



## **The BOMA/NY Annual Conf. and Trade Show - huge success**

November 06, 2009 - Owners Developers & Managers

With an all-star line-up of technical presenters and a Mayoral candidate as keynote, the BOMA/NY Annual Conference and Trade Show promised an afternoon of information that would deliver - and did it ever.

Audience feedback uniformly ranked the conference as very good, with speakers at their best and most importantly, providing seminars that were very "helpful for my building staff as we implement these new regulations," noted an attendee.

More than 150 were in attendance as the first order of business was announcing the new slate of BOMA/NY leadership, followed by the economically-focused keynote address by NYC Mayoral candidate/Comptroller William Thomson (D), and three workshop modules that got high marks for covering technical information in a way that was easy to digest and put into practice. Highlights included:

**The SAFETY Act:** Owners and managers should seriously consider working with vendors who are SAFETY Act certified, as this act eliminates or minimizes tort liability for sellers of DHS-approved Anti-Terror Technology should suits arise after a terrorist act. In addition, protections apply even if approved technologies are being sold to commercial customers. For more information, please contact presenters Brian Finch of Dickstein Shapiro LLP, [finchb@dicksteinshapiro.com](mailto:finchb@dicksteinshapiro.com); and Keith Mulcahy of Michael Stapleton Associates at [keithmulcahy@mikestapleton.com](mailto:keithmulcahy@mikestapleton.com).

**Elevator Inspections:** Lessons learned and presented by the panel included:

- \* Allot ample time for testing - barring unforeseen circumstances, about 2-4 hours for each elevator for the Annual Test Inspection, about 4-8 hours for the Five Year Test Inspection.
- \* Number of tests that can be done each day depends on accessibility, logistics of testing tools, testing failures and other unanticipated issues.
- \* Use your annual maintenance evaluations as a head start on the Annual Test Inspection.
- \* Partner with your elevator consultant and contractor(s) to perform the maintenance evaluation early in the year - typically the 1st quarter, and then coordinate with both to do the Annual Test Inspection in the 3rd quarter. That way you will be able to identify deficiencies prior to the test, give managers time to analyze proposals for work not covered in contracts, and have ample time for repairs. It also reduces the risk of potential violations due to late filings and unsatisfactory inspection results.

**The New Façade Law:** As LL11 morphs into 28-302.1 Facade Inspection and Safety Program, it is going to be essential to keep clear and concise records of your own inspections and repairs, and make sure that all your paperwork with the City is done accurately. Extensions for repairs will be

granted as long as the request is justified, and when finally completed, an amended report is filed. For FAQs and a summary of how to avoid the 10 mistakes most often made in the facade inspection process, go to [http://www.nyc.gov/html/dob/downloads/pdf/facade\\_report\\_mistakes.pdf](http://www.nyc.gov/html/dob/downloads/pdf/facade_report_mistakes.pdf).

### Thompson: New York's Future Depends on a Diverse Economy

Thompson zeroed in on the needs of the real estate industry, recognizing that a "big part of our economy flows from the buildings and that I want to make it easier for BOMA/NY members to do business...There are too many regulations, fines and fees that cut down on productivity," he said, and faulted the current administration for using fees and fines as a "revenue generation" system which penalizes building owners' revenues to build up those of the City. "We will all be better served by a common sense approach that stops using people and buildings as revenue streams - we are only hurting ourselves."

He called for greater tax incentives to reduce buildings' carbon footprints and for PlaNYC 2030 to "reward good behavior." And in a pitch to the middle class, Thompson chastised the City for its over-dependence on Wall Street, calling it "myopic". The only route to a healthy future, in his eyes, would be through a "diversified economy" built on a reinvention of the middle class and jobs that paid a "living wage. Let's be blunt about it," he said, "the average city wage fell between 2002 and 2007, while those at the top prospered."

Thompson's New York will see fewer "mega-developments" that benefit the few and more projects built with community input, where "infrastructure keeps pace with development." Government is not supposed to plan for a communityâ€”but with it," he said, and cited the residential overbuilding in Brooklyn as the perfect example: the borough's 3,000 new downtown units were built without the appropriate classrooms.

And he would go a step further, denying any public funding for private development unless it can provide long-term, living wage jobs, (as opposed to the short-term jobs created by constructing Yankee Stadium.) His administration will also focus more on the small business entrepreneur, who employ the bulk of the city's labor force, but are being squeezed out of affordable commercial space.

"I will enforce existing zoning to protect manufacturing from speculators doing short-term deals," he said, championing the Greenpoint Manufacturing and Design project, where start-up design and high-tech firms can rent at affordable rates. He also faulted the current administration for failing to recognize that the flight of close-at-hand manufacturing operations in the Garment Center, and the failure to prosecute the center's illegal conversions to office space, could seriously damage New York's ability to retain its position as North America's fashion headquarters, a position it has held for more than two centuries.

But saving one industry over another does not figure in a Thompson New York. For the former comptroller, a diversified economy and a new economy, where high-tech has its place alongside traditional strengths, will create the healthiest future of all.