

Date: 5/14/19

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

Council Members Present: Maureen Guttman, Matthew Wojaczyk, Edward Fegley, Joseph Lavalle, E. Mitchell Swann, William Coulson, William Yeagley, Walter Schneider, Jerry Phelan, Charles Coltharp

Also Present: Robert O'Brien, Kelly Smith, Nathan Clark, Douglas Meshaw, Sarah Miller, John Sukonik
Reporter: Amber Garbinski

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: Minutes from February 13, 2018; March 20, 2018; April 3, 2018; April 17, 2018; July 23, 2018; and October 17, 2018 were approved.
2. Approval of Agenda.
3. Chairwoman's comments and correspondence: The Chairwoman mentioned floor action items that will come up for vote on CDP access.
4. Report of RAC counsel: Kelly Smith reminded everyone to complete their statements of financial interests.
5. Report of the Legislative Working Group: Mr. Kampmeyer wished to remain chair of this workgroup.

HB349 was the first discussed and there seemed to be some confusion about what the bill really did. It was noted that similar bills of its type have been introduced in the past. Mr. Schneider laid out his three concerns: 1) fault of municipality in a contractual agreement; 2) the bill removes the ability of the municipality and penalizes them for not having staff onboard (then there was a discussion of what the penalty was and whether it was a penalty at all), but the third reason was never mentioned possibly lost in the discussion. The Council voted 11-5 favor of opposing HB349.

The next bill discussed was HB117 which would require installation of changing stations disabled individuals to be undressed for sanitary purposes. The Council voted 15-1 to oppose the bill. HB832 would require that subsequent code administrators be constrained by previously rendered decisions by the Board of Appeals on individual projects. The Council voted 16-0 to support this proposal.

The next bill was SB453 and HB1037 (identical bills) which would exclude agricultural buildings, being used for things like weddings and social events, from most code requirements. The Council voted 16-0 to oppose.

The next bill was HB1029 which would require diaper changing facilities in public restrooms. The Council voted to oppose, 14-2.

The next bill was HB422 which would create a trainee classification for code officials. The Council voted to was oppose, 14-2.

The next bill was SB446 which deals with exemptions for certain decks, patios and accessory structures. The Council voted to oppose, 14-2.

6. Report of the Regulatory Working Group: Mr. Wojaczyk was asked to chair the group, accepted, and planned to schedule a meeting for the group.
7. Report of the Procedures Committee: Mr. Schneider said the working group recommends a Pennsylvania review of the 2018 ICC family of codes and also that the Department open public comment on 6/13/19 as statutorily required. Then it was recommended that TAC Committee applications open for 30 days. Then the RAC should meet around October 15 to receive the public comment. Then he recommended that TAC have its final reports in by 6/15/2020. He recommended that the first public hearing should be around 8/15/20, the second a month later, and a third a month after that with a report to follow in March. Then around 9/15/20 have a RAC meeting. Also allow for an effective date for the new codes of 1/1/2022. A number of codes were listed to be recommended for TAC committees.
8. Old Business: Nothing to report.
9. New Business: Chairwoman Guttman brought up the 2015 review up for re-review to accommodate new people and to address amendments. Mr. Glotfelty brought up a concern about cost requirements on decks that are 30 inches and below. Then discussions on a motion were had on whether to review changes from the 2015 code to the 2018 code. There seemed to be fear that this review could open up a "Pandora's Box" of review. Mr. Schneider attempted to get a motion in to open up anything that was maintained in the 2009 language but was denied as there was already a motion open. The motion to reconsider the provisions failed after not attaining the required two-thirds majority. Mr. Fegley made a separate motion to review the Performance Code which Chairwoman Guttman noted had not been addressed since 2009. That motion did pass 14-2, which officially opened the 2018 review process. Mr. Schneider motioned that the tentative time schedule presented by the procedures working group be adopted and that motion passed. Mr. Schneider motioned again to for TAC committees identified by the procedures working group be formed and allow the Chair to promulgate/staff them or assign members and the motion passed. Chairwoman Guttman then said she plans to staff each TAC chair with at least one, and possibly more, RAC members. Mr. Schneider made a motion as a formality to open the 2018 ICC code review process and initiate the review by the RAC and that motion passed. Mr. Schneider motioned again to open public comment on 6/13/19 for the 2018 review and also the TAC committee applications along with a motion to close TAC committee applications 30 days later and 120 days after opening the public comment it be closed and those motions passed. Mr. Clark informed everyone that they would be getting a link to an online version of the 2018 codes with an option for physical copies once TACs are assigned. A meeting was then scheduled for October 15, 2018 at 10:00AM.

10. Adjournment: The meeting adjourned at 12:19PM.