

SKYlines

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NYC Scaffold Law: Is Reform Close?

By Rygo Foss, Legal Counsel, Skyline Restoration Inc.

Despite Governor Cuomo's recent announcement that the New York-only scaffold law reform amendment will again be tabled, hope should not be lost; it should be at an all time high. 2013 was an important year for scaffold law reform, and the fruit of many efforts should soon be realized. Those who have paid attention to scaffold law reform efforts likely took the news as little surprise for two primary reasons: political logistics and informational momentum picking up too late in 2013.

First, Governor Cuomo's term is up for re-election in November of this year. Thus, it is no surprise that timing to tackle a controversial law with the strongest lobbyist group in Albany supporting it is not ideal. Moreover, Governor Cuomo's re-

Continued on page 2



NYCSRA MEETING The New York City Special Riggers Association held its second technical meeting on May 14th, at Club 101 in Manhattan. Speakers Included: **Jim Quent** of Mercury Public Affairs and Lobbyist for NYCSRA - Topic: Challenge of Amending The New Law; **Ken Buettner** of York Scaffold and NYCSRA Board Member - Topic: Why The Law Was Amended; **Gene Ferrara** of JMA Consultants Inc. - Topic: New Local Law 11 Railing Requirements; **James Bifulco** of TSC - Topic: Site safety. The New York City Special Riggers Association was created in response to the threat of legislative changes undermining the Special Rigger's License. To this threat, holders of Special Riggers licenses banded together to fight the legislative changes. For more information visit nycsra.org



PHOTO: GEORGE CONSTANTINOU

Keep On Smiling!

For the 6th consecutive year, Skyline Restoration is hosting its **Annual Golf Classic to Benefit Smile Train**, the organization that provides free surgery to children who are born with cleft lip or palate. Please join Skyline on **Monday, July 7, 2014**, at the **Village Club of Sands Point**, to help bring smiles to these children who are too poor to afford a surgery that costs as little as \$250 and takes about 45 minutes.

For details, to participate or sponsor, please visit <http://smiletrain.skylinerestoration.com>

In this photo, last year's winning foursome: (L-R) Carmine Anzalone, Joe Finery, Michael Kaspar, Eamon McDonell.

Time to Inspect the Window Mounted Air Conditioner Brackets

By Brian Sullivan, Sullivan Engineering LLC

Now is a great time to evaluate the condition of window mounted air conditioning units. As residents/occupants begin to re-inspect a/c units in their windows, this is the most convenient time to install these brackets. Improperly secured window a/c units may damage the window frame, can result in unnecessary air and/or water infiltration or at worse, can create a potentially catastrophic unsafe condition.

Additionally, all window mounted a/c units left in over the winter (particularly this past winter) should be inspected to see if the harsh winter weather and significant snow accumulation damaged the unit or caused it to shift or settle. When these units are now turned on and begin to vibrate due to stan-

Continued on page 2

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NYC Scaffold Law: Is Reform Close?

Continued from Page 1

election campaign is addressing taxes first and foremost. “[Y]ou have to prioritize what you want to get done first” Cuomo stated, and in an election year, that is what he should be doing.

Second, the strongest momentum for scaffold law reform, research and information, picked up too late for 2014 reform. On, December 16, 2013 the New York City School Construction Authority (“SCA”) announced that despite an improving safety record, the authority’s liability insurance costs are projected to more than double from an annual tab of \$90 million in 2013 to \$230 million for 2014. That’s \$140 million less per year that the SCA will have to build classrooms — the equivalent of two-and-a-half new high schools erased.² This is something to keep in mind as Mayor De Blasio pushes his progressive pre-K agenda and its \$300 million dollar projected budget. Imagine if those funds came from flat insurance renewals rather than an additional \$300 million dollars paid to the insurance company over the next two years. As it stands, those funds will be coming from our own pockets.

A study issued by Michael R. Hattery, PhD of the Nelson A. Rockefeller Institute of Government titled “The Costs of Labor Law 240 on New York’s Economy and Public Infrastructure” was released at the end of December 2013.³ In this intriguing 80-page study, in brief, Dr. Hattery uses statistical analysis comparing the aftermath of the 1995

Scaffold Law reform in Illinois (Illinois was the last state to have a law like this, and after preliminary review, no other nation has a law like this) and the resulting substantial decline in relevant safety outcomes. The study also analyzed increasing public and municipality costs, such as the MTA’s insurance cost increase from 3 to 7 percent and its correlation to labor law claims. Most impressively, in the economic impact analysis of labor law section, empirical data estimates that the cost associated with the law is about \$110 million a year in insurance and legal/administrative costs. Under the models used, reform could net a \$150 million net gain in the total value output of the economy along with a net gain of approximately 12 thousand jobs and \$480 million in labor income.

Unsurprisingly, a quick backlash to the study quickly surfaced all over cyberspace. If you search the Rockefeller study, articles and lobbying efforts attempting to discredit the study outnumber the actual study many times over. Even if the numbers are not perfect, even up to 50 percent inflated, it is plain to see the impact reform can make.

In conclusion, although 2014 is not the year that scaffold law reform will finally happen in New York, with better legislative timing next year and this perfect storm of information, scaffold law reform does not seem far away.

1. <http://www.crainsnewyork.com/article/20140425/BLOGS04/140429907/cuomo-wont-push-scaffold-law-reform-this-year#>
 2. <http://www.nydailynews.com/opinion/scaffold-article-1.1547400>
 3. <http://verticalaccessllc.files.wordpress.com/2014/03/2014-02-study-the-costs-of-labor-law-240-on-new-york-economy-and->

Time to Inspect the Window Mounted Air Conditioner Brackets

Continued from Page 1

standard operation, damage from the winter may result in loose panels and pieces falling from the unit.

Façade Inspection Program

As part of any comprehensive façade inspection program, window mounted a/c units should be evaluated thoroughly. All suspect units should be immediately removed or properly secured. Building Owners and Managers should perform this task at least once per season and before any required façade inspections.

Under the NYC Department of Building’s FISP (Façade Inspection and Safety Program), formerly Local Law 11/98, inspectors are required to list window mounted air conditioners as an unsafe condition if they are not supported by proper exterior diagonal brackets or interior angles attached to the structure of the building.

Exterior brackets must be properly installed, centered under the heaviest portion of the unit, typically the motor (which is not always in the center) and resting on a solid substrate.

Interior brackets must be attached to the structure of the building, not simply fastened to the window frame. Please keep in mind that all units secured to the interior will have to be inspected from the interior during each FISP (Local Law 11/98) inspection.

There are several types of approved exterior diagonal brackets that work well. The most common are the flat plate brackets that are installed from the interior by fastening the brackets to the sill and have a diagonal leg that is braced off of the wall by the pressure from the weight of the a/c unit. These brackets can be found in most “Do It Yourself” home improvement centers for around \$40+/- and take 10 to 15 minutes to properly install.



Exterior brackets must be properly installed, centered under the heaviest portion of the unit, typically the motor (which is not always in the center) and resting on a solid substrate, not on glass as shown in this photo.

If a building has through-wall a/c sleeves, it should be mandatory that these be used in lieu of window brackets as window sleeves are typically much more secure, should provide better protection against air/water infiltration and prevent damage to other building elements.

Regardless of whether or not a building is governed by the aforementioned requirements; it is good practice to follow the NYC DOB guidelines of window-mounted air condition installation.

These tips were provided as a courtesy to our friends and colleagues in the industry. Proper safety plans and building maintenance schedules should be in place for all buildings. For more information on this topic or to discuss any issue further, please feel free to contact Brian Sullivan at bsullivan@sullivanengineeringllc.com

ENGINEER'S CORNER

Westbeth Center For the Arts



Skyline Restoration has been commissioned to perform façade restoration and roof replacement at the Westbeth Center For the Arts buildings with an estimated completion date of Spring 2016.

Westbeth Artists' Housing was conceived in the 1960's as a partial solution to the acute need to provide affordable housing and studios for artists and their families. In so doing, it became one of the first examples of adaptive reuse of industrial buildings for artistic and residential use in the United States.

Located in NYC in Manhattan's Far West Village, it is a complex of 13 buildings which were formally the site of Bell Laboratories (1868-1966), one of the world's most important research centers. It was here that the first talking movie, the condenser microphone, the first TV broadcast, and the first binary computer were demonstrated.

With innovative funding spearheaded by Joan Davidson of the J. M. Kaplan Foundation, and Roger Stevens of the National Endowment for the Arts, it became an ambitious renovation project designed to create 384 live-work spaces for artists of all disciplines and their families under the direction of developer Dixon Bain. Richard Meier was the renovation architect. Westbeth

opened in 1970.

Westbeth was added to the National Registrar of Historic Places on Dec 8, 2009. Subsequently, the New York State Historic Preservation Board nominated Westbeth to be on the State Registrar of Historic Places.

On October 25, 2011 the **NYC Landmarks Preservation Commission** unanimously designated Westbeth Artists Housing a New York City landmark. Significant research on Westbeth's behalf was done by the **Greenwich Village Society for Historic Preservation**.

Westbeth is owned by the not-for-profit Westbeth Housing Development Fund Corporation, administered by the Westbeth Board of Directors. Cultural events are sponsored by the Westbeth Artists Residents Council, a tenant-elected not-for-profit organization. For further info see Council.

In addition to its residential component, Westbeth also contains large and small commercial spaces, performance and rehearsal spaces and artists studios both individual and communal, such as the

Westbeth Sculptors' Studio and the Westbeth Graphics Studio.

Westbeth is also home to a number of major cultural organizations including the New School for Drama, The Martha Graham Center of Contemporary Dance, and Congregation Beth Simchat Torah, the first LGBT synagogue in New York.

(Source: westbeth.org)

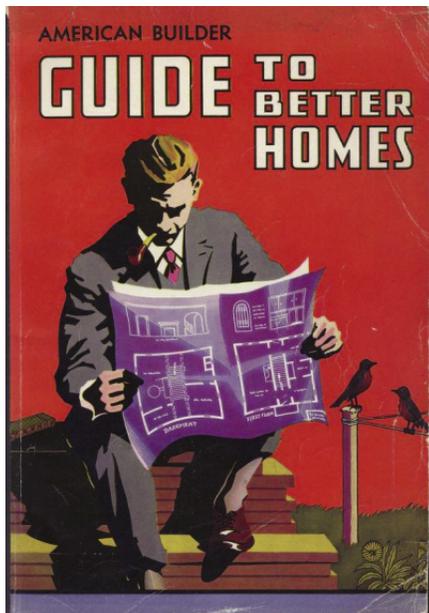


Owner: Westbeth Corp. Housing Development Fund Company Inc.

Architect/Engineer: Superstructures Engineers + Architects

Contractor: Skyline Restoration Inc.

Historic House-Plan Collection Added to BTHL



American Building and Building Age: American Builder Guide to Better Homes (c. 1935)
The American Builder was a publication begun by the Radford Architectural Company of Chicago. This one dates from the final years in the 1930s.

professional career, Jim was an avid collector of house-plan catalogs and a few other related construction topics. His 500-plus catalogs, which cover a wide range of American house-plan companies in business throughout the twentieth century, are now being scanned and uploaded to the BTHL. These additions will be completed in May 2014. With this collection, the BTHL will have more than 1,000 house-plan catalogs available. Anyone interested in domestic architecture of the twentieth century is going to find this to be a comprehensive resource.

The APT Building Technology Heritage Library is an online, digitized collection of architectural and construction trade catalogs and related publications available for use by the public at no charge. The library is hosted as part of the Internet Archive at

<https://archive.org/details/buildingtechnologyheritagelibrary>

House-plan catalogs as both plan books and "kit home" catalogs are well represented in the Building Technology Heritage Library. Companies such as Aladdin Homes, which sold kit homes, and the Garlinghouse Company, which produced plan books, are two of the most well-known companies. This topic is poised for growth with the addition of the Jim Draeger house-plan book collection. Draeger is the State Historic Preservation Officer (SHPO) for the Wisconsin Historical Society. He is a historian with a particular interest in vernacular architecture and has published two books about Wisconsin places (Fill 'er Up: The Glory Days of Wisconsin Gas Stations and Bottoms Up: A Toast to Wisconsin's Historic Bars and Breweries). For the better part of his pro-

FUTURISTIC MATERIALS Live bacteria is used to make self-healing concrete

Concrete is a popular building material, but it's vulnerable to cracks. Water and chloride from icing salt can seep into pre-existing fissures and make them larger. Overtime, this can become a dangerous (and expensive) problem. Self-healing concrete, developed by scientists at Delft University in the Netherlands, uses live bacteria — mixed into the concrete before it is poured — to seal up those fractures.



Bacteria spores added to concrete mix are activated by water.

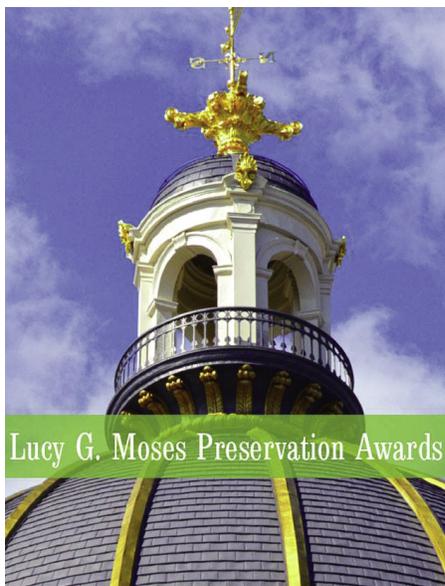
How it's transformative: When water gets into the cracks, the bacteria is activated and produces a component in limestone called calcite that fills up the crack completely. Researchers are still conducting outdoor tests to see if the concrete can be put to real use.

Suggested uses: Sidewalks, building foundations, other architectural structures.

Dina Spector - businessinsider.com

Old workers return, new hires arrive, as construction jobs grow

REUTERS. - Construction work is picking up as the economy does, and some former workers in the industry are coming back. But there's still concern about whether there will be enough workers for the projects as they ramp up. "[W]e're seeing folks being added to the industry but most are brand new and require lots of training," said Jeff Dworkin. "What we are seeing are new hires who have no experience in electricians or plumbing." The Associated General Contractors of America is one trade group that has launched initiatives in response to the need to attract more workers.



The 24th Lucy G. Moses Preservation Awards

More than 525 people packed the former Williamsburgh Savings Bank in Brooklyn to applaud an impressive list of Moses winners from across the City. The **Lucy G. Moses Preservation Awards** are the New York Landmarks Conservancy's highest honors for outstanding preservation and this year's awards ranged from major civic building restorations to saving a Lower East Side church from demolition.

Individual honors went to Charles Platt, FAIA, with the Preservation Leadership Award and Lola Finkelstein with the Award for Public Leadership in Preservation.

In 2010, Skyline Restoration received the Lucy G. Moses Award "in recognition of the outstanding preservation efforts" for the MacIntyre Building at 874 Broadway, NYC.