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SPOTLIGHT ON **McCready & Rice Plumbing Inc:** **A Multi-Generational Family Business Dedicated to the MPC**

Every morning at 5:30 am, Len Williams leaves his house and heads to College Point where he begins his day at McCready and Rice. Founded in the early 1930s by Richard McCready and Milton Rice, the company survived through the depression and through the war years, building a long history and tradition of professional expertise and dedication to the MPC.

(Continued on page 5)

Supporting Our Members Through The COVID Pandemic... And Beyond

It's been over a year since the COVID-19 pandemic began affecting all of our lives. As we reflect on the past year, one thing remains clear: MPC has been there every step of the way, supporting and helping our members through the many daily challenges we continue to face.

Members helping members... timely and accurate information... updates on changing protocols and laws... essential and non-essential work parameters... back-to-work guidelines... these are just a few of the many ways MPC has helped keep members knowledgeable, safe and compliant during these trying times.

(Continued on page 3)



The Master Plumbers Council of the City of New York, Inc.

240-21 Braddock Avenue, Bellerose, NY 11426
P: 718-793-6300

voice@nycmpc.org | www.nycmpc.org

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OFFICERS:

Richard Bonelli
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Anthony Vigilante
Vice President

Leonard Williams
Treasurer

Patrick Sementa
Secretary

John F. DeLillo, Jr.
Executive Director

Patricia Brady
Deputy Director

Newsletter Committee:

Rick Bonelli, Anthony Vigilante, John Martin,
Harris Clark and Frank Brecher

*The Voice of the Licensed Master Plumber,
a membership publication of the NYCMPC.*

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- Alexander the Great Plumbing & Heating Inc.
- Main Man Water Main & Sewer
- Petri Plumbing & Heating Inc.
- Ranshaw Plumbing & Heating
- Vigilante Plumbing Heating & Air Conditioning

PRESIDENT'S MESSAGE

Greetings to all! I hope everyone is healthy and safe!

On behalf of the Board of Directors of the Master Plumbers Council of the City of New York (MPC), I would like to welcome you to the first issue of the new and improved the Voice of the Licensed Master Plumber newsletter. MPC is continuing to adapt to the ever-changing, complex environment that we are facing each day. Our newsletter committee, board members and association staff worked hard to create a publication with valuable, interesting, and exciting information!

It is certain that today's licensed plumbers are facing difficult challenges that past generations of plumbers never did. The COVID-19 pandemic is something no one could have imagined or prepared for. The MPC worked diligently to ensure that all members were aware of all information pertaining to running your business safely, efficiently and in a compliant manner. In this issue of the Voice, we have a great article that describes more of what the MPC did to help members during the pandemic and what we are continuing to do as we still navigate such uncertain waters.

Licensed plumbers operating their businesses are also faced with the challenges of everchanging laws and regulations and more. In order to run your business in compliance with all regulations, LMPs must spend a significant amount of time understanding these new and updated items. All of these Codes, laws, regulations, etc. are found in books that could be thousands of pages long! Its like the old public library. When you needed to find a book, the only way to do so, without spending days in the library searching, was to get assistance from the librarian who knew the library like the back of their hand. In this analogy, the MPC is your librarian! The MPC is a vital resource that helps members in navigating the changes that affect their business.

Being a member of the MPC provides you with access to a dedicated staff of "librarians" who are leaders in the NYC plumbing industry. For those who are not yet members, I encourage you to invest in the success of your business by joining the MPC today! Please visit www.nycmpc.org/JoinMPC to submit your application.

I would like to take a moment to offer a heartfelt thank you to our members, affiliates, and advertisers for their continued support. Without your support, we could not move forward with the countless programs and resources we offer.

Regards,

Rick Bonelli
President
Master Plumbers Council of the City of New York

The collective Voice of our membership is much greater than any single individual. Join the MPC today and have your voice heard!

SUPPORTING OUR MEMBERS THROUGH THE COVID PANDEMIC... AND BEYOND (Continued from the cover)

"Throughout the crisis, MPC has played a critically important role in helping to keep members up-to-date on all the many rules, regulations and protocols," reports Rick Bonelli, President. "While our members are out there working hard every day, we at the MPC are focusing on the changes recently put in place and those that are potentially being planned. We are always looking after the best interests of our membership."

We continue to work together to provide the most current information possible as well as the resources needed to assist members in operating safely in a constantly changing environment. Member input and participation, along with the knowledge and efforts of our hard-working Committees, makes it all possible.

Sending Daily COVID-19 Updates

Beginning in March 2020, MPC issued daily COVID-19 email updates designed to help members through the crisis. Developed by the MPC, the information was largely derived from official government sources and issued at the direction of the Executive Board. With changes coming in on a daily basis, MPC responded as quickly as possible, often with multiple email updates in a day. "These daily updates were one of the most valuable resources for members," reports Rick Bonelli. "They helped to clarify and explain the huge amounts of information issued by the city, state and federal government."

Alerts covered topics from health and safety guidelines to permit and license renewals and extensions, ... from explaining 'essential' and 'non-essential' parameters to vital re-opening guidelines and much more. "We gather that information and inform you of what you need to do to be compliant," emphasizes Rick. "Just to name some of the things we presented were DOB Now info, Licensing info, OSHA info, Gas work qualification & OQ training."

Along with daily alerts, MPC provided links to important external resources for financial and legal guidance including NYC Department of Small Businesses, SBA Disaster Assistance Loans and application for PPP loans. Timely and accurate information on these topics and others helped members continue to operate safely and in compliance within a continually shifting environment.

Encouraging Open Lines of Communication with MPC Committees

From the early months of the pandemic, onward, MPC committees have been hard at work addressing member concerns and issues during the crisis. The MPC actively maintains a dialogue with various city agencies including the DOB, DEP and DOT, and Utilities, gaining valuable information for clarification on rules governing important topics.

The committees' expertise and in-depth knowledge assist members in gaining an understanding of and complying with the rules governing the plumbing industry. Our members' input and questions make us aware of potential industry issues and enable us to address the issues before they become widespread.

MPC committees assist members with inquiries ranging from licensing issues and Code questions to challenges that may have occurred on the job. Committees typically respond to these inquiries within one business day, reviewing the job, and helping to rectify the situation if needed. MPC committees are an invaluable source of information and help to expedite a wide range of member issues. "Keep in mind there will shortly be a NYC Building code revision update and we at MPC were privileged to be accepted to participate on committees that revised the codes that regulate our industry," reports Rick. "We will be here to help members understand what will affect them most."

Providing Support from Lockdown to Start-up... and Beyond

The COVID-19 pandemic resulted in widespread NYC agency adjustments and modifications, with on-line contact as the only means of communication for many important issues.

Acting as Liaison to City Agencies. MPC was a vital link in helping members who were unable to resolve issues online or gain access to much-needed documents. "NYC agencies operating at reduced capacities posed a big problem for many with little or no access to vital agency services," reports Anthony Vigilante, MPC Vice President. "Licensing renewals became an important issue to members whose licenses were about to expire. One of the greatest benefits we were able to provide was assistance regarding licensing. While adjustments and modifications have eased up a bit, city agencies are still not yet fully staffed and operational."

Understanding Essential vs. Non-Essential Work Scopes. During lockdown, plumbers were not allowed to work unless work they were performing was deemed essential. "The parameters surrounding the concept of 'essential' became very confusing," says Len Williams, Treasurer of MPC. "In response, bulletins were sent out to members on a regular basis as the parameters of essential and non-essential businesses changed continuously. MPC, working closely with the DOB, was successful in clarifying the parameters of Emergency Repair work and helping to expedite the permitting process."

(Continued on page 15)



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SPOTLIGHT ON McCready & Rice Plumbing Inc. *(Continued from cover)*

On the cover: Original McReady & Rice shop in Flushing, Circa 1930s



Len Williams

Creating a Family Tradition

Jerry Bady purchased McCready and Rice in 1965, partnering with Len's father, Al Williams. Jerry brought Len into the company 10 years later, in 1975, where he worked with both Jerry and his dad in building the business. Len began his leadership of McCready and Rice following his father's passing and Jerry's semi-retirement in 1990.

"I joined McCready and Rice straight out of high school, where I had worked in the automotive business while I was still a student," said Len. "During that time, I discovered I had a mechanical aptitude that would serve me well in the future." Over the years,

Len has enriched that aptitude through training and education, earning licenses as a Master Plumber, Master Fire Suppression Installer and Oil Burner Installer.

Len clearly remembers those early years at McCready and Rice. "The equipment was much heavier than it is now," he recalls ... "and those service trucks were nasty -- cold in the winter and sweltering in the summer. Modern technology as we know it today was non-existent: No cell phones, no computers, no internet.

"Today's technologies have brought on-the-job communications to a whole new level, enabling instant contact with field technicians, videos of work in progress, the ability to quickly diagnose problems, and more."

The Next Generation

Len's son Owen 'officially' became a part of McCready and Rice in 2006, after attending Farmingdale University and Brooklyn Polytech. He represents the third generation of the Williams family to join the company. As a licensed plumber and fire suppression installer, Owen worked in the field up until 5 years ago and is now a supervisor along with his dad.

"I had actually been coming in to the business for most of my life," commented Owen. "I came in during the summer and on weekends when I was in school, cleaning up messes and putting away stock. My dad has shared his skills with me in diagnosing problems as well as his great mechanical knowledge. I've learned so much from him."

Meeting the Challenges of Change: Serving the MPC for 30+ Years

Len joined the MPC in the late 1980s, encouraged by Jerry Bady, who had been a long-time supporter and active member of the Council for many years. For over three decades, Len has spearheaded numerous committees and activities and served as President, Recording Secretary and current Treasurer.

"Today, more than ever before, it is vital to be an active, involved member of MPC," emphasizes Len. "One of the things we've all noticed is the degree of involvement the DOB has in our businesses and how it has changed the business radically. More rules and restrictions ... instant online access to our information ... constant changes, and more. It's mandatory to belong to an organization that works together to solve these issues."



Present location in College Point.



Jerry Bady proctoring a Master Plumber's exam in 1961.

While technology has simplified on-the-job communications, it has also brought its own set of challenges – especially when it comes to compliance and enforcement.

“With everything now online – permits, paperwork and documents – it all needs to be completed immediately. Online access eliminates any excuses for not being in compliance. It is often time-consuming, difficult and confusing. The knowledge, information and support of the MPC helps alleviate a lot of the stress,” says Len.

Owen joined the MPC 5 years ago and has served on the Board for the last two years. “I can speak for the new generation in saying that the day-to-day access our members have to vital information is invaluable in running our businesses,” said Owen. “From my perspective, I’ve known other members since I was a kid – long before I was even in the business. I’ve seen the comradery and close relationships among members, and the sharing of information and issues through just a phone call.”

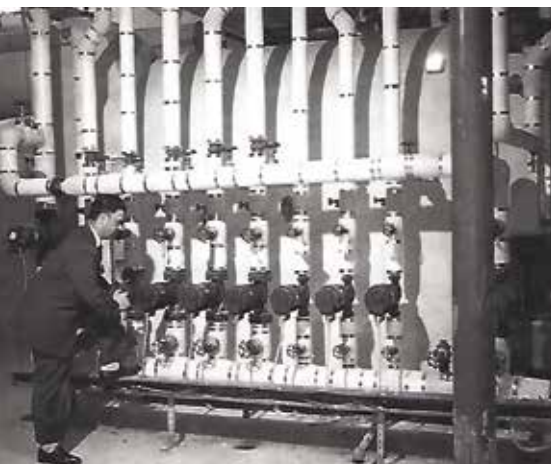
Looking Back on the Covid-19 Crisis

“Surreal” and “Strange” are the words Len uses to describe the Covid experience over the past year.

“As we look back at the events of 2020, I realize the pandemic and its impact on business wasn’t handled as well as it could have been. First, we were told we were ‘essential’ and could remain open. A few days later, our permits were invalidated and we had to prove everything we were doing was absolutely essential.



McCready & Rice Boiler Plant



“Never before in our history, did we have to close our doors. We were shut down completely for 8 weeks, from March until May, but in reality the entire lockdown lasted 12-14 weeks, before we were fully operational. We went from 6 or 7 calls a day to one every few days, and were forced to lay off all of our employees.

“The city was surreal. As most of our service and repairs are in Manhattan, it was really strange to see almost-empty buildings there as people left the city in droves.

“Thankfully, we are back to full volume now. We did participate in the government’s PPP loan program and used it the way it was intended -- for payroll.”

Looking Ahead to the Future

In addition to his 30+ years of dedication to the MPC, Len continues to keep an eye on the next generation of professionals, serving on the NYC Master Plumber’s License Board for the past 15 years. As part of this peer review organization, he reviews applicants and their qualifications for certification as future Master Plumbers.

“Effecting positive change is what it’s all about,” concludes Len. “As we are hit with more and more regulations and restrictions ... and as constant change continually impacts our businesses and our lives ... it’s mandatory to belong to an organization that works together to solve problems and iron out issues before fines, disciplines and potential revocations are imposed. It’s comforting to know that as part of the MPC, you are never alone.”

Len has served the MPC as a Board Member, Officer and President, as well as on all DOB Code Revision Committees since 2007. Len was a driving force in the addition of Ordinary Plumbing Work to the Code and he is leading the team that is trying to improve this valuable tool, during the current Existing Building Code process. Len also represents the MPC at the NYC DOB Plumbing License Board. The MPC and NYC plumbing industry owe a debt of gratitude to Len for his commitment to our industry. If you run into Len, please be sure to thank him for all he has done!

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MPC MEMBER IN THE NEWS

Paying it forward is alive and well in Brooklyn... Vigilante Plumbing and Heating Help an Elderly Man in Need

A service visit on February 11th turned into an amazing act of giving back when Vigilante Plumbing and Heating's Home Comfort Advisor, Vincent Rizzo responded to a call for help.

Vincent found Edgar Ballance, an elderly man, alone in his apartment, freezing and clearly in distress. This gentleman needed help ... and he needed it immediately.

A New York City agency had been called on January 26th because the building had no heat, but they could not gain access. Anthony Vigilante, owner of Vigilante Plumbing and Heating, did not find out about this situation until February 11th. Mr. Ballance had been without heat and hot water for weeks, perhaps longer. Temperatures were frigid and this man was cold. He was wearing six sweaters and could barely walk.

"When Vincent told us about the situation, we made an immediate decision to help," said Anthony. "There was not time to waste. When you have the time, you can reach out to different programs for help. There was no time for that. Fortunately, we had the equipment on hand and were able to do the work immediately. We replaced the hot water heater and boiler and had everything up and running in under 24 hours. Afraid for Mr. Ballance's health, Vincent also followed up with Senior Services to make sure the elderly man was okay."



Old water heater



New boiler & water heater

Note: Picture does not depict completed project.

To replace the appliances, Anthony took advantage of the Ordinary Plumbing Work provision of the Code. This provision provides a licensee with the ability to immediately undertake work, streamline the process and keep compliance costs to a bare minimum.

Edgar Ballance was in no financial position to pay for the equipment and installation, which is valued at about \$12,000. But how can one compare any dollar value with the value of someone's life and wellbeing? There is no comparison.

The story about Mr. Ballance and Vigilante Plumbing and Heating appeared on Eyewitness News on February 16th. "I really didn't expect any recognition for helping Mr. Ballance," commented Anthony. "We did it because it was the right thing to do. If you can help someone in need, you should reach out and do what you can. During the Covid pandemic, or any other time, we are here to help one another. That's what really matters."



Mr. Ballance poses for a photo with the Vigilante Team.

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UTILITY UPDATES – CON EDISON

New High Pressure Gas Requirements

Effective June 30, 2021, licensed master plumbers shall be required to install 1" Filters and Fire Bag Thermal Safety Valves for new high pressure gas installations. The filter and fire shutoff valve shall be installed between the head of service valve and the service regulator. This requirement was set to initially go into effect on April 15, 2021 but was held up due to internal issues.

The following drawings impacted by this requirement have been revised in the Con Edison Yellow Book:

- EO-14158 – Installation of Gas Service Regulators – Indoors (1" to 2")
- EO-14166 – Installation of Twin Gas Service Regulators – Indoors (1" to 2")
- EO-16511 – Installation of Meter Piping for Class 3000R-TC to Class 23000R-TC Rotary Meter Outdoors
- EO-16585 - Installation of Meter Piping for Class 250TC to 1000TC Diaphragm Meters
- EO-506175 - Installation of Meter Piping for Class 500TC to 1000TC Diaphragm Meters - Outdoors
- EO-16726 – Installation of 2 to 6 Unit Prefabricated Meter Sets for Class 250TC Meters – Outdoors or Indoors
- EO-514203 – Outdoor Installation of Twin Gas Regulators – 1" to 2" Body

These devices should NOT be installed prior to 6/30/21 pending any other Con Edison notifications.

Why Are These Devices Being Required?

The filter device serves the same purpose as the strainer on a two-inch regulator setup. It will prevent any foreign matter from entering the regulator and causing it to fail. These devices cannot be cleaned or repaired, so it is recommended that installers clean the piping before assembly. Please also remember that it is not permissible to utilize Teflon tape for the installation of a gas regulator.

The requirement for the installation of a Firebag is a new concept in America. They have been required and installed in millions of homes in Europe and Asia since the 1990's. This device is equipped with a temperature sensor that will cause the device to close off the flow of gas when the temperature reaches approximately 212 degrees. The device does not close 100% and is guaranteed to limit the maximum admitted leakage. The device can be installed in any position. Care must be taken in the installation process as excessive thread sealant or pressure can cause the sleeve connection to break. Special care must also be taken to protect the sensor and it can never be painted. If the sensor is painted or tripped, the device must be replaced.

New Installation of Natural Gas Detectors

Over the next two years, Con Edison will be installing Natural Gas Detectors (Gas Detector) in the area where the gas service enters a building (as close as practical to the point of entry). The device will be installed by the Utility, free of charge. The Gas Detector detects the presence of natural gas and is designed to alarm at 10% or greater of the lower explosive limit (LEL) for natural gas. When the Gas Detector alarms, it will beep loudly and say, "DANGER. Gas leak explosion risk. Evacuate and then call 911." It will also send a wireless signal to Con Edison and the Fire Department, both of whom will immediately come to the building to investigate. For more information, please visit the MPC website or www.coned.com/en/safety/safety/gas-safety/natural-gas-detector

Utility Committee Comments: Visit www.nycmpc.org/ReadMore to read the MPC Utility Committee's comments on these updates.

DOB UPDATES

2021 has brought many changes to the plumbing industry. The monthly DOB Sub Operations Meetings have been canceled and replaced with quarterly **Plumbing Industry Meetings**. The meetings are now chaired by Patrick A. Wehle, the Assistant Commissioner for Strategic Policy & Industry Relations at the Department of Buildings. Patrick is assisted by Izabella Vais, the Strategic Policy & Industry Relations Industry Engagement Advisor for the Department. The format of the meetings remains the same and an agenda must be presented two weeks ahead of each meeting. The Department uses the time ahead of the meeting to help formulate the questions and ensure the appropriate Department representatives attend the meeting.

VINTAGE CORNER



This is a picture of a Two Pipe Steam radiator in which the supply and return is connected to one side of the radiator. All radiators we generally see today have supply and return on opposite sides, so this one stands out as a strange one! The system appears to be more than 100 years old! This picture was taken by Rick Bonelli of Ranshaw Plumbing & Heating while completing a job in a Catholic School in Brooklyn, NY.

Photo Submitted by Rick Bonelli, Ranshaw Plumbing & Heating



Master Plumber License from 1921, belonging to I. Weiss
Photo Submitted by Tim Donohue, Weiss Plumbing



Sunny Johal found this license, along with 2 others belonging to the same person, while doing an estimate at an abandoned home in the Bronx. He tried to find the licensee's family to return the items to them but was unsuccessful. Sunny has great admiration for these licenses, as it reminds him of the hard work it took to become a NYC LMP.

Photo Submitted by Sunny Johal, Tidal Plumbing & Heating LLC



George Bassolino Plumbing in 1955

Photo Submitted by George Bassolino, George Bassolino Plumbing

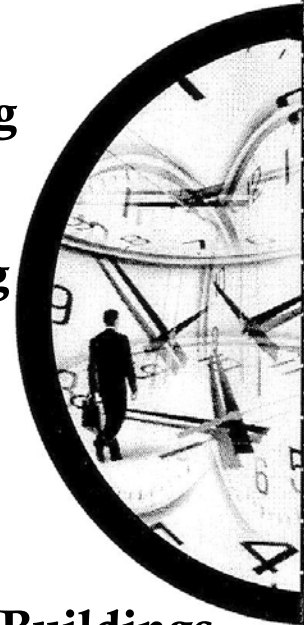
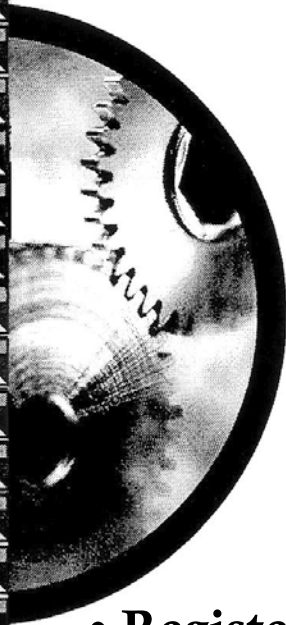
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DOB UPDATES (Continued from page 10)

The first meeting took place on January 27, 2021 and was a virtual meeting. Thanks to the Department's preparedness, the meeting ran smoothly, and we were able to cover all of the agenda items in detail. The Department later provided minutes of the meeting with answers to the industry's questions. Many of the agenda items were very interesting. One question that was asked was if utilities are required to retain a licensed master plumber and file for plumbing and fuel gas work done in conjunction with mandated utility work. You may be aware that section 28-315.5.1 of the NYC Administrative Code requires the utilities to install an outside curb shutoff device. The compliance date for this to be completed was January 10, 2010. R3 zoning (1-2) family homes were supposed to be completed by January 01, 2020. The utilities have been using this opportunity to install new services and outside meter sets. They have been installing new gas piping from the meter back into the houses. It turns out that the utilities have been doing this work without a permit or conducting required DOB inspections. The Department has determined that the Utilities' fuel gas piping work must be completed under a valid DOB work permit by a licensed master plumber. This ruling should create additional opportunities for the NYC licensed plumbing community.

Another important topic discussed was the replacement of an existing gas stove that was supplied by ½" gas branch piping. Since 1938, all NYC Plumbing and Fuel Gas Codes have prohibited the use of a ½" gas supply for a residential gas stove. It is unclear why this was originally prohibited from use. A ½" pipe provides adequate capacity to supply gas to a standard gas range. It is interesting to note that most of these installations were completed prior to self-certification. The Department has been allowing in kind replacements (same type appliance and BTU rating) of stoves and cooktops in the same location. When necessary, you will be permitted to add a valve after the original appliance valve, if it is an old-style brass tee handle valve. You will perform a bubble test at the time of the Gas Finish inspection. Under no circumstances is work permitted to be done to extend the original gas line.

MPC DOB Committee Notes:

This issue will hopefully be addressed in the Code updates. For now, if you want to relocate the stove as part of an alteration with a PL work permit, the registered design professional must obtain a CCD-1 for the work. The CCD-1 application will illustrate that the ½" line has adequate capacity for the new stove. The alternative is to shut down the gas riser and modify the takeoff. This would require testing the entire existing gas riser. If you come across a project like this, the time to figure things out is before the work starts!

Violations Being Issued for Failing an Initial Boiler Inspection

About two months ago, the Department's Boiler Division started to issue ECB violations to licensees for failing a boiler inspection. Most of these violations were for failing an initial inspection. Why is this happening? The stated reason is that there is a history of licensees calling for inspections and not being ready for them. We agree somewhat with the Department's assessment of this situation. In the past, some licensees have used the Boiler Division as a punch list service to ascertain the minimum amount of work they must do to pass an inspection. Licensees have scheduled appointments with incomplete plans, incomplete work and, in some cases, work that was not in compliance with the Codes.

Every time a licensee requests an inspection, they are required to complete an attestation form that clearly states that all work completed matches the construction documents. Today, the construction documents consist of plans and "scope of work" documents which replaced the old Schedule B and Schedule C forms. In the past, these forms were often an issue during an inspection because they were completed incorrectly by the Registered Design Professional (RDP). How does a licensee avoid falling into a trap and being violated for attesting that the documents are accurate? The solution to this is very simple. Do not submit a request for an inspection unless the plans match the job as closely as possible and ensure the "Scope of Work" is accurate.

MPC DOB Committee Comments:

The failure rate for initial boiler inspections is too high. While we understand the Department's frustration and the need for something to be done, we disagree with their approach to solve the problem. Why is the failure rate so high? Is there a problem with the process? Why do competent licensed tradespeople continue to fail inspections?

There are many reasons why a boiler inspection may fail. A licensee's incompetence is only one of them. If this were solely a licensee issue, a violation approach would work to solve the problem. The MPC supports disciplinary actions taken against persons who have a history of egregiously failing these inspections. However, before any punitive actions are taken against licensees there needs to be a discussion about why these inspections are failing.

While the Department can accurately state that there is a clear path for passing an inspection, is there a realistic expectation that this can be achieved and on the first try? Are the real reasons, other than contractors that boiler inspections fail? Would modifications to the process increase the pass rate? Can this be done while protecting public safety? The industry needs an inspection process that provides licensees with a workable path to successfully pass a boiler inspection.

(Continued on page 21)



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THE COVID PANDEMIC (Continued from page 3)

Communicating the Rules and Protocols of Returning to Work. The DOB released Phase 1 of the reopening guidelines for the June 8, 2020 reopening in NYC. Regulations and procedures for returning to work were stringent... the rules had to be followed.

Understanding all the protocols and regulations was no easy task. Adhering to the guidelines was crucial and included complying with social distancing protocols, face coverings, readily available hygiene and handwashing stations, visible signage, distancing guidelines, reporting on COVID contact, cleaning and disinfecting of tools and more. MPC reported on many clarifications regarding these protocols, rules and regulations to ensure compliance and strict adherence to all guidelines, as they became available.

Just prior to re-opening, MPC hosted a comprehensive webinar put out by Jackson-Lewis titled "Back in the Groove – Labor and Employment Considerations for the Return to Work". This webinar, exclusive to MPC members only, provided a clear explanation of NYS and NYC reopening guidelines ... site safety plan ... employee protocols ... training and documentation requirements and proper practices to mitigate the spread of the virus – these topics were explained in this important webinar, free of charge to all members.

Supporting Our Valuable Affiliate Members

Over the past year, our Affiliate members have continued to support us despite the challenges and hardships presented by COVID-19... and we, in turn, are deeply committed to their wellbeing and success. While safety protocols forced us to cancel the 6th Annual Affiliate Appreciation Night scheduled for April 7th, we continued to find ways to connect with each other during this difficult time.

Many of our Affiliates have created virtual seminars or webinars for new products, training or other very important topics. Some Affiliates also have new products that they want to introduce to us. Please visit www.nycmpc.org/AffiliateMembers for a directory of Affiliate Members. We encourage you to show your appreciation to our Affiliate members by participating in these webinars and special training sessions. Not only does your participation confirm our commitment ... it is a great opportunity to increase your knowledge of the many products and services offered by our Affiliate Members!

"MPC never stopped working during the past year ... rather, we ramped up to make sure members were kept abreast of important information," concludes Rick. "We continue to work diligently in helping our members stay safe, compliant and successful during these unprecedented times. One of the great things I learned when I first became a member was how networking helped me in so many ways. Just talking with other members about the challenges I faced, and knowing they were facing the same issues, made me feel I was not alone. Being able to call someone more experienced than I in some situations – and get fast answers -- was priceless. I am incredibly proud of the many ways I see members helping members. We are here to help and support each other in every way we can."



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DOB UPDATES (Continued from page 13)

That system needs to be direct and transparent. It also needs to clearly specify what failures could lead to possible disciplinary actions. The MPC believes that the following issues need to be discussed and resolved before the Department can consider violating licensees:

Inspection Check List:

For the past year, the industry has been requesting that the Boiler Division provide a checklist that can be used as a pre-inspection checklist for licensees to determine if they are ready for an inspection. To date, it has not been published. A list is essential to ensure that everyone is on the same page. It could be used as a basis to measure a contractor's performance. In 2015, the Department published an annual boiler inspection (ABI) "review list". Perhaps they can provide something similar now.

The MPC has created and provided members with a "pre-inspection checklist". We recommend that members use the list to identify potential issues and that those be presented to the owner or engineer ahead of an inspection. While this list may be helpful, it does not take the place of an official list. In the past, the Department did not want to be "boxed" into working off a specific list, as it could limit their ability to identify an item that was not on the list. We believe that if during an inspection a condition is identified, it can be added to the inspection report.

DOB NOW BUILD:

All Boiler and associated permits are now required to be filed in DOB NOW Build. Gone are the Schedule B and Schedule C forms. They have been replaced by "Work Scopes". While similar to the older documents they replaced, they seem to be just as difficult to complete accurately.

Another change from the BIS system is that every permit type is filed as a separate permit. DOB NOW Build boiler work typically has many different work types such as BE (boilers, fuel storage, fuel piping, OP-49), PL, OT, and MH. Build filings require that the RDP complete an additional information sheet. This sheet will list any related Build or BIS filings. This still makes it hard to track all of the work for a specific job. An inspector needs to review an entire job across a broad spectrum of permits. This is essential to ensure that the system will operate properly. The multiple permit method spreads information over different plans and documents. There are some RDPs that continue to turn out plans and work scopes that are inaccurate. We recommend that our members have all of these documents corrected prior to setting foot on the job. The reply from owners, GCs and RDPs alike is to keep going and we will do one PAA after the inspection. What does all this mean? It means that the product the licensee has to work with may be incomplete. In some cases, the plans and documents are so bad that the

licensees could probably be violated for doing work outside of the permitted scope of the plans and documents. Our advice to licensees is that you must realize that while bad construction documents are not your fault, if you start work, or attest to the readiness of a job for an inspection, it will quickly become your problem. We requested that the Department make modifications to Build and offer additional training for RDPs and expeditors to help produce better construction documents for us to build the job. While the DOB cannot discipline a RDP directly, they can suspend their rights to file jobs with the Department and make recommendations to the State Department of Education to discipline the worst offenders.

Existing Conditions:

Existing conditions are the source of many inspection failures. The Construction Codes are written for new construction. Many of the issues the Boiler Division has is with work in existing buildings that fall under their purview. The Construction Codes also address existing buildings. They require additions, alterations, renovations, or repairs to a mechanical system to conform to the requirements for a new system.

There are two major and often overlooked exceptions to this. The first is that the work can be done without requiring the existing mechanical system to comply with all other requirements of the Code, providing that the work does not cause an existing system to become unsafe, hazardous, or overloaded. The other exception states that except as provided for in the Code as a retroactive requirement, there is no requirement to remove, alter, abandon, or prevent the continued utilization and maintenance of a system lawfully in existence at the time of the effective date of the Code.

What does all of this mean? If you are doing a simple boiler replacement, you should not be required to upgrade the entire system or boiler room up to the present Code. Does this ever happen in the real world? No comment. What does lawfully installed on the effective date of this Code mean? This will be the subject of a future article. All Codes have sections referencing existing buildings. These Code sections make the assumption that all prior work was built under the purview of a prior Code, which means there were permits and inspections. Because the records are not always easy to find, it is sometimes interpreted that if the existing installation was compliant with the Code under which it was built, it would be in compliance. This section is open to much interpretation.

If it should happen that remedial work is required to an existing system, who is responsible for compliance? The Code specifies that the mechanical systems must be properly maintained in proper operating condition in accordance with the original design. Who is responsible for this maintenance? The Code maintains that it is the owner's responsibility for mechanical system maintenance.

(Continued on page 26)



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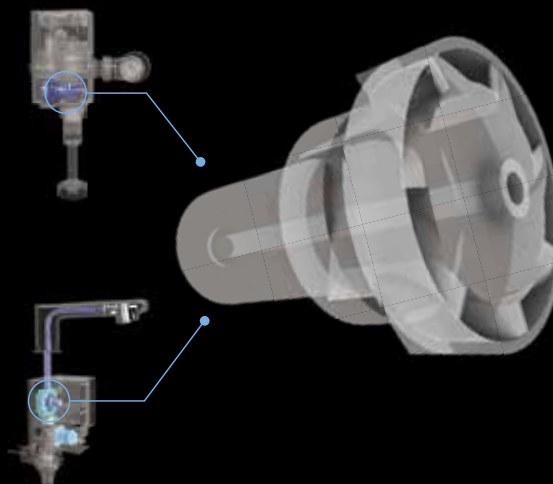


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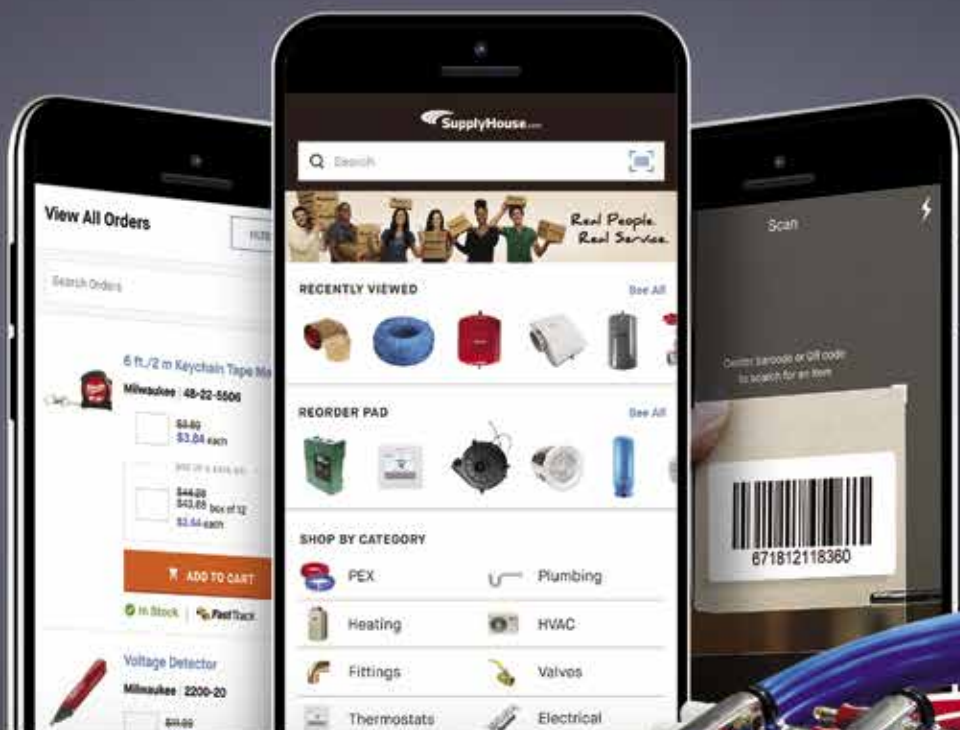
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DOB UPDATES *(Continued from page 21)*

The Commissioner has the authority to order a system inspected. Article 303 of the NYC Administrative Code requires the periodic inspection of Boiler systems. Every year over 330,000+ buildings have their heating plants inspected by a qualified agency. The Department posts both mandatory and recommended check lists for these inspections. If the existing installations are not in compliance with the Codes under which they were installed, the inspection agency is required to note that on their report.

In a perfect world, the owner would be responsible for correcting the defects. How frustrating is it to try and explain to an owner that they must do additional corrective work besides the work included in your proposal? They can claim that the “boiler inspector” was there last year and did not find any issues.

One recommendation on the ABI review list is that the combustion air intakes shall be located at least 30” above grade to avoid snow and debris. When it comes to an actual boiler inspection, this recommendation becomes mandatory and is probably among the top ten failure items. In some instances, this is next to impossible to accomplish, especially in landmarked buildings.

Areas Outside of the Work Scope:

We appreciate each inspector’s detail and eye toward safety. They are the last line of inspection to make sure a system can operate safely. They have an obligation to review the entire job. Sometimes the inspector is going outside of the permitted work scope to check areas such as the gas meter room to ensure there is adequate relief air. Another is if there are refrigerant lines installed in the boiler room. This attention to detail enhances public safety.

Some existing conditions for items outside of the permitted work scope contribute to a percentage of the failures. Items such as “missing” floor drains; sump pumps, or GFI protected outlets come to mind. In some cases, the requirements imposed are not consistent with the Codes. An example is when a Code approved appliance shutoff valve is rejected because it cannot be operated without a wrench. The requirement to apply a pressure smoke test to an existing masonry chimney can also lead to some heated conversations with RDPs. The intent of the Code is to provide the minimum standards to safeguard life, or limb, and property.

Today’s boiler inspectors are the most knowledgeable and professional personnel the Department has ever fielded. Most have years of experience in the field installing and maintaining the systems that they are inspecting today. In addition to their professional qualifications, they have real world work experience and the ability to apply commonsense solutions to resolve issues, while maintaining the highest level of public safety.

To recap, we are in complete agreement that it is incumbent on all licensed tradespersons to ensure all work they are attesting to is installed in strict compliance with the Codes, plans and submitted Construction documents. The information contained on the plans, and in the construction documents, is the permitted work scope. All other work is outside of the permit. We must be considerate and realize that any additional work required is an additional expense for the owners. If the Department wishes to make retroactive requirements for a mechanical system or boiler room, they should request that it be added to the Existing Building Code.

More work is needed to make DOB NOW Build workable for everyone. RDPs and expeditors must be held accountable for their work. The MPC and our industry partners intend to address these issues with the Department and are confident that by working together we can come up with an equitable process that will increase the passing rate for initial inspections and weed out any bad apples. The process also needs to apply the experience of the industry and inspectors to create commonsense based solutions for compliance that still maintains the minimum level of safety.

Register and Register/Replace

Another major issue has been the requirement for licensed master plumbers to prove the legality of an existing gas appliance installation. The licensee will usually become aware of this because of an LAA audit but, in recent months, Development inspectors have also been requiring it. Why is this happening? The stated reason is that if the Department believes it is incumbent on the licensed plumber to provide a prior filing on the LAA application. Does the Code require this? Visit www.nycmpc.org/ReadMore to find out.

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The Village Club at Lake Success

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