NEW YORK CITY
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
ENVIRONMENTAL CONTROL BOARD

HEARING
BOARD MEETING

Training Room 143, 12th Floor
100 Church Street, New York, New York
August 28, 2014
9:20 A.M. to 9:49 A.M.
August 28, 2014

MEMBERS PRESENT:

Suzanne Beddoe, Esq. - Chair, OATH
Robert Carver, Esq. - Citizen Member
Renaldo Hylton - Exec. Dir., Dept. of Buildings
Elizabeth Knauer, Esq. - Citizen Member
Tayo Kurzman, Esq. - Fire Department
Emily Lally - Citizen Member
Jorge Martinez, Esq. - Dept. of Health and Mental Hygiene
Russell Pecunies, Esq. - Dept. of Environmental Protection

ALSO PRESENT:

Denis Brogan - Assistant General Counsel, OATH
Kelly Corso, Esq. - Assist. Director of Adjudications, ECB
Arisleyda Fernandez - Facilities Assistant, OATH/ECB
Fana Garrick - Public Affairs Assistant, OATH/ECB
Shamonda Graham - Department of Transportation
David Goldin, Esq. - Administrative Justice Coordinator
Diane Haines - Assistant General Counsel, OATH
Peggy Kuo - Deputy Commissioner and General Counsel, OATH
Jim Macron, Esq. - Counsel to the Board, ECB
Maria Marchiano - Senior Counsel/Assistant Commissioner, OATH
Charles Shelhamer - Department of Buildings
Mathew Shapiro - Urban Justice Center
Amy Slifka, Esq. - Deputy Commissioner/Executive Director, ECB
Thomas Southwick, Esq. - Supervising Attorney, Appeals, ECB
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(The public hearing commenced at 9:20 A.M.)

MS. SUZANNE BEDDOE, ESQ., CHAIRPERSON,

COMMISSIONER & CHIEF ADMINISTRATIVE LAW JUDGE,

OATH: First of all, thank you for being here. I know in the past we haven’t had August meetings for vacation schedules and so on. So, I just really appreciate the fact that you were able to come here and serve and make sure that we continue to make sure that the appeals go through the process and aren’t delayed for a month because of that. So, thank you so much.

One quick order of business. The first thing I just wanted to draw your attention to is on the June 26th meeting -- so not last month but the month before; there were two cease and desist orders that had been approved by the board but were omitted from the minutes. So when the board approved the minutes from that meeting, two of those C&Ds were omitted. It was just a ministerial error. So, I just want to ensure that you’re aware of that and just correct that process. So, is there a motion to approve the
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minutes from the June 26th with those two different C&Ds added to it? Okay. Thank you.

And then on that note, is there a motion to approve the minutes from our last meeting of July 31st? Okay, thank you, and one abstention.

Okay. So, I guess the first item of our agenda today is Renaldo Hylton from Department of Buildings. He is going to be presenting on some new infractions, infractions and amendments to the penalty schedule. Renaldo?

MR. RENALDO HYLTON, EXECUTIVE DIRECTOR, DEPARTMENT OF BUILDINGS: Thanks. Good morning. In your packages, I gave a letter but I also sent -- gave, gave it an updated version to the program this morning. There was a typo. Just a little thing -- a minor typo. I typed 11 instead of ten in the letter. But in 2008, the New York City Department of Buildings underwent a big code revision, as you remember. And the new New York City Construction Codes, as it was called, also required that the Department update the, the Building Code every three years, to be, just to modify and be in consistence with the -- to be
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consistent with the ICC version.

So today I am here to present and ask that your -- that you approve some new infractions as they -- as the 2014 update affected the penalty schedule. These become the schedule. Just to let you know that New York’s Department of Buildings also promulgated its own rule, reclassifying or updating the classifications of violations that were affected by this code review.

So, this 2014 code update is what’s contained in local law 141, which takes effect on October 1st of 2014. It amends Administrative Code, the New York’s Administrative Code and New York’s Plumbing Code, the Building Code, Mechanical Code and the fuel gas -- and New York City Fuel Gas Code. And these sections basically, all it does was, it was amended some requirements, added new requirements and renumbered some existing requirements. Not a major thing. But it does, as far as notice goes to respondent, it does change some sections. So, we have to kind of change the penalty schedule to
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make it better.

So, in your -- in your packages ladies and gentlemen, I gave you some updates, an updated spreadsheet of the affected infractions. And I’m not sure -- it’s a lot of them; it’s like 50. There are three deletions because of, for example, there was 1 RCNY 9-03 was, was not the cease to exist. So, I removed those infractions that are no longer required. And there was one infraction on there about plumbing work, not contrary to approved plans, which the Department has never used. And so we wanted to just remove that one because it hasn’t, they haven’t been using it. We don’t see the need for it because it’s specific to plumbing and we already have an infraction that covers all work contrary to approved plans.

I just want to draw your attention to the second page of the spreadsheet. And it has to do with one of the highlights of the code originally was the changes to what, what -- changes to the illegal conversion aspect of the code. And as you recall, prior to -- in its 2008
code, the first class one or immediately hazardous illegal conversion was defined as a one or two-family home converted to four or more families. And those infractions of that -- those infractions then would subject the respondent to a daily penalty of $1,000 a day up to 45 days.

We -- the new code has revised what a class one illegal conversion would be. And in addition to those one or two-family converted to four or more families, it would be any offense of then office buildings; any other offense including residential buildings that add to their approved number of occupants -- approved number of apartments or families; three, three additional. So for example, a 15-family apartment building, if they were to add three illegal rental units, it would be classified as a class one and be eligible for an illegal conversion -- excuse me, the additional daily penalty aspect.

And that’s just -- I think that was making the whole aspect of class one illegal conversion a little more fair. Before it was really on the backs of one or two-family homes.
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You have to start off at what, what, two-family homes. Now, it would be any kind of egregious illegal alteration; illegal alteration of the building to add three or more families.

And so we had to add some new infraction codes to cover those instances, such as multiple dwelling converted or maintained occupied with three or more families, other than what’s legally authorized. And the second one is industrial or manufacturing building converted to three or more families.

The yellow highlights will show you some additional ones that we’ve made. We were requesting for example: failed to comply with the manufacturer’s specifications that are on equipment being used in construction equipment. And we have added a class one and two charge on that. And failed to maintain or display site documents required; on-site documents required by the Chapter 33, which is the construction -- building construction chapter of the code.

We’ve also asked for new infractions such as failure to main-, perform slurry
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operations according to section; slurry operations is -- oh, by the way, I didn’t introduce someone that came with me. I’m sorry. I have Charles Shelhamer with me. He’s a code analyst for the Department. But I think I prefer to call him a code expert. He is very much involved with the code revision. And so, Charles, I’m sorry.

Slurry operations in accordance with section. And slurry operation is actually concrete foundational type of work going on, where the slurry -- picture the slurries; concrete slurry, correct, has been poured into the foundation. And that’s very serious. And so we’ve asked for immediate; that those violations be immediately hazardous. And failure to obtain a registered design professional evaluation prior to using existing structures to support formwork loads. And formwork is also concrete work. That’s a class one.

No site specific formwork design drawings present. That’s also a class one request. And failure to perform required formwork
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observation. Which means that during the formwork operations, there must be someone there constantly monitoring the work. And failure to do so would be a class one; it’s immediately hazardous infraction.

The penalty amounts requested are there. And if you have any questions about that? But just so you understand, the existing, we did; on existing fractions, I never -- we never changed any penalty amounts. Only, only for the new infractions we’re requesting penalties. We just modified the code sections. As the, as the code changed, we modified code sections. And we found the schedule to consistent with the code, with the law.

And we -- and the inspector has to specify, for example, if they’re citing to the 2014 code or the 2008 code. Because the requirements did change in the ones that we’re asking for. There may be a different requirement that was added in the 2014 code and never existed in 2008. So that inspector, if a job was filed after October 1st of 2014, which is when the code
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takes effect; the inspector must charge the 2014 code section. And so that’s, that’s why you have in red a notation there as to which code we’re, we’re charging. And with that, I’m just requesting that that penalty schedule be approved.

MS. BEDDOE: Well, I have a few quick questions, as to make sure I’m looking at the right things and that we’re all on the same page. So, I’m looking now at the spreadsheet; which is a one, two, three, four-page document. I’m looking at the second column from the left. And there are markings in here in red. So, I’m looking at the sections in red as the modified sections, right?

MR. HYLTON: Um --

MS. BEDDOE: The sections that have been -- where the enumeration has been changed.

MR. HYLTON: Yes.

MS. BEDDOE: Okay? So, I’m looking -- so that is just reflected in the 2008 versus the 2014 --

MR. HYLTON: That’s right.
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MS. BEDDOE: -- citations. And then all of the highlighted -- this, the highlighted insertions. So there are 11 of those, starting on page two and continuing through the document, would be all of the new infractions requested?

MR. HYLTON: Yes. And which, which takes effect in 2014.

MS. BEDDOE: In 2014. And as you said, anything, any inspection that occurs on or after October 1, 2014, would -- this, this would apply?

MR. HYLTON: Yes, the entire thing would apply. But --

MS. BEDDOE: I mean, these new --

MR. HYLTON: The new ones, yes.

MS. BEDDOE: Right. These new infractions.

MR. HYLTON: And we want to do on site right now.

MS. BEDDOE: Okay. And then the penalties that go with each of these new infractions, where, I, I’m trying to see --

MR. HYLTON: Okay. So, it’s -- yeah, it’s the --
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MS. BEDDOE: The header of the page --

MR. HYLTON: The header, yes, did not cover.

MS. BEDDOE: -- cover.

MR. HYLTON: Yes.

MS. BEDDOE: So, it would be -- it would be the standard penalty?

MR. HYLTON: So the penalty in the first column, in the first column is standard penalty column.

MS. BEDDOE: Okay.

MR. HYLTON: The other -- the other penalty columns are just by law definitions of what; say for example, the default penalty is just five times the standard penalty. So we really should just look at the standard penalty column as the approval.

MS. BEDDOE: As the approval piece, okay. So just to be clear, I’m looking at the second page of the spreadsheet. It is the first of the newly requested infractions. It is a class three and it’s numbered as 20-118.3.2.1.

MR. HYLTON: Yes.
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MS. BEDDOE: And I see that the penalty that I would be looking at as a standard penalty would be four.

MR. HYLTON: Okay.

MS. BEDDOE: The second one on that page is 2,400.

MR. HYLTON: That’s right.

MS. BEDDOE: The third one would be 3,200.

MR. HYLTON: That’s right.

MS. BEDDOE: Okay. Alright. I understand what I’m looking at now. Okay? Any other questions from the board? Elizabeth?

MS. ELIZABETH KNAUER, ESQUIRE, CITIZEN MEMBER: Elizabeth Knauer, Citizen Member. I just -- I had a few minor questions about some of the violation descriptions.

MR. HYLTON: Sure. What page?

MS. KNAUER: So for the -- the ones that we were, that you were just discussing: the new class one violations for 28-210.1 for conversion.

MR. HYLTON: Yes.

MS. KNAUER: Though -- it seems like
there’s; from the description it seems like
there’s a word missing. Because it says: multiple
dwelling converted, maintained or occupied with
three or more dwelling units than. It seems like
it should be: three or more more dwelling units
than. Do you see what I mean?

MR. HYLTON: Now, um, it’s three or more
dwelling units than legally authorized.

MS. KNAUER: Than.

MR. HYLTON: Or other than. But --

MS. KNAUER: But it’s, it’s not three
more dwelling units than. It’s three or more more
dwelling units than legally authorized.

MR. HYLTON: And must have been
converted --

MS. KNAUER: And if it’s --

MR. HYLTON: -- or maintained with three
or more dwelling units.

MS. KNAUER: Three or more more
dwelling, shouldn’t it be?

MR. HYLTON: No. It’s already more for
dwelling.

MS. KNAUER: Right.
MR. HYLTON: And we’re saying you’re maintaining with three additional --

MS. KNAUER: It’s not, it’s not three more though. It’s three --

MS. BEDDOE: Or more.

MS. KNAUER: -- or more more than are legally --

MR. HYLTON: Additional.

MS. KNAUER: -- than are legally auth-, --

MR. HYLTON: You mean additional?

MS. BEDDOE: Yeah.

MS. KNAUER: There’s just a -- there’s a word; I mean, three or more more I know doesn’t sound very eloquent.

MR. HYLTON: Well, because that’s -- the, the, the last phrase says than legally authorized.

MS. KNAUER: But that there’s nothing before then. There’s nothing describing what --

MR. HYLTON: Three or more dwelling units than legally authorized.

MS. AMY SLIFKA, ESQUIRE, DEPUTY
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COMMISSIONER/EXECUTIVE DIRECTOR, ECB: But so
give an example.

MR. HYLTON: Um --

MS. KNAUER: I understand what the
concept is.

MR. HYLTON: Yeah.

MS. KNAUER: I feel like there’s just a
grammatical error here because --

MR. HYLTON: Yeah, I don’t think --

MS. KNAUER: If it said three more than
legally authorized, that would make sense. But it
says three or more; meaning, three, four, five,
six, etc.

MR. HYLTON: Yes, that’s true though.

MS. KNAUER: And then you have to have
another word -- three; I’m having trouble. I’m
not --

MR. HYLTON: I understand. Let me
explain though.

MS. KNAUER: It’s a syntax issue.

MR. HYLTON: So, let me, let me explain.

Yeah, I understand what you’re saying.

MS. BEDDOE: Yes.
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MR. HYLTON: So multiple dwelling converted, maintained or occupied with three or more dwelling units --

MS. KNAUER: More than are legally authorized.

MR. HYLTON: Well, the word than --

MS. TAYO KURZMAN, ESQ. - FIRE DEPARTMENT: If you took out three or and you just said the sentence --

MS. KNAUER: Three more.

MS. KURZMAN: If you took out three or --

MS. KNAUER: But then it would just be --

MS. KURZMAN: And you just say with more dwelling units than, so that would be --

MS. KNAUER: That would make sense. But it says -- the more is being used to describe the number of units.

MS. BEDDOE: Of existing units. So, is that what you’re saying?

MS. KNAUER: Well, no. It --

MS. BEDDOE: So for example, if you have
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a multiple dwelling with three units.

    MS. KNAUER: If you had -- well, no; what I’m trying to say is that the way, the way it reads is it’s describing three or more dwelling units. Right? The three or more is what’s being added, three or more?

    MR. HYLTON: Yes.

    MS. KNAUER: But then than is not modified to say: it should be three or more dwelling units in addition to what is legally authorized or something like that. That would make more sense.

    MR. HYLTON: That would be the perfect thing, Ms. Knauer.

    MS. BEDDOE: Right.

    MR. HYLTON: But I still think -- I understand. But I still think it, it conveys --

    MS. KNAUER: I don’t think -- I don’t think it’s grammatically correct.

    MR. HYLTON: You don’t think so?

    MS. KNAUER: No.

    MR. HYLTON: Okay.

    MS. KNAUER: But --
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MR. ROBERT CARVER, ESQ. - CITIZEN

MEMBER: You have to just clean it up a little bit. It just needs to be cleaned up a little bit.

MS. KNAUER: I would -- I would suggest:

three or more than legally authorized.

MS. BEDDOE: Do you think that somebody reading this would not be on notice for; do you think that, that the description is misleading somehow?

MS. KNAUER: I don’t --

MS. BEDDOE: Or could be misread?

ALL: Yes.

MS. BEDDOE: Yes. Okay.

MS. KNAUER: Only because it just doesn’t really make sense. So, I think it’s -- I think it’s one can, you know, decipher it but there’s clearly --

MR. HYLTON: Okay. Okay. I understand where you’re coming from. The -- this has also passed the Law and the Mayor’s Office review already.

MS. KNAUER: Okay.

MR. HYLTON: But, but, I mean, I don’t
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know if, if --

MS. KURZMAN: The other concern is that all the other violations read this way. So if we changed it in this one, we would have to change all the other infractions.

MS. KNAUER: Which ones --

MS. KURZMAN: Because then they would be providing different notice, which would make the other ones --

MR. RUSSELL PECUNIES, ESQUIRE,

DEPARTMENT OF ENVIRONMENTAL PROTECTION: Is this -- is this --

MS. KNAUER: Which ones are you referring to?

MS. KURZMAN: So, if you look at the ones that are not highlighted and you look at the ones directly above, the two directly above and you --

MS. KNAUER: Yeah, but that -- those make sense. Those are for -- it's, it's --

MS. KURZMAN: -- four or more families.

MS. KNAUER: For four or more families.

But there's not -- that's; what I'm saying is

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that there’s nothing describing what than;
there’s nothing, there’s no comparison word.

MR. PECUNIES: But now --

MS. KNAUER: So that, it doesn’t apply;
the other ones I don’t think or I think the other
ones makes sense because it’s for four or more
families. It’s not the same issue.

MR. HYLTON: Okay. I, I understand.

Would a change to this be, just a clarified
change be a --

MS. BEDDOE: Yeah, I think we need to --

MR. HYLTON: So, we’ll, we’ll --

MS. BEDDOE: Yes, Russ?

MR. PECUNIES: In, in, in, you know, the
letter and all though, the italicized language on
the second page, is that the actual text of what
we’re talking about?

MR. HYLTON: Yes.

MR. PECUNIES: Well, that’s what it says
in the actual text.

MS. KNAUER: In the actual code?

MR. PECUNIES: Three or more dwelling
units than are legally authorized.
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MR. HYLTON: I think this actually comes from the code itself.

MR. PECUNIES: That’s the way it reads in the text.

MS. KNAUER: Alright. Well, I mean, I don’t, I can’t -- I mean, let’s not argue.

MR. HYLTON: But if you think, I mean, I think --

MS. KNAUER: It’s your bailiwick.

MR. HYLTON: But --

MS. KURZMAN: I don’t think it has to match the code exactly. So, if it’s really confusing, it can be changed I think.

MR. HYLTON: If it’s really confusing, we can in ECB penalty schedule, we can just --

MS. BEDDOE: Insert.

MR. HYLTON: Insert the word other --

MS. BEDDOE: An additional.

MS. KURZMAN: Or additional.

MS. KNAUER: In addition to --

MR. HYLTON: Okay.

MR. CARVER: Additional itself is -- I think the only issue where the --
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MS. KNAUER: Yeah, yeah, additional. Or something, something to just as --

MS. BEDDOE: So, read it -- say it back to me how you would propose..

MS. KNAUER: Well, how I would have proposed it: multiple dwelling converted, maintained or occupied with three or more dwelling units in addition to what is legally authorized. But if that’s changing it too much?

MS. KURZMAN: Three or more additional dwelling units than --

MS. KNAUER: Yeah, three or more additional dwelling --

MS. KURZMAN: Additional dwelling units.

MS. KNAUER: Yeah, yeah, that’s, that’s just adding one word.

MS. BEDDOE: Okay? So, we’re just adding additional in front of the word dwelling.

MS. KNAUER: And I had one other --

MR. HYLTON: Okay. Is that -- that’s all then?

MS. BEDDOE: Okay. So, we’re, we’re done with that.
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MS. KNAUER: That would -- that would be for those two.

MR. HYLTON: So, just the word additional in front of dwelling units, right?

MS. KNAUER: Yes.

MR. HYLTON: Okay.

MS. KNAUER: And then --

MR. HYLTON: For the, for the two charges that, that are highlighted?

MS. KNAUER: The two new class one charges. And then on -- I don’t have page numbers on my print-out. So, I’ll see what I can get from my computer. But, um, for -- it’s, it’s before the four highlighted rows, a couple of pages later.

MR. HYLTON: What, what page? Are you using the same one I’m --

MS. BEDDOE: No, she’s not.

MS. KNAUER: I’m not plain marked --

MS. BEDDOE: We’re, we’re looking at the third page.

MS. KNAUER: I think it should be the fourth; I think it’s the fourth page.
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MS. BEDDOE: The fourth page?

MS. KNAUER: Yes.

MS. BEDDOE: The very last page of the document, where the highlights are on top?

MS. KNAUER: No.

MR. HYLTON: Just tell me the charge and I’ll find it.

MS. KNAUER: Okay. It’s -- the charge is BC; the section of code is BC 3303.8.1. It’s not a new infraction.

MR. HYLTON: Oh, it’s not? Okay.

MS. KNAUER: It’s modified.

MR. HYLTON: 3303.8.1. Charles, do you know where?

MS. KNAUER: It’s on the --

MS. BEDDOE: It’s on the third page, the last row.

MS. KNAUER: Oh, oh, I’m sorry. This -- the, the rows are different.

MS. SLIFKA: It’s B1C3.

MS. KNAUER: B1C3 right.

MS. SLIFKA: It’s failure to provide standpipe or air pressurized alarm.
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MS. BEDDOE: Yeah.

MS. KNAUER: So, and this was actually not in; the issue wasn’t the violation description but the remedy. Because the, the violation description was changed to say failure to provide, provide standpipe or air pressurized alarm system. The remedy is just provide air pressurized alarm system. Is that correct? Or, or should standpipe be in the rem--, I just, I don’t know the answer to that. But should standpipe be in the remedy?

MR. HYLTON: Oh, I see. I see, okay. Okay. I take -- yeah, I’ll take that into advisement. The, the remedy here is not for ECB. So, we’ll --

MS. KNAUER: Okay.

MR. HYLTON: So, we’ll change that in; but yes, you’re right. Thank you.

MS. KNAUER: That was it.

MS. BEDDOE: That’s it? Okay. Any other questions for the moment? Yes, Jorge?

MR. JORGE MARTINEZ, ESQUIRE, DEPARTMENT OF HEALTH AND MENTAL HYGIENE: Yeah, Jorge
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Martinez, DOH. I just have a basic question. When do aggravated one penalties and aggravated two penalties kick in? What is the --

MR. HYLTON: Okay. So the law defines aggravated one as the same charge or section of the law on the same property, the same respondent every -- within a three-year period. So, at, if the inspector notes that he was charged with it before within a three-year period, the same exact thing, the same respondent; then aggravated one count would kick in.

The law is defined in aggravated two infraction as anything -- if I can remember; that, that causes or might affect a death or injury to someone or something like that; that it, it, it rises to aggravated two level. Or, or if there’s a history of noncompliance with that respondent throughout the city. So, not a lot of -- well, there are a lot of charges for aggravated one but mostly with failure to comply with the Commissioner’s order and we have to keep going back and back and back. But these are, these penalties may never be used sometimes on
these particular charges. But they’re just there as a, as a placeholder just in case we need to ever use them.


MR. HYLTON: Thank you.

MS. BEDDOE: Okay. Next up, we have Russ Pecunies from DEP, regarding the request for the cease and desist orders. Russ?

MR. PECUNIES: Okay. Good morning. There are no requests for air, noise or boiler C&Ds this month due to August vacations. We couldn’t get the paperwork together on them. But we will have those back in September. For this month, we have 28 new backflow cease and desist requests. We are also bringing back one from the July 31st meeting that was pulled back to review a possible discrepancy in one of the addresses -- I think specifically the, the mailing address. That one is 2814 West 36th Street in Brooklyn. The
respondent is Ali N. Twaiti. The mailing address has been verified and is correct. So, we are resubmitting that one, that was pulled back on July 31st. And then there are 28 new ones.


MS. PECUNIES: Thank you.

MS. BEDDOE: Okay. And then now we have Kelly Corso from ECB, who is going to be presenting the presealing reports.

MS. KELLY CORSO, ESQUIRE, ASSISTANT DIRECTOR OF ADJUDICATIONS, ECB: Good morning. We have 18 presealing reports today for the board. Four of the reports pertain to violations of the air code and are related to boiler burners. In two of those cases, the judge has recommended that the C&D proceedings be discontinued because the respondents are no longer the managing agent or the owner of the property. In the other two air code cases, the judge -- the judge has agreed
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with the DEP’s recommendation that the C&D orders be discontinued because the boiler burners have been removed from the property.

The 14 remaining reports are -- pertain to backflow violations. In 13 of those cases, the judge has recommended that no sealing or other action be taken, given the respondent’s compliance. And in the one remaining backflow case, the judge recommended that the C&D order be discontinued because the respondent is no longer the owner of the property. And that’s all we have.


Okay. At this juncture, we will have to move to go into the executive session to discuss the appeals and litigation. So, is there a motion to approve that we go into executive session? Okay, thank you. So anyone who is not a member of OATH/ECB will have to excuse us for the time
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being.

[OFF THE RECORD]

[ON THE RECORD]

MS. BEDDOE: Okay. We are back in public session. I just want to note for the record that during our executive session, we discussed a litigation matter that presented a conflict for Ms. Knauer. Elizabeth recused herself from the meeting for the duration of that discussion.

Okay. Now that we are back in public session, we have appeals that were presented at panels on August 7th and August 21st. Is there a motion to approve the appeals? Anyone against? Abstentions? No? Okay. I think that that is all of our business for today. Any -- anything else before we adjourn? Okay. Motion to adjourn? Thank you very much everyone. See you next month.

(The public hearing concluded at 9:49 A.M.)
August 28, 2014

CERTIFICATE OF ACCURACY

I, Andrew Slawsky, certify that the foregoing transcript of the Board Meeting of the Environmental Control Board on August 28, 2014 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

[Signature]

Date: September 3, 2014

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