



Annual Meeting Minutes  
Professional Engineers in Private Practice (PEPP)  
Annual NYSSPE Meeting  
Hilton Hotel, Pearl River, NY  
June 6, 2009  
New York State Society of Professional Engineers

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

Re: Meeting Minutes, PEPP Annual Meeting, June 6, 2009

Meeting Attendees:

Tom Petracca, Chairman, Suffolk, [tpetracca@tompetracca.com](mailto:tpetracca@tompetracca.com)  
Lawrence J. O'Connor, PE, Capital District/Rockland, [LJOPPELS@Gmail.com](mailto:LJOPPELS@Gmail.com)  
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Tom Szekely, PE, [tszekely@earthlink.net](mailto:tszekely@earthlink.net)

1. Past Meeting Minutes: Meeting Minutes from November, 2008 Meeting, November 8, Syracuse, NY reviewed and approved.



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2. Financial Status of PEPP:

- a. PEPP Balance (Mar 31 09): \$ 38,844.08
- b. PEPP Income from Dues: \$ 1,640.00
- c. PEPP Expense: \$ 5,000.00 (to Voluntary Legal Fund as Moved @ November, 2008 Fall meeting of PEPP)
- d. PEPP Total: \$35,484.08

3. Existing Business:

- a. NYC BC Special Inspections Issue Status: Status of the issue presented including:
  - i. NYC Special Inspections' Committee Chair Tom Szekely presented status that committee has met with NYC Department of Buildings to present concerns that special inspection rules by NYC, recently written, equivocate a PE with non-RDP's. The committee will be meeting again this week to work out further strategy.
  - ii. Joel Miele added that current NYS law already requires a PE or RA practice within their area of expertise. The new NYC rules would extend the law to require an accrediting organization to substantiate that the PE (or RA) actually has the requisite expertise – as called out in the Building Code.
  - iii. Joel Miele further added that in discussions with the State Board of Engineering and Land Surveying (SBELS), NYS DOES consider Special Inspections to be Engineering/Architecture. Inasmuch, the signing of any such inspection related document would be considered the practice of engineering/architecture such inspections are, therefore, engineering/architecture and can legally be performed by A & E firms only. Jane Blair, representing SBELS, will be meeting with NYC Dept of Building officials this Thursday.
  - iv. The Professional Institute of Engineering (PIE), after being requested by Tom S's committee to determine if PIE could act as an accrediting organization, will be investigating and meeting with NYC representatives as to providing, in addition to the California firm (currently the only firm recognized by NYC to accredit



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Special Inspection Agencies), this same service. Larry O'Connor stated that PIE will need help from the PEPP organization and needs to address this issue with committee prior to this week's upcoming meeting with NYC to ensure a good understanding of the requirements. **Tom Szekely agreed to contact Larry O'Connor early this week.**

- b. **Expeditor Illegal Practice Issue:** Brian Flynn presented documentation that expediting firms in NYC are acting as architects and engineers by offering such services in advertisements and performing such services by meeting with NYC Building Department Plans Examiners. Joe Miele indicated that such a rule to prevent the aforementioned from occurring already exists in NYC and is currently listed as a "TPPN" document in the Building Department. **Motion passed to solicit NYSSPE to send a letter to NYC to request that the department require that only PE/RA's, or their full time employees, be allowed to sit and discuss A and E related items during the review of a set of plans by a NYC Plans Examiner.** If NYSSPE Exec Committee approves to send the letter, **Brian Flynn will provide draft for review.** Concern rose that architects may be against this rule.

4. Meeting Adjourned: 9:50 AM.

Respectfully submitted,

Thomas J Petracca, PE  
Chair, PEPP NYSSPE