



Queens Chapter

New York State Society of Professional Engineers

The Drawingboard

September 2007

Volume 7, Number 9

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President's Message

*By Brian E. Flynn, P.E.
President*



Many of our members have just celebrated the Jewish Holiday of Yom Kippur, the Day of Atonement. In ancient times, a goat was driven off into the wilderness as part of the ceremonies of Yom Kippur. It was upon the head of this "scape" goat that the sins of the people were symbolically placed before it was sent into the wilderness. In modern times, a scape goat is someone who is blamed for misfortunes, generally as a way of distracting attention from the real causes.

Albany has decided that it needed a scapegoat for the construction turmoil that has ensued this year. Catastrophic and fatal collapses have occurred in record numbers this year. The newspapers and press have declared war on the Building Department for this unbridled development. The local politicians have painted the design professionals as the greedy running dogs of the builders for not agreeing with their hodge-podge of quick fix zoning changes that they created as they try to secure their next political office. In the spring time, the city council passed two Local Laws. No. 3 required examination of plans for architects and engineers on probation by the State Board of Regents. No. 4 was made "To amend the administrative code of the City of New York, in relation to sanctioning professional engineers and registered architects who knowingly or negligently professionally certify a false or noncompliant building permit application or plans." Local Law No. 4 was aimed directly at giving the Building Department sufficient authority to oversee Professional Certification and take corrective action if needed.

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But that was not enough for Albany. So they wrote and passed a bill, A07746/S 4603 that authorizes the Building Department Commissioner to refuse to accept any document filed with the Department in compliance with the Building Code that bears the signature of any person who, following a hearing, has been found to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any document required to be filed under the Building Code. It was the last bill to be signed into law before the recess. It passed both the assembly and the senate unanimously and was immediately signed into law by our new governor on August 15th, 2007. In the press releases, it was declared to be the answer and cure all for self certification abuses as though that is the major problem with construction today. Not one of these senators or assemblyman reached out to the design profession community to find out where the real problems are before they unanimously decided that we were the scape goats of the construction industry.

The majority of the disasters that have occurred are the result of contractors who do not know what they are doing or don't care. As the professional's, we are held accountable for the contractor's actions, even though we have no authority. The proposed bill to license contractors was sent back to committee.

Some of us would argue that this new law will finally give the Building Department the authority to weed out the bad apples and throw them out; which will only serve to improve the profession all around. And yes, that is a good thing. However, the Building Department should not act as both judge and jury. The Building Department should have some teeth to stop the out of control expeditors, the rubber stampers and the abusers of the Professional Certification program. It should be able to stop abusive or dangerous contractors.

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Nominating Committee

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Chapter Seeks Donations to PDC Library

The Queens Chapter is still seeking donations of books for the Professional Design Center Library

Queens Chapter President Brian Flynn would like all to know that the Professional Design Center Library is still in need of Books, Magazines and other materials. The Queens Chapter is asking all members to donate any reference material, such as textbooks, catalogs and product literature that they can.

Please Note:

Members are advised that the Queens Chapter meeting on Thursday, September 27 2007 will be held at our Fort Totten office. At the Fort Totten gate tell the guard you are a member of the P.E. Society and that your name is on the list that they keep there. Any non-members and guests not placed on the list will be denied entrance-If this happens the guest should ask the guard to call the phone number on the membership list. A board member will then come down to bring the guest in

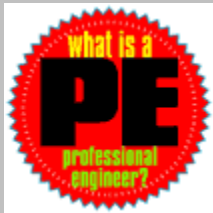
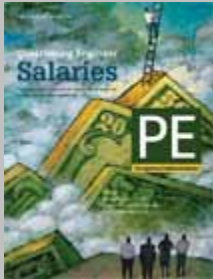
What is galling about the Albany Bill is not that the state government is relinquishing the state authority of the Education Department to the Building Department, nor that it will not target the shadowy figures who use rubber stampers but that it again only targets the licensed design professional to the exclusion of all others. Most of our assemblyman and senators are lawyers. The governor is a former prosecutor. What is especially galling is that all of these legal eagles have passed a law that violates both our state and national constitutions. Our license is considered property, our property. This law allows the city to prevent the use of, or seizure of our property without due process.

The city and state have for too long allowed the proliferation of false professionals without enforcing the laws against illegal practice. NYSSPE had been instrumental in obtaining the authority for the State Education Department to prosecute illegal practice by unlicensed individuals or agencies. Albany will not fund that fight as it may affect the real estate market.

There are a great many steps that the Building Department can take to ensure that it is getting plans filed by design professionals and not by the legions of quacks. Here are just a few:

- 1 Require the title block to be that of the design professional filing and refuse filings that don't comply,
- 2 Require the title block to be in a Professional Corporation's (PC, PLLP) name with the SED Certificate of Authorization on every page and refuse filings that don't comply,
- 3 Require that the design professional filing is currently has up to date registration with SED,
- 4 Have licensed design professionals for plan examiners,
- 5 Require the correct insurance for contractors before issuing tracking numbers,

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6 License contractors beyond those building 1, 2 & 3 family homes,

7 Require a mandatory training program or competency exam before authorizing design professionals to file under the self certification program. It is a privilege issued by the Building Department and it can be overseen better or taken away as well

8 Refer all cases of improper or illegal practice to the State Education Department for action, and

9 Continue to work with the District Attorney to prosecute illegal practice as they have done so well this past summer.

Upcoming Meeting Information

Our Next Chapter Meeting

Thursday, September 27th, 2007 – 6:30 PM

Zygmunt Staszewski, P.E. ; [President of ZS Engineering](#), P.C. of Floral Park, NY will present a seminar of fire alarm system requirements of the newly adopted International Building Code. Topic will include:

- Review of the occupancy classifications under the IBC.
- Review of the fire alarm and detection requirements for each occupancy.
- Review of the fire alarm requirements for the high rise building.
- Comparison of the IBC as adopted by New York State and New York City.

Location:

[422 Weaver Ave., Fort Totten, New York](#)

Hotline for Members

Are you an NSPE member with a question about engineering ethics, licensure, or law? If so, call 888-285-NSPE (6773) or e-mail legal@nspe.org. Please provide your 9-digit NSPE member number.

Ask the Insurance Agent

*By Rick Standing.
[Prosurance Redeker Group, Ltd.](#)*

Typical Insurance Coverages for Design Professionals

Professional Liability Insurance: (also known as Errors & Omissions) provides coverage to defend and indemnify the design professional against claims alleging negligent acts, errors or omissions in the performance of professional services (wrongful acts). Wrongful acts are not limited to defects in plans and specifications. Coverage usually extends broadly to encompass most of the professional services rendered by AIA firms. The policy will pay on behalf of the design professional those damages that the design professional is legally obligated to pay as a result of a wrongful act. The policy deductible usually applies to each claim and may or may not apply to the cost of defense. The policy limit of liability typically includes defense costs, meaning that the limit is eroded and can be exhausted by legal fees and other defense costs. Careful consideration should be made when deciding on an adequate limit of liability for your practice. Coverage is written almost exclusively on a "claims made" basis which applies only to wrongful acts which happen, and for which a claim is made, while the insurance is in force. Once the policy is canceled or not renewed, all coverage will cease. Few, if any, policies will provide retroactive coverage to the previously uninsured firm. It is therefore advisable to begin a professional liability insurance program as early as practical in one's practice.

Commercial Package Policy: Insurance companies will combine frequently requested coverages under one economical package known as Commercial Package policies. One policy is designed to include among other coverages: General Liability, Commercial Property, Hired / Non-Owned Automobile Liability, Valuable Papers Coverage, Business Interruption & Accounts Receivable.

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General Liability Insurance: is designed to pay on behalf of the insured firm, all sums which the insured becomes legally obligated to pay as damages because of bodily injury or property damage caused by an "occurrence" - defined to be an accident including continuous or repeated exposure to substantially the same general harmful conditions. Landlords will require their tenants to provide General Liability insurance as a requirement for a lease. Since the A/E and its employees are regularly at job sites it is important to purchase a policy that will insure against claims arising from the firm's operations away from the office premises in addition to premises accident claims. Project owners often require A/E consultants to maintain General Liability including the owner as an "additional insured." General liability will specifically exclude coverage for architects and engineers professional liability.

Business Property Insurance: Whether you lease or own your office; office equipment, furniture, fixtures, computer equipment, phone systems, fax and copy machinery, valuable papers and fine arts need to be insured for fire, theft and water damage. Insuring these valuables for "replacement cost" provides the best protection that your business will be reimbursed properly for a covered loss. Landlords of rented property usually require their tenants to maintain property coverage for the rented space to cover improvements and betterments provided to the leaseholder. Since most design firms are heavily dependent on computer systems, it is important to properly inventory equipment and software.

Workers Compensation and Employers Liability Insurance: Most states mandate that employers maintain Workers Compensation and Employers Liability insurance as soon as an employee is hired. State Worker Compensation Boards can levy serious fines against the firm that fails to provide this coverage for its employees. Part one of this policy (Workers Compensation) pays the employee compensation for lost income and all medical expenses related to the bodily injury by accident or disease attributed to job related activities. These benefits will vary by state. Part two (Employers Liability) will pay for damages (resulting from an employee's job related bodily injury) for liability to a third party for damages claimed by the employee against the third party. Premiums are based on payrolls of employees and their duties. When a policy is purchased, 1099 consultants of the insured must show evidence of their own Workers Compensation insurance or the cost of covering consultants may be borne by the insured.

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Statutory Disability Benefits Insurance: In addition to Workers Compensation Insurance, many states also require that employees be covered by disability insurance that provides income for the time an employee is unable to work due to a non-job related injury or sickness. Benefits are very limited in terms of duration and amount and are generally not a good substitute for individual or long-term disability insurance.

Umbrella Liability Insurance: Umbrella policies are designed to provide excess limits of liability for General Liability, Automobile Liability and Employers Liability. The Umbrella policy will apply to a claim when the limits of the underlying insurance are exhausted.

This information is for illustrative purposes only and is intended to provide only a general overview of the insurance policies described. Many other policies exist that are often purchased by design firms. Please feel free to contact my office at (212) 693-15650 to discuss any questions that you may have. For additional reading please visit www.aepronet.org

2007 Chapter Meeting Schedule

Mark Your Calendar

For your convenience the Queens County Chapter NYSSPE meeting schedule is provided below.

Directors' meetings and general meetings are held on the second and fourth Thursdays of each month except November and December meetings which will be held on the first and third Thursday of the month due to holidays. So mark your calendar. The schedule is as follows:

Directors' Meeting
(6:30 PM)

Membership Meeting
(6:30PM)

September 13th

September 27th

October 11th

October 25th

November 1st

November 15th

December 6th

December 20th

Useful websites for Engineers:

National Society of Professional Engineers	www.nspe.org
New York State Society of Professional Engineers	www.nysspe.org
American Institute of Architects	www.AIA.org
American Engineering Alliance	www.aeaworld.org
American Institute of Chemical Engineers	www.aiche.org
American Society of Automotive Engineers	www.sae.org
American Petroleum Institute	www.api.org
American Society of Civil Engineers	www.asce.org
American Society of Engineering Education	www.asee.org
American Society of Heating, Refrigeration and Air Conditioning	www.ashrae.org
American Society of Mechanical Engineers	www.asme.org
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American Welding Society	www.aws.org
Society of Petroleum Engineers	www.spe.org
Society of Fire Protection Engineers	www.sfpe.org
Institute of Electrical and Electronics Engineers, Inc.	www.ieee.org
City of New York	www.nyc.gov
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NY State Assembly	assembly.state.ny.us
NY City Council	nyccouncil.info
The White House	whitehouse.gov
Ed Turner Responsible Charge	www.responsiblecharge.com

Fall Professional Development Conference

*By Jennifer A. Miller
Director of Programs; NYSSPE-PIE*

Attached as a separate PDF file is the NYSSPE Fall Professional Development Conference meeting information.

The meeting is November 2-3, at the Six Flags Great Escape Lodge & Indoor Waterpark, 89 Six Flags Dr., Queensbury, NY

Hotel reservations are to be made DIRECTLY with the Six Flags Great Escape Lodge & Indoor Waterpark, 89 Six Flags Drive, Queensbury, NY by October 2, 2007. Please book your room ASAP as they do sell out. Attendees will be responsible for settling the bill for their sleeping accommodations and incidental charges directly with the hotel upon departure.

Reservations Call: 518-824-6000 – Group Name: NYSSPE

Room Rate(s): Thursday, November 1st - \$149.00 + tax*;
Friday, November 2nd - \$169.00 + tax*

* Maximum of 4 guests per room at quoted rates. Supplemental fee of \$25.00 per additional guest will be charged. The rates above INCLUDES admission to the Indoor Waterpark. Save and share a room.

CSI Trade Show Announcement

*By Scott J. Tobias, AHC, CSI, CDT
President, Metropolitan New York Chapter*

Please join us for our Third Annual Trade Show and Education Conference on Wednesday, September 26, 2007.

Please see the attached education schedule, exhibitor list, and click the following hyperlink for more information:
www.csimetronewyork.org



Please contact me if you have any questions.

We look forward to seeing you there.



: Professional Services Directory

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<p>CHRIS PETALLIDES, P.E., N.S.P.E. <i>CONSULTING ENGINEER</i></p> <p>Tel: 718 961 4342 Fax: 718 321 3929 Email: PetallidesPE@aol.com</p> <p>149-14 45TH AVENUE FLUSHING, N.Y. 11355</p>	<p>Tel: (718) 323-0754 130-08 122nd Street, 2nd Fl. Pager: (917) 429-7480 South Ozone Park, NY 11420 E-Mail: JAVBINTGRO@AOL.COM</p> <p>Jose A Velasquez, P.E. Master of Civil Engineering Master of Economics New York State Licensed Professional Engineer</p> <ul style="list-style-type: none">● Consultant● Building Inspections● Certificates of Occupancy● Engineering Reports● Permits And Alterations● Structural Design● Legalizations● Removal of Violation
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ISO 9001 / ISO 14001 REGISTERED

Order Form

The Queens Chapter of the National Society of Professional Engineers will publish the chapter's 2007 Annual Membership Directory. Our members are found in key government agency positions, as well as senior and partner positions in private engineering firms, which design, specify and consult on Construction projects throughout the Metropolitan area. When they need to find a source for specific requirements they turn to their annual Queens NSPE Membership Directory. Now you and your firm can reach these key decision making individuals when they are looking for your services by placing an ad in the up coming 2006 Queens NSPE Membership directory.

Attached is an order form to place an advertisement in the 2007 Membership Directory.

In addition to our annual journal, the Queens Engineering Society Sponsors numerous events and seminars to further inform our members of the new developments in industry. We hope that you will help support our efforts. Please see the order form on the next page

**QUEENS COUNTY CHAPTER
OF THE NEW YORK STATE SOCIETY OF PROFESSIONAL ENGINEERS**

OFFICERS:

BRIAN E. FLYNN, PE GEORGE L. TAVOULAREAS, PE JOHN SGOUROS, PE FIL KEFALAS, PE
President 1st Vice President 2nd Vice President Treasurer

Please reserve an ad as indicated below in the 2007 Queens Chapter Membership Directory.
Enclosed is our check in the amount of \$_____ for the size ad selected below:

(STANDARD AD POSITIONS (BLACK & WHITE ADS))

- Full Page Ad (7-1/2" deep x 4-1/4" wide)\$ 400.00
- One-Half Page Ad (3-3/4" deep x 4-1/4" wide).....\$ 300.00
- One-Third Page Ad (2-1/2" deep x 4-1/4").....\$ 165.00

(SPECIAL POSITIONS (BLACK & WHITE ADS))

- Back Cover (7-1/2" deep x 4-1/4" wide) \$ 800.00
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