Draft minutes of the NYS Elevator Safety and Standards Advisory Board

meeting on Tuesday, January 17, 2023, commencing at 11:58 a.m. and held by videoconference at:

* **WA Harriman Campus** **Building 12, First Floor, Rooms D&E** **Albany, New York 12226**
* **199 Church Street 3rd Floor Conference Room New York, New York 10007**

**Board Members (meeting location):**

Randall Pawlik (Albany) Susan McGee (Albany)

Kelly Fuller (Albany) Jerald Pittman (Albany)

Jim Hagerty (Albany) Mark Gregorio (NYC)

Patrick Tenneriello (NYC) Charanjeet Singh, PE (NYC)

Hiren “Harry” Vyas (NYC) Michael Halpin (not present)

**Meeting Host:** Roberta Reardon, Commissioner of Labor

**NYSDOL Staff:** Jeanette Lazelle, Deputy Commissioner for Worker Protection, Jerome Tracy Ethics Officer, Vincent Rapacciuolo Safety and Health Program Manager 2

**Welcome:**

Commissioner Reardon welcomed all to the inaugural meeting of the NYS Elevator Safety and Standards Advisory Board. Commissioner Reardon announced some ground rules for the meeting: those joining by zoom will be muted; there will be no public testimony at this meeting; members are joining from two locations Albany and New York City (NYC); the meeting is an open meeting and will be posted to the Department of Labors’ website.

Commissioner Reardon Introduced Vincent Rapacciuolo to act as staff to the board.

**Introductions:**

All members present in either Albany or NYC introduced themselves. Commissioner Reardon noted there are three additional vacancies on the board that are yet to be filled.

**Tasks of the Board:**

Commissioner Reardon stated This Elevator Safety and Standards Advisory Board was created by New York Labor Law Section 956, and this board has the authority to administer, oversee, and approve examinations for the purpose of qualifying applicants for license renewals. In exercising this authority, the board shall, in its discretion, determine the criteria and standards for examinations to satisfy the requirements of the law, such as the mechanic examination of the national elevator industry educational program, or an equivalent examination recognized by the board.

**Open Meetings Law:**

Commissioner Reardon introduced Deputy Commissioner Jeanette Lazelle to present requirements of the Open Meetings Law.

Deputy Commissioner Lazelle presented the following facts to the board: the public has a right to attend meetings of public bodies listen to debates and watch the decision making process; the Elevator Safety and Standards Advisory Board meets the definition of a public body; a quorum of the full board, not just those present, is required to take action or pass a resolution; since the Elevator Safety and Standards Advisory Board is a thirteen member board seven members are required to form a quorum or to form a majority to pass a resolution; a public meeting requires notice, public attendance, and an adequate size facility for those members of the public wishing to attend; remote attendance of the meeting by members may be allowed under extraordinary circumstances; the public meeting must be available via livestream and a record posted to the boards website.

**Ethics Requirements:**

Commissioner Reardon introduced NYSDOL Ethics Officer Jerome Tracy to provide an overview of the boards ethics requirements.

Jerome Tracy stated he is the agency’s ethics officer and is available to answer any questions the board has regarding ethical requirements. Jerome Tracy presented the following to the board: the board is obligated to attend ethics training because they are designated as policy makers; Ethics training is required every year with in-person training require once every two years; highlights of the required training.

**Procedural Requirements:**

Commissioner Reardon stated the Board needs to elect a chairperson and consider the creation of procedural rules or by-laws. They may adopt rules to govern their proceedings, provided that the rules are reasonable. Some processes and procedures to be considered are criteria for attending meetings remotely; procedure for recording meeting minutes; process and procedure for consulting with experts; a formal ethics code for the board.

Randall Pawlick asked if meeting minutes were required given a record of the recording was available. Commissioner Reardon responded this is a procedure that the board can determine.

**Future Meetings:**

Commissioner Reardon suggested this board meet quarterly or on an as needed basis.

**Questions and Conclusion:**

Board members discussed the procedure for using the portal for ethics disclosure.

Commissioner Reardon thanked everyone and concluded the meeting.