

Minutes of the NYS Fire Prevention and Building Code Council meeting on Friday, December 4, 2020, commencing at 10:04 a.m. and held by videoconference call (WebEx).

Council members and designees present:

Matthew Tebo, Presiding
Benjamin Keller
Michael Weber
Vincent Rapacciuolo
Keith Wen
David Seeley
Claudia Braymer

Joseph Toomey
Shawn Hamlin
Timothy DeRuyscher
Robert Hughes
William Tuyn
Patrick Dolan
Dominic Marinelli

Staff present: John Addario, Joseph Ball, Panagiota Hyde, Kevin Duerr-Clark, Gregory Benton, China Clarke, Emma Gonzalez-Laders, and Chad Sievers.

Agenda Item 1. Welcome.

Mr. Tebo called the meeting to order, welcomed all participants, and introduced himself as the Secretary of State's designee.

Mr. Duerr-Clark called the roll and announced that 14 Council members were present. Mr. Tebo noted that there was a quorum and announced a new agenda item to take place at this and future meetings providing an update and overview of the Divisions' activities from the director of the Division of Building Standards and Codes.

Mr. Duerr-Clark summarized the provisions allowing public meetings to be held remotely due to the Coronavirus emergency, explained the general rules and procedures for the videoconference.

Agenda Item 2. Minutes of the meeting of September 25th, 2020. Consideration of motion to approve.

Mr. Tebo asked if anyone wished to propose changes to the minutes of the September 25th, 2020 meeting. Hearing none, Mr. Tebo made a motion to adopt the minutes, seconded by Mr. Dolan. The motion was approved unanimously by voice vote.

Agenda Item 3. Village of Dobbs Ferry More Restrictive Energy Code Filing LL No. 6 of 2020 (Energy Law §11-109)

Mrs. Clarke presented a summary of the filing of the local energy code adopted by the Village of Dobbs Ferry through Local Law No. 6 of 2020, which adopted the 2020 NY Stretch Code without modifications. Based on the information submitted and the presentation by NYSERDA at the July 10, 2020 meeting Mrs. Clarke relayed the recommendation of the Division that the Council determine that the local energy code, as adopted by the Village of Dobbs Ferry, is more restrictive than the 2020 State Energy Conservation Construction Code.

Hearing neither questions nor discussion, Mr. Tebo made a motion, as read by Ms. Hyde, to determine that the local energy code, as amended by Local Law No. 6 of 2020, is more restrictive than the 2020 State Energy Code. The motion was seconded by Mr. Seely. The motion carried unanimously.

Agenda Item 4. Director's Update

Mr. Addario indicated that some of the items covered in the update do not directly affect the Council, at least not immediately, but would be good for the Council to know.

Update items included the progress and success of the Training and Education Unit to transition to virtual training due to the Coronavirus; that the Division will be receiving copies of the 2021 International codes to start the analysis of the more significant changes; possible implications for the next code update as a result of discussions for electrification and carbon neutrality in response to the work of the Climate Act, the push to remove some classes of refrigerants from use, as well as changes to ventilation systems and other safety provisions in response to Covid-19.

Mr. Addario indicated that the Division of Building Standards and Codes is considering 30 to 40 items for Code Change proposals to be submitted to the ICC.

Ms. Dorothy Mazarella, the International Code Council's vice president of government relations, relayed the ICC's decision to hold virtual hearings in 2021. She noted that some level of virtual participation had taken place in the past two years through CDP Access and that this would be an expansion. Also, that options were being evaluated for willing committee members and ICC staff to attend the hearings in-person in Rochester, as planned. Ms. Mazarella indicated that code change proposals were being accepted through January 11th, 2021; that the length of the hearings would depend on the number of proposals received and consideration of time zones, with a break half-way; and that new rules for virtual participation will be announced prior to the hearings.

Ms. Mazarella also indicated that an ad-hoc committee was being formed to evaluate indoor provisions to guard against airborne viruses and thanked Mr. Addario for proposing members to the committee. She also noted that the ICC has already disseminated some guidelines and information and that further guidance and standard development is likely to ensue.

Mr. DeRuysher asked Mr. Addario to relay his appreciation for the work of the Training and Education Unit and his encouragement to continue to provide virtual training.

Agenda Item 5. Workgroup Update

Mr. Duerr-Clark indicated that the group has met twice since the last Code Council meeting focusing on mobile fueling operations. He stated that the last two meetings are scheduled and that the compiled technical document would likely be ready after the March meeting.

Agenda Item 6. Public Comment Period

None

Agenda Item 7. Future Meetings

Mr. Tebo announced that the dates of March 5, September 17, and December 3 were unlikely to change, however, that Mr. Duerr-Clark would send out new potential dates for the June meeting.

Agenda Item 8. Other Business.

Mr. Tebo thanked Council members and staff for all that was accomplished in the past year and wished everyone a happy and healthy holiday.

Hearing no other business, Mr. Tebo made a motion to adjourn, seconded by Mr. Dolan. The motion passed unanimously by voice vote.

The meeting adjourned at approximately 10:38 a.m.