



The Plumbing Foundation Congratulates NYC DOB Commissioner Jimmy Oddo!

It was announced on April 27, 2023 that Jimmy Oddo was appointed as Commissioner of the NYC Department of Buildings (DOB). Commissioner Oddo comes to the DOB with an extensive background in public service: formerly a NYC Council Member and Borough President of Staten Island, Mr. Oddo was most recently the Chief of Staff for NYC Deputy Mayor for Operations Meera Joshi. The Plumbing Foundation congratulates Commissioner Oddo on his appointment and looks forward to working with him and his staff!

Association of Contracting Plumbers Raises \$117,500 for Alzheimer's Association

The Association of Contracting Plumbers of the City of New York, Inc. (ACP) held its annual "Plumbing Industry Day" Charity Golf Outing on May 22, 2023. The charity chosen this year was the Alzheimer's Association, New York City Chapter. The Alzheimer's Association, New York City Chapter helps families, caregivers, health care professionals, and those living with the disease in the five boroughs. They provide education and support, advocate for the needs and rights of those facing Alzheimer's disease and all other dementia, and advance critical research to develop new treatments and, ultimately, a cure.

The ACP is pleased to report that \$117,500 was donated to the Alzheimer's Association. This will help fund care, support, and groundbreaking research for Alzheimer's and other dementias. Thank you to everyone who made the day a success!



L to Right: Lucy DeNardo, Director of Development, NYC Alzheimer's Association; Rob Greenberg, ACP President; Tom Maniuszko, Chair of ACP Charity Golf Outing Committee; Christopher Smith, Region 12 Director and Executive Director of the New York City Chapter, Alzheimer's Association; Tamika Phillips, Constituent Event Manager, NYC Alzheimer's Association

Winners of the 2023 Eugene Cardoza Memorial Scholarship



From L to R: ACP President Rob Greenberg; 2023 Scholar Recipients Victoria Lesiczka, Julia Maciejak, Anjali Turchiano, and Sydney Levine; ACP Board Member, and son of Eugene Cardoza, Ray Cardoza

The 2023 winners of the Eugene Cardoza Memorial Scholarship Program have been determined. Further information on the scholarship program can be found on the Association of Contracting Plumbers' website (acpcny.org). Five recipients will receive \$5,000 a year towards a collegiate education. As a reminder, all scholarship applications are reviewed by an independent panel of educators and selections are based upon academic achievement, community service, and extracurricular activities.

The Trustees of the Promotion Fund and the ACP Executive Board are happy to announce the following 2023 winners:

Sydney Levine • Anjali Turchiano • Caprice Turchiano • Julia Maciejak • Victoria Lesiczka

Congratulations to all the winners, we wish you luck on your future endeavors!

DOB NOW Licensing / Insurance Changes in Effect!

Please be advised that the NYC Department of Buildings (DOB) recently launched an update to the DOB NOW BIS Options menu for Insurance Renewal which went into effect June 5. DOB held virtual webinars to learn how to use DOB NOW BIS Options to submit insurance updates, which can be accessed at:

www.nyc.gov/site/buildings/industry/dob-now-training.page

As of June 5, 2023, licensees/registrants are required to submit license insurance updates in DOB NOW BIS Options. More information can be found in the Service Notice accessible at:

www.nyc.gov/assets/buildings/pdf/license_insurance_updates-sn.pdf

In addition, licensees/registrants will not be able to begin a license renewal application in DOB NOW BIS Options until all outstanding Office of Administrative Trials and Hearings (OATH) summonses are paid. See more information in the Service Update here:

www.nyc.gov/assets/buildings/pdf/license_renewal_violations-sn.pdf

2023 NYS Legislative Session Wrap-Up

The NYS Legislature had its last “scheduled” session day on Thursday, June 8. It was for many not the most productive year given the drawn out budget season leaving little time for other legislative priorities to move through committees between May and June.

As for the budget, the biggest impact on the plumbing industry passed in the FY24 NYS Budget was the gas ban—this is the country's first statewide ban on fossil fuels for heating and cooking in new construction, starting with buildings under seven stories in 2026. It will not affect gas stoves in existing homes and includes exceptions for manufacturing, emergency generators, and hospitals, among others. Due to the efforts of the Plumbing Foundation and those like us pushing back, the “existing replacement” language was removed. As a reminder, the NYC Council passed Local Law 154 of 2021 which set carbon dioxide limits that effectively prohibit fossil fuel systems in new buildings in NYC starting with lower-rise buildings in 2024 and taller buildings in 2027. LL154 also includes exceptions for manufacturing, hospitals, and restaurants. Many stakeholders will be impacted by this legislation, and while the Plumbing Foundation is all for reducing carbon emissions and creating a cleaner, greener environment, it needs to be done in a practical manner. We are working on potential next steps with similarly impacted stakeholders.

As of the date of this printing, the NYS Legislature adjourned June 10 (a few days past the scheduled end of session date), but that may not be the end of session—it is expected that because the Assembly failed to pass a host of bills, it will be returning towards the end of June. The major legislation that did pass both houses at the end of session includes the Clean Slate Act (sealing criminal records after a certain number of years), the Grieving Families Act (provides for the types of damages that may be awarded to the persons for whose benefit an action for wrongful death is brought), and election law amendments (moving the date of the presidential primary election from June to April, allowing for early voting in March for the presidential primary, allowing each party to elect a presidential delegate and providing different nomination processes for delegates). Other noteworthy bills that passed both houses are: Retainage in Construction Contracts (authorizes contractors to invoice owners upon substantial completion of a project) and EV Charging Public Access (requires charging stations that were paid for in part with public monies to allow members of the public to charge their electric vehicles in the garage for a reasonable cost).

The major issues not resolved as of June 10 include a housing package, No Slavery in New York Act (banning forced labor in state prisons—but the legislature did pass a reparations commission law following California's lead), and Sammy's Law (lowering NYC speed limit to 20 mph). There also was no Senate confirmation of Governor Hochul's appointment to the New York Power Authority (NYPA), Justin Driscoll, who is currently serving as the interim president and CEO of NYPA.



As for the Plumbing Foundation's modular construction legislation requiring all modular construction projects in NYC to comply with licensing requirements, which was passed by both houses in 2022 and vetoed by Governor Hochul, due several factors including the delayed budget adoption and stonewalling by NYC to discuss the bill, while it passed the Senate it was held up in the Assembly. The Plumbing Foundation is working assiduously before the next session begins in January 2024 to ensure policy makers at all levels understand the importance of the legislation.

As always is the case, the state legislature never formally “gavels out” in the event of a need for a special session later in the year. While this is extremely rare, the Plumbing Foundation will notify the industry in such a case. Further, we do expect the Assembly to return at the end of June. The Plumbing Foundation plans on sending out an update via email to supplement this end of session update.

Have You Received a NYC DEP Idling Violation?

The Plumbing Foundation has been investigating the recent uptick in violations through a citizens' application known as the Citizens Air Complaint program whereby citizens can video record vehicles idling and send the video in to the NYC Department of Environmental Protection (DEP). The DEP will issue violations to the registered vehicle owner and once a fine is adjudicated at the Office of Administrative Trials and Hearings (OATH), the citizen will receive a portion of the fee recovered.

We are working with similar stakeholders on this matter as there are many concerns related to due process, evidence, and safety.

If you have relevant information on idling violations, please share that information by emailing info@plumbingfoundation.nyc.



Open Summonses Issued by the Department of Buildings (DOB)

The Department is increasingly focused on open summonses that have not been resolved, with an emphasis on Class 1 immediately hazardous summonses. The Department urges the industry to resolve any open summonses as it will soon be conducting re-inspections to determine whether conditions that resulted in the issuance of Class 1 summonses still exist, which may result in additional enforcement action being taken by the Department. Additionally, the Department is increasing the penalty for failure to file a Certificate of Correction for a Class 1 summons issued with respect to a construction site that is not a one- to four-family home from \$3,000 to \$5,000.

Relevant Service Notice: https://www.nyc.gov/assets/buildings/pdf/cofc_penalties-sn.pdf

The Latest on Congestion Pricing

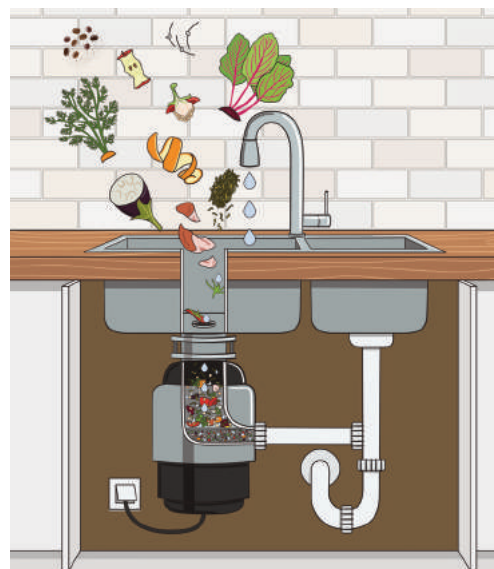
The MTA is moving forward with congestion pricing after an additional delay for the first half of 2023. As a reminder, the congestion pricing law was passed in 2019 by the state legislature. After much delay in completing a federally required environmental impact analysis, in August 2022 the long-awaited analysis on the proposed congestion pricing plan for NYC was released. The lengthy analysis included seven scenarios evaluated by the MTA which proposed prices from \$9 to \$23 per vehicle entering the zone. As a reminder, the 2019 law defines the zone as Manhattan at and below 60th Street with exemptions for the FDR Drive and West Side Highway. The only exceptions proposed in the analysis include certain vehicles carrying people with disabilities and authorized emergency vehicles. In addition, people whose primary residence is inside the district and whose income is less than \$60,000 would be eligible for a state tax credit equal to the amount of their tolls. But 24/7 service vehicles (e.g., plumbers answering emergency calls) are not a proposed exemption.

In September 2022, the Plumbing Foundation submitted written comments stating a request for a service vehicle exemption or discount. Most recently, the MTA announced that the Federal Highway Administration (FHA) gave the greenlight to move forward with congestion pricing. In the MTA's final Environmental Assessment, which allowed for additional public comment through June 12, it included responses to the 2022 public comment period and stated that with regard to exemptions and discounts, any consideration of such will happen via the State Administrative Procedure Act rulemaking process, which presents another opportunity for public comment. The Plumbing Foundation plans to submit comments during that process and is also working with other stakeholders on possible legislative amendments.



Is the Legality of Residential Food Grinders still a Common Misconception?

In light of recent legislation passed by the NYC Council (the “Zero Waste” bill package), which included a mandatory residential composting program, it is important to note another important tool to reduce methane emissions of which New Yorkers may be unaware. While food grinders, or garbage disposals, were illegal for many years in New York City, that was changed in 1997. Local Law 71 of 1997 allowed for food grinders to be installed in residential properties. Food grinders can be considered another tool in the “toolbox” to decrease methane emissions that occur from organic waste being sent to landfills. Grinding up food with some water down the drain sends that organic waste to a wastewater treatment facility, which is cleaner than storing in bins and hauling away in fossil fuel-using trucks. The Plumbing Foundation is reminding New Yorkers that this tool exists and should be considered in the discussion and regulation of composting. Surprisingly, even after 25 years since grinders became legal, residents in New York have not installed them anywhere near the same level as those in other major cities in the country.





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July 26 • August 23 • September 27 • November 1 • December 20

These courses are all in-house with recorded video. The courses are held at our office at 535 8th Ave, FL 17, New York, NY 10018. We are not holding virtual courses.

You can access registration information here: nyconstructiontrades.org

THE PLUMBING FOUNDATION'S ENVIRONMENTAL STATEMENT

Since its establishment in 1986, the Plumbing Foundation has worked diligently to ensure the plumbing industry has as little a "carbon footprint" on New York City as possible. The plumbing industry has historically utilized environmentally friendly materials such as recycled cast-iron and copper piping/fittings. The Foundation will continue in its role of protecting New York City as well as being an advocate for the environment by strengthening its water/sanitary regulations and thereby reducing wasteful water consumption in the City.

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