

Date: December 13, 2017

Labor and Industry Building, Room E-100
651 Boas Street
Harrisburg, Pennsylvania 17121

Council Members Present: Maureen Guttman, Thomas McCosby, John Kampmeyer, Walter Schneider, William Yeagley, Matthew Wojaczyk, Joseph, Lavalley, Edward Fegley, Dan Corbett, Mitchell Swann, David Nice, Bobby Henon, Larry Mellott, Charles Coltharp, Richard Madzar, Kevin Maynard

Department Attendees: Dwight Decker, Kelly Smith, Nathan Clark

Also, Present: Doug Meshaw, Libby Dobson, Jonathan Sukonik, Sarah Miller, Stephen Latanishen, Amal, Mahrouki, Mary Gaiski, Jennifer Berrier, Jack Lyons, Lauren Orzai, Ron Engler, Jeffrey Criss.

Reporter: Candace R. Pratt

The meeting was called to order by Chairwoman Maureen Guttman, followed by introduction of all Council Members and attendees, after which all said the Pledge of Allegiance.

1. Approval of the minutes from the meeting on November 1, 2017.
2. Approval of Agenda.
3. Chairwoman's comments and correspondence:
The Chairwoman welcomed everyone for their attendance. Chairwoman Guttman discussed that the UCC Review and Advisory Council was receiving new members due to the enactment of Act 34. Chairwoman Guttman also, discussed the need to vote on the additional sections that are needed to be reviewed per the enactment of Act 34.

Chairwoman Guttman discussed the RAC's three working groups, Legislative, Regulatory and Procedures. Walt Schneider nominated John Kampmeyer to fill the vacant chairman position on the Legislative Working Group, the nomination was seconded by Kevin Maynard. Chairwoman Guttman called for any other nominations. Nominations were then closed and the nomination of John Kampmeyer as Chairman of the Legislative Working Group was voted unanimously, in the affirmative.

4. Five new members of the UCC RAC were sworn in by Executive Deputy Secretary, Robert O'Brien.
5. Report of RAC counsel:
Attorney Decker encouraged the RAC members to keep separate emails for RAC business. Attorney Decker also reminded the RAC members that the Sunshine Act prohibits deliberation of RAC business by a quorum of RAC members outside a public meeting. Voting is deliberation and must occur at a public meeting. Attorney Decker also, stated that the Governors Gift Ban is in effect.
6. Report of the Legislative Working Group: No Report
7. Report of the Regulatory Working Group: Chairwoman Guttman asked for any nominees to replace her as Chair of the Regulatory Working Group. There were no nominees, the RAC will revisit a new appointee in the future.
8. Report of the Procedures Committee: Chairman Schneider gave the report from the Procedures committee and had three recommendations for the approval of the entire council.

The first recommendation was that all members are encouraged to attend meetings. The only remote meeting participation to be allowed is telephonically, members who utilize this method of participation do not count towards the meeting quorum, but shall be allowed to vote on issues discussed during a meeting. If the member feels that there is an extenuating circumstance that member may appeal to the chair with a second level appeal to the full council. The motion for the council to adopt this recommendation was made by Chairman Schneider and there was deliberation regarding the recommendation. Thomas McCosby seconded the motion and the motion passed with one negative vote, that being Larry Mellott.

The second recommendation was all previous public comments are to be discarded and not considered and only public comments received during the current review period will be considered. The motion for the council to adopt this recommendation was made by chairman Schneider and seconded by John Kampmeyer. There was a brief deliberation on the recommendation. The recommendation was voted unanimously, in the affirmative.

The third recommendation that was put forth was that all sub-committees utilize the information provided to them from the previous review of the 2015 ICC codes. However, it is up to the committee itself how much they should rely on the old" information versus the "new" information. There was no vote on this recommendation.

9. Old Business:

Walter Schneider made a motion that all sections of the 2015 ICC codes that do not constitute updated sections of or existing sections, be selected as additional sections for the 2015 ICC code review. The end result being that the entirety of the 2015 code shall be reviewed by the RAC as part of the 2015 code review. Kevin Maynard seconded the motion. There was a short deliberation on the motion. The motion passed unanimously, in the affirmative.

Walter Schneider then made a motion to commence with the review of the 2015 ICC codes in accordance with the Uniform Construction Code of Pennsylvania and Uniform Construction Code Act. Joseph Lavallo seconded the motion. There was brief deliberation. The motion passed unanimously, in the affirmative.

Edward Fegley made a motion to only use a roll call vote if a member makes a motion to do so, Daniel Corbett seconded the motion. There was deliberation on the motion. Walter Schneider offered an amendment to the motion that if members are participating by phone, a roll call vote must be called. There was further deliberation on the amended motion. John Kampmeyer made a motion to table the vote on the motion. The motion to table was adopted in the affirmative with 2 no votes, those being Daniel Corbett and Edward Fegley.

10. New Business: Chairwoman Guttman asked the new members if they had any preference as to what standing sub-committees sub-committees they would like to join. Charles Coltharp and Richard Madzar were appointed to the Regulatory Subcommittee, Daniel Corbett and William Yeagley were appointed to the Legislative Subcommittee.

Chairwoman Guttman then proceeded with appointing chairs and members to the 2015 review subcommittees (please see attachment).

11. Public Comment: Steve Latanishen from the Office of Public Liaison thanked everyone on behalf of the Governor and expressed the Governor's interest in the code review process. John Sukonik was unhappy about the lack of notice regarding the previous meetings cancellation. John Sukonik also wanted to make sure there are safe guards in place so something like this will not happen again. Chairwoman Guttman assured him there are safe guards in place and that this is also why the council has scheduled and posted their meetings publicly until May 1st. John Sukonik mentioned there was nothing posted to the Department of Labor and Industry website.

Jack Lyons expressed offered NEMA's assistance to the subcommittees during their review.

Walter Schneider reminded those in attendance to check www.OA.pa.gov to see if the Capital complex is closed and if the complex is closed, the Labor and Industry building is also closed.

Chairwoman Guttman stated that the next hearing would be held on January 24th.

Chairwoman called for a motion to adjourn. Walter Schneider and John Kampmeyer seconded the motion. Chairwoman Guttman dispensed with the roll call vote, all members were in favor of the motion to adjourn.

The meeting was adjourned at 11:59 A.M.