Published by the Bronx Chapter AIA Publications Committee to highlight activities and information of interest to the Practicing Architect.

# Newsletter

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I. Current Activities
   Chapter Meeting

October 24, 2019

Meeting Minutes

Meeting began at 12:08pm

Attendees
Bob Esnard
Antonio Freda
Kenneth A Koons, Jr.
Kenneth H. Koons, Sr.
Sara Jazayeri
Jerin Lisha
Robert Markisz
Giuliano Penna
Martin Zelnik

Guests
John Carey – Manufactures Representative
Ludowici Roof Tile

Agenda / Discussion:
1. John Carey – a manufactures representative for Ludowici Roof Tiles and several other building products, presented a seminar with slides on the “Fundamentals of Clay Roof Tiles”. The seminar reviewed the history, evolution, manufacturing and characteristics of Clay Roof Tiles. One of the oldest construction materials still used are Clay Tiles. They originally were developed as a roofing material, but over time had been used for plumbing, flooring, and wall finishes. Clay tile is a product of three things; earth (or clay), water and heat. It is unique, as it is so simply made and one of the most durable construction building elements ever developed. Tiles are also exceptional in that they usually are warranted for 75 years plus. Many buildings, hundreds of years old, have the tiles that are as effective and attractive as when they were originally installed.

   John described how tiles are manufactured, from mostly Clay, at approximately 75% and the remaining 25%, water. The tile is mixed, glazed and then heated (fired) at 2,050 degrees Fahrenheit for 20 hours. The result is a very consistent product that can be made in several shapes; flat, semicircle, s-shape and angled to suit various installation needs. The tiles are lapped and secured by nails, usually cooper or stainless steel, to an underlayment structure. The underlayment is generally #30 roofing felt, with an ice
water shield over it. Shingles are lapped and installed from the bottom up. The tile has good strength and a high resistance to water absorption. Tile are graded as either 1, 2, and 3. These Ratings were developed by ASTM. Grade 1 is the highest grade, designated at ASTM C1167, with less than 1% absorption. The comparison of files to other roofing materials are very good. John compared Tile to the most common alternative roofing types:

- slate which is a natural material but flat only and easy to break.
- concrete tile which is cheaper but fades after 10 years or so and usually requires maintenance.
- synthetic tiles are very light weight, but can have issues with fire resistance, longevity and maintenance.

In terms of LEED of environmental ratings, clay tiles are good and get LEED credits. They are all natural and sustainable, last very long and can be reused in many ways or be recycled and ground into chips or pellets for other uses. John illustrated many examples on how the tiles can be shaped and colored to meet varied situations, in roofs, wall installations or as floors.

At the end of the presentation John Carey answered questions covering costs and reviewing installation techniques. He was able to illustrate his talk with slides of buildings and different tile applications. He also had samples of and Ludowici Tiles Products and Roofing Materials for the Chapter members to physically feel and review. He volunteered to assist any Chapter member who would like help selecting the appropriate tiles for any of their projects. His presentation was dynamic, very professional and well received by the Chapter members. His contact information is:

John Carey  
Manufactures Representative  
Ludowici Roof Tile  
Tel: 201-906-2700  
Email: johncareysales@gmail.com

2. The Minutes of the September 19, 2019 were circulated. Ken Koons Sr. made a motion to approve them and the motion was seconded by Tony Freda. The September minutes were then unanimously accepted.

3. Meeting Dates:
The meeting dates will continue to alternate luncheon and dinner meetings. The schedule for the next meeting in November, will be a dinner meeting and the schedule for the next meetings are:

- November 21, 2019 - 6:00pm
- December 12, 2019 - 12:00pm
- January 23, 2020 - 6:00pm
- February 20, 2020 - 12:00pm
- March 19, 2020 - 6:00pm
4. New York Architects Council:
The Architects Council did not meet last month. However, there was a meeting of some of the Council members to explore forming a new “Design Professional Business Association”. Several members of the Architects Council were present, and all AIA Chapter presidents had been invited. The Bronx, as our President could not make the meeting and the New York Chapter were not represented. The meeting minutes were sent to us and are attached as Attachment “A” to these minutes. Chapter members expressed the need for an organization to be a strong advocate for the architectural profession. Over time, the Department of Buildings (DOB) has been more and more adversarial to the profession. The Chapter members were not convinced that another organization created to do what the Architects Council had been doing, makes sense. Perhaps, its more sensible to have the Council reenergized! However, the suggestion was made to write a letter to DOB questioning, the issues/problems of the “prosecutorial” culture of the DOB. It was also suggested, that perhaps this letter should be from either all the Chapter Presidents or from the Architect’s Council, highlighting our concerns. Tony Freda will take a crack at drafting such a letter on behalf of the Chapter. It was everyone’s opinion at the meeting that a more “professional” atmosphere is required at DOB and the City Council and we should strive for government to understand the business/legal realities of the practice of architecture.

5. Continuing Education
Mott Haven:
The Bronx Chapter is sponsoring its second Tour this year, with the Bronx County Historical Society on October 26, 2019 at 10:00am – 12:00pm for 2-CEU Credits. The presenter will be Lloyd Ultan, the Bronx County Historian who will be supported by Julian Misiurski of the Chapter. The Tour is listed on our website and will take place rain or shine. To date, the Historical Society has had nine people sign up and we have two. The Tour will start and end, on Alexander Avenue at the northeast corner of 138th Street. Alexander Avenue and 138th Street is easily accessible from the #6 subway station at 3rd Avenue and 138th Street using the Alexander Avenue exit. Parking is available on the street. The hope is to schedule another Tour in the spring with the Historical Society.

6. Chapter Committees
• Officers – Every year at the October Chapter meeting, the Nominating Committee proposes a slate of officers for the coming year. As per the Bylaws, the Chapter must vote in November on next year’s officers. If other names are recommended for office, they should be sent to the Secretary, Robert Esnard, besnard@dzco.com prior to the November meeting for consideration as part of the adoption process. The Committee recommended for 2020, the following officers:
  Tony Freda - President
  Sara Djazayeri - Vice President
  Ken Koons Jr. - Treasurer
Robert Esnard - Secretary  
Ofe Clarke - Director  
Ken Koons Sr. - Director  
Giuliano Penna - Director  
Frank Molinini - Director

• Budget  
The Treasurer and the Audit committee reviewed the third quarter financials. During the last quarter the income was $4,601 and expenses $631. The Chapter is operating in the black with a balance at $33,048 and in conformance to the Adopted 2019 Budget.

• Events  
At the September meeting, Josette Matthew volunteered to head a Chapter Events Committee. She is hoping to arrange some activities that Chapter members could participate, similar to what she organized in September, i.e., a “Yankee Stadium Tour” and a June “Pub Crawl”. The hope is that the Committee can propose events allowing Chapter members, the community and possibly other construction professional organizations in the Bronx to interact together. If any member is interested in working on the Committee, they should contact Josette by email at: j.matthew061@gmail.com. Josette will report on her efforts, next steps and potential activities at a future meeting.

• Education  
Sara Djazayeri reviewed her work with Chapter Members, Ofe Clarke and William Davis to develop an Outreach Program to assist children in their understanding of Architecture and the Architectural profession. A Bronx school has been identified and is interested in working with the Chapter program over the next few months. In Addition, Sara is going to discuss participating with the AIA’s “Woman’s in Architectural Committee”, to build on their experience in crafting an educational outreach activity.

7. SNAD – Special Natural Area District in Riverdale  
Marty Zelnik reported that the Department of City Planning has withdrawn the SNAD application from consideration. This action was based on the overwhelming negative response to City Planning’s proposed updating of the existing legislation. Marty passed out a copy of the Riverdale’s Press article describing the argument and the community dialogue, which included a Bronx AIA Chapter letter. The City is now going to start the process anew. This time, to hopefully involve the local community, its’ Leadership and professional Groups to craft a more sensitive/responsive modification of the Natural Area. Marty Zelnik’s role was critical and very much appreciated; in presenting the Chapter’s arguments and assisting the community in this successful effort.
8. New Business
   • The City Council Local Law 108 of 2019.
   The City Council approved a series of very “difficult” regulations requiring registered design professionals to be more formally and aggressively scrutinized. The Legislation was circulated and is copied as Attachment “B” of these minutes. This Local Law gives the DOB more power to sanction, by excluding a professional’s participation in making applications and possibly revoking a professional’s DOB certification privileges. These draconian regulations can be implemented if a professional is accused of making false statements, incorrect certificate applications or reports. This law appears to be very arbitrary and unnecessarily punitive. This kind of Legislation is unfortunate, and the Chapter and the Architects Council and Real Estate groups should be energized to change or limit these rules.

9. Chapter Directory
   The Chapter has been solicited by a Minnesota consulting/marketing and publishing company to develop a directory of members, prepared at no cost to the Chapter or its members. As this does not directly cost the Chapter anything, it may however interfere with our Chapter’s securing Sponsorship for its’ events and meetings, as the income that the Directory will produce will be going first to the company and only after they recoup their costs, will the Chapter benefit financially, if at all. After a short discussion, it was agreed that this should be investigated and discussed at a future date, to ascertain if it makes economic sense and benefits the members. The Company link www.emconsulting.com will allow members to look at a sample directory prepared for the Kansas AIA Chapter.

The meeting was adjourned at 2:14pm.

Next Meeting – The next meeting will be a dinner meeting at 6:00pm at Artie’s Restaurant, on November 21, 2019.

Attachment A
Proposed Design Professional Business Association

Attachment B
City Council Local Law 108 of 2019
Architects & Engineers Business Meeting Minutes

October 19, 2019

Meeting held on: October 16, 2019

Meeting attended by: (see attached list of attendees)

Re: Possible formation of a Design Professionals Business Association

The following was discussed:

1. Gerald Caliendo made opening remarks regarding the purpose of the meeting. Also introduced Victor Han, the president of the Queens Chapter of the AIA, Vincent Nativo, the President of the Brooklyn Chapter of the AIA, Joseph Loccisano, the President of the Staten Island Chapter of the AIA; , and Robert Strong, the President of the Architects Council, Chris Petallides, P.E., past President of the Queens Chapter of the NYS Society of Professional Engineers was present.

2. Simon Rothkrug was introduced and he gave an overview of his background as an attorney who has fought the DOB and other city agencies on behalf of his clients and has one of many cases. Mr. Rothkrug made a point of stating that the culture of the Department of Buildings has become one of prosecution, rather than enforcement. This was made clear by the Building Deparment hiring a prosecution attorney rather than an administrative attorney in their SET unit.

3. Robert Altman was introduced and he gave an overview of his background as a lobbyist who has worked with the city Council for many years and currently represents the Queens Bronx Builders Association. He has also created legislation which has been submitted to the city Council for interest groups.

4. There was discussion regarding legislation that has recently been passed which is detrimental to the Architects and Engineers and that A Lobbyist should be engaged to influence and educate the legislators as to the reality of the profession as opposed to Department of Buildings policy of prosecution as well as many other areas of policy and procedures.

5. It was noted that Raymond Peeples, R.A. , Who is a member of the Architects Council has been able to get the NYC Public Advocate Jaamane Williams to send a very strong letter to Commissioner Melanie LaRocca regarding some of the problem practices of the Department of Buildings, and that this is a very big step in the right direction and that we should continue the pressure to advocate change.
6. Victor Han president of the QUEENS AIA; defended the work the Queens AIA has been doing in terms of lobbying our political legislators and that he emphasized that more Architects should show up and be part of the lobby day. He went on to say that Architects & Engineers should not file professional certification application because of the risk of being audited.

7. Robert Strong, President of the Architects Council spoke and elaborated on the work that the ACNY has been doing and that their efforts would continue, and specifically their obtaining the letter that the Public Advocate has sent to Building Department.

8. Gerald Caliendo made the following comments;

   a. Architects and engineers are not being treated as professionals, we should not have to stand outside the building on the line early in the morning to see a building official.

   b. The building department will continue to create new rules and regulations to the detriment of architects and engineers are.

9. Gino Longo spoke out in favor of organizing an association to represent the architects and engineers.

10. Gerald Caliendo asked for a show of hands of those who approve of starting an organization to retain the services of an Attorney and Lobbyist. Of the Approximately 50 Architects and engineers in attendance, there was an overwhelming show of approval.

11. Mr. Rothkrug was asked how a new association would be formed and he responded by saying that a new nonprofit organization would require:

   a. A statement of purpose

   b. Selection of an official name

   c. Creation of by-laws

   d. The cost is approximately $1,000

12. Gerald Caliendo's closing remarks were as follows:

   a. A memorandum would be prepared summarizing the points discussed in the meeting

   b. Proposals would be requested for an attorney to represent the organization as general counsel, and another as Lobbyist.

   c. A request for Volunteers to be involved in an Executive Committee to assist in the formation of the new Association.
13. We want to thank Vivo Italian Restaurant for the use of their space, and we encourage all attendees to patronize their restaurant.

14. Date and Location of the next meeting to be announced via email. Please do not hesitate to communicate with all regarding this effort.

13. Meeting was adjourned.

If there are any discrepancies or important comments missing, please contact the writer as soon as possible.
Attachment B
City Council Local Law 108 of 2019

Notification - Local Law 108 of 2019 Regarding Sanctions for False or Non-Compliant
Professionally-Certified Filings

** Notification Only; Do Not Respond to this email address. **

Local Law 108 of 2019 requires the NYC Department of Buildings to send annual notifications to
Registered Design Professionals (RDPs) to advise them when they may be excluded, suspended or
otherwise sanctioned in connection with submissions of professionally-certified filings. As an RDP, it is
your obligation to familiarize yourself and comply with all applicable laws. Failure to comply with
applicable laws subjects you to discipline as detailed in the recently amended Section 28 of the
Administrative Code and Title 1, Chapter 21 of the RCNY:

Less Than Full Examination of Application for Construction and Related Document Approval

§28-104.2.1.3 Mandatory program requirements. Registered design professionals participating in such
program shall be subject to sections 28-104.2.1.3.1 through 28-104.2.1.3.2.

§28-104.2.1.3.1 Probation. A registered design professional shall not be eligible to participate in the
program during any period of probation imposed as a sanction by the board of regents pursuant to
section 6511 of the education law.

§28-104.2.1.3.2 Mandatory sanctions. The commissioner shall, after the opportunity for a hearing
before the office of administrative trials and hearings in accordance with department rules, exclude,
suspend or otherwise condition the participation of a registered design professional who (i)
knowingly or negligently submits a professional certification of an application and/or construction
and other related documents that contains false information or is not in compliance with all
applicable provisions of law, or (ii) submits two professionally certified applications for construction
document approval within any 12-month period containing errors that result in revocation of an
associated permit or that otherwise demonstrate incompetence or a lack of knowledge of applicable
laws. The term “otherwise condition” shall mean limitations on such professional's participation in
the program, such as, but not limited to, audits and monitoring of the registered design
professional’s applications and other submissions. For the purposes of this section, a professionally
certified application shall include the professional certification of construction and other related
documents and the satisfaction of objections issued at plan examination.

§28-104.2.1.3.2.1 Reinstatement. A registered design professional who is excluded from the
program in accordance with section 28-104.2.1.3 may apply for reinstatement one year or
more after such exclusion. An applicant who the commissioner finds is qualified to resume
participation in the program shall be on probation for a period of not less than 6 months
after reinstatement and during that time shall as a condition of such reinstatement attend
one or more training or continuing education courses, approved by the department, related
to compliance with the building code and related laws and rules and the zoning resolution.
The professional shall submit satisfactory proof of the successful completion of such training
or continuing education courses to the department.
 §28-104.2.1.3.2.2 Mandatory permanent revocation. The commissioner shall permanently revoke, without the opportunity of restoration, the professional certification privileges of an engineer or architect who, while on probation, professionally certifies an application, plans, construction or other related documents that contains false information or is not in compliance with all applicable provisions of law or who otherwise demonstrates incompetence or a lack of knowledge of applicable laws.

 §28-104.2.1.3.2.3 Construction. Nothing herein shall be construed to limit the commissioner’s power, consistent with state and local law, to adopt rules that include additional grounds to limit the filing privileges of or otherwise sanction registered design professionals, after the opportunity for a hearing, who it determines, knowingly or negligently submit applications or other documents to the department that contain false information or are not in compliance with all applicable provisions of law or that otherwise demonstrate incompetence or a lack of knowledge of applicable law or standards.

 §28-104.2.1.6 Notice to the state department of education. The department shall provide written notice to the New York state department of education of any registered design professional who was the subject of any disciplinary proceeding where there has been an adverse determination or sanction by the department including any settlement agreement that is reached between the parties that resulted in a sanction of privileges being imposed by the department. Such notice shall be sent within ten business days after a determination is made in any such disciplinary proceeding or after a settlement of such proceeding has been reached, and shall include the name, and business firm name and address of such registered design professional, as well as any supporting documentation for the sanction imposed. The department shall also provide such notice to the state department of education of any registered design professional that has been the subject of any disciplinary proceeding where there has been an adverse determination or sanction by the department within the five calendar years immediately preceding the effective date of this section.

 False Statements

 §28-211.1 False statements in certificates, forms, written statements, applications, reports, or certificates of correction. It shall be unlawful for any person to knowingly or negligently make or allow to be made a material false statement in any certificate, professional certification, form, signed statement, application, report or certification of the correction of a violation that is either submitted directly to the department or that is generated with the intent that the department rely on its assertions.

 §28-211.1.2 Additional penalty for false statements. In addition to any other penalty provided by law, the commissioner may refuse to accept an application or other document submitted pursuant to or in satisfaction of a requirement of this code or of a rule of any agency promulgated there under that bears the signature of a person who has been found, after a hearing at the office of administrative trials and hearings pursuant to the department’s rules, to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this code or of a rule of any agency promulgated there under.

 1 RCNY §21-02 Exclusion from Limited Supervisory Check and/or Professional Certification Programs
(a) **Grounds for exclusion.** The Commissioner may exclude an architect or engineer from the Department’s programs for limited supervisory check and/or professional certification of applications, plans and removal of objections if the Commissioner finds that the architect or engineer has:

1. Displayed negligence or incompetence with regard to, or lack of knowledge of, the Building Code, the Zoning Resolution, the Department’s regulations, or other applicable laws, rules or regulations as demonstrated by plans, applications, certifications, or inspection reports submitted by the architect or engineer to the Department; or

2. Submitted plans, applications, certifications or inspection reports to the City that were required to be prepared by the architect or engineer or under his or her supervision but that were not prepared by the architect or engineer or under his or her supervision; or engaged in conduct evidencing a delegation of professional responsibilities to a person where the architect or engineer knew or had reason to know that such person was not qualified, by training, by experience or by licensure, to perform them; or

3. Knowingly or negligently made false or misleading statements on or knowingly or negligently falsified, altered or allowed a person under his or her control and/or supervision to falsify or alter any certificate, form, signed statement, application or report filed with the City, or knowingly or negligently failed to file a report or obtain any approval, certification, waiver or reconsideration required by law or the City or willfully impeded or obstructed such filing, or induced another person to do so; or

4. Been convicted of a criminal offense where the underlying act arises out of the architect or engineer’s professional occupation or business dealings; or

5. Had knowledge that any project or application filed with the Department with which the architect or engineer is involved in any capacity was fraudulent or dishonest in character and failed to report such fraudulence or dishonesty to the Department, the Department of Investigation or other relevant authority; or

6. Engaged in misconduct regarding his or her Department-issued Photo Identification Card; or

7. Engaged in any conduct related to any activity performed in connection with his or her profession that evidences a failure to comply with the provisions of Federal, State or local law, rules or regulations or a Department order or requirement; or

8. Impeded, obstructed or failed to cooperate with an investigation or inquiry of or failed to provide documents requested by the Commissioner or his or her designee or the Department; or

9. Made a material misrepresentation to persons not affiliated with the Department regarding the status of applications and/or plans filed with the Department; or

10. Altered, defaced or destroyed Department property, or removed Department property, including permitted folders, from Department premises; or
(11) Offered or attempted to offer a bribe or unlawful gratuity to a Department employee or other public servant; or

(12) Failed to maintain a copy of plans and/or related documents approved by the Department for six years after the applicant has been issued a letter of completion, a Certificate of Occupancy, or an application sign-off, whichever occurs later; or

(13) Permitted the improper use of, or had knowledge of or failed to promptly report to the Department any improper use of his or her professional stamp, signature, or license number; or

(14) Within a period of six months, failed two Department audits that resulted in revocations.

For more information about Local Laws, visit: https://www1.nyc.gov/site/buildings/codes/local-laws.page.

nyc.gov/buildings
(212) 566-5000
II. Related Articles and Education Opportunities

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<td>Polymer Trim and Moulding: Building Codes and Safety Standards</td>
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<td>Canada Potential: 1 Learning Credit, AIA: 1 LU</td>
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<td>Optimizing Acoustics in Commercial and Residential Buildings</td>
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<td>Elective, Canada Potential: 1 Learning Credit</td>
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Learn about the social, economic, and ecological benefits of ADUs.

Upcoming webinars from HCD

Architects, Affordable Housing, & Accessory Dwelling Units (ADUs)
November 4 at 12pm ET | 1 LU, HSW

Sue Thering will share the results of an ongoing multi-state/sector partnership focused on the social, economic, and ecological benefits of ADUs. Alex Salazar, AIA of Salazar Architects will follow with a case study of an ADU Partnership in Portland Oregon.

Learn more >

Accessory Dwelling Units: Social Change by Design
December 2 at 12pm ET | 1 LU

June Grant of blinkLAB architecture will share the genesis of her current national ADU campaign, and Steve Vallejos of PrefabADU will discuss his firm's business model and approach to finance.

Learn more >

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The American Institute of Architects
1735 New York Avenue NW
Washington, DC 20006-5292
AIA ONLINE CONTINUING EDUCATION

HSW and ADA credits available

Automated Vehicular Gate Systems: For System Design Compliance to Safety Standards

Course No: AG3203-W | Narration: No | AutoGate, Inc.
Present a familiarization with an understanding of UL 325 and ASTM F2200 applicable to automated vehicular gate will educate specifiers to safety standards in the interest of client safety and liability associated with automated ve

START COURSE

Accessibility, Safety & Platform Lifts and Elevators


Course No: GL1402-W3 | 1 hr HSW/ADA | Garaventa Lift

We recognize the importance of elevators and lifts in today's design industry. Lifts and elevators can be an extraor added to a home or building that will enhance the life quality and safety of the end user. In this program the learner the requirements for platform lifts, the different types of lifts, and basic product design. Will also gain an understan compliance issues, and how to solve accessibility problems, and solutions for evacuation for persons with dis

START COURSE
High-Performance Flooring for Specialty Environments

High-performance flooring specified for specialty environments can add a colorful presence and enhance the aesthetic appeal of the space.

High-performance flooring gives a concrete flooring system the look and feel of an attractive, state-of-the-art space.

Sink Selection for Sustainability and Accessibility

IDCEC: 1 CEU HSW, ASPE: .1 CEU, Canada Potential: 1 Learning Credit, AIA: 1 LU | HSW, GBCI: 1 CE Hour

Integral Hardening Admixture for Wear-Resistant Concrete

Canada Potential: 1 Learning Credit, AIA: 1 LU | HSW

Maximizing Smaller Spaces for the Millennial Market

IDCEC: 1 CEU HSW, AIA: 1 LU | Elective, Canada Potential: 1 Learning Credit
Cool Solutions: Adding Ice Machines to your Projects

IDCEC: 1 CEU, AIA: 1 LU | Elective, Canada Potential: 1 Learning Credit
Benefits of Mineral Wool as Continuous Insulation

Canada Potential: 1 Learning Credit, AIA: 1 LU | HSW

Cable Railings: Prefabricated Kits and Custom Design Options

AIA: 1 LU | Elective, Canada Potential: 1 Learning Credit

LED Lighting for Exterior Architecture

AIA: 1 LU | Elective, Canada Potential: 1 Learning Credit, LA_CES/non-HSW: 1 PDH

Recycled Rubber Flooring Provides Maximum Durability

AIA: 1 LU | Elective, Canada Potential: 1 Learning Credit

Register

Register

THE END