

SKYlines

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Radiant Smiles at Skyline's 5th Annual Golf Classic



PHOTO: GEORGE CONSTANTINO

(L-R) President and CEO of Skyline Restoration John Kalafatis; COO of Smile Train Bob Toth; New York Islanders General Manager Garth Snow; New York Islanders Coach Jack Capuano; Principal of Skyline Restoration John Tsampas and, from Smile Train, Bill Horan attend the 5th Annual Golf Classic To Benefit Smile Train Hosted by Skyline Restoration on July 8, 2013 in Sands Point. *Story on page 5*

NY Scaffold Law Reform Dies in Legislation, Debate Rolls On

By Kendall Jones in Construction Law

Changes to the NY Labor Law 240, commonly referred to as the Scaffold Law, died when the 2013 legislative session ended on Friday June 21st. Earlier that week, State Assembly Speaker **Sheldon Silver** killed the proposed changes when he announced on Tuesday through his spokesman, **Michael Whyland**, that, "Changes to the Scaffold Law are not being considered. We don't think it's the right policy to further burden injured workers." New York is the only remaining state in the country with a Scaffold Law in the books ever since Illinois repealed their Scaffold

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PHOTO: GEORGE CONSTANTINO

Local Law 11/98 (FISP) Subsequent and Amended Reports

By Anmar Mohammed
 VP Senior Project Manager
 MERRITT ENGINEERING CONSULTANTS, P.C.

Since the filing of the initial 7th cycle Local Law 11/98 report deadlines have passed, it's very important for Owners and Managing Agents of properties classified as either Safe With A Repair And Maintenance Program (SWARMP) or Unsafe to recognize the differences and benefits of filing either Subsequent or Amended Reports since both reports allow proactive Owners to change the classification of their buildings and update the DOB façade status record before the beginning of the 8th cycle of the Local Law.

Subsequent Report

Frequently Engineers and Architects will recommend repairing "Safe with a Repair and Maintenance Program" (SWARMP) conditions within a period of less than the maximum allowed 5 years repair window. A Subsequent Report documents the repair of SWARMP conditions, and allows Owners to change the classification of their buildings façade from SWARMP to SAFE. The report must be filed once the repair work is completed.

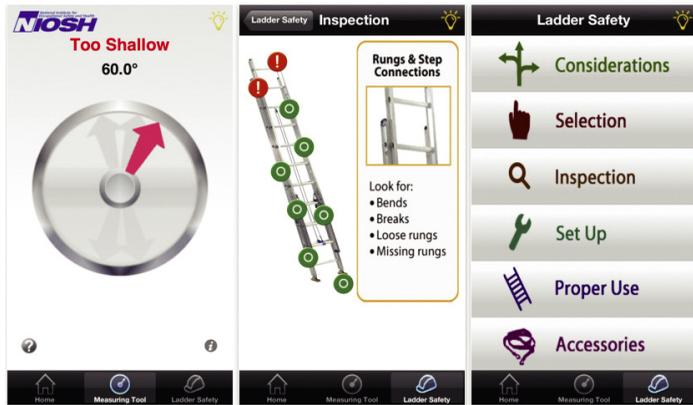
The process of filing a Subsequent Report is similar to the initial report filing process. An

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ENGINEER'S CORNER

Skyline Restoration Inc. - 1120 37th AVE, LIC, NY 11101 - T: 718.937.5353 - F: 718.937.5784 - skyline@SkylineRestoration.com - www.skylinerestoration.com - MEMBERS OF:

 International Concrete Repair Institute (ICRI)	 National Roofing Contractors Association (NRCA)	 New York Association of Realty Managers (NYARM)	 Professional Women in Construction (PWC)	 Real Estate Board of New York (REBNY)	 Scaffold & Access Industry Association (SIA)	 The New York Landmarks Conservancy	 US Green Building Council (USGBC)
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New ladder safety app for mobile devices

The National Institute for Occupational Safety and Health (NIOSH) has announced the release of a new free app for mobile devices aimed at improving extension ladder safety, available at the Apple Store and the Google Store.

Falls from ladders are an important source of preventable construction injuries. Misjudging the ladder angle is an important risk factor for a fall.

The NIOSH Ladder Safety app has an angle of inclination indicator, making it easy to set an extension ladder at the proper angle of 75.5 degrees. It also includes additional information about ladder safety.

The NIOSH Division of Safety Research compared existing ladder positioning methods and found the indicator improved the accuracy and efficiency for ladder positioning.

Construction firms await Perez decision



Labor Secretary Thomas Perez.

Construction groups are watching for the decision of new Labor Secretary Thomas Perez on pending regulations for the industry. These include the Occupational Safety and Health Administration mandate on "injury and illness prevention programs" and proposals from the Office of Federal Contract Compliance Programs to require federal contractors to hire veterans and people with disabilities. The hiring measures "would be extremely expensive to implement

and, frankly, at the end of the day, probably hurt [their] cause more than help it," said Michael Kennedy, general counsel of the Associated General Contractors of America.

ABI decreased in June

The American Institute of Architects' Architecture Billings Index (ABI), a leading economic indicator of construction activity, decreased in June with an ABI rating of 51.6 compared with 52.9 in May. The inquiries for new projects score was 62.6 compared with 59.1 in May. A score above 50 indicates an increase in billings.

Regional averages include the Northeast's rating of 55.6; South's rating of 54.8; West's rating of 51.2; and Midwest's rating of 48.3. Commercial/industrial construction received a rating of 54.7; multifamily residential construction received a rating of 54; mixed-practice construction received a rating of 52.4; and institutional construction received a rating of 51.8.

"With steady demand for design work in all major nonresidential building categories, the construction sector seems to be stabilizing," says AIA Chief Economist Kermit Baker. "Threats to a sustained recovery include construction costs and labor availability; inability to access financing for real estate projects; and possible adverse effects in the coming months from sequestration and the looming federal debt ceiling debate."

The ABI is derived from a monthly survey produced by AIA's Economics & Market Research Group. The survey is distributed to a panel of AIA member-owned firms and asks whether their billings increased, decreased or stayed the same during the previous month. Based on comparison of data compiled since 1995, ABI results provide a nine- to 12-month view into the future of nonresidential construction activity.

Construction unemployment at lowest level in five years

By AGC of America

The unemployment rate for construction workers fell to the lowest July level in five years last month, even though employment has stagnated in the past four months, according to an analysis of new government data by the Associated General Contractors of America. Association officials urged Washington leaders to act on stalled infrastructure funding measures to help jump start construction hiring.

"Although the unemployment rate for experienced construction workers came down to 9.1 percent in July, many of those workers have left the industry for other jobs, school or training programs, or retirement," said Ken Simonson, the association's chief economist. "While the industry has added workers in the past year, employment growth has been negligible recently."

The unemployment rate for workers who last worked in construction declined to 9.1 percent from 12.3 percent in July 2012, not seasonally adjusted, and the number of unemployed construction workers dropped by 227,000 to 767,000. The number of unemployed workers with prior construction experience was the lowest July total since July 2007, while the unemployment rate was the lowest July rate since 2008, Simonson noted.

Employment growth on the residential side

Construction employment in July totaled 5,793,000, seasonally adjusted, up by 166,000 or 3.0 percent from July 2012 but down by 6,000 from the revised June level. Although both residential and nonresidential contractors have added workers in the past year, employment growth in July occurred only on the residential side.

Residential building and specialty trade contractors added 6,300 employees in July and 92,100 (4.5 percent) over 12 months. Nonresidential building, specialty trade and heavy and civil engineering construction firms lost 11,500 workers in June but added 74,300 (2.1 percent) from a year earlier. Architectural and engineering services employment rose by 2.3 percent over the year, suggesting further modest gains in construction ahead.

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Preserving the Metropolis: October 11-15

APT's five day conference in NYC will open the discussion on protecting urban cultural heritage in the 21st century by exploring best practices and viable solutions from New York and around the world, all while earning attendees a year's worth of CEUs. For a complete schedule of the APT conference and to register, please visit apti.org

NY Scaffold Law Reform Dies in Legislation, Debate Rolls On

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Law in 1995. NY Labor Law 240(1), which was enacted in 1885, states in part that, "All contractors and owners and their agents, except owners of one and two-family dwellings who contract for but do not direct or control the work, in the erection, demolition, repairing, altering, painting, cleaning or pointing of a building or structure shall furnish or erect, or cause to be furnished or erected for the performance of such labor, scaffolding, hoists, stays, ladders, slings, hangers, blocks, pulleys, braces, irons, ropes, and other devices which shall be so constructed, placed and operated as to give proper protection to a person so employed."

Proponents for reforming or repealing the current Scaffold Law state that the law holds owners, contractors, developers and subcontractors absolutely liable for injuries regardless of worker negligence. In a 2012 Court of Appeals decision, **Judge Smith** wrote in his summary opinion, "Labor Law 240(1), one of the most frequent sources of litigation in the New York courts, provides rights to certain workers going well beyond the common law. As we have long held, it imposes liability even on contractors and owners who had nothing to do with the plaintiff's accident; and where a violation of the statute has caused injury, any fault by the plaintiff contributing to that injury is irrelevant."

According to the summary of provisions for SB.111 it, "Amends the Civil Practice Law and Rules to add a new Section 1414. This section applies a comparative negligence standard as provided for in CPLR 1411 with respect to actions for personal injury, property damage or wrongful death arising under Labor Law Sections 240 and 241 to the extent the conduct relates to the following: a criminal act, use of drugs or alcohol, failure of the employee to use safety devices furnished at



PHOTO: ALEXANDER POURIS

the job site, failure to comply with employer instructions regarding the use of safety devices at the job site, or failure of the employee to comply with safe work practices in accord with safety training programs provided by the employer."

Both SB.111 and AB.3104 would have allowed juries hearing personal injury suits related to the Scaffold Law to take into account the workers actions in regards to personal negligence. So basically if a worker shows up to work drunk or refuses to wear fall protection while performing their duties and gets injured their actions can be considered by jurors when reaching a verdict.

Those who support changes to the Scaffold Law claim that it will create job growth, lower liability insurance costs and save taxpayers nearly \$1 billion a year on public works projects. They also argue that the current law doesn't result in safer jobsites and that workers are allowed to receive huge payouts due to their own negligence.

New York's Scaffolding Law makes contractors and property owners 100% liable for any scaffolding accidents regardless of the culpability of the worker. On the books since 1885, it is the last of its kind in the nation.

The parties against reforming the current Scaffold Law feel that the proposed changes would make jobsites more dangerous and place undue burdens on workers who are injured. They state that adequate protection for workers would be diminished and that the greed-fueled changes are all about saving money. Some also feel that Assembly Speaker Sheldon Silver may have had ulterior motives when he killed the legislation since he is employed by a personal injury law firm.

Even though the proposed legislation was defeated the debate rages on as it has for the past several years and tort reform regarding the Scaffold Law will continue to be brought up in the future as it has in the past. But is it the right debate to be having? The focus from both sides of the argument is on who's at fault once an injury occurs. Shouldn't the emphasis be on enforcement to prevent more accidents and ensuring that jobsites are as safe as possible to begin with? Safety at the construction site should be a shared responsibility among all parties involved from owners and developers to contractors and subcontractor and to every worker at the job-site. Everyone involved in a construction project should have safety as their number one priority and do everything in their power to ensure the site is as accident and incident free as possible.

New Temporary Worker Legislation

NRCA and other business groups are working with Reps. **Ted Poe** (R-Texas) and **Raul Labrador** (R-Idaho), two influential Republicans on the House Judiciary Committee, to develop new legislation that would provide a legal avenue for employers to obtain workers from abroad when job openings cannot otherwise be filled.

This legislation creates a lesser-skilled temporary worker program similar to that in the legislation just approved by the Senate but fully addresses NRCA's concerns with the Senate bill. Most important, the number of visas allocated to lesser-skilled industries is more than double that of the Senate bill, and there are no construction-specific limitations.

The new legislation likely will be introduced formally in the House in mid-July, and NRCA is working to broaden support for it in the House. The objective is to have this legislation included either in a comprehensive immigration bill or as one of several targeted immigration bills that may be considered by the House.

Radiant Smiles at Skyline Restoration's



PHOTOS: GEORGE CONSTANTINOU

(L-R) Tournament Sponsor Roy Volmer of M&T Bank, and Platinum Sponsors, James Fenniman of Bollinger Insurance, Nick Divittorio of D&N Services, Brett Steinberg of Kemper System America, and Will Lafey of Spring Scaffolding, were presented with plaques for their support to Skyline Restoration's 5th Annual Golf Classic. Benefiting Smile Train. For more photos and sponsors, please visit skylinerestoration.com/smiletrain

SANDS POINT. - "It couldn't have been a more perfect day – the jovial mood, the sunny skies, the funds raised for **Smile Train**," said **Eva Hatzaki**, Skyline Restoration's marketing director and the chair of the **Fifth Annual Smile Train Golf Classic** held on July 8th at the **Village Club of Sands Point**.

ny by definition. We serve our clients with integrity, honesty, and professionalism while also extending a helping hand to the community. We are proud of our involvement and more than happy to support the cause."

The record turnouts achieve several aims. The diversity of attendees, as Kalafatis points out– "architects, engineers, building owners and managers, manufacturer representatives, and other professional consultants" – and the rising number of guests point to a higher tally for Smile Train and more networking opportunities. "We enjoy the success of the event, assisting the cause, while our guests have a great time," he said.

Bob Toth, the COO of Smile Train was similarly enthusiastic. "Our hats are off to Skyline, their employees, and many of their vendors who are avid supporters. This is one of the ways Skyline gives back to the community. It's terrific." Noting that Smile Train managed to survive the economic crisis of recent years, he continued, "Every year the amount of surgeries goes up. People are glad to support a good cause – it's a perfect storm." Toth later reported that this year marked Smile Train's 900,000th surgery and that the million mark should be attained in 2014.

Bill Horan, VP Development with Smile Train, mentioned another



"Knowing that we're helping young children get cured from a debilitating but easily corrected birth defect so they can live normal lives – surely that is enough to put radiant smiles on all of our faces," she said. A highlight of the day was a visit by **NY Islanders'** Head Coach **Jack Capuano** and General Manager **Garth Snow**.

Skyline raised a record-breaking \$72,000 at the event, bringing the total to almost \$300,000 netted since 2008 for Smile Train, an international charity that provides free cleft surgery to children from developing countries who could not otherwise afford the process.

John Kalafatis, the president and CEO of Skyline Restoration, said, "We're so glad to be here to help kids have a better chance."

He notes too that he's always felt that the event is very much in keeping with the Skyline philosophy. "We're a service-oriented compa-

TEAM	INITIALS	THRU	VPAR	TOTAL
ALLIED BUILDING PRODUCTS	CA, MI, MK, GA	18	-10	61
BOLLINGER INSURANCE	DF, JF, BT, JB	18	-10	61
SPIDER STAGING	MF, JS, MK, BT	18	-10	61
SPRING SCAFFOLDING INC.	WL, AZ, MZ, LG	18	-8	63
GLENWOOD MASON SUPPLY	SS, SM, VD, DD	18	-7	64
SKYLINE RESTORATION 2	AS, SP, TP, TS	18	-7	64
BELDEN TRISTATE	DM, GV, SW, KC	18	-7	64
LAWLESS & MANGIONE	ND, KS, PW, SA	18	-6	65
KEMPER	BS, EM, KD, CK	18	-5	66

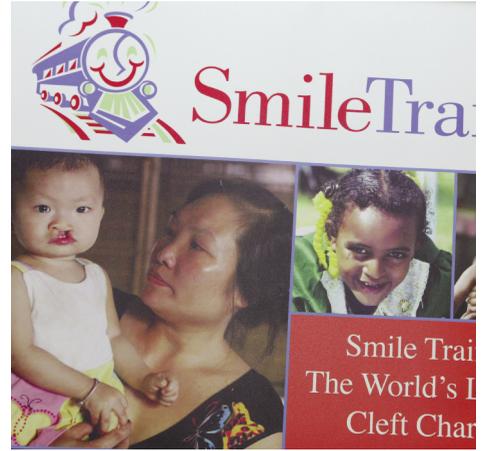
Live golf scoring was provided by VPAR.



The winning foursome (L-R): Carmine Anzalone, Joe Finery, Michael Kaspar, Eamon McDonell.

PHOTOS: GEORGE CONSTANTINOU

5th Annual Golf Classic for Smile Train



PHOTOS: GEORGE CONSTANTINOU

(L-R): US Marines present the Flag at the opening ceremony; Golfers waiting for the shotgun; A Smile Train poster.

er benefit of the event: “We don’t always get to thank people in person – here we are able to do so.”

For many players this was a repeat appearance and one they plan to return to.

Craig Hackett, senior project manager, with **SL Green**, said, “I’ve been here every year since it began. It’s good to meet others in the industry and Smile Train is a great cause. We’re happy to participate.”

Will Laffey, executive vice president, **Spring Scaffolding**, applauded the venue: “It’s a great opportunity to bring clients to a high-end event, a great golf course, with excellent food, and a great atmosphere. We work closely with Skyline and their leadership and are happy to support the cause.”

Dennis Mele, RA, principal of **Midtown Preservation**, was “impressed with the honor guard at the start.” He was “very pleasantly surprised” and “glad that Skyline supports veterans.”

For **Adam Zerka**, property manager, **Century Management**, this was his second time at the event. “It’s a worthy cause and a great networking event – a chance to see friends and business associates.”

June Fenniman, wife of **Thomas A. Fenniman**, architect, said, “I golfed better than last year. I’m glad to support this cause – and it couldn’t be a more gorgeous course.”

It was also the second time around for **Jessica Sepulveda**, office manager, **AE Design Solution, Inc.**, who said, “Vendors from different sectors in the industry – expeditors, general contractors, all come together to help a great cause in a relaxed setting.” **Paul Bailey**, an engineer with AE, agreed. “The atmosphere is friendly, relaxed. I’m glad to support the cause and Skyline,” he said.

Olga Porto, guest of **Daniel Callahan**, project manager, Skyline, said, “The event is amazing. Skyline could choose anything to donate to and they choose a cause that helps children. Such a compassionate choice!” She gave credit to Kalafatis for his support: “When caring comes from the top of the company it trickles down... and it makes the company more accessible to its employees.”

Callahan recalled that “In the beginning, Skyline hosted a luncheon for Smile Train – now each year we raise more with each outing.”

Clearly stats to inspire the Skyline team for the years to come.

African Soul American Heart

ASAH’s mission is to protect, educate, and empower orphaned girls through primary school, secondary school, and beyond. ASAH protects its students from forced marriage at puberty which may save their lives. In South Sudan, a baby girl born today is more likely to die in childbirth than to graduate from primary school. ASAH educates these girls in school subjects and practical life skills like gardening and sewing and empowers them to be leaders and to give back to their communities.

Thirty-four orphaned girls from six villages in Duk County, Jonglei State, Republic of South Sudan now reside at the ASAH Boarding School during school terms. The students return to their extended families during school breaks to maintain family and cultural ties. The presence of educated women in a community raises the standard of living for all.

Skyline Restoration representative, Rygo Foss, spent two weeks at the compound of African Soul, American Heart (ASAH). Skyline has been a supporter of ASAH for the last three years and was excited to such great developments in such a short period of time. For more information, please check out <http://africansoulamericanheart.org>.





PHOTO: LANDMARKS PRESERVATION COMMISSION

The NYC Landmarks Preservation Commission awarded landmark status to the Forest Park Carousel in Queens, NY.

A Carousel in Queens Is Given Landmark Status

Located just north of West Main Drive in Forest Park, Queens, and completed in 1910, the Forest Park Carousel was manufactured by D.C. Muller & Brother, a Philadelphia carousel carving firm known for its intricately detailed, life-like steed.

Now owned by the New York City Department of Parks and Recreation, the carousel is one of two by D.C. Muller that remain in operation in the United States.

"This exquisitely carved herd is part of one of the last surviving carousels made by a firm that was celebrated for its highly realistic work and attention to detail," said Chairman Tierney.

The carousel was closed in 1985, re-opened five years later following an extensive restoration, and it closed again from 2008 to 2011. It is one of six operating carousels in the five boroughs, and one of three amusement rides that have been named individual New York City landmarks.

Local Law 11/98 (FISP) Subsequent and Amended Reports

Continued from Page 1

inspection of all the façade components and appurtenances, beside a physical examination of at least one representative sample of a street facing façade from either scaffolding or other observation platforms (balconies, fire escapes, etc.) must be conducted and documented.

Proper planning and scheduling of the façade repairs may save Owners time and cost by allowing the façade Engineer/ Architect to conduct the required physical examination from the same scaffolds used to perform the repair work.

Amended Report

If the building was classified as "UNSAFE" in the initial Local Law report, then an Amended report must be filed to change the classification of this building façade to "SAFE" or 'SWARMP" as defined in Subchapter C of Chapter 100 of 1 RCNY §103-04. If a building is classified as "UNSAFE", the Owner is obligated to immediately install a sidewalk shed, fences, and/or netting along the "unsafe" façades to ensure

the safety of the public and adjacent properties.

According to RCNY §103-04 requirements, the safety measurements must remain in place until all the unsafe conditions are repaired and an Amended report is accepted by New York City Department of Buildings. The Amended Report must be filed within two weeks the completion of the repair work. As with the Subsequent Report the requirements of the Amended Report are very similar to those required for the filing of the Subsequent Report. All the repairs of the unsafe conditions must be documented and photos of the repaired items should be included in the report.

Again, good planning and scheduling of the repair work can save Owners the time and cost of additional scaffold installation by allowing the Engineer or Architect to conduct the required physical inspection of a representative facade sample from one of the scaffolds used to conduct the repair work.

For more information regarding Local Law 11/98 Reports filing please feel free to contact Merritt Engineering or you may review the full requirements of 1 RCNY §103-04 as published on the Department of Buildings website: http://www.nyc.gov/html/dob/downloads/rules/1_RCNY_103-04.pdf

ENGINEER'S CORNER

Safety and Regulations

Skyline Restoration conducts monthly meetings with its foreman team addressing issues ranging from safety, regulation changes, leadership, coaching and much more. Speakers at this month's meeting were James Tringas, Quality Control, (right) and Rygo Foss, Safety, (left) doing a "case study-like" analysis of actual fact patterns occurring over the previous year, spurring discussions of why, and learning from the past to prevent issues from happening.



PHOTO: ELLIOT CASTRO

The Plaza Hotel at One Central Park South



PHOTO: ALEXANDER POURIS



PHOTO: GEORGE CONSTANTINOU

The Plaza Hotel, the 20-story luxury hotel-condominium at One Central Park South in NYC, derived its name from the Grand Army Plaza in Manhattan, New York. It was built in 1907 by architects **Henry J. Hardenbergh, Thomas Hastings, et al.** in a late 19th century revival style. At the time it cost \$12.5 million (over \$300 million today) to construct.

The Hotel was added to the **National Register of Historic Places** in 1978, designated a **National Historic Landmark** in 1986, and designated a **New York City Landmark** the following year.

Within two days in early June 2013, a 62,000-square-foot mural was unfurled, covering the entire façade of this iconic hotel. The giant architectural rendering created with a style called “trompe l’oeil”, first used by the Ancient Greeks, was printed on mesh fabric and attached to the construction scaffolding. It suggests what the building will eventually look like once **Skyline Restoration Inc.** completes the exterior restoration.

Britten Inc., the nation’s leading provider of grand scale banners and displays, built the banner to maintain proper perspective and scale bringing to life each building detail. As Mr. Britten said, in a recent interview in the New York Times, designing the banner took longer than printing it. “I did the drawing old-school,” he said. “I took a photograph, and I counted the bricks, every single brick from floor to floor, window sill to window sill.”

The exterior restoration project is expected to achieve substantial completion by the end of the 2013 season.

Property Manager: **FirstService Residential**

Architect: **Howard L. Zimmerman, PC**

Contractor: **Skyline Restoration Inc.**



PHOTO: GEORGE CONSTANTINOU



PHOTO: GEORGE CONSTANTINOU

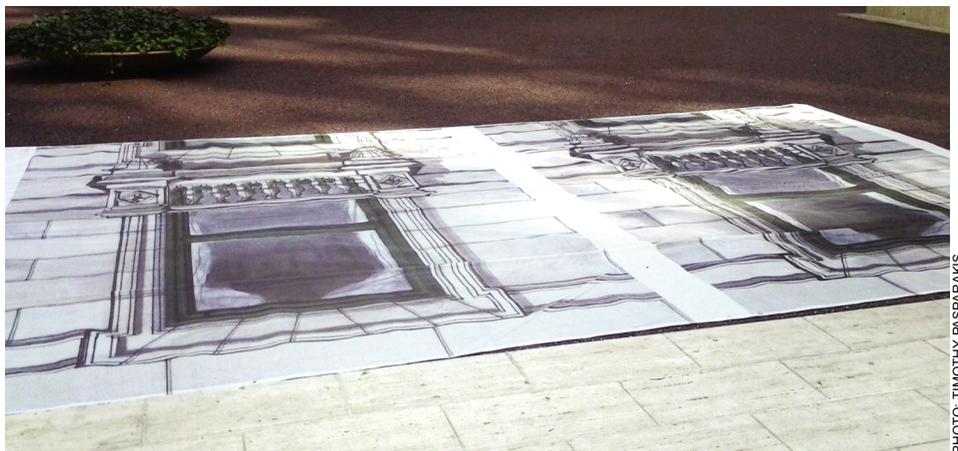


PHOTO: TIMOTHY PASPARAKIS

Summer Events and Activities



INDOOR SOCCER

Sam Xie of Skyline Restoration demonstrates his skills during a weekly soccer match between office and field teams.



SOFTBALL

Paul Losito, Chief Estimator of Skyline Restoration, ready to bat for Skyline Restoration's softball league.



NYSA'S SUMMER CRUISE

John Kalafatis (left), President & CEO of Skyline Restoration chats with George Rycar, Arch. PC, during NYSA's 18th annual mid-summer night cruise aboard the "Cornucopia Destiny".



16TH ANNUAL FISHING TRIP

Daniel Callahan (right), Project Manager, shows off his "sharky" catch to fellow Project Manager Robert Myles, before he throws it back to sea, during Skyline's 16th Annual Night Fishing Trip.

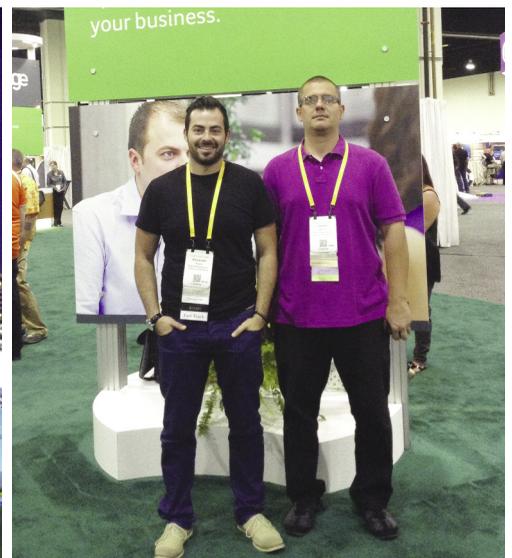


Eva Hatzaki, Marketing Director of Skyline Restoration, during the "Night at the Museum" event organized by Sage at the Smithsonian Museum of American History.



SAGE SUMMIT

Cynthia Ng (left) and Nina Lee of Skyline Restoration attending the Sage Summit for Construction and Real Estate in Washington, DC.



Alexander Pouris (left) Director of Operations, and Sandor Molnar, Director of Accounting of Skyline Restoration, visiting the Sage Expo 2013 in Washington, DC.