20 ways through the document.

21           When we first went into public comment,

22 that's about the end of where I got to, but page 29,

23 line 9, where it says "EIDWPS," it's just "EIWPF,"

24 Elevator Industry Work Preservation Fund.

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1           Where we have Mr. George Turchioe, from  
2 Schindler, on page 34, as printed, or page 37 line 5  
3 in the legal document, it's T-u-r-c-h-i-o-e, I  
4 believe. That's as far as I have. His name is  
5 spelled incorrectly similarly as it goes on.

6           CHAIRMAN CHRISTENSEN: Any other additions or  
7 corrections? You want more time to look it over?  
8 All those in favor?

9           MR. CAPUANI: Off the record.

10                   (Discussion off the record.)

11           CHAIRMAN CHRISTENSEN: All those in favor, say  
12 aye.

13                   (A chorus of ayes.)

14           CHAIRMAN CHRISTENSEN: All those against?

15                   (No response.)

16           CHAIRMAN CHRISTENSEN: Ayes have it. Now we're  
17 going to go to old business. Bob Capuani, elevator  
18 safety progress report?

19           MR. CAPUANI: Busy.

20 CHAIRMAN CHRISTENSEN: Thank you very much.

21 MR. CAPUANI: I did a little breakdown here.

22 Contractor's license, we have 67 active, and 8 new.

23 New meaning they applied, never paid.

24 Some of these contractor's licenses date

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1 back to August 19th, and some of them have just  
2 applied for a license. Sterling Elevator just  
3 applied 9-5.

4 Inspector's license, active 66, new 12.

5 There's been 10 since the August 9th meeting. So,

6 10 inspectors have applied for license since our

7 last meeting. Mechanic's license, 1503 new.

8 There's 96 new ones, and some of those date back to

9 12-15 that were never paid.

10 Limited mechanic's license, there is 15

11 active, 2 new. Apprentice license, 507, 2 new.

12 Conveyance registration, 10,638. There is

13 approximately 3 to 4,000 yet to be entered.

14 In case you are curious about a breakdown,

15 tractions, 2,720; hydraulics, 7,292; 153 lifts; 534

16 handicap lifts; 230 escalators; and 286 dumb

17 waiters.

18 CHAIRMAN CHRISTENSEN: Is that it? Mr.

19 Gregory?

20 MR. GREGORY: Would it be possible in your  
21 daytime job, Frank, to put an -- or you, an article  
22 in the IEUC Magazine, for example? The constructor  
23 that says, "Hey, all you mechanics here and there,  
24 Illinois, Wisconsin, Indiana, Iowa, Missouri, who

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1 are likely to be working in Illinois, you have X  
2 amount of time to get yourself registered."

3 CHAIRMAN CHRISTENSEN: We're actually working  
4 on that right now.

5 MR. GREGORY: Thank you.

6 CHAIRMAN CHRISTENSEN: Now, this is on the  
7 continuing discussion on Otis safety tags. This is  
8 a report for you, Dick.

9 MR. GREGORY: I submitted this inquiry to the  
10 American Society of Mechanical Engineers A17  
11 Committee, of which I happen to be a member, and it  
12 is on the agenda for the week after next in  
13 Winnipeg.

14 So, I don't know what the answer is. It  
15 was referred to the Inspections Committee; and the  
16 Inspections Committee, there's no answer in the  
17 agenda, but the Inspections Committee usually meets  
18 on Monday of the week of the Standards Committee  
19 meeting. So, I would hope the Standards Committee,

20 which is meeting Wednesday, Thursday, we will have a

21 report and an answer.

22 CHAIRMAN CHRISTENSEN: So, we'll shelf it to

23 the next meeting?

24 MR. GREGORY: Yes.

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1 MR. SWIENTON: New business, is there any new  
2 business?

3 MR. CAPUANI: Yes. One statement I would like  
4 to make publicly, NAESA has put out a letter about a  
5 seminar coming up in October, I believe. My name  
6 was added to the list of speakers.

7 There seems to be some confusion about  
8 this. I am not available to speak at that meeting.  
9 I just want this public.

10 CHAIRMAN CHRISTENSEN: Any other new business?

11 MS. YOUNG: Pat Young.

12 CHAIRMAN CHRISTENSEN: No, you have to wait.  
13 Dick?

14 MR. GREGORY: I was asked to speak at the NAESA  
15 meeting also. So, perhaps I'm sure that when I talk  
16 to the young John, let's say, how do you call him?  
17 He's not a junior. He's got a different middle  
18 name.

19 When I talked to him, I'm sure that I told

20 him that you will be the preferred speaker, because

21 you are the chief; and perhaps he just wrote you

22 down, without figuring this out. I don't know.

23 MR. CAPUANI: I've taken care of this already.

24 MR. GREGORY: That could be my big mouth or

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1 something.

2 MR. CAPUANI: It's been taken care of. I just  
3 wanted to make it public here.

4 MR. GREGORY: Another thing, new business.  
5 We're concerned about how many, and I should have  
6 brought how many QEI inspectors there are. NAESA is  
7 planning to do a code class, pending an examination.

8 I don't have that E-mail on this computer;  
9 but if you were to go on the NAESA website, they've  
10 got a block of time out, but they need to have 12  
11 people wanting to do the whole thing, or else they  
12 won't do it.

13 It would be the northwest suburb near the  
14 airport or wherever. I don't know where they're  
15 going to do it. We're looking for more inspectors.  
16 So, they are planning to have, presuming they get at  
17 least 12 signed up, they are planning to have a  
18 class followed by example, which is their normal  
19 scheme of things.

20 Have we registered the idea it would be

21 nice if we could have the minutes in advance, we're

22 going to have this 90-page legal transcript?

23 CHAIRMAN CHRISTENSEN: I don't think we need a

24 motion on that.

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1 MR. CAPUANI: But I would like everyone to put  
2 their E-mail down. I have a few. I'm getting  
3 numerous calls about these pressure test ruling.

4 The ruling was from the Board, correct me  
5 if I'm wrong, all the tests that were performed from  
6 May 4th until August 9th, they have -- these  
7 pressure tests were complete, but they weren't  
8 witnessed.

9 So, your decision was they had until  
10 February 28th to make up these tests. Am I correct?

11 CHAIRMAN CHRISTENSEN: That's correct.

12 MR. CAPUANI: I just want to get that because  
13 there is a lot of confusion out there right now.  
14 So, all those tests before August 9th and after  
15 May 4th, they have until February 28th to complete.

16 So, they actually aren't in violation.  
17 We're just requesting that they be redone and  
18 witnessed.

19 CHAIRMAN CHRISTENSEN: Correct.

20 MR. CAPUANI: The other item, we came up with a  
21 conclusion that they have to leave us a copy in the  
22 machine. They are not leaving copies in the machine  
23 at the time of the test.

24 So, the copy in the machine room, as we

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1 agreed, the mechanic must put his name down, his  
2 Illinois ID number and signed by the QEI or the  
3 inspector, and left in the machine room at the time  
4 of the test, not put it in there three weeks later,  
5 because the inspector goes in there, he has no idea  
6 if it's performed or not.

7 MR. GREGORY: That explains why four elevators  
8 I looked at yesterday had those sheets in there.  
9 They were there. I thought that was interesting.

10 MR. CAPUANI: Good.

11 CHAIRMAN CHRISTENSEN: Anything else, Bob?

12 MR. CAPUANI: I don't.

13 CHAIRMAN CHRISTENSEN: Anything else, Dick?

14 MR. GREGORY: Yes. I received from the  
15 Elevator Industry Work Preservation Fund, EIWPF, a  
16 whole book from their educational guide, that is  
17 Kevin Solvin. They have a program, which it's up to  
18 them.

19 We approved them earlier, but he sent me a

20 whole book of what their education program is at  
21 this time, and whether they are going to plan to  
22 come here and do programs. That is not my say so,  
23 but he did us the courtesy of sending me a whole  
24 book, if they were doing it now. They've done this

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1 in other states.

2 CHAIRMAN CHRISTENSEN: For continuing  
3 education?

4 MR. GREGORY: For continuing education for  
5 mechanics. So, there is a number of -- I mean,  
6 everybody might be worried about continuing  
7 education for mechanics, but, you know what, a lot  
8 of these people are stepping up, and they have got  
9 things that are not going to be a really good reason  
10 for mechanics not to get their continuing education.

11 CHAIRMAN CHRISTENSEN: Right. Anything else?  
12 There is no more new business. We're going to open  
13 it up to public comment.

14 I would like you to come up here, if  
15 you're going to speak, and state your name and spell  
16 it, and we will go on from there. Anybody?

17 MS. YOUNG: Patty Young, P-a-t-t-y Y-o-u-n-g,  
18 with Thompson Elevator Inspections. Good morning.  
19 As I spoke a little bit earlier, regarding the

20 NAESA, I just want to let you all know also on that

21 agenda, I just maybe want to confirm was that we

22 also had Dick Gregory listed on there.

23 Dick, are you also planning on attending?

24 MR. GREGORY: Yes.

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1 MS. YOUNG: Thank you. Did you mention the  
2 dates, because I thought since we're all in this  
3 room? Not everybody received it.

4 MR. CAPUANI: I believe it is October 28th.

5 MS. YOUNG: It is October 23rd.

6 MR. CAPUANI: Is it 23rd?

7 MS. YOUNG: Yes, 23rd, 24th, 25th, 26th,  
8 Thursday, Friday, Saturday of that weekend. I know  
9 that because I did the whole mailer. I just wanted  
10 to point that out.

11 The second thing is I wanted to go back to  
12 a memo, and it's more, if anything, to bring  
13 attention to the definitions. This goes back to a  
14 letter dated April 19th. That was to all the  
15 licensed contractors and inspectors with the  
16 situation about the building permits.

17 A scenario has come up a few times, but we  
18 just happen to have a trickier scenario this week,  
19 regarding this situation. I just want to make it

20 aware to everybody is that the use of the word  
21 "building permit" is how Bob had it, and we talked  
22 about it before we all started meeting formally, is  
23 the actual date the building permit was taken out,  
24 even though the elevator permit could be taken out

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1 separately at a later date.

2           What is occurring is that there's little  
3 visibility to the building permit for inspection  
4 companies to come out to a job, because the building  
5 permits are not necessarily a document that are  
6 turned in at a plan review state.

7           So, when the plan reviews are coming in,  
8 it is typically the final shop drawings, and the  
9 building permit was like a year or so ago. Well, if  
10 that is the case, and the plan reviews come in,  
11 something could have been permitted using  
12 potentially a code of, let's say, IBC or ASME 2000,  
13 or even earlier, but yet the drawings weren't  
14 submitted until after the May 4th time line.

15           So, one of the things that I have to do is  
16 I need to get visibility to these building permits.  
17 So I, personally, will be asking companies to  
18 provide that, ideally at the plan review level, and  
19 at the new construction level, because what I want

20 to prevent is I have an inspector walking into a  
21 job, not knowing a building permit is taken out in  
22 potentially '06, it could have been taken out in  
23 '05, had extensions, to know that the code for  
24 enforcement should have been following the 1996 or

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1 2000.

2 MR. CAPUANI: Could you address the Board not  
3 the audience?

4 MS. YOUNG: I just want to make you aware that  
5 this could be a situation that causes a lot of  
6 confusion when we're at the job site.

7 Because at the job site, that piece of  
8 paper from the building permit, yes, it should be  
9 there; however, it's in somebody's folder, it is  
10 posted elsewhere, it got moved, et cetera.

11 And, of course, it is always the situation  
12 where it's push comes to shove, and the opening  
13 ribbon is the next day, and everything needs to be  
14 finalized up. That is what I wanted to bring to your  
15 attention that that situation has occurred out  
16 there.

17 The other thing that came up, third item,  
18 is this was out on a job site in the northwest area.  
19 It was related to the fire key boxes. I may be

20 speaking incorrectly, so if anybody can jump in and

21 correct me, that's fine.

22 Is there going to be a state standard fire

23 key box? We have the Chicago one. It just seems to

24 be the more common or a more known one, but yet

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1 there is other ones that are out there.

2       So, I wanted to know if the Board and/or  
3 the Fire Marshal's Office in whole are considering  
4 moving towards a state standard on that topic.

5       MR. CAPUANI: We have no plans at this time,  
6 but we'll take it under advisement.

7       MS. YOUNG: If that is the case, does it still  
8 go to the local fire department jurisdiction, and  
9 whatever?

10       MR. CAPUANI: Yes, right now, yes.

11       CHAIRMAN CHRISTENSEN: Any other comments?

12       MR. HAPP: Good morning, Tom Happ, H-a-p-p,  
13 elevator inspection. I'm curious about the ruling  
14 on the pressure test. I was wondering why the  
15 distinction was made with the pressure test, when  
16 there apparently was no decision about five-year  
17 load test.

18       We've got at least two emergencies. I  
19 think rushing is probably an exaggeration, but they

20 are supposedly rushing around doing all these  
21 five-year load tests, after they've been told they  
22 are supposed to have been done.  
23 I got one customer with 90 elevators, he  
24 can't get a copy of the report. I just want to

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1 point that out, just to let you know. It seems we  
2 are making moves towards a delusion of the  
3 inspection process, which is exactly what the State  
4 of Indiana did.

5 I just wanted to let you know right now it  
6 is working pretty well. I spent two days witnessing  
7 two five-year load tests and the safeties could not  
8 set. They had come along on the releasing carriage  
9 about to pull lift rods in half, took about a half  
10 days work on both of them to get them where they  
11 would work.

12 The bad news is there was a fifth pull of  
13 safety test tags on the control by a guy that is a  
14 licensed mechanic right now. The final limit switch  
15 was six inches. The top final limit was six inches  
16 being stripped. I don't think all that happened  
17 last week, but anyway, right now, it is working.

18 I would encourage you not to resist  
19 diluting the process. Indiana went to the point

20 they are hardly being used. They sit in the office

21 and sign off on the reports.

22 MR. CAPUANI: That won't be here. The ruling

23 was because the companies had so many pressure

24 tests, they couldn't catch up. Inspection companies

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1 didn't have enough inspectors.

2       So, right now, I've got 12 new  
3 applications in for inspectors. I think we gave  
4 them a variance until February 28th to catch up. At  
5 the February 12th meeting, the Board will review it  
6 again.

7       MR. HAPP: As of the last Board meeting, I had  
8 never turned a company down for a test witness. I  
9 have now, because they called me on Friday  
10 afternoon, wanted me to do it on Monday morning.

11       MR. GREGORY: The temporary allowing of the  
12 one-year test witnessing by QEI inspectors employed  
13 by the company doing the test was deliberately done  
14 only for category ones, leaving categories 3s or 5s,  
15 requiring independent inspections was, because I  
16 started the motion, it was there for, in my opinion,  
17 that we could not get to the point where an  
18 independent inspector never saw it.

19       That really was the intent of the Board.

20 We don't want to be there. Five-year tests, there

21 is only one-fifth of them to do, except there is

22 less than that, because there is not that many

23 tractions in between.

24 So, if we're trying to be responsible, and

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1 make sure somebody is going to get there, in any  
2 event, the reason it is limited to only traction and  
3 hydros is because there is some equipment that the  
4 only tests that exist are one-year tests.

5 So, those still need to have their  
6 one-year test. It was narrowly done deliberately.

7 MR. HAPP: Maybe we need some type of ruling  
8 what do we do with all these five-year load tests  
9 that were done in the same time period without a  
10 witness.

11 MR. GREGORY: You need to do it.

12 MR. HAPP: I'm just presenting that. It's  
13 happened a lot. It is happening right now still.

14 Another thing that is becoming a bigger  
15 concern, it seems to me we're all working with the  
16 same books, we ought to be given the same answers.  
17 We ought to be unified in our approach.

18 I just got another call this morning on  
19 the way up here from a customer who swears that a

20 fire marshal employee told him he did not have to

21 have his elevator inspected. He had to have it

22 registered.

23 I said, "What did you send them that says

24 you are supposed to attach a copy of the inspection

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1 report?" He said, "I sent them exactly what I was

2 supposed to send them, and I got my tags back."

3 MR. CAPUANI: They can send in the

4 registration, but they are in violation of an

5 inspection, and probably what was told was that they

6 needed to have it inspected now, because when it's

7 entered into our system, it is entered in actually

8 as a violation.

9 It will say, "Date due for next

10 inspection." It is right the same day we put it in.

11 They need to have it inspected right then.

12 MR. HAPP: He told me he had until 2010.

13 MR. CAPUANI: That's false.

14 MR. HAPP: I said that is not true. I talked

15 to the office of the State Fire Martial.

16 MR. CAPUANI: Have him call me.

17 MR. HAPP: I let you know it's out there.

18 MR. CAPUANI: Have him give me a call.

19 MR. HAPP: The very same employee has

20 personally told me the same thing, "We got to walk  
21 before we can run. Let's get them registered, we'll  
22 worry about the inspections later."

23           Okay, we're now being threatened by state  
24 martial employees that we are going to be fined and

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1 have our licenses pulled and everything else,  
2 because we are not inspecting the mechanics and the  
3 inspector's license.

4 Mechanic's license, according to the AHJ  
5 card rules, it's the responsibility of the company  
6 to make sure the mechanics are licensed.

7 MR. CAPUANI: Correct. If you are performing a  
8 test, and that mechanic is not witnessed, you need  
9 to walk away. You would be in violation.

10 MR. HAPP: You would be in violation of what?

11 MR. CAPUANI: You can't witness a test.

12 MR. HAPP: There isn't anything in the rules  
13 that say I got to be licensed.

14 MR. CAPUANI: You can't witness the test. He's  
15 not licensed.

16 MR. HAPP: I will go out on limb. I have never  
17 got a letter from the Secretary of State to say,  
18 "You got to check my license."

19 You are licensed by the state, correct?

20 MR. CAPUANI: Correct. The mechanic is  
21 supposed to be licensed by the state. If he's not  
22 licensed by the state, you are not to witness that  
23 test.

24 MR. HAPP: But the rules clearly put that

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1 responsibility on the companies.

2 MR. CAPUANI: Tom, you can't go witness a test

3 if the mechanic isn't licensed.

4 MR. HAPP: But you are not understanding what

5 we are being told. We are being told we got to

6 check these licenses, and it has to be an original.

7 Whether we know he is licensed or not, I

8 could have checked his license last week, and know

9 he's licensed. If I go out this week, and he

10 doesn't have his original, then I am supposed to

11 leave.

12 That is going to create a lot of chaos

13 when we start telling the customer, "We can't do

14 these tests."

15 CHAIRMAN CHRISTENSEN: I know Thompson, and I

16 know Frank Cervone here is making sure I get reports

17 on it that. They are making sure these guys got

18 their license on them.

19 If they don't have their licenses, they

20 are not going to inspect the elevators. That's the

21 way it is.

22 MR. HAPP: Everything we're doing is generated

23 from the owners. This seems to be a totally

24 ridiculous requirement. There was lists that were

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1 kept. I, personally, signed off on a list of the

2 man that was found not to have a license.

3 I, personally, signed off on the list when

4 the companies notified the Fire Martial's Office of

5 all their employees. Now that man's name was on the

6 list.

7 It seemed rather simple to compare those

8 lists, rather than trying to sneak out the back door

9 with guns drawn, and everything else, to catch this

10 guy with a license. Check the list, to see if he's

11 got a license.

12 MR. CAPUANI: We are not going to check

13 everyone's license. We are getting a list from the

14 unions, non-union companies, everyone out there

15 we're going to try to match the list.

16 I can't go out there and look at 2,000

17 mechanics and helpers to see if they have a license.

18 MR. HAPP: That is what I'm saying, don't do

19 that. You got all the information right in the

20 office. You can check it a whole lot quicker in the

21 office.

22 MR. CAPUANI: Correct, but they need to have

23 their license with them.

24 MR. HAPP: I agree. Okay, one more thing,

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1 seeing how we're being threatened with fines and

2 everything now --

3 MR. CAPUANI: Who is as threatening you with

4 fines?

5 MR. HAPP: You want me to tell you? He's an

6 employee of the Fire Marshal's Office.

7 MR. CAPUANI: Leave it at that.

8 MR. HAPP: I got reports from mechanics that he

9 has told to make sure they don't stay with me, while

10 they are doing an inspection. Only be there while

11 the test is being done, and then leave and let me do

12 my inspection by myself.

13 A17.2 clearly says I'm supposed to have

14 somebody with me. I don't know what code is being

15 read.

16 MR. CAPUANI: You are the inspector.

17 MR. HAPP: Pardon me?

18 MR. CAPUANI: You are the inspector.

19 MR. HAPP: I am also, by word of mouth, being

20 told that I'm supposed to approve drawings and  
21 everything, and issue permits for anybody that calls  
22 me.

23 MR. CAPUANI: You can approve the drawings,  
24 yes.

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1 MR. HAPP: But that is a total violation of the  
2 rules and the act and everything else. Can somebody  
3 put that in writing?

4 MR. CAPUANI: Why is that? Mr. Thompson  
5 approves drawings, Mr. Cervone approves drawings.

6 MR. HAPP: But they are working for a  
7 municipality. In our area, we are not. We are just  
8 an inspector. We are still being told the same  
9 thing, we are supposed to approve drawings.

10 MR. CAPUANI: Send them to the state.

11 MR. HAPP: The man threatening with these fines  
12 is telling me, he says I am absolutely out of my  
13 territory when I start approving drawings.

14 MR. CAPUANI: We will have a conversation about  
15 this.

16 MR. HAPP: Thank you.

17 CHAIRMAN CHRISTENSEN: Tom, so you know,  
18 eventually there is going to be fines for mechanics.  
19 There is going to be fines for inspectors. It is

20 eventually going to happen that we need to buckle

21 down.

22 This is just the beginning. There is

23 going to be reprimands and things like that.

24 MR. HAPP: I support that. I would rather see

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1 it. I hate to see a guy get fined and raise all  
2 this stink with the cancelling an inspection and  
3 everything else, when the guy has got a license and  
4 left it at home.

5 MR. CAPUANI: Sometimes we got to use common  
6 sense.

7 MR. HAPP: The guy is threatening fines.

8 MR. JANDORA: Rick Jandora, Otis Elevator,  
9 J-a-n-d-o-r-a, just to expand a little bit on  
10 Mr. Happ's concerns, in everything else this side of  
11 the metropolitan area, there is very, very few  
12 inspectors that we can go to.

13 We want to comply with all the  
14 requirements of the legislation, but when it comes  
15 to their hiring somebody for a final inspection,  
16 say, Mount Vernon, Illinois, there are no  
17 inspectors.

18 So, if you read the act, itself, the  
19 municipality has the ability to manage their own

- 20 program, provided that they meet the minimum  
21 requirement for legislation they need to inform you  
22 who they are using as their authority having  
23 jurisdiction.  
24 We don't have that happening right now.

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1 There isn't the resources out there available to  
2 provide that service. I guess I'm looking to you  
3 for some help.

4 We have a bunch of elevators that have  
5 been installed, where permits weren't required in  
6 the past, where we would normally do the inspection,  
7 the final inspection, ourselves.

8 I'm referring out for help on what you  
9 would recommend we do.

10 MR. CAPUANI: I'm sure I could be wrong,  
11 Mr. Thompson, I believe Mr. Cervone, would you be  
12 willing to do these final inspections?

13 MR. CERVONE: We do them all the time.

14 MR. CAPUANI: If they call.

15 CHAIRMAN CHRISTENSEN: You got national  
16 inspections.

17 MR. JANDORA: What I took from the last  
18 meeting, though, is when if we had asked at the last  
19 meeting do we have to use John Thompson services, or

20 can we use Frank Cervone, any services?

21 Do we have to act as a contractor to

22 choose who we want to come out to inspect our test?

23 MR. CAPUANI: If Mr. Thompson is the -- say Des

24 Plaines signs a contract with us, if Mr. Thompson is

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1 in that contract, you have to use Mr. Thompson,  
2 because he's the authority in Des Plaines, or  
3 whatever that municipality it is.

4 If there is a municipality that hasn't  
5 signed with us, it's not the company, it is the  
6 building owner's responsibility, not the company's  
7 responsibility. I am sure Mr. Thompson, Mr.  
8 Cervone, Mr. Happ would be happy to come out there.

9 MR. JANDORA: If they haven't signed a  
10 contract, and haven't provided authority having  
11 jurisdiction for their area, anybody can be used?

12 MR. CAPUANI: Yes.

13 MR. JANDORA: Anybody who is a state licensed  
14 inspector?

15 MR. GREGORY: Licensed with the state.

16 MR. CAPUANI: Correct. Right now we have how  
17 many municipalities? I should have brought that  
18 with. Do you remember offhand?

19 MR. AUBIN: I know it is up in the 30s.

20 MR. CAPUANI: Jim right now is calling every

21 municipality.

22 MR. JANDORA: That is something that if it

23 would be published at later time, it would be

24 helpful.

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1 CHAIRMAN CHRISTENSEN: I don't see why not.

2 MR. CAPUANI: We'll consider that. I will have

3 to check on that.

4 MR. JANDORA: Going back to the building permit

5 that Ms. Young brought up, we have a number of areas

6 where a building permit was pulled, and I'll go back

7 to Mount Vernon as an example.

8 Mount Vernon pulled a permit through

9 whatever means they have to build a building. We

10 were never required to pull elevator permits in the

11 past.

12 So, although the building had a permit,

13 you know, in, let's say, 2006, and now we have an

14 elevator that is installed, and it was manufactured

15 based on 1996 code, we don't have a permit.

16 We could defer to the building code, the

17 building permit, based on the '96 installation, have

18 a third-party inspector come out for final, so we

19 could employ the service of John Thompson or Frank

20 Cervone to come out and do the final, based on the

21 codes at the time?

22 MR. CAPUANI: Correct.

23 MR. JANDORA: We don't have the permit.

24 MR. CAPUANI: Realize once Mr. Thompson does

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1 that inspection, passes that car under, say, the '96  
2 code, now it falls under A17.3 for existing  
3 elevators for 2005. So, now he can go back in there  
4 and write up violations.

5 MR. JANDORA: The issue we have is we don't  
6 have a permit right now, because it wasn't required  
7 before. What's your recommendation on what we  
8 should do?

9 MR. GREGORY: The building had a building  
10 permit, so the building permit set the date of what  
11 code is going to be applicable. So, you have a set  
12 date of applicable codes.

13 Now you are going to get an inspection,  
14 and you are going to get inspected to that code.  
15 The fact that there was no method of being able to  
16 take out an elevator permit, there is nothing you  
17 could do about it. That is my opinion.

18 I am not general counsel or anything, but  
19 if the building owner is he's wanting to register

20 his conveyance, he wants to get it inspected, he's

21 got to do the best he can do.

22 The best is to have you guys have it

23 inspected by some QEI certified State of Illinois

24 independent inspector, because it is an acceptance

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1 inspection. It can't be an Otis person, and  
2 register and turn in the paperwork.

3 That is where he is. It's now registered  
4 as of that code and that date. That is my opinion.

5 MR. CAPUANI: Then it falls under the category  
6 of existing elevator, now we go back to A17 3005.

7 MR. GREGORY: It is not going to be an issue.

8 MR. CAPUANI: That is what it will fall under.

9 MR. GREGORY: It falls under weight. No, no,  
10 it falls under that, but a 17.1 2004 with the 2005A  
11 addendum, A won't affect it, but A17.1 2004 8.11,  
12 inspections is the retroactive, but it's retroactive  
13 based on the code.

14 You know, almost exactly read the codes  
15 out of the book. The code endorsement is when the  
16 elevator is installed. The code endorses when it  
17 was altered A17.3. So, that is in the State code.

18 So, really, it's fairly simple.

19 MR. JANDORA: Thank you. I have just one last

20 question. I was just looking for clarification,

21 because it is a little unclear.

22 There's continuing education that we are

23 required to do. It says eight hours.

24 MR. CAPUANI: Correct.

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1 MR. JANDORA: I thought it was eight hours per  
2 year. I didn't see that.

3 MR. CAPUANI: It's eight hours in the year --  
4 it's eight hours in the last year.

5 MR. GREGORY: It is eight hours per renewal  
6 period two years.

7 MR. CAPUANI: No. It has to be in the last  
8 year. If you read the rules and act, it has to be  
9 in the last year. I'm almost positive.

10 MR. GREGORY: We give the guy a two-year  
11 license.

12 MR. CAPUANI: It is in our act, in our rules.  
13 Read the act and rules. I will clarify that for  
14 you.

15 MR. JANDORA: If you could clarify that.

16 MR. CAPUANI: I'm almost positive on that, it  
17 has to be within the last year.

18 MR. GREGORY: Then everybody who has got  
19 continuing education the first year they got their

20 license, they might as well not even bother.

21 CHAIRMAN CHRISTENSEN: Any more public comment?

22 MR. PLASS: Good morning. My name is Don

23 Plass, P-l-a-s-s, P as in Paul. I'm the Director of

24 Code Enforcement for the village of Hoffman Estates.

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1           The first time I came up and spoke to you  
2 is a while back, and I talked about meeting minutes,  
3 and I want to say thank you. I've been on the  
4 website. The meeting minutes are starting to come  
5 up.

6           I am wondering when they are going to  
7 start to be up to date. I think April was the last  
8 time.

9       MR. CAPUANI: I cannot put the minutes on the  
10 web until they are approved, so these will probably  
11 be on the web within a week.

12       MR. PLASS: Okay. I want to thank you for  
13 putting the meeting agenda and the dates and  
14 everything on there, because it helps.

15           The other thing I have is members of the  
16 Board, I know several weeks ago there was a bill  
17 that went through that added, I think, a 14th member  
18 to the Board instead of 13; and then also at that  
19 time, that was for, I think, accessible --

20 CHAIRMAN CHRISTENSEN: I don't think it added

21 the 13th or 14th. I think it removed another

22 position, and it is still 13 Board Members.

23 MR. PLASS: It is still 13?

24 CHAIRMAN CHRISTENSEN: Yes.

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1 MR. PLASS: Would those be posted on the  
2 website who they are, who they represent?

3 CHAIRMAN CHRISTENSEN: I think we went through  
4 this. They wouldn't be posted.

5 MR. PLASS: That won't be?

6 MR. CAPUANI: I can check.

7 MR. PLASS: Most of the municipalities I talked  
8 to, because I am a municipality employee, they like  
9 to know who they are being represented by. There is  
10 zero to 5,000, there is a representative on the  
11 Board. There is 20,000 to 50,000, there is a  
12 representative, from 50 to 100,000.

13 We would like to be able to communicate  
14 with them, and see how they are voting for us, if  
15 they are.

16 CHAIRMAN CHRISTENSEN: I think the standard is  
17 the municipality they belong to, that municipality  
18 large or small. I don't think it says they are  
19 representing that town or municipality.

20 I think it says if they have 50,000 or  
21 more, 500,000, it doesn't mean they are representing  
22 the town. It just means they belong to that town.  
23 MR. PLASS: Okay. The last thing I would like  
24 to talk about is and ask about I know you talked

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1 about the A17.3. As soon as an elevator is  
2 inspected, it goes to -- let's say he mentioned 1996  
3 code, then it would go to the 2005 A17.3 existing  
4 elevator.

5 2008 I think is coming up very quickly. I  
6 was wondering when you were going to use that. Are  
7 you going to be telling all the municipalities about  
8 that, let them know?

9 I believe when this last equivalence went  
10 through, the way they worded it is that the I think  
11 it's the existing addition of whatever, A17.1 or  
12 A17.3.

13 As soon as it is 2008 would come out and  
14 be available, that's when the new addition would be  
15 required to be used for the inspections. I have a  
16 lot of existing elevators in Hoffman Estates. I  
17 would like to be able to let people know when 2008  
18 is going to be put to their elevators.

19 MR. GREGORY: You are asking 2008 of A17.3?

20 MR. PLASS: Yes.

21 MR. GREGORY: We may not do a 2008 A17.3.

22 MR. PLASS: I have been back and forth with

23 ASME. They said there is a 2008.

24 MR. GREGORY: I got a committee meeting with

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1 that committee next week Tuesday.

2 MR. PLASS: I was listening. I thought that

3 would be a good topic to ask.

4 MR. GREGORY: What we did decide we quit

5 issuing addendums to A17.3. We felt things were

6 moving to little minute changes weren't sensible, so

7 we quit doing annual addendums to A17.3.

8 We will come out with another one in 2008.

9 When in 2008, things are not really swift in the

10 ASME getting things published.

11 MR. PLASS: They didn't say that.

12 MR. GREGORY: But they didn't give me a date

13 either.

14 MR. PLASS: I was wondering if it is going to

15 affect my building owners.

16 MR. GREGORY: I don't think it is going to have

17 a big affect. Most of the stuff in A17.3, that is

18 really a crucial element to your building owners, is

19 in the 2005, which would be your safety bulk heads

20 and your escalator step skirt performance.

21 Those are the biggest items. The other

22 big items, if you have old elevators who don't have

23 current top inspection that has been in A17.3 for a

24 number of years, you have old elevators that don't

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1 have fire-rated doors.

2 MR. PLASS: We may have some. John does most  
3 of our inspections. We have some that go back into  
4 the early '70s, 35 years old.

5 MR. GREGORY: Fire-rated doors, that was the  
6 building code you would have had.

7 MR. PLASS: That is really all I have. Thank  
8 you very much for letting me speak.

9 MR. CAPUANI: Thank you.

10 CHAIRMAN CHRISTENSEN: Any more public comment?

11 MR. BRENNAN: Tom Brennan, B-r-e-n-n-a-n, ACM  
12 Elevator. I just need a clarification on something.

13 With the upcoming mechanic's exam, I  
14 believe that's coming up some time this month, when  
15 these apprentices pass the exam, are they going to  
16 be grandfathered in to get their licenses, or do  
17 they have to wait until their licenses are actually  
18 issued, before they can work outside of the City of  
19 Chicago without the license? I'm hearing different

20 stories.

21 MR. CAPUANI: They would have to supply us

22 documentation that they are a mechanic.

23 MR. BRENNAN: It's going to be like everywhere

24 else, they are not going to be able to work until

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1 they have the license in their pocket?

2 MR. CAPUANI: Correct.

3 MR. BRENNAN: Thank you.

4 MR. CAPUANI: How is your arm, Tom?

5 MR. BRENNAN: Good.

6 CHAIRMAN CHRISTENSEN: Anymore comment?

7 MS. YOUNG: Patty Young, Thompson Elevator

8 Inspection Service. I'm just latching on to

9 Mr. Plass' comment about the meeting minutes we had

10 talked about. I know the April ones, the June I saw

11 that posted.

12 How are we going to backfill prior

13 meetings? Because I know the March, I'm assuming

14 every meeting minutes prior have been approved and

15 should be posted up there. Since we do have a home

16 for that, when will that be put up there, even if it

17 is a little folder that says '05, '06, and they are

18 listed in there?

19 I would like for that to be an action

20 item.

21 MR. CAPUANI: I'll let you know.

22 CHAIRMAN CHRISTENSEN: Any more comment?

23 MR. GREGORY: I would just like to place on the

24 agenda for future meeting, there is A17.1 2007,

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1 which is published and has an effective date of  
2 October 6th of this year.

3 I would like to place that on an agenda  
4 for us to discuss after it's -- it's published. It  
5 is printed. It is out, but it is not actually an  
6 effective code.

7 Its advantage in adopting it is it rolls  
8 the 2004, 2005A and the 2005S all into one. It's a  
9 comment for action.

10 MR. PLASS: I do have the revised statute here.

11 It says, "The Board shall adopt the latest  
12 editions." Let's see Public Act 0950573, and it  
13 says, "The Board shall adopt the latest editions of  
14 the standards referenced in this section within six  
15 months after the effective date of the standard."

16 So, if you got your October date, that is  
17 six months from that date, correct? You read the  
18 act to us. That is what it says.

19 MR. CAPUANI: Any other?

20 MS. YOUNG: Patty Young. I just wanted to make  
21 sure I'm understanding correctly. Regarding the  
22 pressure test, is that when we were talking about  
23 that window from May 4th to August 9th, if they were  
24 done, but not witnessed, that they had to be

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1 retested, so we all agreed on that?

2 MR. CAPUANI: Correct.

3 MS. YOUNG: Now, what I want to make sure I get

4 clarification on is I understood that the

5 February 28th date timeframe was to begin doing or

6 have the opportunity to do inhouse testing, and I

7 didn't interpret it as that.

8 If they were witnessed in that small

9 window of time, that they actually get an extension

10 to February 28th to get those completed. I

11 understood it as to help with the volume of pressure

12 tests that need to be completed, allowing the

13 inhouse is now open until February 28th.

14 So, I would like to get clarification on

15 this window of time, because I have situations where

16 I've got failures due to that, so I need to figure

17 out what are we doing.

18 MR. CAPUANI: I believe the Board, correct me

19 if I am wrong, we gave them that extension until

20 February 28th for all the tests. Am I right?

21 MR. GREGORY: We gave them the extension.

22 Excuse me, all tests had to be -- could be witnessed

23 by a state licensed QEI inspector, category one

24 test, which we're talking pressure test. All those

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1 could be witnessed by a state licensed QEI inspector  
2 through the 28th of February.

3 Now, if they were not witnessed by a state  
4 licensed QEI inspector, and they are due, the  
5 company will have to have a state license, in my  
6 opinion, QEI inspector witness the test.

7 MS. YOUNG: So, what my scenario would be,  
8 May 7th, it was tested not witnessed. Now, I come  
9 along I inspect it and see it is not witnessed. I  
10 had to fail them because it was not witnessed by a  
11 QEI.

12 Now, the question is: Does that scenario,  
13 on May 7th, say, "I don't have to do anything until  
14 February 27th? I'm in the clear." Because I have a  
15 had that question be asked of me.

16 MR. CAPUANI: Remember when Schindler came up  
17 to us, they said they have 900 pressure tests that  
18 were done between May 4th and August 9th. I believe  
19 our ruling was they had until February 28th to

20 complete hose. Am I right or wrong?

21 MR. GREGORY: I don't recall that.

22 MR. CAPUANI: I'm asking the whole Board here.

23 Someone might recall this.

24 MS. YOUNG: What does the minute meetings say?

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1 You have them in front of you.

2 MR. CAPUANI: That would be the prior minutes.

3 MS. YOUNG: It was at the August meeting,

4 right?

5 MR. JIRIK: I think we discussed, Bob, they

6 would not be in violation. They have until

7 February 28th.

8 MR. CAPUANI: Anyone else on the Board?

9 MS. YOUNG: If that is the situation, you are

10 saying everybody is in the clear until

11 February 27th. 28th they got to be all done, and

12 I've got a fail situation.

13 I am leaving it in a failed situation, and

14 that building is not certificate worthy.

15 MR. CAPUANI: Failed for what reason?

16 MS. YOUNG: Failed the inspection.

17 CHAIRMAN CHRISTENSEN: Because they didn't have

18 an inspector with them for the pressure relief test?

19 MR. CAPUANI: But the pressure relief test

20 was --

21 MS. YOUNG: Their pressure relief test was past

22 due, or they did it by May 7th, but it wasn't

23 witnessed.

24 MR. CAPUANI: But it did pass, right? They

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1 have a pass?

2 MS. YOUNG: No.

3 MR. CAPUANI: They have a current sticker?

4 MS. YOUNG: But it wasn't witnessed. So,

5 therefore, I had to mark it as it failed, because

6 that is what we were doing before August 9th.

7 MR. CAPUANI: Should that be a failed test?

8 MR. GREGORY: You know, because we got the

9 minutes at the beginning of the meeting today, we've

10 not had a chance to read it. Everybody hasn't had a

11 chance to read it thoroughly, read these and see

12 exactly what the words were that we said last time.

13 I think we should just defer this one

14 until the next meeting, and then come up with a

15 definitive answer.

16 MR. JIRIK: I think the purpose to give them

17 that extension was so they would not fail.

18 MR. WELLER: It is on page 66.

19 CHAIRMAN CHRISTENSEN: Actually 55.

20 MR. CAPUANI: We were both in agreement, we  
21 need to go back and retest everything.

22 MR. GREGORY: We're saying they have to go back  
23 and retest.

24 MR. HAPP: But the clarification I'm looking

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1 for is are they in the clear until February 27th, or  
2 they have to get it done immediately, because they  
3 failed in May?

4 CHAIRMAN CHRISTENSEN: I am giving my opinion.  
5 I think it has to be done immediately.

6 MR. GREGORY: Mr. Chairman, I agree with you,  
7 because it doesn't have to be -- sorry, it doesn't  
8 have to be done by your people, or his people, or  
9 his people, it could be done under that exemption.

10 MS. YOUNG: I understand that it could be done  
11 by an inhouse, I am calling inhouse, that is what I  
12 coined it as, QEI state licensed person, or with  
13 that AHJ person, or inspection company.

14 I totally understand that, and am in the  
15 clear on that, but it was the timeframe given; and  
16 the reason I ask is because of the certificate, that  
17 they cannot be issued a certificate by the  
18 municipality or whatever.

19 MR. JIRIK: Correct me if I am wrong, Patty, I

20 think she's asking if is it a failed or not, in

21 between those dates?

22 MR. CAPUANI: I think she's asking, too --

23 CHAIRMAN CHRISTENSEN: She's asking more than

24 that.

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1 MR. CAPUANI: -- do they have until

2 February 28th?

3 MR. JIRIK: Is it failed now, if they don't

4 have the inspected?

5 MS. YOUNG: I have failed it. So, if we went

6 out there, the test was done May 7th, they are

7 queued up for inspection in June. I saw it wasn't

8 witnessed. I had to fail them. It needs to be

9 witnessed by a QEI inspector.

10 Well, that inspection will remain in a

11 failed status, until it is proven that it's been

12 witnessed by a QEI, but the question that has been

13 presented to me from the industry is: There's

14 misinterpretation of that February 28th date, "Oh,

15 I've got until February 28th to get it done," and

16 that's the question I'm asking the Board, because I

17 don't interpret it that way.

18 MR. CAPUANI: Dick, can you access my memo that

19 I put out? What does my memo exactly say?

20 All right, "All periodic pressure tests  
21 that were performed during the period of May 4th  
22 until August 9, 2007, that were not witnessed by an  
23 inspector, must be performed again and witnessed by  
24 a company inspector licensed by the State of

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1 Illinois. All test result must be left in the  
2 machine room with a licensed mechanic and licensed  
3 inspector's name, state license number written on  
4 the form. The decision will be reviewed on the  
5 February 14th Board Meeting."

6 So, it really doesn't --

7 MR. JIRIK: It's gray.

8 MR. CAPUANI: Yea, there's a little gray area.

9 MR. GREGORY: Not too gray. I think, Patty,  
10 you are exactly right. If the test was not  
11 witnessed by a state licensed QEI, we didn't say  
12 independent, okay. So, it could be Misanthrope's  
13 employee, who is a state licensed QEI witnessing  
14 their test, that is an extension we gave, allowing  
15 them to use their own guys, okay, on that extension;  
16 but if it's due for a test now, it's due for a test.

17 MS. YOUNG: That is what I want to make sure it  
18 is clear, because it is being interpreted  
19 differently.

20 MR. JIRIK: The only reason it is due for a  
21 test because it was done between May 4th and August  
22 9th, and that is why we gave the extension. Why are  
23 we giving an extension, if it's still going to be  
24 failed?

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1 MR. GREGORY: No, no, who is doing the  
2 extension is who is doing the test, we're not  
3 extending the need for a test.

4 MS. YOUNG: And to assist in the volume that is  
5 out there. That is how I understood the extension  
6 to be.

7 CHAIRMAN CHRISTENSEN: Patty, I think you are  
8 correct that you failed it. That is a definite.

9 The problem here is, like we hear with  
10 Schindler, he said 900, I hear 700 and 800 that they  
11 inspected. I think there is many a companies here,  
12 especially some of the majors, that knew you had to  
13 have it inspected, but they thought they could get  
14 away with it, and they did them anyway.

15 But now I think the Board right now their  
16 decision has to be how soon do these ones you are  
17 going to be failing, or that they are failed because  
18 they didn't have inspector with them, how soon  
19 should we gave them right now, maybe with a motion,

20 to come compliant with us?

21 MS. YOUNG: Right, because if they failed

22 during that time, if it's an inhouse, get it done

23 September, get it done now.

24 What I wanted to make sure is that people

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1 don't think "I can blow it off until February, and  
2 then see what's going on." That is what I want to  
3 make sure is made clear.

4 CHAIRMAN CHRISTENSEN: Dick?

5 MR. GREGORY: I will move inspections that were  
6 made between May 4th, 2007, and August 9th, 2007,  
7 that were not witnessed by a state licensed QEI  
8 inspector, be required to be retested within the  
9 next 30 days.

10 MR. JIRIK: From this date?

11 MR. GREGORY: I'm willing to argue days.

12 CHAIRMAN CHRISTENSEN: We will go on the  
13 motion. We can always amend the motion. There has  
14 been a motion made. Has it been seconded?

15 MR. JIRIK: I second that motion.

16 CHAIRMAN CHRISTENSEN: The motion has been  
17 seconded. Now, on the question, I would think  
18 because we hear Schindler if they got 900 of them  
19 sitting there, I am sure there are a lot of

20 companies out there maybe we should make it 60 days.

21 MR. GREGORY: I will accept your friendly

22 amendment.

23 CHAIRMAN CHRISTENSEN: There's been an

24 amendment made for 60 days. Is there a second on

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1 that amendment?

2 MR. JIRIK: I'll second that.

3 MR. CAPUANI: Can we have a date, an exact date

4 to this?

5 MR. JIRIK: Are we going from today's date for

6 the 60 days?

7 CHAIRMAN CHRISTENSEN: I would say today's

8 date.

9 MR. CAPUANI: Can we have an ending date?

10 CHAIRMAN CHRISTENSEN: It's been seconded, so

11 we can go on to questions. Kelly?

12 MR. WELLER: Kelly Weller. I'm having problems

13 distinguishing what we voted on last time versus

14 what we're voting on this time.

15 MR. GREGORY: Let me try to explain it. Last

16 time we know there aren't enough independent QEI

17 certified inspectors in the State of Illinois,

18 Indiana, Wisconsin Iowa and Missouri to cover the

19 State of Illinois. They are just not existent.

20           So, what we passed last time was a motion  
21 to allow non-independent QEI inspectors licensed by  
22 the State of Illinois to witness the test, the  
23 category one tests only. The big thrust of that is  
24 category one -- the big category one tests are the

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1 biggest number is hydraulic elevator pressure tests.

2 That means that his elevator company, he's

3 got a QEI state licensed inspector, could have that

4 QEI state licensed inspector witness pressure test

5 on hydraulic elevator, and it would be all right.

6 Okay? Now, that is what we voted the last time.

7 MR. WELLER: So, an internal employee of the

8 elevator inspector?

9 MR. GREGORY: Of the elevator company.

10 MR. WELLER: Could inspect the elevator,

11 witness it?

12 MR. GREGORY: Witness the test. There is two

13 things: There is inspections, and there is

14 witnessing tests. The only thing we passed was they

15 could witness -- the company's state license QEI

16 inspector could witness the category one test for

17 elevators, up until February 28th.

18 So, you have an elevator company, and you

19 cannot get Mr. Thompson, Mr. Cervone, whoever, you

20 can't get them out there, there is too few people,

21 you can't get them out there, you can have your own

22 guy Mark, who is QEI, witness the test for you.

23 MR. WELLER: Now I'm having a hard time getting

24 to what she's saying.

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1 MR. GREGORY: The problem is between May 4th  
2 and August 9th, the elevator companies were going  
3 around and doing these pressure tests, writing them  
4 on little tags and hanging them on the valve or  
5 whatever.

6 MR. WELLER: This could have been with or  
7 without a QEI?

8 MR. GREGORY: Mostly without.

9 MR. CAPUANI: It should have been with an  
10 inspector.

11 MR. WELLER: How do we know that?

12 MR. GREGORY: Because there is no inspector  
13 signature.

14 CHAIRMAN CHRISTENSEN: The license number,  
15 nothing is on there.

16 MR. GREGORY: It is easy to know.

17 MR. WELLER: Even if it was an internal  
18 employee, they would still have to put that down?

19 MR. GREGORY: Yes, right. So, there is no

20 inspector who has signed off on this.

21 So, when her inspector goes out there,

22 well, there is nothing that tells her that this

23 thing was witnessed by somebody, so it becomes

24 immediately obvious.

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1           So, George Turchioe, T-u-r-c-h-i-o-e, from  
2 Schindler, last week was discussing this. I guess  
3 we didn't give him a very good answer, because we're  
4 still trying to answer it again; and that is that  
5 we're now -- we've moved and seconded and said those  
6 ones in those interim period where the tests were  
7 done, but they were not witnessed by a state  
8 licensed QEI inspector, they have 60 days from today  
9 to get them retested and witnessed by a state  
10 licensed QEI inspector.

11           They can get somebody from Cathy's company  
12 out, they could use a QEI inspector from their own.

13       MR. WELLER: Isn't that the same problem we  
14 had, there wasn't enough inspectors? I can  
15 acknowledge the problem.

16       CHAIRMAN CHRISTENSEN: They are still going to  
17 be able to use their inspectors, their QEI licensed  
18 inspectors for that company.

19       MR. WELLER: We're talking about the difference

20 between the internal and the external being able to

21 come in?

22 MR. GREGORY: Right.

23 CHAIRMAN CHRISTENSEN: I have a date for you,

24 if it's good with everybody. 60 days November 15th.

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1 MR. GREGORY: Fine with me.

2 CHAIRMAN CHRISTENSEN: So there is no  
3 questions, it's the end of the day for  
4 November 15th.

5 MR. GREGORY: We've got to have a motion. We  
6 have a motion, we have a second, we have a date.  
7 You have to have a vote.

8 CHAIRMAN CHRISTENSEN: Correct.

9 MR. GREGORY: Do you have a comment?

10 MS. YOUNG: I wanted to add another thing.  
11 That date is one thing. There is a second thing  
12 that is related to this about the license numbers.

13 MR. CAPUANI: That is a different issue. Let  
14 them vote on this. We're on a motion.

15 MR. WELLER: Just a clarifying question: If it  
16 was installed and witnessed, it would have a tag,  
17 that's not an issue. They've just got to be  
18 independently rewitnessed by February 28th?

19 CHAIRMAN CHRISTENSEN: Correct.

20 MR. WELLER: If it was installed between the  
21 dates that we set out, and it was not inspected by a  
22 QEI, then an internal QEI to get by can come and do  
23 it until November 15th.

24 MR. GREGORY: Right.

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1 MR. WELLER: But it still has to be  
2 independently inspected by February 28th.

3 MR. GREGORY: No. By February we are going to  
4 relook at whether we have to have independent  
5 inspectors or not.

6 MR. WELLER: Well, under what we've passed,  
7 that's got to be done by February 28th; if not, they  
8 are going to keep looking for us to re-extend it.

9 MR. CAPUANI: Right, at the February 12th  
10 meeting, you are going to vote on it for an  
11 extension.

12 MR. WELLER: There needs to be some urgency on  
13 that February 28th. If not, it is just going to  
14 keep going on and on and on.

15 CHAIRMAN CHRISTENSEN: I already heard over the  
16 summer they are hoping for extensions.

17 MR. WELLER: Well, we need to make that pretty  
18 clear.

19 MR. GREGORY: We'll have a different problem to

20 talk about in February. The problem is: I can go  
21 on the Internet and find out how many inspectors  
22 there are available, okay, and then the question  
23 will be, "Are there enough?"  
24       Patty says, "Hey, I got enough inspectors."

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1 I can inspect every elevator in the state." Well,  
2 then, I guess we'll say, "Fine, end of problem."

3 MR. WELLER: Okay.

4 MR. CAPUANI: For the February meeting, we  
5 better book the room for the whole day.

6 CHAIRMAN CHRISTENSEN: On the original motion,  
7 we voted the date for November 15th, 2007. The ones  
8 that weren't inspected by inspectors have to be  
9 reinspected.

10 MR. GREGORY: Reinspected by a state licensed  
11 QEI inspector.

12 CHAIRMAN CHRISTENSEN: It's been seconded.  
13 There's no more questions. All those in favor, say  
14 aye.

15 (A chorus of ayes.)

16 CHAIRMAN CHRISTENSEN: Unanimous.

17 MR. CAPUANI: Let me just clarify this one more  
18 time. My memo will read, "All pressure tests  
19 performed between the dates of May 4th and

20 August 9th, 2007, must be retested by a licensed

21 state inspector, and completed by no later than

22 November 15th," correct?

23 CHAIRMAN CHRISTENSEN: Correct.

24 MR. GREGORY: The only little area there would

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1 be if they were already witnessed by a licensed

2 state QEI inspector, there is no need for a retest.

3 MR. CAPUANI: Right.

4 MS. YOUNG: If they were in the clear, you

5 know, and did everything properly during that

6 timeframe, then they are fine.

7 MR. CAPUANI: All pressure tests not witnessed

8 by.

9 MR. JIRIK: So I understand, in the meantime,

10 before November 15th, those elevators are in the

11 passing state or failed state? They are stilled

12 failed?

13 MR. CAPUANI: Yes, it's a Violation. They

14 require the inspection.

15 MS. YOUNG: The issue comes up, Tom, is that if

16 I go back out for an inspection, after the time is

17 up, and there's no evidence that an inhouse thing

18 didn't happen, et cetera, then I have to fail it

19 again.

20           So, it will continue to be in a failed  
21 mode, and that is going to affect your building  
22 owner's happiness.

23       MR. CAPUANI: Right.

24       MS. YOUNG: The other thing I wanted to get

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1 clarification on is I just don't have visibility to  
2 the mechanic's license number. So, in the memo  
3 here, regarding the pressure test, it does say that  
4 "All test results must be left in the machine room  
5 with the licensed mechanics and the licensed  
6 inspector's names and state license numbers."

7 I know that the contractor license and the  
8 inspector license are like IL and then 01967. Is  
9 there something different for a mechanic's, so I can  
10 make sure there is a distinction?

11 Because if I go out there, and they sign  
12 it, and they didn't put their QEI number, how am I  
13 going to know it wasn't just two mechanics?

14 MR. GREGORY: The elevator mechanic's license  
15 starts with IL on it also.

16 MS. YOUNG: That's my problem.

17 MR. CAPUANI: When we post the Inspectors on  
18 the website, is there a number posted with it?

19 MS. YOUNG: Say the question again?

20 MR. CAPUANI: On the website, all your

21 inspectors are posted, is their Illinois number

22 posted?

23 MS. YOUNG: Yes, there's an Illinois number.

24 That's what I'm saying, all the numbers are IL like

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1 zero, and then a four-digit number. The same with  
2 the contractor license, because that is the only  
3 thing I have visibility to.

4 I don't have visibility to mechanic's  
5 license. I don't know if you putt ILM and then  
6 whatever.

7 MR. CAPUANI: No.

8 MS. YOUNG: Now I have this problem that, yeah,  
9 they might have done it, but when I show up at this  
10 job, and it was an inhouse, how am I going to know?

11 MR. CAPUANI: You can cross reference it back  
12 to the website.

13 MS. YOUNG: But the website runs approximately  
14 several weeks behind. So, if I would have gotten --  
15 if the person would have gotten their license, and  
16 the posting is, you know, September 1st, and the guy  
17 says, "I got it yesterday. I did it. I am good," I  
18 still got a problem.

19 MR. GANIERE: Maybe for our next renewal

20 period, maybe we should devise a method of either a  
21 prefix of numbers that would denote a mechanic, as  
22 opposed to an inspector, or a letter designation or  
23 something like that be issued.

24 MR. CAPUANI: They are already issued.

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1 MR. GANIERE: I know. I said for the next  
2 renewal, when they come up in the next renewal  
3 period, maybe we could do something like that.

4 MR. CAPUANI: No, they are going to keep the  
5 same number. Once the number is issued, you have  
6 that for life.

7 MR. GANIERE: Maybe we could add a letter  
8 designation at the earned, like M for mechanic.

9 MR. CAPUANI: You would have to revise the  
10 whole data system. If someone puts their number  
11 down, you could double check with our office, if you  
12 like, and I could look it up for you, if it is a new  
13 inspector.

14 MS. YOUNG: How am I going to know that?

15 MR. CAPUANI: You could look it up on the  
16 website. If you don't see their number, you could  
17 call the office. We'll try to keep it up to date.

18 MS. YOUNG: Is there a way we could add to the  
19 memo that the license inspector also puts their QEI

20 number? Our guys put their QEI number and their

21 state license number on there.

22 MR. GREGORY: That's a good idea. Patty, I

23 think you got an excellent idea.

24 CHAIRMAN CHRISTENSEN: Is there a motion?

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1 MR. GREGORY: I move the witnessing of test  
2 forms and inspection forms, in addition to having  
3 the Illinois inspector's license number, have the  
4 inspector's QEI number.

5 CHAIRMAN CHRISTENSEN: Is there a second?

6 MR. GILLES: I'll second.

7 MR. GANIERE: Your question, would that be an  
8 amendment to our rules; and if so, don't we have to  
9 go through the rule amendment process to do that?

10 CHAIRMAN CHRISTENSEN: I don't think it is a  
11 amendment on the rules, I really don't. I think we  
12 can do it at the Board.

13 My question would be: Now do you have to  
14 have another form or whatever? Do you have to have  
15 a spot for the QEI to put the number on, or can you  
16 just add it with the license number?

17 MS. YOUNG: Maybe we could break this down.  
18 Really what I'm looking for is just to address this  
19 witnessing of pressure test situation, where the

20 form thing is another -- is something else.

21 MR. CAPUANI: Even though you put the QEI

22 number down, how are you going to know he is a state

23 licensed inspector? It still doesn't tell you he's

24 a state licensed inspector.

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1 MS. YOUNG: QEI and their state license number.

2 See, I can't distinguish between who is a mechanic

3 and who is a QEI. Two mechanics could head out --

4 MR. CAPUANI: But say Urban Elevator, he has a

5 mechanic that is QEI, correct?

6 MR. HERTZBERT: Right.

7 MR. CAPUANI: So, he would be a mechanic and a

8 state inspector and a QEI.

9 MS. YOUNG: It should be two bodies. It should

10 be a mechanic who is doing the test, and you have

11 another body who is witnessing the witness. You

12 can't have a triple play.

13 MR. HERTZBERT: That's correct.

14 CHAIRMAN CHRISTENSEN: All those in favor, say

15 aye.

16 (A chorus of ayes.)

17 CHAIRMAN CHRISTENSEN: All those against?

18 (No response.)

19 CHAIRMAN CHRISTENSEN: They ayes have it.

20 MR. HAPP: I wondered if I could make a humble  
21 suggestion for these testing. It is not going to go  
22 away. It is going to get real strong in February.  
23 I think there is two things involved here:  
24 One is the expertise level; and one is independence

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1 for this witnessing test.

2 I go out on jobs, and I have to train a  
3 guy to do the test anyway. I would like to  
4 recommend the Board consider allowing independent  
5 elevator inspection companies to hire a licensed  
6 mechanic, who then would have the independence, but  
7 he could witness those tests, because what we are  
8 actually seeing is in my area, we are doing tests on  
9 elevators that haven't been tested for 20 years, and  
10 they won't work.

11 So, we got an inspector out there tied up  
12 for two or three days while they are working on this  
13 elevator; whereas, we could do that same thing by a  
14 mechanic.

15 MR. CAPUANI: Why do you have to be tied up,  
16 while they are doing the work on the elevator?

17 MR. HAPP: You never know when they are going  
18 to get fixed.

19 MR. CAPUANI: I am thinking if it is two days,

20 the elevator company could call you back and say, "I

21 will call you back, when you're ready for the test."

22 MR. HAPP: I'm working on that idea, too. Yet

23 again, the expertise is required. A mechanic could

24 be trained very easily to know what has to be done:

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1 Yes, we do have to put this on the stopper.

2 MR. CAPUANI: That is not your responsibility  
3 to train them.

4 MR. HAPP: We would immediately have  
5 availability for an independent person to witness  
6 those test. Just a suggestion.

7 MR. GREGORY: This kind of issue comes up in  
8 other areas. I'm thinking specifically smoke test  
9 in Chicago.

10 The reality is if the elevator company  
11 wants to have you witness a test, say, a five-year  
12 full load safety test, I think they need to certify  
13 to you that it's going to pass.

14 I mean, if you come out, you are going to  
15 charge them X number of dollars, you come out there,  
16 and it's not even close to passing, then you are  
17 going to charge them again X number of dollars, the  
18 next time you go out; and another X number of  
19 dollars, the next time. Pretty soon they might

20 learn.

21 MR. HAPP: Just as a point of information. I

22 am not billing the company, I am billing the

23 customer.

24 MR. GREGORY: The building owner?

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1 MR. HAPP: Yes. Tests aren't included in their  
2 service contract. It is required by a governmental  
3 authority.

4 MR. GREGORY: I think as a building owner, I  
5 would have some real concerns. I would start  
6 looking for his elevator company, or his elevator  
7 company, to do the job, because they obviously got  
8 somebody who doesn't know anything.

9 CHAIRMAN CHRISTENSEN: Anymore public comment?  
10 Is there a motion to adjourn?

11 MR. GREGORY: So moved.

12 MR. WELLER: Second.

13 CHAIRMAN CHRISTENSEN: All in favor?

14 (A chorus of ayes.)

15 CHAIRMAN CHRISTENSEN: Is there any variances  
16 to come up from any of the companies?

17 MR. O'DONNELL: Dan O'Donnell, O apostrophe  
18 D-o-n-n-e-l-l. I'm requesting a variance on the Gen  
19 2 steel coated belts.

20 MR. CAPUANI: These belts?

21 MR. O'DONNELL: Yes.

22 MR. CAPUANI: Is everyone on the Board

23 familiar?

24 MR. O'DONNELL: This is the application and the

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1 check, and also the list of jobs and addresses.

2 MR. CAPUANI: They have sufficient

3 documentation. They dropped this off. I did review

4 it. I have been to their test tower. It is up to

5 the Board, but my recommendation is to give them the

6 variance.

7 MR. HERTZBERT: Did you write it?

8 MR. CAPUANI: Yes, I did write it, but it is up

9 to the Board.

10 MR. GREGORY: Not having seen this, you are

11 asking, in essence, for a permanent variance?

12 MR. O'DONNELL: Yes.

13 MR. GREGORY: Similar to what we did for the

14 last meeting? We gave a permanent variance for only

15 the equipment that was installed, no future

16 variance. It is a whole different ballgame. Since

17 you read this whole variance request, Bob --

18 MR. CAPUANI: I haven't read the whole thing.

19 MR. GREGORY: Like the minutes that I read,

20 right?

21 MR. CAPUANI: I did write it.

22 MR. GREGORY: The real crucial, and it is the

23 same crucial question that I asked of Kone last

24 meeting, so don't feel that I'm beating you up on

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1 this, I didn't ask them of this because they only  
2 asked for a limited variance on existing installed  
3 equipment, and that is: What is the method of  
4 inspection, figure out the end of the useful life,  
5 so that an inspector, an elevator mechanic,  
6 whatever, is in a position to say, "You know what,  
7 we need new belts here"?

8 MR. O'DONNELL: We have a belt monitoring  
9 system put on every unit. It measures the  
10 resistance of the steel cable in the belt, itself.  
11 When it drops below -- it's set at a certain level  
12 when it's new. Once it drops below that level, then  
13 it registers a timeframe to be replaced.

14 I think Bob went through that last time  
15 when he was here. He kind of explained a little  
16 more detail on how that system works.

17 MR. GREGORY: That monitoring system, is it  
18 automatic? Does it come automatic on the elevator,  
19 or is it something the customer has to purchase?

20 MR. O'DONNELL: It's put on every unit.

21 MR. GREGORY: Is that monitoring system not --

22 if I'm the mechanic, and the needle says "replace,"

23 I can turn a little knob, and it no longer says

24 "replace"?

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1 MR. O'DONNELL: You know what --

2 MR. GREGORY: Or more likely not the mechanic,  
3 the building owner.

4 MR. O'DONNELL: We'll shut the elevator down,  
5 when it reaches that certain level. I think any  
6 safety system could be bypassed, if somebody really  
7 wanted to.

8 MR. CAPUANI: After it's shut down, how long  
9 would it take you to replace the belts? Would it be  
10 put back in service, after it's shut down, and then  
11 what is the timeframe?

12 MR. O'DONNELL: There's two. There is one that  
13 says they need replacing, and the second one says  
14 that it will not run without being replaced.

15 MR. CAPUANI: When it needs replacement, what  
16 is the timeframe?

17 MR. O'DONNELL: I think it's hard to say. It  
18 is a basic cable job. When a cable is ready to be  
19 replaced, this will shut the elevator down. Cables

20 that need to be replaced can run forever, until they

21 replace it, or until one breaks.

22 MR. HERTZBERT: Is this commercially available

23 to anybody?

24 MR. O'DONNELL: Yes.

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1 MR. GREGORY: From where?

2 MR. O'DONNELL: I would say from the place that  
3 we get them from. Just like any Otis part is  
4 available for everybody.

5 CHAIRMAN CHRISTENSEN: Dan, do you know if this  
6 has been accepted in other states with licensing?

7 MR. O'DONNELL: You know, I can't say for sure.  
8 It's installed all over the country.

9 MR. CAPUANI: Say I'm a building owner, and the  
10 elevator shuts down, am I permanently married to  
11 Otis to reset that? Can another company come in and  
12 reset that?

13 MR. O'DONNELL: We do have units running that  
14 are maintained by other elevator companies. You are  
15 not going to have to hire Otis, unless they are your  
16 maintenance company.

17 CHAIRMAN CHRISTENSEN: Can I have a motion on  
18 this? We haven't had a motion to accept the  
19 variance.

20 MR. GREGORY: I move we grant the variance for

21 the coated steel belt suspension means.

22 CHAIRMAN CHRISTENSEN: Is there a second?

23 MR. GANIERE: Question. You grant the variance

24 as to a specific site?

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1 MR. GREGORY: You asked a very good question.

2 I will move we grant a permanent variance to allow

3 the use of coated steel belts or suspension means.

4 That is the end of the motion.

5 CHAIRMAN CHRISTENSEN: Would you be in

6 acceptance to give a temporary?

7 MR. GREGORY: I am acceptable to almost

8 anything.

9 MR. GANIERE: With respect to our variance we

10 granted last time for Kone, that was not a blanket

11 variance, if I recall. That was only a variance for

12 those specific ones that they asked for.

13 MR. GREGORY: You are confusing Kone with

14 Thyssen Krupp. Kone we granted a blanket variance

15 to use steel wire ropes, standard steel wire ropes.

16 They look just like that they are slightly smaller

17 diameter. This was permanent and so forth, standard

18 steel wire ropes.

19 Thyssen Krupp asked for a permanent

20 variance for installed equipment only. That was  
21 already installed. I specifically asked Mr. Ghosin,  
22 "What about the new stuff you want to put?" He  
23 says, "We will come for a variance on every new item  
24 job by job."

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1           So, they got a very limited, I will say,  
2 variance.

3           MR. GANIERE: In talking with Mr. Fennell, at  
4 least I didn't understand that is what we did with  
5 Kone. I though it was for a specific use.

6           Maybe we need to clarify this with  
7 counsel, with our legal counsel, that I don't think  
8 we can grant blanket variances like that, because  
9 that would be a de facto change of the rules and the  
10 regs, and that's got to go through the process.

11           I think we can grant variance on an  
12 individual basis, but not a blanket variance. That  
13 is my opinion.

14           MR. GILLES: I asked specifically if Kone was  
15 asking for a variance for everything they had put  
16 in, and everything going forward. They said, "Yes."  
17 That is the reason I voted "no."

18           So, that was my understanding how we voted  
19 that Kone had, like Dick said, I agree with what

20 Dick said. They asked for everything existing,

21 nothing going forward.

22 He did say that they would be back if they

23 had one that they wanted. That is the way I

24 understood it. That is why I vote "no" on Kone's

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1 variance.

2 MR. GANIERE: I guess I didn't understand it

3 that way.

4 MR. GILLES: I don't know about anything legal.

5 That was my understanding when I voted.

6 MR. WELLER: Why do we need a variance on this?

7 MR. GILLES: Ask him.

8 MR. WELLER: Why do we need a variance?

9 MR. CAPUANI: It's not covered in the codes.

10 MR. O'DONNELL: It's not covered in the code.

11 I think it will be as of 2008. I believe it's in

12 there.

13 MR. GREGORY: There is, it has been a long time

14 coming, there is an ASME suspension mean standard

15 out right now. It's been passed by ASME months ago,

16 and it's out for public comment.

17 I just haven't downloaded it, because

18 since I voted on it months ago, but it will be held

19 up, I guarantee. It has to be held up until the

- 20 spring for publication, because in order to publish
- 21 that, you have to make it a change to A17.1 to every
- 22 place where it says "steel wire ropes," you got to
- 23 put in "suspension means."
- 24       There is a huge editorial, huge editorial.

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1 The basic suspension mean standard has been  
2 approved, and all the changes to A17.1, but that is  
3 all out for publication next spring.

4 MR. WELLER: Where is our level of confidence  
5 if this thing works? I'm not an elevator expert.  
6 Somebody who is an elevator expert has to have an  
7 opinion on this.

8 MR. GREGORY: My opinion is it is going to  
9 work. ASME we have already voted to approve it, but  
10 we can't publish it, because if we publish that  
11 suspension mean standard, it will be in conflict.

12 We would have two standards that we're  
13 trying to do the same thing. Everybody would be  
14 totally confused. We have had 8,000 requests for  
15 interpretation.

16 So, at the same time that we publish that,  
17 which we've already voted, we already approved it at  
18 the A17 standards committee, it has already been  
19 approved, it is not going to get published until we

20 have also approved and are ready to publish at the  
21 same time A17.1 that refers -- every place where it  
22 says "steel wire ropes," it will say "suspension  
23 mean see ASME A17.6.

24 MR. WELLER: Are these in place already in

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1 elevators that you have that fell into that window

2 that they've already been built?

3 MR. GREGORY: We don't use that word "fall."

4 MR. WELLER: Is that fair?

5 MR. O'DONNELL: Yes.

6 MR. WELLER: I would say I'm with you on all of

7 the ones that get you up to speed, if he's

8 confident.

9 CHAIRMAN CHRISTENSEN: I believe it's 42 of

10 them. Am I right?

11 MR. O'DONNELL: Yes.

12 MR. GREGORY: There's two of them I can walk to

13 from my house.

14 CHAIRMAN CHRISTENSEN: City of Chicago,

15 Indiana, we're not okaying the ones in the City of

16 Chicago or Indiana. I believe there is 42, if I'm

17 correct on my count.

18 MR. WELLER: So, let's get those taken care of.

19 How many more elevators do you have that are going

20 to be using this, in the next three to six months,

21 that you need?

22 MR. O'DONNELL: We were just asking for the

23 variance to cover until it passes, I guess, in the

24 spring.

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1 MR. GREGORY: Well, then, I would like to -- if  
2 my motion has not been seconded, therefore --

3 MR. WELLER: I'm curious how many elevators  
4 would that affect?

5 MR. JANDORA: Going forward, Rick Jandora, with  
6 Otis Elevator Company. The Gen 2 product is our  
7 standard product offering today. This is equipment  
8 we've been installing around the world for almost  
9 ten years now, tens of thousands of them installed  
10 worldwide.

11 It is the only product we installed in the  
12 marketplace today. As Dick had mentioned, it is  
13 part of the A17.6, which is the new suspension mean  
14 code, which is similar to what Thyssen Krupp, as  
15 well as Kone, have gone through with their alternate  
16 suspension means for their new equipment.

17 What we're looking for is we have a  
18 handful of elevators that have been installed to  
19 date that we've been granted variances to install to

20 through different municipal means. On a  
21 going-forward basis, this is our standard product  
22 offering.

23 MR. WELLER: Now my question is again: How  
24 many elevators are we talking about between now and

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1 the spring?

2 MR. JANDORA: Dozens.

3 MR. WELLER: 12?

4 MR. JANDORA: No. I don't have an exact

5 figure.

6 MR. O'DONNELL: We weren't asked for that list.

7 We provided a list of what is installed.

8 MR. WELLER: If we're going to make one firm do

9 it ad hoc, I don't see how we cannot make them.

10 MR. CAPUANI: My opinion to the Board, if you

11 do grant a variance, grant a variance for the

12 existing units, and then they will have to approach

13 us for the future units.

14 MR. JANDORA: So, on individual project basis

15 going forward request a variance through the

16 variance means?

17 MR. CAPUANI: Yes.

18 MR. JANDORA: What we are asking for today is

19 everything up to date, that is installed, will be

20 approved?

21 CHAIRMAN CHRISTENSEN: Yes.

22 MR. GREGORY: I will reamend my motion. So,

23 the motion is that all coated steel belt suspension

24 means elevators that have been installed or

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1 permitted, as of today's date, that a variance be

2 granted for that, those elevators.

3 I'm saying installed, or if you got a

4 permit out already for it. Then after that, you

5 will need a blanket variance. After that, you will

6 come back on an individual project, or you could go

7 on an as-needed basis.

8 CHAIRMAN CHRISTENSEN: There's been a motion

9 made. Is there a second?

10 MR. JIRIK: Second.

11 MR. GANIERE: Question. That would be for the

12 42 that are listed; is that correct?

13 MR. GREGORY: Or anything that there is a

14 permit out right now.

15 MR. GANIERE: Okay. I guess my next question

16 is, since I'm not in the elevator business, I am

17 from fire services: How did these get installed in

18 the first place, if they are not currently allowed

19 by the regs?

20 MR. GREGORY: Well, until we had actual rules,  
21 which there was some, let's say, slip between the  
22 cup and the lip here, until we had the actual rules,  
23 there is a section in A17 that allows an AHJ to  
24 grant exceptions, if you meet equivalent safety

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1 standards.

2       It is a blanket thing, and that has been  
3 in A17 since 1955, that I know of. So, if you went  
4 to a city that has a building department, and it has  
5 an inspection, so since I can see two inspectors  
6 from here, you could go to Des Plaines, or you could  
7 go to Evanston, and you could say, "We want a  
8 variance to put this in."

9       They would go to their contract inspector,  
10 and they say, "Well, is this equivalent under  
11 Section 1.2?" And their inspection guy would say,  
12 "Yes, no," whatever, then they issue a permit based  
13 on that. They could do that.

14       The same thing happened, I hate to bring  
15 up the city, but the same thing happened with  
16 machine room elevators in the city of Chicago. The  
17 buildings commissioner, a half a dozen years ago,  
18 issued blanket, "Okay, the machine roomless  
19 elevators by standard suspension means can be

20 installed in the city," although they are not in the

21 96 code, which the city is stuck on.

22 Machine roomless is not a problem for us,

23 because we are more up to date. They've got

24 variances. Otis in the City of Chicago got a

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1 variance in the building two blocks from my house.

2 That was after a little bit of argument, but that

3 was okay.

4 CHAIRMAN CHRISTENSEN: Can we get from your

5 guys the ones that are permanent to go in? Will you

6 give that at the next Board meeting?

7 MR. O'DONNELL: Some of them may be on that

8 list already. I will have to go back and check.

9 MR. JANDORA: The units are already installed

10 and turned over, units we have permits only up until

11 today, will be considered with a blanket variance

12 for everything?

13 CHAIRMAN CHRISTENSEN: Supply Bob with a list.

14 MR. JANDORA: Yes. The only comment that I

15 would have, I appreciate that, it's kind of you, is:

16 Kone was offered under the same thing. They also

17 have a variance.

18 They are also expecting through A17.6 for

19 their undersized rope to be permanently adopted into

20 the code within a year or two. We're in the same  
21 position. They were granted a variance going  
22 forward. I guess I would ask why we're not being  
23 considered for that.

24 MR. GREGORY: They have two different types of

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1 smaller steel wire ropes. They only asked for the  
2 variance on the larger type.

3 MR. JANDORA: The governor was not approved?

4 MR. GREGORY: No, they have a smaller hoist  
5 rope, which you are probably aware of, smaller than  
6 the one they asked for a variance on. They did not  
7 ask for a variance on that; therefore, it was not  
8 granted.

9 We didn't just give them everything that  
10 they have in their bag of what they can sell. They  
11 asked for specifically. Yes, we did approve the  
12 governor, but they have a smaller suspension rope.

13 That was not -- they were given not  
14 variance on that, none, zero, not retroactive, not  
15 permitted, not in the future, zero.

16 MR. JANDORA: The eight millimeter is approved  
17 retro as well as going forward?

18 MR. GREGORY: You are correct. You are  
19 correct. You do know they have even smaller. They

20 got nothing on that from us.

21 CHAIRMAN CHRISTENSEN: Any more questions? All

22 those in favor, say aye.

23 (A chorus of ayes.)

24 CHAIRMAN CHRISTENSEN: All those against?

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1 (No response.)

2 CHAIRMAN CHRISTENSEN: Ayes have it.

3 MR. GANIERE: Frank, I have a question. I want

4 to go back to the Kone variance, because I certainly

5 did not understand that we were granting a blanket

6 variances. That's my fault if we did.

7 I think I would like to see the opinion

8 from our legal counsel if that is, indeed, what we

9 did, because I didn't understand it that we were

10 doing it that way. In my discussion with him, I

11 don't know if he understood it that way either.

12 MR. CAPUANI: Well, I do apologize, because we

13 were supposed to have those in the minutes here. I

14 don't have them. I don't see them in the minutes.

15 MR. GANIERE: No, they are not.

16 MR. CAPUANI: I will personally get those and

17 try to E-mail them out to you guys. I thought they

18 were part of the minutes.

19 MR. GANIERE: I don't see them here either.

20 MR. JIRIK: If I remember the conversation with

21 John Koshak, he brought that up about Kone, why

22 Thyssen had to do that and Kone didn't. I thought

23 that was addressed. I couldn't find it in here.

24 MR. GREGORY: But I asked him specifically with

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1 the fiber ropes. I said, "Are you asking for  
2 variance for the future?" He said, "No, only for  
3 everything that is existing and permitted."

4 Out and out, that is what he said. That  
5 is what we granted.

6 MR. WELLER: We got it on the minutes.

7 MR. CAPUANI: We do have them in the minutes.  
8 I will try to get them out to you guys.

9 MR. WELLER: We do want to make sure everybody  
10 is treated fairly.

11 MR. PLASS: I have a comment.

12 CHAIRMAN CHRISTENSEN: This is under variances.  
13 This is not under public comment.

14 MR. PLASS: What I would like to ask the  
15 meeting has been adjourned?

16 CHAIRMAN CHRISTENSEN: Yes.

17 MR. PLASS: The variation, will this be posted  
18 on the website, so we know it is on there? How  
19 would we know about variations that come through?

20 CHAIRMAN CHRISTENSEN: We don't have legal  
21 counsel here right now. We will just take it under  
22 advisement. We will get back to you at the next  
23 meeting. Nothing else? The meeting is adjourned.  
24 (WHICH WERE ALL THE PROCEEDINGS HAD.)

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