

## NEW CON EDISON PROCEDURE FOR CUSTOMER ACCOMMODATION WORK

Effective April 01, 2014, Con Edison has changed the procedure for billing accommodation work costs to their customers. In the past, costs were not billed until after the work was completed and payment was due within thirty days of receipt. The full details of this requirement are listed in the “Hold Harmless” agreement that the customer must sign and return to Con Edison prior to commencement of the accommodation work (a copy of the agreement can be found on our website).

Moving forward, all customers will be invoiced for this work prior to the work commencing and all fees will have to be paid prior to a final inspection appointment being granted. The utility has also decided to implement a flat-rate policy for this work. As of April 1, 2014 the cost for this service will be presented at the time the service layout is issued. This new procedure will allow contractors to inform their customers of the upfront costs for the work. Con Edison considers this new procedure an improvement for their customers who elect to have Con Edison personnel perform this work.

Con Edison has always reserved the right to charge customers for any accommodation work that takes place inside of the customer’s property. There is no statutory requirement for Con Edison to perform this work. Con Edison employs many qualified technicians that are able to provide the customer with the ability to avoid shutting down the gas to the building. This work may include bottling a building or a balloon stopper. These services are provided at cost to maintain integrity of a buildings gas piping system while the owner’s contractor completes their “swing over” work.

Owners have the option to have their licensed plumber shut-down the gas piping to the building and make the required final connections. After the work is completed Con Edison employees will conduct an integrity test of the system piping. Please note that the shutdown and restoration shall be done in the presence of Con Edison personnel. If the integrity test fails the gas system shall remain shut-down until repairs can be completed and an integrity test can be successfully completed by Con Edison personnel. This may require DOB work permits and inspections to satisfy NYC Administrative Code requirements.

This new procedure was implemented mainly for oil-to-gas conversion work but expect to see Energy Services adopt the new procedure as well. As stated, all new projects will receive the costs for this work up front when the service layout is issued. Existing projects will be billed prior to the final inspections.

### UTILITY COMMITTEE COMMENTS

While “accommodation charges” have always been a Con Edison policy, the fact that it will now be an average charge and due prior to the final inspection being conducted, is a new policy. We understand that Con Edison had to implement this new policy because although owners agreed to these charges when they signed the hold-harmless agreement, they may have not paid them. The new costs being charged are an average of previously billed invoices. We are not sure what the reaction of the customers will be to a “flat-rate” for these services. The collection of these monies upfront will be done retroactively for all existing projects. We suggest

*Continued on Page 6*

# *A Message from the Executive Director of the Master Plumbers Council*

Hello and welcome to the latest edition of The Voice of the Licensed Master Plumber.

My name is John F. DeLillo, Jr., and over the past two months I have had the privilege of beginning this amazing journey with the Master Plumbers Council as Executive Director.

During that time, we have been as active as ever, starting with the 18th Annual Golf Outing for the benefit of United Cerebral Palsy in June, which was a fun time for all who attended and withstood the rain for a great cause.

Then, at our June Chapter Membership Meeting, we welcomed a highly informative feature presentation on the topic of wage and hour compliance in the plumbing industry from Tarter Krinsky & Drogin LLP in conjunction with the Department of Labor. We would like to thank our guest speakers Hagit Feder, CFE, Laurent S. Drogin, Esq. and Johanna Cabrera for their time in discussing such an important issue and holding a Q&A session afterwards.

We look forward to some great upcoming events in the coming months, with our next Chapter Membership Meeting being held on Wednesday, September 3 at 5:00 pm at Vetro's Restaurant and Lounge in Howard Beach and the 2014 Educational and Energy Efficiency Trade Expo on Tuesday, October 7 from 1:30 pm to 9:00 pm at Russo's On The Bay in Howard Beach.

Also, make sure to SAVE THE DATE for our Holiday Dinner Dance at The Inn at New Hyde Park, which will take place on Saturday, December 6 from 8:00 pm to 12:00 am.

In closing, I'd like to say that I am truly looking forward to meeting you and introducing myself in person along the way.

With Warm Regards,

*John F. DeLillo, Jr.*

NYCMPC Executive Director



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[The Voice of the Licensed Master Plumber](#),  
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All text for articles is due by the 1st day of the  
month prior to publication.

We welcome your suggestions and contributions.

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## NATIONAL GRID : IMPORTANT NOTICE

**W**henever you ADD any gas-fired equipment to ANY building – especially heating - you MUST contact National Grid so that we can determine if the gas service is SUFFICIENT to handle the total load.

Whether you get equipment through National Grid's Discounted Equipment Program or from an outside source, we need to know about it. Increasingly, we're finding equipment that's been installed on an insufficient service, creating a potential pressure problem. When we find such a situation, we are obliged to shut the building down until repairs are made, creating customer dissatisfaction and additional work.

It would be in everyone's best interest if National Grid was notified IN ADVANCE of any additional gas equipment being installed.

Please contact your National Grid Representative and/or fax a load letter to 718 498 1183.

### TERMINATION AND RECONNECTION OF GAS SERVICE

**M**any plumbers ask when it is permissible to shut-down gas service to a building.

NYC FGC 406.6.2.2 states in part that when alterations or repairs to existing gas meter or gas distribution piping requires the shut-off of gas flow to a building that the utility shall be notified by the owner or their agent. The utilities have determined that the licensed master plumber is considered to be the owner's agent.

While this Code section is clear that the utility must be notified it is vague as to when they should be notified and what form of notification is required.

In an emergency condition anyone may operate any valve to close the flow of gas to a building.

Con Edison must be notified to shut gas off prior to work by a licensed plumber:

Any time that a curb valve needs to be operated  
Any time the service head valve needs to be operated on a building with occupancy of 4 or more families  
Any time that a service head valve on an elevated pressure (greater than inches of water column) service needs to be operated

After any alteration or repair work has been completed and all Code requirements have been satisfied, only the Utility can reestablish gas to any meter or gas pipe up to the point of delivery.

### UPCOMING EVENTS:

#### CHAPTER MEMBERSHIP MEETING

WEDNESDAY, SEPTEMBER 3 AT 5:00 PM

Vetro's Restaurant and Lounge, Howard Beach

Featured Speaker: Robert Daly, PE,

Technical Director, Boiler Division-DOB

*Topics:* Changes to Annual Boiler Inspection Filings;  
Review of Direct Vent Boiler Installations; Code Changes  
Related to Boilers

### SAVE THE DATE:

#### MASTER PLUMBERS COUNCIL

#### HOLIDAY DINNER DANCE

SATURDAY, DECEMBER 6, 2014

8:00 pm – 12:00 am

The Inn at New Hyde Park

214 Jericho Turnpike, New Hyde Park, NY 11040

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that plumbers communicate this to their customers as soon as possible to avoid delays and any other issues. We also requested that Con Edison change the wording on the accommodation costs letter from the option to have your “contractor” provide a cost estimate be changed to read “your licensed plumber”. Only licensed master plumbers are qualified and permitted to undertake this work.

Customers should also be made aware of what exactly may be involved if a system is shut-down and/or fails an integrity test. We are concerned that unqualified individuals may attempt this work or convince customers to try to do so to save money. Remember that if you undertake this work and it is not done in the presence of Con Edison personnel than the entire system may have to be shut-down again to have another integrity test performed.

The 2013 Annual Water Supply and Quality Report  
is now available for viewing at  
[www.nyc.gov/dep/2013waterquality](http://www.nyc.gov/dep/2013waterquality)

This report contains important information about your water supply and the quality of your drinking water. Water quality test results from the drinking water supply are summarized in the tables in this report. Please go to [www.nyc.gov/dep/2013waterquality](http://www.nyc.gov/dep/2013waterquality) to view the report and learn more about your drinking water. For a translation of the report, or to speak with someone about the information in the report, please call 311. If you would like a paper copy of the report mailed to your home, please call 311 and DEP will mail you a paper copy.

For more information about the New York City Water Supply and to view previous years' reports, go to [www.nyc.gov/dep](http://www.nyc.gov/dep).

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# DOB CODE ISSUES

## GAS PIPING IN EXISTING BUILDINGS

### WHAT IS THE ISSUE?

1968 Code allowed for gas installations inside of fire rated enclosures and in public corridors without limitation

1968 Code allowed gas pipe installations within stairwells under certain conditions

2008 Code was published with prohibitions against these installations

Technical Bulletin 2013-006 was published without any clarifications

### WHY IS THIS A PROBLEM?

The cost to make gas repairs has increased with no significant safety improvements

Simple repairs now may require the use of an engineer or architect to file plans and a special inspector to approve the enclosure work

As word of the difficulty in restoring gas and the higher costs become known owners may hesitate before reporting gas leaks or use unqualified persons to attempt repairs instead of using a licensed master plumber

### WHAT IS ONE OF THE MOST COMMON CAUSES OF GAS EXPLOSIONS?

Improper connection and gassing out of appliances such as stoves

**NOTE:** Despite repeated industry requests, the DOB has refused to require the issuance of a permit or a report to replace an existing gas stove. The DOB has stated that a licensed master plumber is required to do such work, but without a compliance mechanism in place, that seldom happens.

Stay tuned as we will be discussing this issue in detail in an upcoming issue of *The Voice*.

## CASELLA & CASELLA, LLP

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Ralph P. Casella, Esq. has been representing plumbers since 1971 in the following:

Applications for Licensing, Buildings Department and OATH Investigations, Disciplinary Matters, Challenging License Application Denials in Court, Appeals, and Appearances before Licensing Board.

Ralph P. Casella is the former attorney for the Richmond County Plumbing Contractor's Association, Plumbers Union Local 371; Plumbers Union Local 1, Brooklyn and Queens; Plumbers Union Local 1 for the City of New York.

Contact Ralph Casella at (718) 979-1137

***“Ralph Casella is the most knowledgeable attorney I’ve met regarding the plumbing industry, licensing, disciplinary matters and general plumbing business practices”***

Emmanuel A. Troise, Jr.

## IS FILING REPRESENTATIVE REGISTRATION IN YOUR FUTURE?

**A**rticle 416 of the Administrative Code contains all of the requirements for Filing representatives registration. It reads in part that no person shall seek approval of applications or construction documents or remove any documents from the department without first having registered with the department as a filing representative. The third part of the law allows the Commissioner to promulgate rules for proper and efficient administration and enforcement of this article. One of these rules is Rule 104-24, which was signed on March 12, 2013. This rule sets forth new classes of filing representatives and also includes requirements for both integrity training and a 16-hour training course to achieve Class 1 status. Class 1 status limits the filing representative to furnishing documents or seeking approval of applications or construction documents and removing documents from the department.

When reading this, it would seem that a licensed plumber would also be required to meet any criteria set forth in the rules to be a filing representative since we interact with the department on a daily basis. However, Section 28-416.2 allows for exemptions and one exemption is for a Licensed Master Plumber. As licensed plumbers, we are allowed to designate employees to interact with the department on our behalves. Unfortunately, that exemption no longer applies to interactions with the LAA Division since approximately three months ago, the LAA Division started to enforce the rule and no longer allows employees of Licensed Master Plumbers to interact

with the division. The employee must be a registered filing representative or the department employees will no longer serve them.

The Master Plumbers Council has protested this new interpretation of the rule. When this rule was proposed, we agreed that it was very important that anyone who operated a filing representative business should be required to meet certain minimum criteria. We were assured that it would not apply to the plumbing community. However, nine months after its inception, the department has decided to interpret the rule entirely different from its intended purpose. This has caused a hardship to many plumbers who utilize their employees to interact with the LAA Division. We are concerned that inspectors in the office or in the field will now interpret this rule the same way and require our designated employees to obtain filing representative status or refuse to interact with them.

If the DOB does not reverse this new policy, it will require plumbers to incur extra costs to have their employees obtain the required filing representative status. These costs will eventually be passed on to the public. The stated vision mission statement of the department is to improve their performance and develop procedures that are streamlined, understandable and transparent. Maybe someone should figure out that if you need to be registered and trained to follow these procedures, then maybe they are not in line with that vision.

## RETIREMENT IN THE INDUSTRY

### ALBERT PABST, DEPARTMENT OF BUILDINGS, LAA DIVISION

**E**veryone who ever filed an LAA work permit is familiar with Al Pabst. For the past twenty-three years until his recent retirement Mr. Pabst was stationed in the LAA Division. There he reviewed and processed plumbing applications and assisted the industry with their ARA/LAA work permits. Few know that he started working for the DOB in 1990 as a boiler inspector. He performed those duties until he was later assigned to the LAA Division.

Al was never one to let the grass grow under his feet. He has taken a private sector job where he is still helping plumbers coordinate their filings with the LAA Division. Al has stated that working at the Department of Buildings was a great learning experience. He greatly appreciated

his time working with such dedicated and hardworking people in the LAA Division.

The MPC would like to thank Al for his dedicated service. The industry was fortunate to have such a dedicated person industry available to work with us and help resolve issues as they arose. Al was always a friend to the industry tapping into his past experience as an inspector and tradesman. We wish him continued success in the private sector.

Although it will be difficult to replace Al at the LAA Division, it is our hope that the DOB move quickly to hire someone with the same background and begin training.

## WHY IT IS IMPORTANT TO UTILIZE A LICENSED MASTER PLUMBER?

**M**any of our members complain that their customers are utilizing their own in-house personnel to do the bulk of the plumbing repairs in their respective buildings. This practice violates the code and can potentially endanger the residents because improperly installed plumbing can cause property damage, illness, and, in some cases, even death. Here are just a few of the dangers a Licensed Master Plumber is skillfully trained to prevent:

- Diseases - transmitted by microorganisms (bacteria or viruses)
- Burns - scalding burns to the elderly or infants
- Death - carbon monoxide poisoning from improper venting
- Serious Illnesses - sickness from sewer gas/mold, SAARS, Legionaries Disease

- Property Damage - improperly installed plumbing can be destructive

Properly trained plumbers can successfully avoid these and many other health and safety issues they encounter such as:

- Exposure to hazardous substances
- Proximity to combustible and flammable materials
- Exposure to biohazards
- Potential infections from rodents and bird droppings
- Working in confined spaces

Additionally, plumbers in the direct employ of a qualified NYC Licensed Master Plumber are covered by the proper insurance to protect them (and their families) against unforeseen job accidents.

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