

American Society of Sanitary Engineering

Board of Directors Mid-Year Meeting

April 18, 2009 • Embassy Suites, Independence, OH

The meeting began at 8:30 am.

Welcome and Introductions:

Members Present: Richard J. Prospal, President; Ron Murray, First Vice-President; Joe Fugelo, IPP; John Flader, Treasurer; Don Kool; Region #1 Director; Donald Reichartz, Region #2 Director; Richard Morin, Region #4 Director; Kevin Fennell, Region #5 Director; Edward Lyczko, Region #6 Director; Sean Cleary, Region #7 Director; Robert Tesar, Region #8 Director

Guests Present: Ron George, Pat Sugrue, Steve Hazzard, Ken Kerr, William J. Hall, Jeremy Brown, Matthew King, Rand Ackroyd, Norm Kummerlen, Bill Chapin, Ken Van Wagnen

Secretariat: Kim Haffey, ASSE Staff

1. Approval of the Agenda

Prospal recommended a change to the agenda: Item 17 will be tabled until the next meeting. There will be no need for an Executive Session today unless someone else determines that we need to. R. George requested to make a report on the nomenclature committee.

(Motion #1)

Motion by Morin to table Item 17 until the next meeting; remove the item for the executive session, and to include report from R. George. Second by Murray. Motion passed unanimously.

2. Approval of the Board of Directors First Quarter Meeting Minutes

(Motion #2)

Motion by Reichartz to accept the meeting minutes from the Board of Directors meeting held January 3 and 4, 2009. Second by Fugelo. Motion passed unanimously.

3. General Financial Report – John Flader and Ken Van Wagnen

2008 Year End Audit, Budget Report and Report on Society Investments

Van Wagnen – Mr. Flader now has a copy of QuickBooks and can have the same information now that we can have in the office. We are tracking well ahead of the budget at this point of time. If we track along the way we are, I have no problems that we will stay in the budget for 2009.

Kool: I was under the impression that we were going to do a through audit with the transition to the new treasurer.

Prospal: We did a review audit. There were three types of audit. The consensus of opinion was to choose the middle.

Flader: We didn't feel that we need to do that. If we had found something during the audit then we would have brought it to the board and say we have some questions and then we would have to conduct a more thorough audit.

Prospal: The auditor stated that the only time we would need that is if we had some suspicions of some fraud.

Tesar: At one point, we were waiting for some information from Craig, did we get it?

Prospal: We received some of it and we were able to gather most of it ourselves.

Van Wagnen: Bing is the trustee on some accounts and we need to take some time to figure that out and make some changes. All of the information was there for the audit.

Kool: Is this the type of audit we will do every year?

Prospal: We won't need to go into such a depth as we did this year.

Van Wagnen: My recommendation would be to go back to the compilation for the next few years.

Fugelo: We used to have the general investments here in this report and I don't see it here.

Flader: Once we are able to communicate with these companies, we will have more information for you. But our hands were tied for a few months after the Annual Meeting.

Prospal: In the audit report on page 9, note C shows the investments – the amount of money in the investments changed from 2007 to 2008 but that doesn't mean it is a loss. Money may have been moved for some reason. It's been difficult at best to pull the numbers together. I have to commend Craig because I think he did very well in protecting us.

Cleary: As we move forward, forgetting about the past, some of the things that happened in the past with paying the day to day bills. We budgeted \$9000 for accounting last year and paid \$11,000. What are we going to do now that the Board knows that happens? Do we have something in place to notify people if we exceed the budget?

Prospal: We have a policy that if we are going to exceed a budget line item by 20% or more, we are going to need approval from the Board or finance committee before we spend it.

Van Wagnen: On the income side, anything black means we are having more income coming in than what the budget requires. On the expense side, red numbers are good because it means we haven't spent what the budget expected. I am going to make sure we are not spending money just because we have it.

Flader: When I first took over, the decision between me and the staff was that everything out of the ordinary we would talk about it.

Van Wagnen: Between me and John, payables are entered. They don't sit there very long. We have to decide how many updates to the data in QuickBooks does John want and he can see what is due and if anything is out of the ordinary.

Murray: One of the investments we are responsible for is the employees' retirement. I think we need to move forward and have the employees more responsible for the retirement fund – it's their future.

Van Wagnen: We have done the research already and the format is flawed in today's world because it is trustee driven and the employees have no control over their money. We will have a report at the third quarter meeting.

Van Wagnen: And staff knows we are going to be working on that.

4. Office Update – Ken Van Wagnen

State of the Office

Van Wagnen: Short and Sweet: You have a very experienced staff that are good at their jobs and care about the quality of their work – more than willing to pitch in. We got through some changes. I think we are working as a good team now. You have a nice set up. Its efficient, copier, computers, etc. The way we do business is appropriate. It's all work. It's a good crew.

Prospal: Every Tuesday we have a staff meeting. We get input from the staff going and coming. There are no surprises. We have some really good open lively discussions. We try to keep everything open and ask for help. One simple thing that Ken started doing was that everyone already pitches in, helping and each person was asking the other person and that person could have been overwhelmed. Now they go to Ken to ask for help. And I think that is helping.

Database

Van Wagnen: The wish list has been fulfilled. The changes need tested.

Haffey: We have had to develop the standards part and I am working on testing that. It should be done soon. There are some seal changes that still need tested. And with the development of this one year field test program, we might need some changes to the database but I can't determine that until everything is developed completely.

Website update

Van Wagnen reviewed the proposed website changes with the Board.

George: Can we have a plumbing industry calendar for all industry events and meetings?

Prospal: We do that now but it can only be so big.

Cleary: How much time are we spending on updating the website?

Van Wagnen: It will take some extra time to get it up to speed and reorganize it and then it won't take so much to update it. We have the chapter websites. You have to send it to Megan and she can update it. I believe permissions can be allowed to allow the chapters to do it themselves and some other people that update the web directly.

Kummerlen: I think you should send it to the laboratories and the listees for their suggestions. It is based on providing good customer service. That is vital. Before you finalize it, you might want to send it to them for their comments.

Murray: When do you propose this will be completed? And when it is completed, how much time do you think Megan will need to update?

Van Wagnen: I don't know because I am not that technical. I understand we have gotten past the hard parts now. And now it's a matter of adding content.

Murray: It gets back to a point I made before. The website is the first impressions that people have of ASSE. We are not in the website business. I think it is good to get someone who knows that.

Van Wagnen: I felt the same way. We asked for quotes. And one came back between \$15,000 and \$30,000. We already had the software. Megan is qualified. We are developing the staff time without having the problem of getting our other tasks done. I have not been utilized to the full yet. I guarantee we won't be spending that much time or effort.

Prospal: One vendor bought us four samples. Nothing that grabbed you and some were part of the quote that we got from the Digibahn group that costs \$30,000 class. There weren't as good as what we developed.

Hall: We paid several thousand dollars to have our website done and we still have to update it. I wish we would have done that. You have to put in the content no matter what.

Van Wagnen: We will continue on this track then and updating it.

Online Testing

Cleary: Ken gave the Cross Connection Control Technical Committee a report on the online testing and they have endorsed it and have asked the Board to approve it.

Prospal: There are some costs involved but it is a time saver in the office. It will take off a tremendous amount of busy work off.

Van Wagnen: We already use LXR as the company. You own the software and the machine that tracks it on the computer. The online testing makes it so Marianne doesn't have to spend half her day making and sending and pulling tests apart. Its \$2000 for a one time fee. ThinSolutions will charge us \$20 a month to put it on their server because it is more secure. They have emailed me the demo model. This company that I called has 30,000 customers worldwide – colleges and hospitals. It could be done in May. And then it will be tested with whoever Marianne decides to make the first people to test it.

Prospal: We will wait until the Cross Connection Control Technical report to take Board action.

Van Wagnen: We have also started researching balloting on line. We have held off. We think maybe this LXR testing thing can help us in that regard. - voting, balloting, surveying.

Employee Handbook

Prospal – Back at our third quarter board meeting, reviewing employee handbook, etc., the Board made a motion to be considered a full time employee in 2009 you will have to work 32 hours and beginning January 1, 2010, you'll have to work 40 hours to have benefits. If you don't go 40 hours you will lose your benefits.

Prospal: The question here is if we want to reconsider and change the handbook.

Van Wagnen: I would suggest giving me and the staff some more time and maybe I can offer some alternatives at the third quarter meeting.

(Motion #3)

Motion by Murray to reaffirm the employee handbook. Second by Kool.

Fennell: You can work with the employees who will have a problem with the 40 hour schedule. We should give Rich the right to do that.

Prospal: I think this was a good lively discussion. Neither Kim nor I wanted it to go as far as it went.

Fugelo: Does this mean that Ken wanted to wait until July to work this out, to make a report that this is null and void, now, right?

Prospal: Yes.

10 affirmative, 1 negative (Fugelo), 0 abstentions. Motion passed.

5. Seal Control Board Report – R. George

The Seal Control Board recommended that Jim Finley be appointed by as Chairperson and Ron George as Vice Chairperson - Ron George was appointed as a new liaison to the Product Standards Committee was appointed. A task group was formed to review the need for forming a policy regarding stating whether a listing is pending should be acceptable. The task group will report at the Annual Meeting. Training was performed by Ron George on ASSE Standard #1016-2005. The Procedures for a one year field test program were reviewed by John Higdon. The program development is coming along and a proposal should be ready by the 3rd Quarter Board meeting for review. A sub committee was formed to review the proposal and have a report ready for the 3rd Quarter Board Meeting. The draft procedures will be balloted to the entire SCB for their comments and suggestions and then the sub committee will review those. Changes were made to Section 13.3 and 14.5 of the SCB Procedures and Appendix D which will be sent to the Board for ballot next week. The SCB would like the Board to discuss whether products that are voluntarily and involuntarily removed should be noted in the magazine, newsletter or website. An update of the accreditation in Canada was made. We have started the paperwork for the accreditation in Canada. We have to get the procedural changes approved first and update the quality manual. Eventually our documents will have to be translated into French. Once submitted to SCC it could take up to a year to gain accreditation due to audits, etc. Goal is to have everything submitted to SCC by July, at the latest. Wilkins had submitted a letter stating that for current listings to 1013 testing should have been completed in order to update to the 2005 edition of 1013. The SCB has decided to request all manufacturers who have a listing in the vertical up orientation to submit drawings verifying compliance to Section 3.11 of 1013-2005 within 30 days of notification. If the drawings indicate non-compliance or drawings are not submitted, the listing on the vertical up orientation only will be suspended until the manufacturer verifies compliance to Section 3.11. A program for low lead certification was discussed. Bill Chapin will produce results on round robin testing and query the laboratories on the capabilities on metals verification. Goal is to have this complete by May 31, 2009. To be reviewed by a task group. The meeting adjourned at 4:40 pm.

(Motion #4)

Motion by Morin to accept SCB report. Second by Tesar. Motion passed unanimously.

Nomenclature Committee –R. George

George: This committee is updating the plumbing dictionary, if you have any definitions to correct or to add, please email them to me.

Cleary: When we were going over the revision of the Series 5000, we found a number of errors and we are adding a pile of new definitions. I will put that together and send it to you.

(Motion #5)

Motion by Cleary to approve Jim Finley as Chairperson and Ron George as Vice Chairperson. Second by Fugelo. Motion approved unanimously.

6. Product Standards Committee Update – Edward Lyczko, Chair

The Meeting called to order April 17, 2009 at 8:30 AM. There were 11 PSC members in attendance. Steve Hazzard – ASSE Staff Engineer – Reported that standards 1006 (Residential Use Dishwashers), 1007 (Home Laundry Equipment), and 1009 (Commercial Food Grinder Units) are due for revision. Steve brought to the committee's attention that there are no current product listings, and have not been for a considerable amount of time, to either of these standards. However these standards are still referenced in some plumbing codes. A discussion followed, because of the long-term lack of product listings, concerning ASSE dropping these standards. A motion was made to recommend to the ASSE Board to drop Standards 1006, 1007, and 1009. Motion passed 10 affirmative, 1 abstention. Concerning the harmonization efforts with CSA and ASME, it was announced that there will soon be another meeting with CSA and ASSE to move this process along. Rich Prospal announced that CSA will soon be visiting ASSE at our International Office to discuss signing a Letter of Intent between ASSE and CSA regarding Standards Harmonization. A motion was made to recommend to the ASSE Board that, because of many discrepancies throughout the USA in this regard, ASSE make a position statement to support one national low-lead standard. Motion passed unanimously. A discussion took place concerning why all ASSE standards do not have ANSI approval. A motion was made to recommend to the ASSE Board that all new and revised standards be submitted for ANSI accreditation. Motion passed unanimously. A discussion took place regarding public review comments to ANSI regarding ASSE 1071 (Temperature Actuated Mixing Valves for Plumbed Emergency Equipment) by the International Safety Equipment Association. A motion was made to appoint Rand Ackroyd to head a task group to send a letter of response to ISEA and ANSI. Motion passed unanimously. A discussion took place concerning ANSI recommended language for section 1.9 of ASSE's standards developing procedures. A motion was made to adopt the ANSI recommended language for section 1.9.2.2. Motion passed unanimously. There was no new old or new business. Meeting was adjourned at 11:00 AM.

(Motion #6)

Motion by Reichartz to accept Product Standards Committee report. Second by Flader. Motion passed unanimously.

Recommendations from Product Standards Committee
Withdraw Standards 1006, 1007, 1009 –

Kool: There was discussion that maybe it would be best for the Board to develop a way to “park” the standards someplace.

Hazzard: There have not been any listings to those standards for over 10 years.

Prospal: NSF references 1006 in their standard for residential dishwashers.

Ackroyd: Perhaps we have another category such as archived. We don't want them to go away we still want them to be available. It doesn't cost anything to archive them.

Chapin: ASTM has a category of inactive and you can still purchase them but you don't have to go through the 5 year reaffirmation process.

Tesar: If you do away with the standard, it's gone. If someone comes in and wants to do something about it, you have to reinitiate the process and start over. I think if we can "park", it is there and it's not dead so people can refer to it.

Prospal: If in the future we want to update it we can. By doing this we can satisfy ANSI that we say we will revise our standards every 5 years.

(Motion #7)

Motion by Lyczko to move 1006, 1007 and 1009 to go into an inactive category. Second by Flader.

Amendment to motion to read as follows: New category for standards – inactive. 1006, 1007 and 1009 will be moved into this category. Amendment accepted by Lyczko and Flader.

Prospal: Inactive would be similar to withdrawn. It would still appear on the Standards Update Chart but would be shown as inactive status.

Hall: Would this require a change in the Procedures?

Prospal: It may and we will check that.

(Action Item #1 – Check Product Standards Committee Procedures for procedures on an inactive category)

Recommendation from Product Standards Committee:

ASSE make a position statement to support a national standard for low lead.

Prospal: I have been in conversation with PMI. PMI is in the process of creating a bill to be presented to Congress to create one low lead national standard. Somewhat to mirror the California issue. By the suggestion of the MAC meeting was that we get involved with PMI in legislative issue. In addition to that, do we want to make a public statement on our own that we are looking to create a standard?

Chapin: Our position statement should be to support PMI's efforts.

Prospal: We are at that point of time right now.

Chapin: I think to satisfy those that brought it out that if we make the minutes reflect that we support the efforts of PMI.

Recommendation from Product Standards Committee:

All new or revised standards should be submitted to ANSI for accreditation.

(Motion #8)

Motion by Lyzcko to have any new or revised editions of standards be submitted to ANSI for accreditation. Second by Tesar. Motion passed unanimously.

7. Professional Qualifications Standards – Don Summers

Don Summers was unable to attend the meeting therefore no report was given.

8. Cross Connection Control Technical Committee Update – Sean Cleary

The committee met on Friday 4/17/09. Two newly appointed committee members were introduced, Ken Schneider from Sprinkler Fitters Local 268 and Gary Koenig from Sprinkler Fitters Local 696. These gentleman's knowledge and experience in the sprinkler industry will prove invaluable for setting up the certification program for our new 5140 Certification Program. Three members of the committee were unable to attend the meeting due to business or personal commitments. They included Paul Bladdick, Jim Bickford, and Bernie Clark. Marianne Waickman, ASSE PQ Standards Coordinator updated the committee on the current status of our Backflow Certification Program. Over the past year the ASSE has certified or recertified 2910 people. Program income has increased, over the past year by 75355 dollars to a total of 253,580 dollars in 2008. The Series 5000 revision process is moving forward toward completion. The Standard has been approved by both the Working Group and the PQ Committee and all comments have been addressed. It is now in the ANSI sixty day comment period and as soon as the appendix is complete the entire standard will be sent to the ASSE Board of Directors for approval. We hope to have the Standard in print by late July. The committee is working hard to complete the appendix revision. Several new sections are being added including one for the One Hose Test Procedures and another for a troubleshooting flow chart for this new procedure. The vocabulary and definitions section is being expanded to reflect terms from the new 5140 and 5150 Standards. The committee is also making correction to several of the definitions currently in both the Series 5000 Standard and the ASSE Plumbing Dictionary. Ken Van Wagnen, the new ASSE Operations Manager, gave a review of research done on on-line testing. The committee voted to ask the Board of Directors to move forward with this project. The committee reviewed and approved changes to the proctor's guide which is being rewritten to include information for proctors who will be working within the upcoming ASSE Series 7000 Certification Program. Chairman Sean Cleary appointed a number of subcommittees to create the test questions for the new 5140 and 5150 certification tests. Another sub-committee will also review our current test bank questions to categorize them for the purpose of improving test content. The Committee reviewed and approved editorial changes to the program guidelines. Committee Member Ken Kerr talked to us about several items of mutual interest to both the ASSE and the ABPA that we should work together on. These include enforcement, regulation, water efficiency and public education concerning the public water supply and backflow prevention. The Committee Chairman will ask the ASSE Board of Directors to allow ASSE President Rich Prospal to discuss with the ABPA the possibility of forming a joint committee with the APBA to work on the ideas and other project of interest to both our societies. The committee reviewed a number of questions that have been submitted for inclusion into the test bank by both committee members and instructors at ASSE Approved Schools. We also reviewed several exam questions that have been sent in to our office for clarification. I would like to thank Marianne Waickman, the ASSE Staff, and all the Committee Members for all their hard work and dedication to the Committee, the ASSE, and the Plumbing Industry.

(Motion #9)

Motion by Morin to accept the Cross Connection Control Technical Committee report. Second by Fugelo. Motion passed unanimously.

Recommendation from Cross Connection Control Technical Committee:

Form a joint training committee with ABPA. Three members from each organization to discuss things we can work together within the industry.

(Motion #10)

Motion by Fugelo to form a joint training committee with ABPA. Second by Morin.

Fugelo: We have a liaison with them. Are we to include the liaison?

Prospal: The President is the ASSE/ABPA Liaison.

Motion passed unanimously.

Recommendation from Cross Connection Control Technical Committee:

Online testing for certification in addition to hard copy tests

(Motion #11)

Motion by Fugelo to have the online testing move forward as an addition to the existing test programming. Second by Murray.

Fennel: Is there some way we can keep people from cheating?

Cleary: It would still be a proctored examine so they would have to take it where someone was watching. It will be in a controlled setting with a proctor to make sure no one can use their books.

Van Wagnen: The recommendation is to put this on the server where our website is hosted at Thin Solutions.

Motion passed unanimously.

9. Professional Qualifications Standards Program

Series 7000 – Scott Hamilton

The 7000 Technical Committee meeting was held on Tuesday, March 3, 2009, at Planet Hollywood, Las Vegas. The anti-trust agreement was read to the committee as per the request of the ASSE Board of Directors. Five of the members were not in attendance. The committee reviewed the Series 7000 Guidelines as submitted by appointed individuals of the committee. Each chapter was reviewed individually. Changes were made as necessary. The exam requirements were added. The exam will have two parts. The written will be a closed book exam and the practical will be open book exam consisting of multiple floor plans in which the student needs to locate the sprinklers and an isometric drawing in which the student needs to size the system. The committee voted unanimously approving

the Guidelines. Work still needs to be done. Questions are needed to complete a bank of questions. Floor plans and drawings are required to complete the practical exam. Time is still of the essence for completing the exam. The course outline was presented to the committee. The committee voted unanimously approving the course curriculum. The school requirements were approved. The instructor requirements to have certifications in both the 7010 and the 7020 were approved. The proctor requirements were discussed in great detail. After discussion it was agreed upon that because the whole exam can be graded at ASSE, the proctor does not have to be 7010 and 7020 certified. The committee chair approach the United Association with the possibility of adopting this certification class for the UA Instructor Training week in Ann Arbor, Michigan. The United Association has agreed to offer the class provided it is co-taught with a plumber and a sprinkler fitter.

Murray: You folks were generous enough to send Rich and I to the IRC Fire Sprinkler Coalition Meeting in Washington DC. The Series 7000 has opened many doors for ASSE to many new people. As a result of the 7000 and the work the committee has done and Scott, we are already reaching out to other associations. They all want this program. There are organizations that want a program like this one so we have to be focused and progressive. And since we have ANSI accreditation we are able to reach farther with NFPA, etc. It has brought us to a whole new community.

Prospal: At this last meeting, there was a representative from the ICC but at the meeting that they are developing a program of certification. There are other people out there developing them too. ASPE would like to have their own group to do this. I am not saying we want to stifle them. Our 7000 is in for ANSI accreditation. We will get it and we will be the first one to have it. First kid on the block gets the bulk of it so I need to thank Ron and Scott and everyone that is involved in it. We need to move things along quickly as we are with the support of the Board.

(Motion #12)

Motion by Murray to accept the Series 7000 report. Second by Tesar.

Fugelo: They are going to teach this at the UA in August, right? You are going to have the questions and everything done by then?

Hamilton: Yes

Motion passed unanimously.

Series 8000 – Ron Murray

The Series 8000 Working Group met on April 14th with all members present except Ron George and Dan Rossos. The meeting evolved into the Technical Committee. Chairman Murray introduced an IAPMO TIA Local 290 is introducing. The Committee spoke of moving forward with code changes and sponsoring the adoption of Appendix F into the body of the code. Much discussion took place on writing an installation standard, and that will move forward. Questions are being formulated for the test. The committee adjourned at 5:00 pm.

(Motion #13)

Motion by Fugelo to accept the Series 8000 report. Second by Morin. Motion passed unanimously.

Series 5000 – Revisions – Sean Cleary

This was covered in the Cross Connection Control Technical Committee report.

Training Seminar for Writing and Evaluating questions at Annual Meeting

Prospal: I know the UA has training sessions on how to write questions. I would suggest that we look into this and could we have a training session at the Annual Meeting for those who write questions.

(Motion #14)

Motion by Cleary to look into having a training session on how to write questions for the Series 5000, 7000, and 8000. Second by Murray.

(Action Item #2 – Check into a program that provides training for writing and evaluating questions for tests)

King: I went through this course. It is a 40 hour course. It is the whole science behind it. I think it is a great idea to train the people on how to write these questions. As far as ANSI is concerned, it is the way to do questions. I think it has to be two hours this year and continue each year.

Motion passed unanimously.

10. Scholarship Program - Prospal

Our account balance as of April 8, 2009 is \$8,700.00 which includes \$1,800.00 in raffle ticket sales. For whatever reasons, the 2008 contribution from the ASSE general fund for the Sal Farruggia Scholarship was not transferred and neither was the 2% of publication sales transferred. We will transfer this money, close to \$4,000.00, after the audit report is complete. This will bring our balance to a little more than \$12,500.00. The \$1,800.00 in ticket sales is mainly from members paying their dues and this is running about \$500.00 ahead of last year. So far, we have requests for scholarship applications from 13 students. These applications were e-mailed last week. As additional requests come in, I will send the applications out. This years' deadline for receiving completed applications is Tuesday, September 22, 2009. In the coming months, we will be sending tickets to all of the chapters and to the sustaining members. Ticket sales is still the number one income producer which means we have a long way to go to match or better last years income

(Motion #15)

Motion by Flader to accept the Scholarship Program Report. Second by Tesar. 10 affirmative, 0 negatives, 1 abstention (Prospal).

11. Annual Meeting Planning

The deadline for the Henry B Davis award will be in the newsletter.

2008 Attrition Cost Review

Prospal: We owe the Hyatt \$17,500 attrition for rooms we didn't use. They did make an adjustment. So we got 15-17 people added to our list. Ken and I have talked about this attrition at great length. We don't want to pay it but we don't want them to take action against us. This is with the Hyatt Cypress in Orlando and I am sure they would make problems with us at the Hyatt San Antonio. It is part of the contract. We have gotten the San Antonio attrition reduced. We are guaranteeing them 240 room nights, down from 360 and we have to fill 90%. In Orlando, we had 256 room nights booked. I feel that San Antonio isn't going to be a problem unless it the economy gets worse.

Cleary: We hired a travel planner and she hasn't done anything for us. We have had to pay attrition every year.

Prospal: I have gotten a hold of her and she has spoken with Grand Cypress and what she was able to negotiate was that if we guarantee to come back in 2012 they will give us 30% of the attrition credit then. My question to her was what did you do for us? She did get back one thing back for us on the San Antonio thing. We usually have two suites that are comp for us for the President and the Executive Director. When we negotiated it to 240 rooms, they took that out. But the traveler planner did get us one suite at the same rate that we negotiated for a standard room. I haven't had conversations with San Antonio since then.

Van Wagnen: I have some background in understanding attrition mess. Attrition is a big deal. Hotels are fighting to keep it and we are saying we can't afford it. Some magazine articles have some good articles. The time to discuss these issues is after the meeting has passed, according to these magazine articles. Some ideas are relocating to a different hotel, changing the dates to another year. I guess I'll volunteer to see if we can negotiate out of this attrition from Orlando and I will go in strong with San Antonio. I am sure we are not the first guys that have said we are going to have to cancel if you don't work with us. I'll do what I can once I get a little direction.

(Motion #16)

Motion by Cleary to not pay the attrition from Orlando right now. Second by Murray.

Tesar: Are they willing to take us to court for the \$17,500? How much are they willing to spend on getting it?

Van Wagnen: We have until April 30th.

Motion passed unanimously.

2009 San Antonio

Review the format of the schedule of the Annual Meeting -

Prospal: I want to discuss the schedule of the Annual Meeting. It is something I want to kick around. Do we want to continue with business as usual or change it?

Tesar: If you are coming to the Annual Meeting, and you are paying on your own, out of pocket and you have to be there for a meeting on day 1 and then day 3, you have to be there the entire time then.

Prospal: What is your suggestion then to deal with it? Do we want to do away with one of the days? For the next meeting, do you want to cut it down to four days? There has been a lot of talk of the Annual meeting that it has been too expensive.

Murray: In all reality, the Annual Meeting isn't any different than the Mid Year Meeting except the Zimmer course.

Fugelo: Well we have the Business Session. We have the committee meetings – that is two days. Then we have the President's Liaison and the MAC meeting. We want to keep those. Then we have the Business Session. We do our elections there and here reports. Take the third day business session and combine it with the fifth day business session.

Sugrue: The business session is the only place where the membership can get their say. The Zimmer course was a key part of that meeting and we brought in a lot of people. But now we don't do enough to sponsor it. We should get a list of all those in the area and invite them, maybe waive the fee. So many people used to come. I think if we make an effort to bring these people in as a cross section of the industry it could be successful. There all kinds of people that we can draw. It takes effort but I hate to see that course go away.

Kool: I agree that if there is a way to compress the schedule, I am for it. But I think the technical seminars have been excellent and I think we should keep it, enhance it. I would like to keep the Seminar.

Fugelo: I think that the Zimmer course is great but we have trouble getting speakers. I would like to see that go to a half a day.

Flader: If we cut the Zimmer down to a half a day, are members going to spend the money to come? I think we need to do something for our members.

Prospal: In the last two years, we haven't had trouble getting speakers.

Sugrue: We used to have more speakers than space.

Prospal: It is safe to say the Zimmer course is going to stay.

Cleary: We have to be realistic. We are booked into, we're committed. Let's contact everyone that we can to get attendance up. But if we have attendance we had the last few years, it is time to say that we don't need an Annual Meeting any more. We could have our Annual Meeting like this meeting in this hotel.

Hall: I don't think it is a lack of interest in the Annual Meeting as it is the cost. My boss pays it but he is not very happy we are paying \$200 a night for a room. It would be better if the costs were more reasonable.

Prospal: We are locked in for the Hyatt. We are looking at and have a quote that is considerable less. All I keep hearing is that we are spending too much money on our hotels, but we are locked in.

Hall: I think we need the Annual Meeting.

Cleary: You just want the costs to go down. I agree. I don't think we had a good negotiation to get these rates. Maybe we should put a target. Pick out what you are going to pay and see what the hotel is going to offer you.

Van Wagnen: If you want to muddy it up and call the bluff. Let's say we have to roll over on the attrition. Why not subsidize the rooms like with the attrition and see if more show up?

Tesar: When we get out of this dilemma what is the idea of smaller cities where hotels don't charge too much?

Prospal: We created a list after a survey and the top votes were New Orleans and Las Vegas.

Tesar: This meeting is not a vacation. It is a working session.

Prospal: Is it a convention or do we just have an Annual Meeting?

Fennell: When I started going, I wasn't interested in the business meetings. I went there for the technical and for a vacation. Now the last convention I got involved with the Business Session. If you go to the business session and all the education you have, you might as well as have it here because there is no time to see anything.

Kool: There was one problem with the smaller cities. And that was getting there was more expensive. We discussed that in the President's Liaison.

Prospal: New Orleans – 13 votes, Biloxi – 13 votes and Las Vegas – 4 votes.

Fennell: We were talking about the local chapters getting involved and those were the two chapters that indicated that they would sponsor the Annual Meeting.

Prospal: The list of cities came about by people presenting the list of cities to the President's Liaison to choose their first, second and third choice. New Orleans and Biloxi helped lobby because they said they would help sponsor.

(Motion #17)

Motion by Cleary to keep the five day schedule for the 2009 meeting and the Society do all they can to promote this meeting. Second by Flader.

Kool: Maybe moving meetings around. Is that something we want to discuss as part of this motion?

Prospal: Our awards dinner last year was on a Sunday because people used that as a travel day, we didn't have too much support. We don't have that situation this year. The banquet is on a Saturday. Do we want to flip flop the technical seminar and the banquet?

Cleary: I think you would doom the seminar.

Prospal: Some people said that it would keep the vendors for the award banquet.

Morin: I think if you moved it to the fifth day, the membership would leave.

Hall: I haven't attended the seminar lately because it became a commercial for a particular product. But I am hearing today that the seminar last year was good. If you keep them technical and not commercials, they are very good parts of the meetings.

Prospal: What we have done the past few years, is that we have the Zimmer speakers and then we have the Product Showcase. I don't know if we want to continue that but that is for the Annual Meeting Planning Committee to discuss.

Motion passed unanimously.

Prospal: We need to come up with a topic for the Zimmer course. I heard some suggestions to continue the green program into this year. I think we need the Board to guide us in the direction.

Kool: San Diego was about water conservation. Last year was green but was there any one specific theme?

Prospal: It was energy, conservation.

Murray: Every Professional Qualifications Standard we have written so far is a partnership with a fire service. I think all of us are stunned of the response we are receiving and we are getting outside of our industry. I think what Rich is going for scald prevention has never been looked at outside our industry. I think there is time but we have to be quick and I think you could get nationally recognized speakers.

Prospal: Essentially a topic for fire safety, prevention.

(Motion #18)

Motion by Tesar to make the theme of the 2009 Annual Meeting "Prevention Rather than Cure" in regards to 5000, 6000, 7000, 8000, 9000. Second by Murray. Motion passed unanimously.

Prospal: At one of our last meetings we voted for New Orleans in 2010 with Linden and Las Vegas in 2011. Linden is unable to be part of the 2010 meeting.

Murray: There is a chapter for Las Vegas and I support having the meeting there. I would like to see us moving the date forward a week or two, because if we move it closer to October, we could have it in the northern cities. I think it would open opportunities for other chapters to host the Annual Meeting. No president will take a big hit on his presidency. Las Vegas is the number one destination for travel. I think you will get people there. Without negotiating we have a price of \$129 and that is where we are starting. No attrition. Planet Hollywood.

(Motion #19)

Motion by Murray to move Las Vegas to 2010 as the Annual Meeting location and look at New Orleans for 2011. Second by Fugelo.

Kool: Before we set a date, we need to look to make sure we are not overlapping on any other conventions.

Motion passed unanimously.

Hall: ASPE is the end of October around Halloween every year.

Prospal: For San Antonio – Mr. Fugelo volunteered to be the guy. Should we send Ken to San Antonio to meet with the hotel and see the rooms? They would comp the room. We would just pay for the air fare. Would this Board approve travel for one person to go to set up the meeting?

(Motion #20)

Motion by Morin to approve one person to travel to San Antonio hotel for a pre-meeting overlook. Second by Murray. Motion approved unanimously.

Fugelo: Does the Annual Meeting Planning Committee make decisions about the snacks, etc. we have?

Prospal: Yes

12. Management Review – Kim Haffey

Prospal: Kim and I have discussed this. We created an Executive Management Committee of the Seal Control Board maybe to do this. We felt it would be better to do this at the Mid Year Meeting and that it is part of our minutes and then we fulfill the requirements of ANSI.

Improvements:

1. Improving web page – searchable means for product listings. Increasing accessibility of our program through our website.

2 . Online Balloting

3. Listees able to manage their listings through a secure, controlled website.

Clery: Why does the Quality Manual have to be so detailed? Can we make it simpler? Keep the high quality you have but make it simpler.

Clery: I think the manual is incredibly thorough. If we say we have to do it, let's not put stuff in writing that will make it more difficult. I am not sure you need all that information.

Prospal: How can we improve our Product Listing Program?

Recommendation to simplify the Quality Control Manual.

Hall: Do you already have that committee?

Prospal: The Executive Management Committee Meeting.

Kummerlen: Maybe it would be a good idea to have a fresh set of eyes to start at the beginning with the new guy on board. Maybe you will find there are things that you are doing you don't need to do and things you aren't doing you should be doing.

Van Wagnen: I need to fully understand it myself. I need more education.

Improvement: Board member conducts the Internal Audits.

Hall: There is the Seal Control Board Executive Management Committee. What are their responsibilities? It might be a good starting part to developing a quality manual and internal audits.

Prospal: The Seal Control Board Executive Management Committee shall annually review the current ASSE Seal Program requirements and procedures, including the Seal Procedures and Quality Management System Manual, to ensure that the program continues to meet the industry needs and applicable industry standards through effective quality management and promotion. The committee shall consist of two (2) members of the Board of Directors, two (2) members of the Seal Control Board, the Product Listing Director Coordinator, the Staff Engineer, and the Executive Director Administrative Manager.

This committee is the one that should review the Quality Manual document .

(Motion #21)

Motion by Cleary to send Haffey to an ISO Guide 65 class. Second by Murray. Motion approved unanimously.

(Action Item #3 – Research dates and costs of an ISO Guide 65 training class)

13. Progress Report – Standards Council of Canada

Haffey: As I stated earlier I hope to have everything submitted by July. (Refer to Seal Control Board Report)

14. Strategic planning is tabled until the next Board meeting.

15. Legal Issues –

Correspondence was reviewed.

Prospal: It is a case in progress and hopefully it will be settled prior to going to trial. Trial date is 2/8/2010.

Ackroyd: Budget line item you might have to spend.

Prospal: In this year's budget we put aside the money if the offer to accept the buy out was accepted. We didn't put in any money for settlement costs.

Ackroyd: Legal costs?

Prospal: Our insurance policy we have a deductible of \$5000.

16. Old Business

A. IAPMO student certification fees ASSE Survey Course

Cleary: We agreed to freeze the rates for IAPMO for how long we didn't think that would be for. They should stop sending the Cross Connection Protection Device booklet. Although, Marianne has been sending it. That is one reason why they were getting the discount was because they weren't supposed to get that book. We have raised our rates. I don't know if you want to go to IAPMO and say increase it to what it was before. That's up to you guys.

Fugelo: Why did we offer them a discount?

Cleary: They said they would exclusively use ASSE for their backflow certification.

Cleary: Before we had this meeting things were tense. This was before I started working for them. They said we will do 100% ASSE for our backflow program and we were supposed to work together on a legionnaire's thing and they agreed to hold their audit costs as long as they got all the audits. I know there was a written agreement and I can ask IAPMO if they still have it.

Prospal: Rate was \$75. If we raised our fees, we may have raised our rates above \$100.

Cleary: I think the fee is \$110 now.

Prospal: My thought on this, if our rate was \$100 and they were getting a \$25 discount it should go up proportionally.

Fennell: You just read that the rate was frozen.

Prospal: How many students do we have coming through?

Cleary: It is probably about 200 students a year.

Prospal: If this Board has no objections, I'll call Russ Chaney and discuss this with him.

Cleary: IAPMO is going to have a backflow class as part of their Annual Meeting. They want to bring Marianne out to proctor the class at no cost to ASSE. IAPMO is having a trade show and they are offering a comp. booth at the trade show.

(Motion #22)

Motion by Morin to authorize Marianne to go to IAPMO's Annual Meeting at no cost to ASSE. Second by Flader. 10 affirmative, 0 negative, 1 abstention (Cleary)

B. CHT Update

Prospal: This is a company we started to enter into an agreement with over the med gas. We made up an agreement. Sean was investigating this. No one pushed it. CHT couldn't do what they were intending to do. They were aggressive in their thinking. Its time to make an agreement now though. What's in the packet is something very close to the original agreement. They have this program in use at the Cleveland Clinic and at a few other hospitals in the country. It is an auditing system for medical gas systems. They audit every appliance within the medical gas system. What they want from us as part of selling this program to a facility, we would get paid a fee from CHT for using our language within their program. The way I understand it as a maintenance person, you check on an outlet and its done with bar-coding and you have to perform maintenance on this outlet they would reference part of the Series 6000 on the procedure how to do the repair. It is a matter of getting our name out there with another company. In the past they have been conducting training and they have been buying the Series 6000.

Tesar: They were very active with ASPE and ASPE published their training classes.

Prospal: I have not completely reviewed every word on this. I was comparing it. I never got through the whole thing so that needs to be done and blanks completed. They have offered to pay us \$30 when they sell a license. Every facility would have to buy a different license. They have only used our logo on their website. The software hasn't happened yet but will happen soon.

Cleary: They realize that if we don't sign this, they are doing it, right?

Prospal: Yes.

Prospal: They are not republishing the Series 6000. They are using it in a computer program.

Prospal: Tell me what to do. We can throw it away or we can use it as tool to publicize ASSE.

Cleary: To whom is it going to get the word out about ASSE?

Prospal: To hospitals. The hospitals that don't know about ASSE. In Cleveland or Scranton they do but not in other cities.

Lyczko: This runs in conjunction with certifying to 6040.

Cleary: We already have \$2500 invested in this. We will have to spend even more money to publish the document as a whole in their software.

Prospal: Not publish as a whole. They will paraphrase the information.

Lyczko: I think it is only the appendix on maintenance.

Prospal: It's not the whole document. What I am hearing Sean is that you want to throw this way?

Cleary: I don't want the ASSE to spend thousand of dollars promoting this software.

Prospal: So far we have made \$6000 because they have purchased the books from us.

Prospal: What are we gaining from them plastering us all over their website? Everyone that looks at their website sees ASSE. Our magazine and our membership mark is public domain.

Prospal: The program will work but they won't reference our standard.

Cleary: This is a one way street and until it comes to a two way street, I don't see allowing them to use the language for the software. I am not going to allow him to use our language in his software for \$30.

Prospal: Why could we not share the legal fees if we are doing this as a partnership?

Prospal: He is one of the few people who demand that the students buy the Series 6000 and use it in the class. We lost \$2500 for the document but we have been made \$7000 for the books.

Prospal: I am only looking for either the Board to tell me to throw it away or sit down and negotiate it with him.

(Motion #23)

Motion by Morin to negotiate the contract with CHT and bring it back to the Board. Second by Lczykko.

Van Wagnen: Is this a one time thing or a beginning of other opportunities?

Prospal: Can't answer that. Right now he doesn't have a competitor.

Cleary: If a competitor comes up with the same thing, and we tell the competitor no, do we have restraint of trade issue? I think we are giving up the right to the standard. You are allowing him to publish the standard for \$30.

Lczykko: I would limit him to the appendix in question.

Cleary: He wants to use the membership logo, as a member I guess he can.

Prospal: As an individual member you can put it on your stationary or your business card but if the company is a sustaining member, you can put it on the company's stationary or the website.

Fugelo: We can look into him but if he is being held back from doing classes due to political/legal reasons, we need to look into that.

Call for question by Murray. Passed unanimously.

Motion passed unanimously.

Prospal: I am going to send the contract to the attorney before the meeting.

C. Membership Mark Renewals and New Marks for Canada.

Proposed Canadian Seal Logo was reviewed with the Board. Both will be registered in Canada and the US.

Prospal: We are in the process of getting them filed both countries.

D. Bylaws Committee Report.

Meeting was held on April 6, 2009. Members in attendance were Robbie Robinson, Chair, Joe Fugelo, Ray Ehrlich, Bob Tesar, Bill Hall, Rich Prospal, President. The committee discussed the proposed revisions that were presented and tabled at the 2008 Annual Meeting to bring them current. Each proposal was reviewed individually with some suggested revision to content and to language. These will be sent back to the proponent for their agreement to the minor changes and then must be resubmitted to the International Office before the June 1st deadline. All proposed revisions submitted by the June 1st deadline will be reviewed by the By-Laws Committee per the By-Laws procedures prior for proper presentation to the membership and voting at the Annual Meeting.

Prospal: We have to resubmit these to the Bylaws Committee because they are changed from what was submitted previously. Now the change goes to the Bylaws Committee so they can submit them to the membership.

(Motion #24)

Motion by Cleary to support by law change #4 (members receive publications for 12 months after past due membership dues). Second by Fennell. Motion passed unanimously.

(Motion #25)

Motion by Cleary to change Administrative Manager to International Office in by-law revision #7 and Board of Directors support this by-law change. Second by Fugelo. Motion passed unanimously.

17. New Business

A. Third Quarter Board Meeting

(Motion #26)

Motion by Fugelo to hold the third quarter board meeting on July 25, 2009. Second by Reichartz. Motion passed unanimously.

B. Ron George request for ASSE to join the PERC program

Prospal: We took it under advisement but it's really not in our area of expertise.

Prospal to advise Ron George of Board's discussion.

C. Revised Regional Directors Handbook

Prospal: I asked a committee of three or four people to review the handbook. I don't know if we need to approve it or not. I am asking you to take a look at it.

Sugrue: Are there still funds for regional directors to travel?

Prospal: I think it is in the by-laws. It wasn't in the guide. This is very different from the previous copy.

(Motion #27)

Motion by Cleary to accept proposed Regional Directors handbook. Second by Flader. Motion passed unanimously.

D. Plumbing Industry Council Meeting – May 13th.

Prospal: I am attending that. Is there anything this Board wants me to take to that meeting?

Cleary: I would say to keep pushing the 7000 and setting up new programs. Bring up the 8000 and the certification program we will have. And mention 5040 and 5050 – two new parts of the Series 5000.

E. NFPA Conference

Prospal: We got a free booth at the expo for the cost of putting a link on our website, an email to our membership and an ad in the Newsletter. Our booth will be there and the idea is to promote the 5000, 6000, 7000, and 8000. It's in Chicago in the beginning of June. I would want to send Ed Lyczko as med gas and a member of NFPA. Plus he can register for free as a member. And also send Ron Murray for the 7000 and 8000. There is no money in the budget for that. You would probably have to be there for four days. It would probably cost about \$4000 to have two guys there.

(Motion #28)

Motion by Cleary to send Murray and Lyczko to the NFPA expo. Second by Fugelo. Motion passed unanimously.

F. Home Safety Council

Prospal: I made contact with them about the scalding info. They have a pretty neat website. They have a document that they are looking for help to reprint. They would like someone to come down to Washington and help them. I am going to send the PowerPoint that Ron George did for them. I would like to go there for a day trip. It is not an overnight trip. And meet with them sometime in May.

(Motion #29)

Motion by Fugelo that Prospal go to Washington DC to meet with the Home Safety Council. Second by Cleary. 10 affirmative, 0 negative, 1 abstention (Prospal).

(Motion #30)

Motion to adjourn by Tesar. Second by Fugelo. Motion passed unanimously.

Meeting adjourned at 3:48 pm.