



January 5, 2010

The Honorable Stephanie A. Miner  
Mayor of the City of Syracuse  
203 City Hall  
Syracuse, NY 13202-1473

**RE: Proposal to amend the city charter to remove the requirement that the  
Commissioner of Water be a professional engineer**

Dear Mayor Miner:


The New York State Society of Professional Engineers is a statewide organization that promotes and protects the interests of professional engineers. This includes upholding the integrity of the license and its primary function; to protect the health, safety, and welfare of the public. As such, the proposal before the Common Council to eliminate the requirement that the Commissioner of Water hold a professional engineer's license causes us great concern.

The commissioner is often directly involved in many critical system operations including transmission line operations and treatment decisions, such that this person must be trained and experienced in engineering. While consulting engineers are often employed to prepare plans for capital projects, the department also prepares plans, specs and studies therefore the oversight of an experienced professional is of paramount importance. A licensed professional engineer is not only more qualified due to the rigorous education, examination and experience requirements, they are also dedicated to the health, safety and welfare of the public. Furthermore, pursuant to section 7201 of the NYS Education Law, "The practice of the profession of engineering is defined as performing professional service such as consultation, investigation, evaluation, planning, design or supervision of construction or operation in connection with any utilities, structures, buildings, machines, equipment, processes, works, or projects wherein the safeguarding of life, health and property is concerned, when such service or work requires the application of engineering principles and data." It is unlawful to practice the profession of engineering in NYS unless you are a licensed professional engineer.

We realize that due to the economy, there may be a desire to reorganize your operations, however such changes should not interfere with sound professional judgment. Removing the professional engineer's requirement from a position that is so immersed in technical decision making is not a wise way to streamline operations. Giving an unlicensed individual the authority over the operations and maintenance of this critical public infrastructure not only jeopardizes public safety, it also potentially burdens the city from a liability standpoint. Your constituency would be better served with a Commissioner of Water properly licensed to practice Professional Engineering.

If you would like to discuss this very important issue further, please feel free to contact me.

Respectfully submitted,

A handwritten signature in cursive script that reads "Dr. James J. Yarmus". The signature is written in black ink and includes a long horizontal flourish at the end.

Dr. James J. Yarmus, PE  
President

CC: Syracuse Common Council  
Juanita Perez Williams, Corporation Counsel  
Donald R. Thompson, Director of Personnel & Labor Relations  
Michael Hayes, PE, Vice President Central NY Region, NYSSPE  
John W. Przepiora, PE, Immediate Past President, NYSSPE