

Committee on License and Inspections
June 23, 2020

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LICENSES AND INSPECTIONS

Virtual Hearing, City Hall
Philadelphia, Pennsylvania
Tuesday, June 23, 2020
9:38 a.m.

PRESENT:

COUNCILMAN BOBBY HENON - CHAIR
COUNCILMAN ALLAN DOMB - VICE
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILMAN MARK SQUILLA

BILLS: 200365

1 - - -

2 COUNCILMAN HENON: Good morning,
3 everybody who is joining us here today. Good
4 morning, colleagues. And good morning, City of
5 Philadelphia. Welcome to the Committee of
6 License and Inspections. I understand that
7 State Law currently requires that the following
8 announcement be made at the beginning of every
9 remote public hearing as follows.

10 Due to the current public health
11 emergency, City Councilmember Committees are
12 currently meeting remotely. We are using
13 Microsoft Teams to make these remote hearings
14 possible. Instructions for how the public may
15 be viewed, offer public testimony and public
16 hearings of Council committees are included in
17 the public hearing notices that are published in
18 the Daily News, in the Inquirer and the Legal
19 Intelligencer prior to the hearings and can also
20 be found on PhillyCouncil.com.

21 I note that the hour has come.
22 Ms. Atwell, will you, please, call the roll to
23 take attendance. Members that are in attendance
24 will, please, indicate that you are present when
25 your name is called; also, say a few brief words

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1 when responding so that the image will be
2 displayed on screen when you speak. Thank you.

3 Ms. Atwell, would you, please, call the
4 roll.

5 THE CLERK: Councilmember Jones?

6 COUNCILMAN JONES: Present and looking
7 forward to the hearings, Mr. Chairman.

8 THE CLERK: Councilmember Johnson?

9 COUNCILMAN JOHNSON: In the spirit of
10 former Councilwoman Blondell Reynolds Brown,
11 good morning, good morning, good morning.

12 Present.

13 THE CLERK: Councilmember Oh?

14 COUNCILMAN OH: Good morning. Good
15 morning, Mr. Chairman. Good morning,
16 colleagues.

17 THE CLERK: Councilmember Gilmore
18 Richardson.

19 COUNCILWOMAN RICHARDSON: Good morning,
20 Mr. Chair. Good morning, Colleagues. And thank
21 you, Councilmember Johnson, for that reminder.

22 THE CLERK: Councilmember Domb?

23 COUNCILMAN DOMB: Good morning, Chairman
24 Henon and colleagues. Look forward to the
25 hearing.

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1 THE CLERK: Councilmember Squilla will
2 be absent. And Councilmember Henon.

3 COUNCILMAN HENON: Councilman Henon,
4 Chairman is present. So, I want to thank you
5 all. A quorum of the Committee is present, and
6 the hearing is now called to order.

7 This is a Public Hearing of the
8 Committee of License and Inspections regarding
9 Bill No. 200365.

10 Ms. Atwell, would you, please, read the
11 title of the bill.

12 THE CLERK: Bill No. 200365. An
13 Ordinance amending Chapter 9-2500 of The
14 Philadelphia code, entitled "Fire Suppression
15 System Workers," to provide for additional
16 licensing requirements for the fire suppression
17 system workers, all under certain terms and
18 conditions.

19 COUNCILMAN HENON: Thank you,
20 Ms. Atwell. Before we begin to hear the
21 testimony from the witnesses we have for today,
22 everyone who has been invited to this meeting to
23 testify, be aware that this is a public hearing
24 and it is being recorded. Because the public
25 hearing is public to all participants and

1 viewers, you have no reasonable -- we have no
2 reasonable expectation of any kind of privacy.
3 By continuing to be in this meeting, you are
4 consenting to be recorded.

5 Additionally, prior to recognizing
6 members for the questions or comments they may
7 have for witnesses, I will note for the record
8 at this time, that we will use the Chat feature
9 available in Microsoft Teams to allow members to
10 signify that they wish to be recognized. In
11 order to comply with the Sunshine Act, the Chat
12 feature must only be used for this purpose.

13 Ms. Atwell, would you, please, call our
14 first panel or witness that we have here to
15 testify this morning.

16 THE CLERK: Sarah Adamo.

17 (Panel appears via video.)

18 MS. ADAMO: Good morning, Chairperson
19 Henon, and Members of the Licenses and
20 Inspections Committee. My name is Sarah Adamo,
21 and I am the Legislative Affairs Manager of the
22 Department of Licenses and Inspections. I am
23 here to provide testimony on Bill No. 200365
24 which, if enacted, will amend Chapter 9-2500 of
25 The Philadelphia Code, entitled "Fire

1 Suppression System Workers," to provide for
2 additional licensing requirements for fire
3 suppression system workers, all under certain
4 terms and conditions.

5 The Department of Licenses and
6 Inspections' mission is to ensure that
7 structures are not only constructed in a safe,
8 code-compliant manner; but also, that they are
9 maintained so that occupants of those structures
10 remain safe long after the construction is
11 completed. One of the greatest tools in
12 building safety is the fire suppression system.

13 A fire suppression system is essential
14 in minimizing the loss of life in the event of a
15 fire. However, if those systems are not
16 properly installed or maintained, there is no
17 guarantee that they will function properly when
18 they are needed. It is crucial that the
19 individuals who are installing, certifying and
20 inspecting these systems are properly trained
21 and that they receive updated training as codes
22 change.

23 This bill, if enacted, will create three
24 separate certification requirements for fire
25 suppression system workers. The first is Fire

1 Suppression System Certification; the second,
2 Specialty Fire Suppression System Certification;
3 and the third, Commercial Kitchen Fire
4 Extinguishing Systems Certification. Each
5 category of fire suppression system worker has
6 different requirements to obtain the
7 certifications and permits the workers to
8 perform different tasks.

9 The Fire Suppression System
10 Certification is an existing certification that
11 is needed to perform work on fire suppression
12 systems. Currently, this certification permits
13 the installation, alteration, repair, testing
14 and inspection of fire suppression systems.
15 This bill makes two changes to the Fire
16 Suppression System Certification.

17 First, the worker. A worker who only
18 has this certification is no longer permitted to
19 perform annual inspections of water-based fire
20 suppression systems. Additionally, in order to
21 maintain the certification, continuing education
22 credits must be obtained by the worker.

23 The bill also proposes to create a new
24 certification, Specialty Fire Suppression System
25 Certification. This certification is required

1 for any individual who is performing the annual
2 inspection of water-based fire suppression
3 systems. In order to obtain a specialty Fire
4 Suppression System Certification, the fire
5 suppression worker must obtain a ASSE 1510
6 Water-Based Fire Protection Certification
7 administered by the American Society of
8 Sanitation Engineers. This training is a
9 rigorous course that provides both conceptual
10 and hands-on learning. The certification must
11 be renewed every three years, which ensures that
12 the fire suppression system workers are always
13 up-to-date on advances in the applicable codes.

14 Lastly, the bill proposes the creation
15 of the Commercial Kitchen Fire Suppression
16 System Certification. This certification
17 provides an alternative licensing requirement
18 for those workers who only perform commercial
19 kitchen extinguishing work.

20 The Department supports this bill and
21 the proposed amendments. We are prepared to
22 adjust the licensing procedure should this bill
23 become law.

24 Thank you for the opportunity to provide
25 the Department's testimony. I am happy to

1 answer questions at this time.

2 COUNCILMAN HENON: Thank you for your --
3 for your testimony. We do have a question.

4 Lauren, somebody's in -- a Member is
5 asking for a question. Can you recognize,
6 please?

7 THE CLERK: That would be Councilmember
8 Curtis Jones.

9 COUNCILMAN HENON: Councilman Jones.

10 COUNCILMAN JONES: Thank you,
11 Mr. Chairman, for recognizing me.

12 Quick question. I believe it was 2015,
13 City Council moved and required that all fire
14 suppression systems move from dry to wet. I
15 believe that was when we passed that law.

16 How have large multi-unit structures
17 complied with that law?

18 MS. ADAMO: You'll have to forgive me.
19 That was a little bit before my time working
20 with Council. My understanding of, you know,
21 when -- when applications come into L&I, they
22 are not only required to comply with local
23 requirements but also the IDC and IEDC, which is
24 the existing building code.

25 For the most part, all residential

1 buildings are required to be sprinklered. In
2 the majority of cases, it would be a wet system.
3 There are a couple exceptions where you don't
4 actually want a wet system. And that's in,
5 like, garages that aren't conditioned. So, you
6 don't want the pipes to freeze.

7 However, you know, the majority of
8 residential structures as well as a high
9 percentage of commercial structures are going to
10 be sprinklered with these wet systems.

11 COUNCILMAN JONES: So, Mr. Chairman --
12 and thank you for paying close attention to this
13 issue as well as your efforts to work to codify
14 our L&I regs with the State. L&I regs,
15 sometimes that's not the sexy work that winds up
16 on the front page of the paper, but it's the
17 important work that keeps us safe in these
18 buildings that we travel in. So, thank you for
19 that.

20 Would you provide to the Chair the
21 number of buildings to your knowledge -- I don't
22 mean for you to -- to start a whole new
23 department to work on this. But from your
24 knowledge from when we passed that law, how many
25 have complied?

1 And the reason I raise this,
2 Mr. Chairman, is I have a multi-unit structure
3 that actually houses senior citizens that has
4 taken all of this time to begin to comply.
5 "Begin to comply." And the origin of this
6 conversion was because of injuries to
7 firefighters/first responders when they went
8 into a dry system.

9 So, I would like to get a general
10 understanding Citywide because we have all of
11 these mature buildings that have undergone this
12 process. And I wanted to just see what -- how
13 our work as a body actually gets trans --
14 translated into actual conversions if that makes
15 sense.

16 COUNCILMAN HENON: It absolutely makes
17 sense.

18 You know, Councilmember, I -- you know,
19 appreciate your, you know, your focus in on
20 public safety. And you have demonstrated that
21 over years in your tenure, you know, working
22 with L&I, working on Codes, you know, being the
23 chairperson for Special Committee on Demolition.
24 So, I know you uniquely have been involved on
25 the ground level with making sure that, you

1 know, not just the structures and the people
2 that you represent are safe but around the City
3 because you have been in a lot of Citywide
4 policies that have made significant changes in
5 moving forward with the Department in L&I as
6 well as, I guess, dovetailing it in with your
7 public safety committee, because this is a
8 public safety issue, you know, both L&I and the
9 safety of our citizens.

10 So, I want to thank you for your
11 commitment.

12 COUNCILMAN JONES: Thank you,
13 Mr. Chairman.

14 COUNCILMAN HENON: Ms. Adamo, I have a
15 question. If you can clarify that one way or
16 another that the Department uses currently ASSE
17 for other certifications?

18 And do you believe it would be the
19 best -- the best one for best practices for fire
20 suppression moving forward?

21 MS. ADAMO: Sure.

22 The Water Department actually requires
23 ASSE certification for backflow workers. Which
24 is, you know, a device that is used on sprinkler
25 systems when they are being installed to keep

1 the water from -- from going the opposite
2 direction of the way it should go. So, it is a
3 certification process that is already used by
4 the City. And my understanding is that it's one
5 of the more rigorous certifications. And it --
6 not only does it require the person taking the
7 training to pass a written test that's 200
8 questions, but it also provides hands-on
9 training.

10 Which as far as I am aware, it's the
11 only certification that would require that
12 hands-on training that I think is -- is crucial
13 that employee or workers who are doing this,
14 this very important work, understand how to do
15 it, you know, have a fire pump in front of them
16 and understand how to do the things that they
17 need to do in order to get that fire pump to
18 work they way it should, for example.

19 COUNCILMAN HENON: We certainly want the
20 fire pump to work for when we need it. We
21 certainly need it to be hooked up for when it is
22 needed. You know, it's my understanding that
23 the Water Department has used the ASSE training.
24 I think it's been over 20 years.

25 Does that sound about right to you?

1 MS. ADAMO: I was eleven 20 years ago.
2 So, I wasn't very familiar with what was going
3 on in the Water Department at that time. But
4 it -- it has been a requirement as long as I've
5 been working for the City.

6 COUNCILMAN HENON: All right.

7 And the folks that are installing any
8 kind of fire suppression systems, have a license
9 currently, you know, within the Department of
10 L&I; is that correct?

11 MS. ADAMO: Correct.

12 COUNCILMAN HENON: All right. Great.

13 I have no further questions. Let me --
14 I am going to check in the Chat.

15 Lauren -- Ms. Atwell, would you be able
16 to check in the Chat and see if anyone has
17 any -- any questions?

18 THE CLERK: No one has indicated any
19 further questions.

20 COUNCILMAN HENON: Okay. I'm going to
21 ask Members of this Committee one last time --

22 THE CLERK: Councilmember Domb would
23 like to be recognized.

24 COUNCILMAN HENON: Councilmember Domb,
25 the floor is yours.

1 COUNCILMAN DOMB: Thank you,
2 Mr. Chairman. And I guess this is for Sarah.

3 We had a conversation last week, Sarah,
4 about the two different certifications. And I
5 was wondering if you can just tell me -- I
6 understand the certification that we are voting
7 on today. The ASSE is a higher level of
8 qualifications than other certification.

9 Are there any other major differences
10 that you see regarding these two certifications?

11 MS. ADAMO: I assume that you're --
12 you're referring to NICET as the other
13 certification?

14 COUNCILMAN DOMB: Yes, NICET.

15 MS. ADAMO: Okay. My -- my
16 understanding is that the major difference
17 between the two is that NICET is -- requires you
18 to pass a written test only. That the ASSE
19 certification actually requires that hands-on
20 training that NICET is lacking.

21 COUNCILMAN DOMB: Okay. And I also
22 understand that the implementation of this will
23 be 18 months from when this is passed; is that
24 correct?

25 MS. ADAMO: Correct. That's in the

1 amendments of the bill.

2 COUNCILMAN DOMB: And I also understand
3 that there will -- there is available training,
4 two or three potential centers in the City for
5 people who are not in the Union to get this
6 training.

7 Is that your understanding, also?

8 MS. ADAMO: My understanding is that
9 currently there are -- there is only one
10 training center in the City that offers this
11 training, which is through the Union. There are
12 a couple of other training centers that are
13 outside of the City. One of which is working on
14 getting the 1510 training.

15 Marianne, who is from ASSE who will be
16 testifying shortly, may be able to provide more
17 information about how a testing center becomes
18 certified. But essentially, any training center
19 that's currently training people who are doing
20 this work are able to be certified from ASSE to
21 be able to provide this training.

22 Which is --

23 COUNCILMAN DOMB: Okay. Now --

24 MS. ADAMO: I'm sorry. Go ahead.

25 COUNCILMAN DOMB: No, go ahead. You go

1 first. Go ahead.

2 MS. ADAMO: I was going to say, which is
3 where the 18-month implementation date becomes
4 useful because they have 18 months to be able to
5 provide the training.

6 COUNCILMAN DOMB: I am in favor of this
7 legislation. I just want to make sure that we
8 don't exclude anyone because of this
9 certification. I want to make sure it's
10 available to all of the contractors to take
11 these courses. That's all.

12 Anyway, thank you. Thank you, Sarah.
13 Thank you, Mr. Chair.

14 COUNCILMAN HENON: Thank you,
15 Councilmember. And you know, I want to make
16 note that the -- you know, the industry at large
17 working with the Department has worked
18 extensively, you know, making sure that the
19 grace period and the time, you know, 18 months
20 for the amendment is, you know, adequate time
21 for -- adequate time for -- for anybody who is
22 looking for certification.

23 And it's -- it's not exclusive, all
24 right? This is an all-inclusive certification
25 that is in concert working with the mission of

1 the Department of L&I and industry at large
2 making sure that everybody is safe. So, this
3 isn't a union exclusive. This isn't a non-union
4 exclusive. This is a certification that ensures
5 the integrity of the systems that are installed
6 by professionals with experience is -- is
7 installing it properly and, you know, making
8 sure that, you know, we are safe. Especially
9 this year alone, you know, we have an I uptick
10 in fires. I would hate to -- I would hate to
11 see something get missed.

12 So, just want to note that for the
13 record. And, Ms. Atwell, is there anyone
14 else -- is there anyone else -- I will say this,
15 anyone else on our Committee that wishes to have
16 any questions for Ms. Adamo?

17 All right. That being none, Sarah, I
18 appreciate your joining us here and your
19 testimony. Are there -- you can, please,
20 read -- Ms. Atwell, read our next witness,
21 please.

22 THE CLERK: Wayne Miller, Don Sweeten
23 and Gerry Waites.

24 (Panel appears via video.)

25 COUNCILMAN HENON: Okay. Would whoever

1 is the first panelist, please, state your name
2 for the record. And you may proceed with your
3 testimony.

4 MR. MILLER: Hello. My name is Wayne
5 Miller. I'm the business manager for Sprinkler
6 Fitters Local 692. And I would like to take
7 this opportunity to thank the Committee for
8 looking at our -- our amendment to our licensing
9 law, to institute a much more stringent
10 inspection process that, in my opinion, is -- is
11 a good thing.

12 I sent a letter off to all the Council
13 people, each member and -- to let them know that
14 this is a public safety bill that's in front of
15 your committee this week. And we urge -- simply
16 stated, the bill requires a specialty fire
17 suppression systems certificate for people
18 engaged in doing this work.

19 One of my concerns were -- has come to
20 my attention that over the last so many years,
21 that -- that a lot of it -- some of the
22 inspections that are being done aren't done
23 properly. And the thing is, I think that's the
24 most important component of a sprinkler system.

25 To give you an example of some of the

1 issues that brought this to our attention was
2 sister -- systems not properly installed, one
3 being at 507 South 8th Street. A system was
4 installed. The system was certified by a
5 contractor, and it was put into service so to
6 speak. It was a 28 -- 28-room apartment
7 building. And the system a year later, when it
8 was coming back for inspection, found it that
9 the system was never hooked up. And the
10 system -- meaning by was never hooked, was a
11 fire pump. Was a diesel fire pump was never
12 hooked up. And the people in that building were
13 living in there for one year without any
14 protection.

15 That was brought to the attention of
16 L&I. And License and Inspection went out and
17 did whatever they had to do. I don't know the
18 end result because we don't get that feedback
19 from License and Inspections.

20 That's one of a number of systems that
21 were put in incorrectly. One being when you
22 bring a sprinkler system in to any type of
23 building whether it's residential or commercial,
24 you need an OS&Y valve. You need at least 30
25 seconds in order to turn the system off. And

1 that system is -- is controlled and it is
2 monitored.

3 We have had a number of complaints over
4 the last couple of years that systems were being
5 put in with quick opening devices. What that
6 means, it's a valve that all you do is move a
7 handle and it could be bumped and it could be
8 turned off in a matter of a second. And there
9 is no form to monitor that system. So -- and
10 anybody that does work on sprinkler systems
11 knows that's a sacrilege to put a quick-opening
12 device on a main feed coming into a sprinkler
13 system. That happens on a regular basis in the
14 past number of years that we have been following
15 this.

16 I have worked with L&I for decades. I
17 worked with the Commissioners of L&I going back
18 to Bob Sabibli all the way up through
19 Commissioner Burns also with Dave Perry. I have
20 a very good relationship with License and
21 Inspection because I feel I work as a partner
22 with L&I and trying to do what's best for the
23 industry.

24 Councilman Domb had brought up a thing
25 about whether union or non-union. That doesn't

1 come into this. I don't look at union and
2 non-union. I look at the industry. Because if
3 a union contractor did something wrong, the
4 whole industry would be affected by it. If a
5 non-union contractor did something wrong, the
6 whole industry is affected by it. And my main
7 concern is to do things that are better for the
8 industry, for the safety of people and also
9 property.

10 And like I said, these things have come
11 to my attention for a number of years. When the
12 fire happened, I believe it was called in West
13 Chester. I think it was -- it was called the
14 Barclay Friends. I received a call from someone
15 from the City of Philadelphia. And I can't
16 remember who it was, but the call was about
17 inspections.

18 So, I looked at what happened at the
19 Barclay Friends fire. And if you looked at
20 that, what the pictures they were showing, they
21 were showing an OS&Y valve with a tamper switch
22 sitting on top of the valve. So from there,
23 evidently if there was a proper inspection done,
24 that tamper switch would have been on the valve.
25 And when it was taken apart, it would have sent

1 a signal to let the people in that building know
2 that the system was not -- was turned off and
3 not in service. I believe -- and this is just
4 from my own point of view -- that the system out
5 there was a kind -- different -- different types
6 of systems. And evidently, they must have had
7 sand holes in the pipes that were putting alarms
8 out. What evidently happened, was someone
9 turned the system off. And the people in that
10 nursing home had no protection and people died.

11 That's our concern in this industry.
12 That gives a -- that gives a black mark to
13 anyone doing the sprinkler work, whether it's
14 union again or non-union. So, that was my
15 concern. And that was the start of moving
16 towards the ASSE. Because I have known that
17 that certification has been out there.

18 So with that, what we put together what
19 we wanted to do with the ASSE, and we contacted
20 L&I through Dave Perry and Betsy -- and
21 Elizabeth Baldwin. And we sat down with Dave
22 and Elizabeth and run up the amendment to the
23 City licensing laws for installers. And
24 together with L&I, we worked on that.

25 And I said before, I try to work with

1 L&I as a partnership. And I respect their
2 knowledge of the situation. And with that --
3 after that, we put that together. We worked out
4 what needed to be done. Then I went to
5 Councilman Henon and asked him if he would
6 introduce it. Prior to that, that's how we
7 worked in a sprinkler industry.

8 We give all the respect to License and
9 Inspection. And if License and Inspection isn't
10 behind what's going on, that doesn't bear very
11 well for the bill that you are going to
12 introduce. But with the respect I have for
13 Elizabeth Baldwin and Dave, we came together and
14 we -- we felt that we came up with a very good
15 substitute to put in a specialty system for
16 sprinkler fitters to do testing inspection and
17 maintenance.

18 Not all sprinkler fitters do
19 inspections. In the industry, you have guys
20 that work in construction that just concentrate
21 on the work in construction. And then, you have
22 cer -- each -- most companies have service
23 companies. And they provide a van for those
24 individuals to go around and do inspections.
25 That's like a specialty. These guys are

1 involved in that. Whether -- whether who you
2 work for, that is something different. It's a
3 lot different to do inspections than to install
4 piping for a construction job. So, what we
5 wanted to do is we wanted to upgrade the -- the
6 inspection part of -- the inspection of testing
7 and maintenance on sprinkler systems because
8 they have a lot of testing on sprinkler systems.

9 They have annually and every five years,
10 they have tests. Every five years, a complete
11 test on every single thing in the building --
12 flowing the fire pumps, working with the
13 standpipes, tripping all the different types of
14 systems that they have. And that takes a
15 special skill for someone a little bit higher
16 than what they do in the construction industry.
17 And that's one of the reasons why we went for
18 this certification.

19 So with that, I will pass it on to my
20 instructor. If there is any technical questions
21 about anything, Don Sweeten is here willing to
22 answer any questions and myself. So, I want to
23 also thank Council for the opportunity.

24 Back to the Chairman.

25 COUNCILMAN HENON: Thank you for your

1 testimony, Mr. Miller. There any other
2 panelists that you have here, are for technical
3 questions only? Will they be providing any
4 testimony?

5 MR. MILLER: Yes. Yes. Don Sweeten
6 will be providing testimony for any questions or
7 any technical issues that -- that need to be
8 answered.

9 COUNCILMAN HENON: Okay. So, I am going
10 to hold off on any questions from this Committee
11 until Mr. Sweeten has finished with his
12 testimony. So, he may begin. State his name
13 for the record and proceed.

14 MR. SWEETEN: Yes. Hi. My name is Don
15 Sweeten. I am currently the Training
16 Coordinator for Sprinkler Fitters Local 692. I
17 have 31 years in the industry. I, currently,
18 sit on multiple committees as they relate to
19 this hearing. I am the Vice Chair of the ASSE
20 15000 Committee, which is a national board. And
21 I am the Chairman of the Recertification
22 Committee for the ASSE 15000.

23 A couple things that I just wanted to
24 provide and Wayne spoke on. So putting it in,
25 for you, layman's terms. The quick shutoff

1 valves that we have, have come to our attention
2 that are installed on systems.

3 So, imagine you have a key to a car that
4 has a chip in it, and all this expensive
5 components and somebody installed a toggle
6 switch right next to that, that renders the car
7 useless. So -- and that is basically what is
8 going on in some sprinkler systems that we have
9 seen, these quick shutoff valves. They are not
10 supervised.

11 When I say "supervised," when somebody
12 closes a sprinkler valve in the system, it's
13 either going to send a signal to a central
14 station -- it informs the building or alarm
15 company that the system is off. Because a
16 sprinkler system that has a closed valve is a
17 deadly combination. It won't work, and it's
18 very important. So, I just wanted to clarify
19 that side of it.

20 The other side is, ASSE is not a
21 contractor certification. ASSE -- I mean, the
22 ASSE 15000 is not a contractor certification.
23 So, we are not certifying contractors with this
24 certification.

25 What is happening is the actual field

1 inspector, that is the individual. Your front
2 line guy is the individual that is receiving
3 this certification and validating that
4 knowledge. And the difference -- the main thing
5 with the 15000 versus the NICET is the
6 verification of those skills. Meaning, that an
7 individual that takes this class, upon
8 completion they must validate that they are able
9 to fully do the functions of impairment of a
10 sprinkler system and restoration of a sprinkler
11 system as well as testing components that NFPA
12 requires in the processes that have been
13 developed to establish the proper function of
14 all this equipment.

15 NICET does not have any of those
16 components into it. And to continue your NICET
17 certification, all you need to do is attend some
18 continuing education units that could be
19 involved in almost area of higher protection.
20 Doesn't even have to really be specific to the
21 inspection process. For as long as you keep
22 maintaining your continuing education units, you
23 can keep your certification.

24 The ASSE, you need to return every three
25 years. You will get an update on any codes that

1 have changed, which they always are changing.
2 And you need to revalidate your knowledge and
3 you need to revalidate that you are proficient
4 in the practical skills of the systems.

5 The other thing, Councilman Jones, you
6 did ask in the beginning about the 2015 law in
7 regards to dry systems going to wet. And I just
8 wanted to stress on that -- thank you for the
9 question. It's very important. Because what it
10 was, was standpipe systems. That is hugely
11 important to our firemen out there every day.
12 So, that -- that was what that related to.

13 There are a lot of specialty systems in
14 the City of Philadelphia; Preaction systems, wet
15 systems, dry systems. And they all have
16 different functions. The technology becomes
17 more engaged in fire suppression as is the need
18 to have quality people -- qualified people to
19 fully test and understand these systems.

20 COUNCILMAN HENON: And with that,
21 Mr. Sweeten, thank you for your testimony.
22 Before I ask the Committee for any questions, I
23 would like to recognize that we are joined by
24 Councilmember Squilla.

25 And I, also, would like to offer mine

1 and all of our sincere condolences for the
2 passing of your father. Our prayers and our
3 thoughts are with you, Councilman.

4 COUNCILMAN SQUILLA: Thank you,
5 Mr. Chair.

6 COUNCILMAN HENON: So, I have a question
7 for Mr. Miller.

8 Wayne, how much time was spent in
9 working with the Department on this piece or
10 legislation or policy, I would say.

11 MR. MILLER: I would say a little --
12 probably over a year.

13 COUNCILMAN HENON: So, you've been
14 working with the Department for a year to -- to
15 fight for or to see that the Department can
16 recognize a -- a quality training and inspection
17 for our fire suppression system?

18 MR. MILLER: Yes, I have.

19 COUNCILMAN HENON: Okay. And where does
20 this apply?

21 So now, what gets tested in the City
22 when it comes to fire suppression? Is it
23 residential only? Is it row homes? Is it
24 commercial only? Or does everything get tested?

25 MR. MILLER: Bob, everything gets tested

1 residential, commercial. In residential, you
2 have three types of systems. You have a 13, you
3 have 13R and you have a 13D. The 13D system
4 is -- so the sprinkler comes off the domestic
5 water. That is only a limited system with a
6 certain amount of heads. That does not have an
7 inspection to it. Okay. Just a 13 on
8 residential and the 13R on residential systems.

9 COUNCILMAN HENON: Could you put that in
10 layman's terms? I have no idea what that means.

11 So does this -- two things. Does this
12 bill add additional inspections? Or we already
13 inspect, it's just a quality of inspection?

14 MR. MILLER: We already do the
15 inspections on the systems. The 13, 13R and
16 also commercial systems. That's done anyway.
17 And this is nothing new that's going to be done.
18 It's just creating an extra -- taking the level
19 of inspections up from a regular sprinkler
20 fitter to someone that does this all the time
21 with the certification.

22 COUNCILMAN HENON: Okay. Which, I
23 guess, wouldn't be all that many; is that
24 correct?

25 MR. MILLER: All the inspections will

1 stay the same. That you will do the inspections
2 on all the systems that are required. And if
3 you are looking about how many people that would
4 do the inspections, right now we have -- I guess
5 with -- I would say there is 100, maybe 150
6 people in Local 692 that do inspections, but
7 that's not the issue.

8 The thing is that we have 500 members
9 here. And all the members would, if they so
10 chose to take the certification and pass the
11 certification, that would be another tool in
12 their quiver to get a job with a contractor if
13 they are looking for inspectors.

14 COUNCILMAN HENON: And that's open for
15 anybody who passes the certification process; is
16 that correct?

17 MR. MILLER: Yes, that is.

18 First of all, you need the sprinkler
19 license as a journeyman. And then, you have the
20 ability to take the certification. And if you
21 pass the certification, the test, then you have
22 the ability to do inspections. But like I said,
23 every three years you have to come back and be
24 recertified.

25 COUNCILMAN HENON: Okay. Question for

1 Don, and I will turn it over to members of the
2 committee.

3 You had mentioned something about a
4 valve, a quick shutoff toggle switch in the car.
5 So that practical experience, what -- what --
6 what does that mean? What is a quick valve for
7 shutoff, that stated?

8 MR. SWEETEN: Two problems there.

9 So one is by code, you have to have a
10 valve that cannot close five seconds or open
11 five seconds or less. And there's a reason for
12 that because you can close a water hammer in the
13 back of the system. You create a velocity, a
14 water hammer as we call it. Some of the
15 consistent sizes and pressure we sometimes deal
16 with, that we have to be careful there as far as
17 how quick and how slow we close the valve so we
18 don't cause those issues in the hammering
19 effect.

20 So, that's one thing. And that's the
21 reason that we can't use quick opening valves
22 unless it is on a 13D system, which is the
23 lowest level system. And in the areas where we
24 found these, that wasn't the case.

25 The second thing is, all the valves on a

1 sprinkler system that are related to supply are
2 both two things. Indicating, which means you
3 can tell by looking at them whether they are
4 open and closed; and they be need to be
5 monitored. And monitored can be electronic
6 means, which probably 90/95 percent of them are.
7 So if somebody closes a valve, a signal is going
8 to be sent to the building owner, the central
9 alarm station just so that people are aware that
10 the valve is closed.

11 Because if the valve is closed, the
12 sprinklers are not going to work. That is just
13 common sense. What is going on is, we have
14 these valves that have all this technology
15 hooked on. They are tamper proof. When I say
16 tamper, you are able to send an alarm if they
17 are closed. Before these valves, there is a
18 quick opening valve that is installed that
19 basically renders all of that stuff useless.

20 COUNCILMAN HENON: Okay. Thank you.

21 Any members have any questions for this
22 panelist?

23 (No further questions posed.)

24 COUNCILMAN HENON: Well, thank you all
25 for your testimony. If you can standby in case

1 any questions do arise, we would all appreciate
2 that.

3 Ms. Atwell, would you, please, read
4 either our next panelist or our next person to
5 testify.

6 THE CLERK: Marianne Waickman and Jack
7 Morley.

8 (Panel appears via video.)

9 COUNCILMAN HENON: Good morning.

10 MS. WAICKMAN: Hi.

11 COUNCILMAN HENON: Please, state your
12 name for the record. And you may proceed with
13 your testimony.

14 MS. WAICKMAN: My name is Marianne
15 Waickman. I'm with ASSE International. I'm the
16 Professional Qualifications Director for ASSE
17 International. And as people have mentioned
18 before, we are the third party certifier who
19 will certify these fire protection specialists
20 if this bill is passed.

21 So, ASSE is a standards developer and we
22 are a third-party certifier. We develop
23 standards for both products and for
24 professionals. And we certify both products and
25 professionals. The certification for this

1 specialist would be the ASSE ANSI Professional
2 Qualification Standard for Inspection Testing
3 and Maintenance of Water-based Fire Protection
4 Systems. What we are calling the ASSE 1510.

5 We developed the standard over the
6 course of many years, but it was finally
7 completed in 2015. These take a while to -- to
8 complete. And -- and we began certifying to it
9 a few years later. We have now been certifying
10 to this standard for approximately two and a
11 half years.

12 We are -- ASSE is an ANSI-approved
13 standards developer. We develop standards under
14 the ANSI process the same as NFPA who writes all
15 of the Fire Code Standards that people are --
16 are complying with, NSF and UL. ASSE develops
17 our standards under that process. So -- so you
18 know, I just want you to understand that we are
19 already in your codes with some of our other
20 standards that we have. This is nothing -- this
21 is nothing new for -- for what you have been
22 doing.

23 This particular standard is, in fact, a
24 very stringent standard. It is. And it -- you
25 know, the process was long to bring about. And

1 it came about because -- as do all of our
2 standards, because the industry asked that we
3 develop a standard. They recognized the need.
4 And so, we filled that need by developing a
5 standard. And this is -- this is a -- these are
6 life safety systems, qualification of the person
7 doing this makes a difference. And they will
8 save lives and property as a result of doing it
9 correctly. And in fact, lives and property can
10 be lost or damaged if it's not done correctly.
11 And that's why this -- this standard was
12 developed.

13 And again, I say that it was developed
14 under a process where we have consensus coming
15 from -- from throughout the industry. And that
16 industry includes certainly people that are --
17 that are installing, inspecting and testing fire
18 suppression systems, the sprinkler fitters. But
19 it also includes the engineers on these systems
20 and includes fire marshals that are involved.
21 And so, we work together in the development.
22 And we also have people from each of those
23 categories on our technical committees to
24 maintain this.

25 So I just -- we just wanted to kind of

1 bring this to you and have you understand who
2 ASSE is and answer any of your questions about
3 this. But we also want you to recognize that --
4 that we are certainly not new to standards
5 development. I know, Chairman, mentioned about
6 ASSE being involved with backflow protection in
7 the City of Philadelphia. In fact, I was not
8 eleven years old 20 years ago. And I was
9 working for ASSE at the time.

10 And yes. So for -- I have been working
11 with ASSE for 21 years. And ASSE has been
12 certifying backflow testers in the City for
13 longer than the 21 years I have been with them.
14 It's -- I looked up the numbers. And there are
15 over 4,000 backflow testers in the State of
16 Pennsylvania alone. And for the most part, we
17 have about half of our backflow testers are
18 union. And about half our non-union. It's
19 pretty close to a 50/50 split.

20 So, we are hoping that the same will
21 come through with the 1510 as it becomes a part
22 of what's happening in the City of Philadelphia.
23 So, I just wanted to bring that to you.

24 ASSE does not do any training at all.
25 As a third-party certifying, we can't do

1 training. That would violate third party. So,
2 the training is done by facilities, existing
3 facilities, existing training providers, you
4 know, in whatever City or state that this is
5 being done. And right now, Local 692 has been
6 approved to offer the training. And we are
7 certainly very hopeful that the other training
8 providers in Philadelphia and surrounding areas
9 will apply, too, to be recognized to offer it.

10 And when I say recognized, what we are
11 checking on is -- is that they have the
12 facilities available to do proper training, that
13 they have the equipment available. We don't
14 want people to be looking at a video about how a
15 fire pump works or how an alarm panel works.
16 They actually have to have this equipment
17 available at their facility so that they can
18 teach to it and on it. So, we are looking at
19 that.

20 We are also looking that they have a
21 curriculum prepared and training materials
22 prepared so that the individuals who take a
23 course at their facility have the ability to
24 pass the exam. We don't think that's fair for
25 them to -- for anybody to bring in someone and

1 train them if they are not training them to be
2 successful in -- in passing this certification
3 exam. And I know people have done a good job of
4 pointing out the differences of what -- what our
5 certification is from some other certifications.
6 Certainly, a major factor is that hands-on
7 component to it. Not only is the training
8 course involve hands-on experience, but so does
9 the actual exam.

10 So, it's a 200-question code-based exam.
11 And codes -- Don was talking about -- about the
12 different 13R, 13D, those are all NFPA codes.
13 And we make sure that the exam that we give at
14 the conclusion that, of course, is completely
15 code based, and that people understand how to
16 look up the codes and what those codes are.
17 Because when they are out in the field, they
18 should be talking code when they are in a
19 facility talking to the owner of that facility.

20 So certainly, it's a code-based exam.
21 And that -- also, has a hands-on portion of the
22 exam where they have to demonstrate in front of
23 a proctor that they know how to do the test that
24 need to be done to properly inspect a fire
25 suppression system. So, that's very major

1 component of it.

2 The other thing that I would like to
3 point out -- again, I know I have mentioned it,
4 is that this certification is based on an ANSI
5 standard, okay? And I know that you have ANSI
6 standards are part -- a major part of all of
7 your codes within the City of Philadelphia. And
8 we want to emphasize that because we didn't just
9 make this stuff up. We are following the ANSI
10 process throughout the entire -- entire process
11 through it.

12 So if you have any questions for me, I
13 am happy to address those.

14 COUNCILMAN HENON: Thank you, Marianne.
15 Thank you for your testimony. Before I turn it
16 over to Members of the Committee for questions,
17 couple things I want to make note of.

18 One, is how you talked about the need
19 for -- for proper training when it comes to life
20 safety systems and how involved ASSE is in the
21 code-making process.

22 And you are a national organization; is
23 that correct?

24 MS. WAICKMAN: Oh, absolutely. Yeah.

25 COUNCILMAN HENON: My -- my question

1 being, I sat on code panels. I sat on the State
2 Pennsylvania Commonwealth, had uniform
3 construction code panel that I was a member of.
4 I believe, like all of our departments, of labor
5 and industries and license and inspections are
6 of like minds, all right? It's all about the
7 codes and safety of -- of people and of
8 property.

9 Does ASSE sit on some of the NFPA panels
10 nationally as a part of this process and fire
11 codes that you had discussed?

12 MS. WAICKMAN: Right. So, we have
13 involvement in a lot of different panels and in
14 a lot of different codes. So, ASSE writes
15 standards, writes a lot of different
16 standards -- product standards, professional
17 standards. So, we are sitting on NFPA 99, which
18 is the Healthcare Facilities Code. And we do
19 have a seat on that with participation.

20 And then we have representation. We
21 work with others to represent -- we can't be
22 everywhere. So -- so, we are on a lot of --
23 NSF. I am on, personally, on ASHRAE committees
24 for the Legionella and the other water-borne
25 pathogens. So, we are on many of these

1 standards and code committees.

2 Our parent company is IAPMO, which is
3 the uniform forming and mechanical code. So we
4 have -- our entire staff is -- you know, is
5 involved in that. So you know, we certainly are
6 there at the table for the standards and codes.

7 COUNCILMAN HENON: So also, want to note
8 that you had mentioned that it's a -- just as
9 the previous panel with 692 talking about the
10 industry. It's an industry. Seems like from
11 what you had mentioned, it's a 50/50 split with
12 people who are signatory to a local union and 50
13 that is not.

14 So, it seems like this is -- not seems
15 like it. I mean, it appears that, you know,
16 this is, you know, offered to anybody who was in
17 the industry because the industry at whole is
18 much larger and greater than -- than its parts.
19 I am glad to hear that. And you know, you
20 welcome any other training centers or people who
21 want to be certified because there are a lot of
22 apprenticeships, all right, that are in
23 Philadelphia that people claim to be a part of
24 that can take advantage of you that is not part
25 of any kind of labor union, all right?

1 So, there are apprenticeship program,
2 you know, thousands in the Commonwealth of
3 Pennsylvania that these -- this type of training
4 would be offered to -- to everybody; is that
5 correct?

6 MS. WAICKMAN: That's right. I don't
7 want to sugar coat it. They need to meet the
8 requirements.

9 COUNCILMAN HENON: Well --

10 MS. WAICKMAN: You know? And that's
11 what stringent standard does. That's what a
12 standard does, is -- is we are not making just
13 decisions on, well, we will let you in and not
14 let you. We follow the rules. We have a
15 standard and we follow the rules equally for
16 everybody.

17 COUNCILMAN HENON: Well, thank you for
18 that. Okay. I've been fighting for that when
19 there has been double standards. It's just
20 unfair, so it's not apples to apples all the
21 time. So, everybody does have the opportunity.

22 MS. WAICKMAN: Yes.

23 COUNCILMAN HENON: As long as they meet
24 the same standards. And you know, as somebody
25 who sat on code panels like myself and have had

1 some experience, are codes written because
2 something went wrong, all right? Either
3 somebody had perished, all right, or somebody --
4 there was a catastrophe or a disaster because of
5 some sort of installation or manufacturer defect
6 as well as, you know, new materials. So, codes
7 are important.

8 Councilman Jones had mentioned that this
9 is not a sexy or glamorous type of conversation,
10 but it's so critical and important, all right,
11 for people. And -- and codes are that, all
12 right? Codes actually do that.

13 So, I want to thank you for that. I
14 believe we have -- I want to check on or
15 members.

16 Councilmember Domb, I would like to
17 recognize you for questions.

18 COUNCILMAN DOMB: Thank you,
19 Mr. Chairman. Thank you, Marianne, for your
20 testimony. I just had a question.

21 This certification that we are
22 discussing today for installation, is that
23 required certification also in, like, New York,
24 Baltimore, DC, Chicago and other cities?

25 MS. WAICKMAN: So, yeah. Let me address

1 that a little bit. So, it is a relatively new
2 certification. It is -- has been approved under
3 legislation in the States of Illinois and the
4 State of Washington. So, it's not a statewide
5 basis not just in the City. It has been
6 approved as one of the options for certification
7 in those two states. And we are working on
8 additional adoption in other locations.

9 But -- but as you know, code adoption,
10 standard adoption is a slow process. And we are
11 working towards that.

12 COUNCILMAN DOMB: So, if we adopt this
13 and vote on it today, this might be us getting
14 in front of the curve and being leaders of this.

15 MS. WAICKMAN: Absolutely. Absolutely.
16 ASSE is a 114-year-old organization that we have
17 been involved in this. And our motto for I
18 believe that entire time is prevention rather
19 than cure. And so, that's what we are looking
20 for here is to make sure that we are ahead of
21 this and making sure that -- that potential
22 problem is stopped before it happens. And that,
23 you are not looking to do the fix, you are
24 looking to do the prevention.

25 And yeah, that's certainly where you

1 would be.

2 COUNCILMAN DOMB: All right. Thank you
3 very much for your testimony.

4 Thank you, Mr. Chair.

5 COUNCILMAN HENON: Thank you,
6 Councilmember. Appreciate your line of
7 questioning as always.

8 Any other Members of the Committee have
9 any questions for this witness?

10 Marianne, I appreciate your time and
11 thank you. If you can hang in to the end of
12 this hearing, we would appreciate it in case any
13 other questions arise through other testimony
14 that will be offered here today.

15 So, thank you.

16 MS. WAICKMAN: Certainly, thank you.

17 COUNCILMAN HENON: Ms. Atwell, could
18 please read the name of our next witness.

19 THE CLERK: John Morley.

20 MR. MORLEY: Thank you, Chairman Henon
21 for the opportunity to testify.

22 The layout, installation, inspection and
23 testing of life safety fire protection equipment
24 has the complexity of medicine. I do not object
25 to this bill, but I do not believe this bill

1 will improve public safety. I believe that
2 raising the standards by which fire suppression
3 contractor licenses are awarded is the only way
4 to improve public safety.

5 I began working in the industry in 1978.
6 My first job was operating two Landis machines
7 simultaneously fabricating system pipes. I went
8 into business for myself in 1991. I,
9 personally, sell, lay out, install, repair,
10 inspect and test water-based fire protection
11 sprinkler systems and some special hazard
12 systems. I have NICET Level 4 certification and
13 water-based systems layout, NICET Level 3
14 certification in inspection and testing of
15 water-based systems, NICET Level 2 certification
16 special hazards. I have backflow prevention
17 assembly certification from the New England
18 Waterworks Association and the ASSE.

19 I am OSHA 30 construction safety
20 certified. I have licenses to lay out and
21 install fire protection systems in the states of
22 Maryland, Delaware and New Jersey.

23 The tipping point for my advocacy came
24 in 2010 when two property owners asked me to
25 submit false inspection reports. NFPA standards

1 are significantly revised every three years.
2 Technological advancements of the equipment
3 never ends. The complexity of fire protection
4 increases exponentially every year. A fire
5 protection practitioner must be a perpetual
6 student. Sadly, too many fire protection
7 professionals fail to keep abreast of current
8 NFPA standards and fire codes.

9 I have witnessed dozens of new fire
10 protection equipment installations that do not
11 meet NFPA standards and will not perform as
12 expected or will not perform at all. Wherein,
13 impaired, disabled and out a service without the
14 property owners knowledge, lacked require test
15 equipment and could not be tested or lacked
16 other required equipment, malfunctioned and
17 caused property damage. These violations of
18 NFPA standards were the result of negligence
19 from the part of incompetent and unqualified
20 people.

21 I have witnessed other installations
22 that in no way resemble the approved drawings.
23 These violations were the result of intentional
24 and willful fraud by those who I consider
25 criminals. This bill fails to address the

1 layout and installation of fire protection
2 equipment, the root cause of the harm I
3 described above.

4 Contractors not engineering firms are
5 laying out the lion share of new fire protection
6 equipment installations. Too many fire
7 protection contracting companies fail to
8 directly employ anyone with the technical
9 knowledge to lay out fire protection equipment.
10 These companies hire freelance technicians to
11 create the necessary technical drawings and
12 hydraulic calculations for the acquisition of a
13 building permit. In some cases, the company
14 ignores the layout and calculation and installs
15 smaller pipe or fewer sprinklers.

16 The freelance technicians are never
17 invited to inspect the systems that they were
18 involved with. These companies have no quality
19 control mechanisms whatsoever. These companies
20 have invited Council to impose mechanism to
21 ensure compliance with NFPA standards.

22 In the '60s and '70s, fire protection
23 layout had three levels of scrutiny. First, the
24 insurance company conducted a plan review when
25 commissioning new systems. Almost every

1 insurance company had higher, more stringent
2 standards than NFPA. Second, most property
3 owners hired engineers to actually lay out the
4 equipment or at least oversee the layout of
5 these systems. These engineers also conducted
6 plan reviews, routine inspections as worked
7 progressed, and took part in commissioning of
8 new systems. Third, AHJs performed plan reviews
9 and inspections.

10 Today, unfortunately, most insurance
11 companies abandoned their standards, and very
12 few private properties submit drawings and
13 calculations to insurance companies for review
14 and approval. Only government property owners
15 and private owners of very large buildings
16 routinely hire third-party engineers to oversee
17 the layout and installation of new systems.
18 Most private sector construction, the layout of
19 fire protection is placed on the contracting
20 company. And the only scrutiny of the layout
21 and installation of new systems is by the AHJ.

22 In most municipalities, but not all,
23 qualified engineers make plan reviews and issue
24 building permits, but do not visit job sites to
25 confirm that the installed system matches the

1 approved drawings. Site visits and
2 commissioning of life safety fire protection
3 equipment is pushed off to building inspectors
4 who, with all due respect, are not trained in
5 the science of fire protection and not qualified
6 to inspect fire protection equipment.

7 Barclay Friends was a light and ordinary
8 hazard one institutional use facility protected
9 by two water-based wet pipe fire protection
10 sprinkler systems and two water-based dry pipe
11 fire protection sprinkler systems. The personal
12 care unit designed violated NFPA 13 requirements
13 for design density and size of hydraulic design
14 area and failed to protect small closets. The
15 attics were incorrectly calculated and used
16 smaller sprinklers in violation of NFPA 13.
17 Small orifice attic sprinkler systems were at
18 risk of being blocked and obstructed by dry pipe
19 systems scale debris.

20 In short, the pipe sizing for three of
21 the four systems was too small to deliver the
22 required water. A woefully inadequate 1-inch
23 "main supply pipe" supplied 278 sprinklers in
24 the personal care unit. A fire originating in
25 the personal care unit or in any attic most

1 likely would have overwhelmed the fire
2 protection equipment resulting in the total loss
3 of the building and a threat to life. In fact,
4 four elderly people died in that building.

5 In Philadelphia, 36th North 3rd Street,
6 there is a four-story, light hazard, mixed use
7 facility protected by a water-based wet pipe
8 fire protection sprinkler system, manual
9 standpipe and electric fire pump. After a fire
10 in this building, I was asked to replace a few
11 sprinkler and return the system to service.

12 While I was working, the property owner asked me
13 to certify the system. I could not certify the
14 system because the fire pump was disabled and
15 taken out the service. The standpipe violated
16 several NFPA 14 requirements. The mechanical
17 closets and washer/dryer closets were not
18 protected by sprinklers in violation of NFPA
19 13R. And no backflow prevention assembly
20 existed. I, subsequently, learned that the
21 standpipe was installed without a proper permit.

22 Property owner attempted to bribe me to
23 certify the system. In addition, I witnessed
24 what appeared to be a bribe of the fire alarm
25 system worker. Every certification of this

1 property is suspect.

2 Safe Guard Self Storage in Philly is a
3 three-story ordinary hazard, group one
4 self-storage facility protected by water-based
5 wet pipe fire protection system. On the second
6 floor, the contractor installed sprinklers at
7 400 square feet, double the spacing that was
8 approved. In other words, the contractor
9 installed only half of the required sprinklers.
10 Standard coverage sprinklers were installed, not
11 the required approved and appropriate UL listed
12 extended coverage sprinklers. Foreign ceiling
13 obstruction to the sprinklers spray patterns
14 were present. This system will not perform as
15 inspected. Installing only half of the approved
16 sprinklers constitutes a fraud, in my opinion.

17 Mercy Hospice on 13th Street, is a
18 four-story, light hazard, residential facility
19 for homeless women protected by a water-based
20 wet pipe fire protection sprinkler system and
21 electric fire pump. The owner asked me to
22 inspect and test the backflow prevention
23 assembly. Wherein, I discovered a closed gate
24 valve in the street. The system had no water
25 supply. The contractors who inspected and

1 tested the system fraudulently certified that
2 the equipment was in service and functioning.

3 In Appendix D of the testimony I have
4 emailed to Council, has backup documents on
5 that.

6 COUNCILMAN HENON: Mr --

7 MR. MORLEY: And -- yes.

8 COUNCILMAN HENON: Mr. Morley, this is
9 Bobby Henon. We do have your testimony in
10 writing, and you have submitted to all Members.
11 And it is submitted for the record, just so you
12 know. Would you be able to summarize the
13 remainder of your testimony? Because I know it
14 is quite lengthy.

15 MR. MORLEY: Yes, sir.

16 COUNCILMAN HENON: And it is important
17 because you're -- you know, you are actually
18 giving credence to, you know, properly trained
19 installation and inspections. So if you can
20 summarize the remaining part of your testimony,
21 we would appreciate it. Thank you.

22 MR. MORLEY: Yes, sir. My pleasure.

23 NICET only requires two years of
24 relevant work experience to be awarded Level 2;
25 five years, Level 3; ten years for Level 4.

1 Requiring only two years of relevant work
2 experience for an individual who designs fire
3 protection equipment is simply not adequate to
4 become knowledgeable enough to ensure that the
5 layout and installation of life safety fire
6 protection equipment is correct.

7 And adequate licensing law must require
8 the direct employment of at least one individual
9 with the appropriate NICET Level 3 certification
10 and water-based systems layout or special
11 hazards, the direct employment of an individual
12 with NICET Level 2 certification in the
13 discipline of inspection and testing of
14 water-based systems. All new systems must be
15 certified by a compliance agent, NICET certified
16 Level 4 in the appropriate discipline or a PE.
17 That the new equipment is, in fact, installed
18 pursuant to the approved technical drawings and
19 hydraulic calculations. A plan reviewed by a
20 NICET Level 4 in the appropriate discipline or a
21 PE requiring that license company employ at
22 least one person with five years of relevant
23 experience is reasonable.

24 The administration of the law should
25 require that the compliance agent swear an

1 affidavit that he or she will never knowingly
2 approve a new system that departs materially
3 from the approved drawings. Documentation that
4 the approval of the new system on appropriate
5 material and test certificate -- above ground
6 piping, standpipe and underground, et cetera.
7 Maintenance of public liability and errors in
8 omission insurance, notifying the License and
9 Inspections if a violation of NFPA standards or
10 fire codes has been approved.

11 COUNCILMAN HENON: Mr. Morley?

12 MR. MORLEY: Yes.

13 COUNCILMAN HENON: Summary, please.

14 MR. MORLEY: Yeah.

15 COUNCILMAN HENON: Can you wrap it up,
16 please, in your summary?

17 MR. MORLEY: I will just end it right
18 there, Chairman. Thank you.

19 COUNCILMAN HENON: Okay. Thank you,
20 again, for taking your time out in this
21 important public safety issue.

22 Are there any other Members have any
23 questions or are there Members that have any
24 questions for this witness?

25 (No questions posed.)

1 COUNCILMAN HENON: John, thank you so
2 much for your time. I have -- is Sarah still on
3 the line? I just have one quick question, then
4 we are going to move into our public hearing.

5 MS. ADAMO: Yes, I'm still here.

6 COUNCILMAN HENON: Hi, Sarah. Just
7 quick question. Third-party inspections and/or
8 third parties in general with the Department,
9 that is not uncommon? That is something that
10 you, you know, it has a wide range from bouncer
11 training to I'm going to say -- if this bill
12 passes, it would be for, you know, fire
13 suppression and other -- other third parties; is
14 that correct?

15 MS. ADAMO: Absolutely. It's not
16 uncommon. We frequently use third-party
17 inspectors for special inspections, for plumbing
18 inspections, for things that really -- our
19 inspectors are not -- don't have the special
20 knowledge required to complete an inspection for
21 those things. So, things such as underpinning,
22 we always require a third-party inspector for
23 that.

24 So, this would -- would line up with
25 existing procedures that the Department already

1 has.

2 COUNCILMAN HENON: Unless we are going
3 to hire 700 more inspectors, right?

4 That's a joke.

5 MS. ADAMO: Correct.

6 COUNCILMAN HENON: That is a joke.

7 Okay. Great. Thank you for answering that. So
8 it is -- it is -- there is a precedent for third
9 party inspectors when it comes to public safety
10 and inspecting our, you know, industries,
11 trainings and different types of policies.

12 So, I appreciate that. Thank you so
13 much.

14 MS. ADAMO: Sure. Thank you.

15 COUNCILMAN HENON: Okay. Is there
16 anyone else on the Committee that has any
17 questions for anybody that has testified here
18 today?

19 Ms. Atwell, is there any other folks who
20 were signed up for testimony?

21 THE CLERK: Nope. That's the end of the
22 Witness List.

23 COUNCILMAN HENON: Okay. So, this will
24 conclude the hearing. And we will now go into a
25 public meeting. Since there are no other

1 questions from Members of this Committee, no
2 other witnesses to testify, I will ask that if
3 there are anyone else present in the hearing
4 whose name we have failed to call on and they
5 wish to offer testimony, now is the testimony to
6 do so.

7 Hearing none, I want to thank all of the
8 panelists again and the witnesses for their
9 participation today. We absolutely value your
10 opinion, your expertise. I now invite all
11 panelists and witnesses to leave and disconnect
12 from this public hearing before we go into our
13 Public Meeting. I will now go into a pause of
14 the proceedings briefly so the multiple
15 participants have the opportunity to leave.

16 (Brief pause.)

17 COUNCILMAN HENON: Ms. Atwell, I am
18 going to wait for your signal to proceed to our
19 Public Meeting.

20 THE CLERK: It looks like we are good to
21 go.

22 COUNCILMAN HENON: Can you repeat that?

23 THE CLERK: You're good to start.

24 COUNCILMAN HENON: Great. So, this
25 concludes the Public Hearing of the Committee.

1 (Public Hearing adjourns.)

2 - - -

3 (Public Meeting commences.)

4 COUNCILMAN HENON: We will now go into a
5 Public Meeting to consider the action to be
6 taken on the bills before -- in this bill before
7 us today.

8 The Chair recognizes Councilmember Domb
9 for a motion on the amendment to Bill No.
10 200365.

11 COUNCILMAN DOMB: Thank you,
12 Mr. Chairman.

13 I offer an amendment to Bill No. 200365.
14 A copy of the amendment has been circulated to
15 all Members of the Committee. Move that
16 amendment to Bill No. 200365 be approved.

17 COUNCILWOMAN RICHARDSON: Second.

18 COUNCILMAN JOHNSON: Second.

19 COUNCILMAN HENON: Chair notes for the
20 record that -- who was on the record for a
21 seconding the motion?

22 COUNCILMAN JOHNSON: Councilman Johnson.

23 COUNCILMAN HENON: Councilman Johnson as
24 a second on the motion. It has been moved and
25 properly seconded that the amendment to Bill No.

1 200365 be approved.

2 All those in favor, signify by saying
3 aye.

4 (Ayes.)

5 COUNCILMAN HENON: Opposed?

6 (No opposition.)

7 COUNCILMAN HENON: The ayes have it.

8 The motion carries. The amendment to Bill No.
9 200365 has been approved.

10 The Chair now recognizes again
11 Councilmember Domb for a motion to Bill No.
12 200365 as amended.

13 COUNCILMAN DOMB: Thank you,
14 Mr. Chairman.

15 I move that Bill No. 200365 as amended
16 be reported from this Committee with a favorable
17 recommendation; and further move, that the Rules
18 of Council be suspended to permit first reading
19 of this bill at the next session of counsel.

20 COUNCILWOMAN RICHARDSON: Second.

21 COUNCILMAN HENON: It has been -- let
22 the record reflect that it has been seconded by
23 Councilmember Gilmore Richardson. Thank you,
24 Councilwoman.

25 It has been second. Now that it has

1 been moved and properly seconded that the Bill
2 200356 as amended be reported from this
3 Committee with a favorable recommendation; and
4 further move that the Rules of Council be
5 suspended to permit first reading of this bill
6 at our next session of Council.

7 All those in favor, signify by saying
8 aye.

9 (Ayes.)

10 COUNCILMAN HENON: Those opposed?

11 (No opposition.)

12 COUNCILMAN HENON: The ayes have it.
13 The motion carries. This will conclude the
14 business before the Committee of License and
15 Inspection. I want to thank all the Members for
16 your time and your due diligence into this --
17 into this important policy. And I want to thank
18 all those who testified.

19 And I failed to mention, I want to thank
20 the industry, the BIA and other partners that
21 are in the construction and safety issue that
22 has been brought to us. And I thank you for
23 your cooperation. Thank you for your partner
24 with the City and all the stakeholders involved.

25 So, this concludes our Committee on

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1 License and Inspections. Thank you so much.
2 Have a blessed day.
3 (Public Meeting adjourns at 10:56 a.m.)
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C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

ANGELA M. KING, RPR,
Court Reporter, Notary Public

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