



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

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CONTACT: pressoffice@cityhall.nyc.gov, (212) 788-2958

RUSH TRANSCRIPT: MAYOR DE BLASIO ISSUES COLD WEATHER WARNING AND ANNOUNCES INCREASED PENALTIES FOR SAFETY HAZARDS AT CONSTRUCTION SITES

Mayor Bill de Blasio: Before we talk about the construction safety issues that we're here to discuss, I want to first give all New Yorkers an update on the extreme cold that we are facing and offer some warnings and precautions that I hope people will take. It's a very serious situation that all New Yorkers need to recognize we're going to be facing – really abnormal conditions, very dangerous conditions. And everyone needs to adjust their approach given what we're facing here. I want to thank all of my colleagues who have joined me, I'll acknowledge them in a moment. But let me do this first, and also say we will take any questions on the weather situation upfront before we move on to the construction safety issues.

Temperatures will continue to drop tonight with lows in the teens through Saturday morning, but when you add in the wind chill – the wind chill values will take us as low as five below zero from tonight through Saturday morning. Then temperatures and wind chills will continue to drop. They'll go even lower throughout the day tomorrow – Saturday. And the coldest weather will be tomorrow night. Saturday night into Sunday morning we are expecting the very coldest weather. The National Weather Service has issued a Wind Chill Advisory that will be in effect from 4:00 pm tomorrow – Saturday – through noon on Sunday. Temperatures will plummet to around zero. And with wind chill – the wind chill values will take us as low as 25 below zero. This is very, very rare for New York City. And again, people have to recognize they have to take extreme precautions. Twenty-five below zero Saturday night going into Sunday. By Monday afternoon, we expect more moderate temperatures. And with wind chills we should be in the 20s, so it will be more normal for this time of year by Monday afternoon and then continue to get a little warmer going into Tuesday.

But from this point on, through Sunday afternoon, we are in a really exceptional situation and I need all New Yorkers to understand to take all the appropriate precautions. You should take this weather very, very seriously. We don't see these temperatures very often and they can be life threatening – particularly to our seniors, for infants, for people with disabilities, people with cardiovascular and lung conditions – these are very tough conditions for folks with those challenges. And anyone who is under the influence of drugs or alcohol may not recognize just how much danger they're in. That will be particularly true in the evening hours – the overnight hours – and we're coming into a weekend, so it's something people have to really take seriously. Please think about your neighbors, please check on your neighbors, particularly any who are senior citizens or have disabilities.

We have the Code Blue plan in effect. We're reaching out all across the city for anyone homeless to get them in and get them to safety. Last night, our outreach teams helped 63 people find shelter and 232

additional individuals walked in to our health and hospital facilities to escape the cold, so all together almost 300 people came in last night. If you have to go outside, be careful. If you don't have to go outside, the best thing to do is stay indoors. But if you have to go outside, go for as little time as possible, bundle up, don't leave any skin exposed you don't need to. Do the obvious things – wear a hat, wear a scarf, a hood, etcetera.

If you don't have heat or hot water, we need you to call 3-1-1 immediately. It's very important that call go in quickly so we can act on it in time. Any building where the manager is not providing heat and hot water, we need to know so we can come and make that repair; call 3-1-1.

Finally, there is a real fire risk. Any time it gets cold people start turning to informal means of heating their homes. They open up the stove and they do other things that are not advisable, and this can be very dangerous. It can be a cause for fire or for carbon monoxide poisoning – very important to not turn to types of heating that could cause even greater danger. Again, if you don't have heat and hot water, call 3-1-1 so we can fix that. Please be careful to make sure that any carbon monoxide alarms and smoke alarms in your home are functioning, particularly at this period.

Quickly in Spanish.

[Mayor de Blasio speaks in Spanish]

Are there any immediate questions on the weather situation? Andrew?

Question: [Inaudible]

Mayor: First and foremost, building managers are supposed to take care of heat and hot water for their buildings. That's their responsibility, and so we need to make sure that anyone that's having a problem is alerting their property manager and typically that will fix the problem. But we need to know right away where that's not happening, and that's why I want those calls to happen right now so we have the maximum chance of getting crews out to address them. I don't want to find out days later that someone didn't have heat and hot water and didn't call 3-1-1. The simplest thing is, if you're not getting results from your building manager, call 3-1-1. Yeah?

Question: Mayor, is this cold weather event, [inaudible].

Mayor: No, I'm absolutely intending to be here. I think it's a very serious thing.

Question: Mayor, will you be wearing a hat?

Mayor: I'm sorry if vanity got the better of me today. But as it gets colder, yes, I'll be wearing a hat.

Question: [Inaudible]

Mayor: It will depend on what's going on specifically. My hope right now is to go to some of it, but it's really going to depend on what's happening here. Any other questions – any other questions on weather?

Okay, we're going to go on to our next event. Thank you.

I want to thank, joining us today, the Borough President of Manhattan Gale Brewer, State Senator Brad Hoylman, I want to thank Susan Stetzer, the District Manager for Community Board 3, Mike Arvanites,

he's President of the Safety Professional Association; and Gigi – Gigi Li, the Chair of Community Board 3. Some of them were originally scheduled to speak. They have kindly yielded given the conditions that we are dealing with right now with the weather. And, I thank them all for being here and for yielding their roles. Our Buildings Commissioner, Rick Chandler, got delayed for a moment but, he'll be here momentarily.

We're here at a site – and we welcome Councilmember Rosie Mendez, thank you so much. Councilmember Jumaane Williams, thank you. Brian Kavanagh – I'm sorry, behind my shoulder is Assemblymember Brian Kavanagh. I thank you all and again to all of the elected officials, I thank you. Given the weather conditions – thank you for yielding your speaking rights.

We're here at a site where a tragedy occurred and we wanted to be at a site like this to make a point about the fact we will not tolerate unsafe construction conditions. We won't tolerate anyone putting profits ahead of the lives of their workers and of the people who live in our communities. And that's what happened to often in the name of greed – people who ran construction sites, people who owned construction companies didn't do what they were supposed to do, and lives were lost. We won't tolerate that. Every day our construction workers – they put on their hard hats, they put their hands to work to build this city, and everything we do here depends on them. Our homes are built, the schools that we are building for our kids, our businesses – we depend on them. And, it doesn't matter what the temperature is. Most of the time – cold weather, hot weather – they're on the job.

On a cold day in December, a man named Luis Alberto Pomboza was working at this site, right behind us: 356 East 8th Street. An Ecuadorian immigrant, a man who was just trying to get a decent day's of work done and take care of himself and his family. He was working to add a fifth story on a 4-story multifamily townhouse. And that day he was working to demolish a wall. But a large portion came loose tearing through the platform he was standing on and causing him to fall four stories to his death.

Now, the construction permit that was issued by the Department of Buildings listed the construction superintendent for that site; someone to ensure that all safety protocols were being followed. But, there was no construction superintendent at the site at the time of this tragedy, and that's one of the reasons why this decent man lost his life. The investigation is ongoing but Department of Buildings has issued a Stop-Work Order and a Vacate Order for the site. As well as two class one violations and the same company has a second site and the Department of Buildings is imposing a site safety coordinator at that second site to monitor all activities – to stop any activities that could be considered inappropriate.

Many construction accidents are preventable. Most are preventable, with strict adherence to safety rules. So today we are announcing new measures to keep our construction workers safer and to keep the public safer, as the skyline around us continues to change. In fact, since 2009, construction in our city has increased more than 300 percent and there's no doubt that this is deeply connected to economic growth, new jobs, new businesses, new homes. These are good things, but they have to be done the right way. This construction boom at the same time has brought 98 percent more construction accidents since 2009 and I've said the other day and I want to say it again. No building is worth a person's life. We have to have our priorities straight. Preserving life comes first.

That's why the Department of Buildings is beginning a new era of increased enforcement and supervision at construction sites across our city. Now, buildings under 10 stories like this one – these are where we've seen the majority of construction accidents. In 2015, 70 percent of accidents occurred at sites under 10 stories. So, over the next 90 days the city will launch a massive enforcement blitz. We will be covering more than 1,000 sites under 10 stories. And this is again the area where we are most concerned, where we've seen contractors break the rules, and endanger the lives of their workers. The blitz will also include

sites that are over 15 stories. So the grand total of the sites that will be inspected will be 1,500 building sites around the city in the next 90 days.

Any unsafe conduct that is found will result in harsh penalties for the violators. We will not allow them to skirt the rules. In fact, we are quadrupling penalties for failing to protect the safety of our construction workers and our public. We are quadrupling those penalties. They will rise per individual instance from \$2,400 to \$10,000 per incident per specific violation. And, if we see repeated violations that number can in fact rise up even higher. So these violations are going to be very substantial, these penalties will be very substantial.

We won't accept no supervision as an excuse for an accident – whether it's injury or loss of life. We will hold the construction companies responsible if there is no supervision. And for the first time the city will require a construction superintendent to oversee any new construction or major renovations at buildings under 10 stories.

And I want to give credit, where credit is due. This idea was originated by the Chair of our Housing and Buildings Committee, Councilmember Jumaane Williams. I want to thank you for an idea that is going to help make this city safer and we are going to take your idea and put it into action.

Contractors who fail to hire a construction superintendent will pay a penalty of up to \$25,000. And all these changes are part of a \$120 million overhaul happening at the Department of Buildings, including the hiring of 100 new inspectors that will be achieved by this summer. Again, we're going to require a superintendent at all construction sites under 10 stories, not just new construction, any construction site including renovations. Under these new rules – had these rules been in effect, there would have been a construction superintendent at this site required to inspect all work areas at least once a day, every single day that construction was going on. And that's another key point of our reforms. Every day the construction superintendent will have to review each site. Had that rule been in effect, perhaps, Luis Alberto would be still with us today. So, we need these new rules to protect lives.

Quickly in Spanish, and then we're going to take questions on this topic and then on other topics.

[Mayor de Blasio speaks in Spanish]

With that, we welcome your questions on this topic.

Please?

Question: Mayor, can you [inaudible] an idea how prevalent [inaudible]?

Mayor: I'll have the buildings Commissioner give you some of the background. The goal here is, look, we're focusing on where, as I said, about 70 percent of the actions have been in these buildings under 10 stories. And we're focusing on the lack of supervision, which we think has been one of the biggest problems. And again, I thank Councilmember Williams because he pointed out a way we could really get at that. And we're also trying to show there's going to be much more teeth in the enforcement in terms of really harsh penalties, and penalties that will grow. So, I think that's going to make a big impact. In terms of history, let me let the Commissioner speak to that.

Commissioner Rick Chandler, Department of Buildings: Good afternoon. In 2015, there were 11 deaths. And as the mayor said, majority of the incidents happened at buildings under 10 stories. I can't parse out that 11. This new policy is a message of deterrents. And I think that the message needs to be received that it's simply not acceptable to get violations and not – continue to look over safety matters.

Mayor: Thank you. Yes?

Question: [Inaudible]

Commissioner Chandler: We have that – we have that information on our website now – on our buildings information system. So, it is something that you can check to see the history of the inspections that we've done.

Mayor: How often is it updated?

Commissioner Chandler: Well, it's updated almost in real-time – almost in real-time – almost daily.

Question: Councilman Corey Johnson has a bill right now that requires all work on buildings over five stories [inaudible]. What do you make of that legislation?

Mayor: I haven't seen it. And I certainly look forward to reviewing it. Look, we're open to any and all measures that will help make us safer. There are things we know we have to do right away.

Dave?

Question: How much is it [inaudible]?

Mayor: I don't know if I'd say it [inaudible] places. I think we have very strict standards here. And when you think about the massive amount of construction that happens every day, I think there are – there's actually a lot of firms and a lot of site that have been handled very well. So, I'll be careful on that assumption. What we can say is we have a building boom. We have seen some construction companies play fast and loose – we're going to crackdown on them, but – and we need the public, of course, to the previous question. We need the public to tell us what they see, so we can act on it. But I think, again, a lot of companies do it right but some do it wrong and that's who we're going after.

Question: [Inaudible]

Mayor: The question is where are the problems. The safety problems we're seeing, again, are at these buildings under 10 stories. And sometimes that is larger firms and sometimes its smaller firms. But we've been able to pinpoint where the biggest problem is. It's not punishing people to say you need a site superintendent and you need to daily check your safety dynamics. It's certainly not unfair to say if you do things wrong that endangers life you're going to pay severe penalties for it. Protecting life is the first obligation of this city government.

Question: [Inaudible].

Mayor: It's non-negotiable. The cost – again, the first obligation, I said no building is worth a human life. The first obligation is safety. This is not a very extensive cost to add to make sure that's there's proper supervision; and that a site is checked every day for safety. I don't consider that extraneous or absorbent in any sense. So, I don't think that's a real factor here.

Question: [Inaudible]

Mayor: Again, they check a site and they can check multiple sites in a day because [inaudible]. So, what does it cost roughly – any sense?

Commissioner Chandler: No.

Mayor: We can get back to you. But I don't think it's a meaningful expense.

Question: [Inaudible]

Mayor: That's always a question we ask in everything we do. But in this case we seen a pattern of accidents with buildings under 10 stories, and we have seen where there's negligence; when there's a lack of supervision that seems like a pinpointed way to get at it from my point of view – and a fair way to get at it. Until we reduce the number of construction deaths, I'm not going for a moment think we're overregulating. When I know that we've got consistent safety that's when we level off.

Any other questions on this topic? Please.

Question: [Inaudible]

Mayor: So, in the past [inaudible] was new construction only. We're adding the idea of all types of construction. Rick will tell you the different categories. And again, that's going to be a daily safety review.

Commissioner Chandler: Sure, again, it's new buildings, demolitions, major alterations – that would include demolition of partial part of the floor or if it's adding floor area or [inaudible] to the building.

Mayor: Okay. Yes?

Question: [Inaudible]

Mayor: I think you're conflating a bunch of things, so let's get it clear. Here, we're talking about, in many, many cases, a site that is a private market site – building being created just for market-rate housing. A lot of those sites use non-union labor. I'd like to see more of them use union labor. I believe in union labor. The question we have been debating is over affordable housing, which is obviously a smaller part of the construction reality. When it comes to affordable housing I'd like to see union labor, but at rates that we can afford as part of the affordable housing plan. As I've said many times publicly, I welcome an effort to work together with the building trades to make sure those sites are union labor, but it has to be within the cost dynamic that fits for the creation of affordable housing, which is a public good. So, I would expect you to be able to separate those two concepts.

Question: [Inaudible]

Mayor: I'm sorry, the point I'm making if you'd listen to it is, most construction in this town, as I think you know, is private market construction; the more union labor the better. We welcome union labor and affordable housing, but we need rates we can afford.

Anything else on this topic? Other topics?

Question: Mayor on the Peter Liang verdict [inaudible].

Mayor: Look, the jury has spoken here. We respect the judicial process. Most important thing I want to say is, to the family of Akai Gurley, I hope this brings them a sense of closure. But I think the justice system continues to function. And I hope people see, in everything that the judicial system does and

everything that the NYPD does that there is going to be a consistent effort to make sure that justice is served.

Question: What do the facts that were revealed in the trial tell you about the adequately [inaudible] police training?

Mayor: Well, I want to say there's some dispute over some of the ideas that were put forward by individuals who testified, so I want no mistake about saying that everyone who testified at that trial told us everything that was accurate. But the fact is, we have emphasized training. This is something Commissioner Bratton really focuses on and continues to build on each year: more training for our new officers, more training for existing officers – coming back and getting retraining and updated approaches in how to deescalate violence and how to use firearms properly, and how to communicate. So, officers who were trained in the past that's one thing, but our approach today is about a very serious professional training regime that is every year reinforced.

Question: [Inaudible]

Mayor: Compared to a few years ago where we did not train the entire force every year – yes, that's a profound change.

Question: Mr. Mayor, [inaudible] Peter Liang trial – because it had to do with vertical patrols and given that two officers were shot last week were on a vertical patrol. Do you have any concerns about that particular tactic?

Mayor: Vertical patrols are necessary as part of keeping our public housing residents safe, but we have to work consistently to do them the right way. And that means in the way that's respectful to the residents of that development; in a way that is communitive and understands the needs of the people in the development. That's what you're going to see more and more under our neighborhood-policing model. But every police officer knows there are dangers, and I admire each and every one of them for doing such important work in the face of those dangers. So, we have to be in our public housing developments to protect people. There's no question about it. But what we're doing now is making sure our officers have a lot of training, a lot of support. One of the other things that Commissioner Bratton put into place was the notion of officers, while they're still in the training process, starting to work with more senior officers in the precincts, and getting a different kind of coaching than they got in the past. I think that's going to help a lot as well. But the vertical patrols, done the right way, are necessary for safety.

Question: Commissioner Banks sent letter to the state yesterday implying that the stabbing victim on Staten Island – she might not have been [inaudible] had there been security. [Inaudible]

Mayor: I haven't seen that letter, but I want to speak to the obvious. We believe security is necessary at these facilities and we're providing it. We all know there can be exceptional situations in any one incident, but the bottom line is we're going to have security at all these hotels.

Question: The letter?

Mayor: Because we send a lot of letters from a lot of agencies. Again, we believe we need security at those hotels.

Question: Mayor, on the stabbing as well, the state sent a letter requesting additional security measures to take place after you all [inaudible].

Mayor: Correct.

Question: [Inaudible] how did you interpret that letter from the state? Was it Governor Cuomo trying to [inaudible] or embarrass you?

Mayor: I don't waste time trying to interpret. We saw immediately what we had to do, and we did it.

Question: [Inaudible]

Mayor: I think every single case is individual. I really think it's important to not try to draw too many inferences because each case its own dynamics. But what we can say more broadly is that we in this city are devoted to justice and that is something that happens sometimes through our judicial system: sometimes through the disciplinary actions of the NYPD itself, and certainly through policy. The reduction in the unconstitutional use of stop-and-frisks, the introduction of body cameras, training to de-escalate conflicts, implicit bias training, something I talked about in my State of the City. That's going to be very important to helping to bring a closer relationship between police and community. I would say a number of changes are happening. So, beyond this one individual case a much bigger story is that people all over this country are calling for change and certainly, in this city, change is happening.

Question: [Inaudible]

Mayor: Say it again.

Question: [Inaudible]

Mayor: I feel it was a tragedy for everyone involved. It's very sad.

Question: [Inaudible]

Mayor: Okay.

[Laughter]

Mayor: Sorry about that.

[Laughter]

Question: [Inaudible]

Mayor: I just said that they are the necessary way that we protect people in public housing, but we have to do them the right way.

Question: [Inaudible]

Mayor: I just said it.

Question: [Inaudible]

Mayor: On the first point, I leave it to the judicial system to determine what the appropriate penalty is. On the second point, I don't believe it will have a chilling effect. We're, again, training our officers better than before, giving them more technology than ever before, thanks to the City Council, giving them new

vests to protect them. We're doing a lot of things to support their work. And our officers get out there every day and their work well. And the proof of that is decreasing crime – more gun arrests than ever. This department is doing a great job – gun arrests up 10 percent last year compared to the year before. So, I think our officers are focused and doing their job well.

Question: [Inaudible]

Mayor: It's an ongoing discussion with the Council. We certainly want to figure out a reform that makes sense. We don't want to see needless warrants out there, but it's something we'll work on carefully with the Council and with the NYPD.

Question: [Inaudible]

Mayor: I don't – I don't have reasons to expect outcomes. We'll see what he does and we'll comment on it accordingly.

Thanks, everyone.

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