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**FOR IMMEDIATE RELEASE  
MONDAY, FEBRUARY 27, 2012**

**DOI AND DOB ISSUE FINDINGS IN INVESTIGATION OF FATAL ELEVATOR INCIDENT AT 285 MADISON AVE.**

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), and ROBERT D. LIMANDRI, Commissioner of the New York City Department of Buildings, issued their agencies' findings in the investigation into the December 14, 2011 elevator incident at 285 Madison Ave. in which an elevator accelerated upwards from the lobby with its doors open, fatally injuring a 41-year-old woman attempting to step into the elevator. DOI and DOB conducted a joint investigation. Investigators interviewed Transel Elevator, Inc. employees who worked on several elevators at the building, including the elevator involved in the incident, and reviewed video footage of the lobby and of the 12<sup>th</sup> floor, where some of the work was performed. In addition, DOB conducted a series of inspections and tests of the elevators at the building to determine the cause of the incident. DOI and DOB have referred their investigative findings to the office of New York County District Attorney Cyrus R. Vance, Jr. Copies of the agencies' reports can be found at the following link:

<http://www.nyc.gov/html/doi/downloads/pdf/feb12/022712report.pdf>

The joint investigation found:

- Witness testimony and other evidence support the finding of a forensic examination that the safety circuit was bypassed on elevator 9, the one involved in the fatality, allowing the elevator to accelerate upwards with its doors open.
- Workers from Transel Elevator failed to follow basic safety procedures before the incident, such as placing caution tape across the elevator's door jamb, and notifying DOB to inspect the elevators before putting them back in service, as required by the New York City Building Code.

As a result of Transel's safety failures, DOB today suspended the Private Elevator Agency Director's license of John Fichera, Transel's owner, and will seek to revoke his license at an administrative hearing. The suspension prevents the company from performing any elevator upgrades, new installations, or inspections in the City pending the appointment of a new license holder. In addition, DOB has already issued 23 violations, with a minimum penalty of \$117,000, to Transel, including violations for operating elevator 9 without a certificate of compliance.

DOI Commissioner Rose Gill Hearn said, "The investigation starkly showed elevator safety protocols were ignored. Investigators deconstructed the incident second-by-second to understand what went wrong. These findings are a caution to all licensed building professionals in the City, especially those in the elevator industry: City regulations safeguard New Yorkers and must be followed at all times."

DOB Commissioner Robert D. LiMandri said, "These workers and their supervisors failed to follow the most basic safety procedures, and their carelessness cost a woman her life. New Yorkers who commute to work each day must rely on workers to maintain our buildings in a safe manner at all times, and these employees betrayed that public trust. Failing to post warning signs about the work and allowing this elevator back into service without proper safeguards are clear violations of the Building Code and their blatant disregard for the law and public safety is inexcusable. If these safety measures were in place, this tragedy would have been prevented."

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During the two-month investigation, DOB inspectors performed a series of inspections and tests on elevator 9 and its parts, including the controller or circuit wiring, motor, brake, traveling cables, and interlocking devices that control the elevator cab doors and the hoistway doors that open on the lobby floor. With assistance from consultant Lerch Bates, Inc., of Maplewood, N.J., inspectors conducted a mechanical recreation of the incident at 285 Madison Ave., while reviewing Transel Elevator records, surveillance video footage and the history of the elevator device. No program failure, brake failure, power surge, or faulty wiring is believed to have played a role in the incident.

The joint investigation found that interviews of the Transel workers, video security footage, wires found in the elevator control room, and a wire provided to investigators by a Transel mechanic support the conclusion of the forensic examination that the safety circuit on the elevator was apparently bypassed at the time of the fatal incident, allowing the car to move with its doors open. Witnesses testified that an elevator mechanic was using a “jumper” wire the morning of the incident to bypass the safety circuits and move certain elevators, including elevator 9, so workers could gain access to the tops of the elevator cabs. The use of a “jumper” wire is commonplace during maintenance and repairs and is acceptable by industry standards and DOB regulations, but it must be removed before the elevator is put back into service to avoid an unsafe condition.

The video security footage from the lobby shows that seconds before the victim attempted to enter elevator 9, two passengers entered the elevator and pressed call buttons, which would have prompted the cab to move to a higher floor. The elevator rose with the doors open, which DOB and its consultant determined is indicative of a “jumper” wire being used in the control room to bypass the door locks.

DOB has inspected all 13 elevators at 285 Madison Ave., and as of today 11 of them are safe, with two, including elevator 9, remaining out of service. A total of 34 Environmental Control Board (“ECB”) violations have been issued, 11 to the property owner, Young and Rubicam, and 23 to Transel Elevator.

In the weeks following the fatal incident, DOB inspectors conducted the largest safety sweep of elevators in the history of the Buildings Department. The accident elevator was undergoing work related to a periodic test required every five years, and as a result, the citywide sweep focused on other elevator devices with recent work applications and outstanding periodic tests. During the three-week sweep, inspectors performed inspections of 658 elevators at 169 buildings throughout the City. Of the 658 elevators, 370 were serviced by Transel Elevator, who received 71 ECB violations out of a total of 135 issued. No conditions related to the fatal incident were found by inspectors during the sweep.



The City of New York  
Department of Investigation

ROSE GILL HEARN  
COMMISSIONER

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February 27, 2012

Commissioner Robert LiMandri  
New York City Department of Buildings  
280 Broadway  
New York, New York 10007

Re: 285 Madison Avenue, NY, NY  
Fatal Elevator Incident

Dear Commissioner LiMandri:

The New York City Department of Investigation ("DOI") recently completed an investigation conducted in conjunction with the New York City Department of Buildings ("DOB") relating to the fatal elevator incident that occurred on December 14, 2011 at 285 Madison Avenue in Manhattan.<sup>1</sup>

The information discussed below details the investigative findings regarding the facts and circumstances relating to the fatal elevator incident.

**I. Introduction**

On December 14, 2011, at approximately 9:56 a.m., a fatal elevator incident occurred at 285 Madison Avenue, Manhattan. At that time, Suzanne Hart, a 41-year old employee at Y&R (formerly Young & Rubicam) who worked at the building, attempted to enter elevator number 9, which was stationary in the lobby with two passengers inside, and its doors fully open.<sup>2</sup> Just as Hart entered the elevator cab's doorway, the elevator accelerated upwards while its doors were still open. The moving elevator struck Hart at approximately knee level causing her to fall forward into the elevator cab. The

<sup>1</sup> During the course of the investigation, DOB retained the consultant Lerch Bates, Inc. to assist in the forensic investigation of the cause of the fatal elevator incident. In addition to DOI and DOB, the New York City Police Department ("NYPD") and the federal Occupational Safety & Health Administration ("OSHA") also participated in aspects of the investigation.

<sup>2</sup> 285 Madison Avenue is a 27-story building that was built in 1926. The elevator system in the building consists of a high-rise bank of six elevators (#s 1-6) and a low-rise bank of six elevators (#s 7-12). The low-rise bank of elevators services floors 1-12 with the high-rise bank of elevators serving floors 13-25.

elevator cab continued to move upward, trapping Hart between the elevator door saddle and the hoist way wall. The elevator cab came to a stop approximately 20 feet above the lobby landing sill. Hart subsequently died of her injuries at the scene of the incident.

On the morning of the incident, seven employees of Transel Elevator, Inc. (“Transel”) were present at 285 Madison Avenue to work on the low-rise bank of elevators, including the number 9 elevator.<sup>3</sup> Transel mechanics worked on elevator number 9 from approximately 9:25 a.m. until several minutes before the incident occurred.

Following the incident, DOI and DOB jointly reviewed camera footage from 285 Madison Avenue and conducted initial interviews of the Transel employees at the scene of the fatality. Those Transel employees were subsequently re-interviewed at DOI under oath. DOI and DOB also interviewed John Fichera, Transel’s owner and a DOB-licensed Private Agency Elevator Director, who was not present at 285 Madison Avenue at the time of the incident. In addition, DOB commenced a post-incident inspection and forensic examination of elevator number 9.

## **II. Review of Security Camera Video from 285 Madison Avenue**

DOI reviewed numerous hours of video footage recorded at 285 Madison Avenue on December 14, 2011.<sup>4</sup> Specifically, DOI’s review focused on the time period of 5:09 a.m., when Transel workers first arrived at the building, through 9:56:50 a.m., when Ms. Hart was fatally struck by elevator number 9. Below is a timeline of relevant video footage viewed with the approximate times and includes details from relevant witness testimony provided to DOI:

**5:09 a.m.:** Transel employees, Andrea Cammisuli and Thomas Moran arrived at 285 Madison Avenue. On the day of the incident, Cammisuli and Moran were working as “Adjusters” assigned to replace the 14<sup>th</sup> floor elevator control panel computer chips, also known as EPROMs.<sup>5</sup>

**7:12 a.m.:** Transel Mechanic Efrain Cardona and Apprentice-Helper Jason Torzilli arrived at 285 Madison Avenue. Cardona and Torzilli were part of a Transel team who were to perform a governor recalibration of the low-rise elevators. The purpose of this recalibration was to modify the governor tripping speed so that the elevator would travel at a lower speed.

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<sup>3</sup> Transel had been hired by Cushman & Wakefield, the building management company, to perform upgrade work for the building under DOB filing EBN 1328/11. According to EBN 1328/11, the description of the work to be performed was “reduce car speed from 600 FPM (Feet Per Minute) to 500 FPM” for the low-rise elevator bank cars. This upgrade was required to ensure that the building would pass the NYC Building Code category 5 safety test. John Fichera, Senior Vice President of Transel was the applicant of record for this filing.

<sup>4</sup> During the investigation, DOI obtained copies of recordings from 285 Madison Avenue’s security video surveillance system from the lobby and other floors. DOI’s review focused primarily on footage from the lobby and the 12<sup>th</sup> floor where Transel workers accessed the low-rise elevators in which they conducted work. It should be noted that 285 Madison Avenue’s security camera system was not time-accurately synchronized on the day of the incident from floor to floor and were different from floor to floor by approximately one minute. Therefore, the times noted herein are approximate and reflect the time stamp on each relevant video portion reviewed during the investigation.

<sup>5</sup> The control panel computer chips are located in the motor room on the 14<sup>th</sup> floor. The motor room is a utility room that houses the elevator motors and control panels that operate the elevator. There are no security cameras in the 14<sup>th</sup> floor motor room.



**7:44 a.m.:** Transel Mechanic Michael Hill and Apprentice-Helper David O'Neill arrived at 285 Madison Avenue. Hill and O'Neill joined Cardona and Torzilli in performing governor recalibration of the low-rise elevators. To do so, Transel employees worked in the 14<sup>th</sup> floor control room and on each elevator cab being recalibrated.

**8:10 a.m.:** Cammisuli and Moran left 285 Madison Avenue. During interviews with DOI both of these employees stated that they left at this time because they completed the replacement of the elevator control panel computer chips in the 14<sup>th</sup> floor control room.

**8:20 a.m.:** O'Neill and Torzilli boarded the number 7 elevator car at the lobby floor and rode to the 12<sup>th</sup> floor (top floor for the low-rise elevator) where they exited. After exiting the elevator, O'Neill held the elevator doors open and communicated on a two-way radio. The video then appears to show the elevator descending. Interviews of O'Neill and Torzilli later confirm that the elevator was in fact descending at this time so that they could access the top of the cab. From that position, using a control on the roof of the cab, they switched the elevator from "automatic" to "inspection" mode, in effect keeping the elevator stationary while they recalibrated it. When the recalibration was complete, the controls were switched back to "automatic," which, in effect, returned the elevator into service. This process was repeated for each elevator the workers recalibrated. Subsequently, video footage shows O'Neill and Torzilli entering the number 7 elevator shaft.

**8:57 a.m.:** O'Neill and Torzilli emerged from the number 7 elevator shaft at the 12<sup>th</sup> floor landing.

**8:58 a.m.:** O'Neill and Torzilli placed an elevator hall call from the 12<sup>th</sup> floor, placed their tools to the side of the number 8 elevator door and then took an elevator car down to the lobby.

**9:03 a.m.:** O'Neill and Torzilli boarded the number 8 elevator car at the lobby floor and rode to the 12<sup>th</sup> floor where they exited. After exiting the elevator, O'Neill held the elevator doors open and communicated on a two-way radio. The video then appears to show the elevator descending. Interviews of O'Neill and Torzilli later confirm that the elevator was in fact descending at that time so that they could access the top of the cab. Subsequently, video footage shows O'Neill and Torzilli entering the number 8 elevator shaft.

**9:22 a.m.:** O'Neill and Torzilli emerged from the number 8 elevator shaft at the 12<sup>th</sup> floor landing, placed their tools to the side of the number 9 elevator door and placed an elevator hall call. Subsequently, they took an elevator car down to the lobby.

**9:25 a.m.:** O'Neill and Torzilli boarded the number 9 elevator car at the lobby floor and rode to the 12<sup>th</sup> floor where they exited. After exiting the elevator, O'Neill held the elevator doors open and communicated on a two-way radio. The video then appears to show the elevator descending. Interviews of O'Neill and Torzilli later confirm that the elevator was in fact descending at that time so that they could access the top of the cab. Subsequently, video footage shows O'Neill and Torzilli entering the number 9 elevator shaft.

**9:54 a.m.:** O'Neill and Torzilli emerged from the number 9 elevator shaft at the 12<sup>th</sup> floor landing and placed their tools to the side of the number 10 elevator door, made an elevator hall call and took an elevator car down to the lobby.

**9:55 a.m.:** O'Neill and Torzilli exited 285 Madison Avenue. It was later learned during interviews that they had completed their work on the number 9 elevator and had stepped out of the building to take a personal break.

**9:56:11 a.m.:** The number 9 elevator car hallway doors opened at the lobby, and the cab was empty.

**9:56:35 a.m.:** A female passenger entered the number 9 elevator car and pressed a call button.

**9:56:45 a.m.:** A male passenger entered the number 9 elevator car and pressed a call button.

**9:56:46 a.m.:** Ms. Hart is observed walking towards the number 9 elevator.

**9:56:48 a.m.:** Ms. Hart attempted to step into the number 9 elevator car, but the elevator cab began to rise with the doors open and struck her just below her knees.<sup>6</sup> Ms. Hart lost her balance and partially fell into the number 9 elevator car as the elevator continued to rise up the elevator shaft.

### **III. Witness Testimony**

On December 14, 2011, DOI and other agencies including DOB conducted preliminary interviews of the Transel employees who worked at 285 Madison Avenue on the day of the fatal elevator incident.<sup>7</sup> During the course of these interviews, none of the Transel employees were able to explain what caused elevator 9 to move with the doors open after the car had been placed back into service. All of the employees were subsequently re-interviewed at DOI.

#### *Michael Hill – Mechanic*

On December 14, 2011, Hill was interviewed at 285 Madison Avenue at the incident scene. At this interview, Hill stated that at the time the incident occurred, elevator 9 was in full service because the upgrade work had been completed on that car. Hill also stated that he was not aware of any operational problems with elevator 9 prior to the incident and that he could not offer any explanation as to what caused elevator 9 to move with its car doors open.

On January 19, 2012, Hill was re-interviewed at DOI under oath. The following information was provided by Hill at his second interview:

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<sup>6</sup> If the number 9 elevator was still jumped at this time, meaning a bypass wire was used to override the safety circuits and allow the elevator to operate, the elevator would have started to rise because the two onboard passengers pressed destination floors.

<sup>7</sup> On December 14, 2011, the following Transel employees who worked at 285 Madison Avenue on the day of the incident were interviewed: Michael Hill, Andrea Cammisuli, Efrain Cardona, Thomas Moran, David O'Neill, Robert Schroeder and Jason Torzilli.

Hill stated that he has been an employee of Transel for almost 12 years and has approximately 28 years of experience in the elevator industry.

Hill said that on December 14, 2011, O'Neill and Torzilli were working on one of the elevators on the 12<sup>th</sup> floor when O'Neill told him, via two-way radio, that O'Neill could not fit his arm between the hoist and cab doors to disengage the clutch, which is a mechanical door lock, nor could he successfully reach the door lock with his tomahawk tool.<sup>8</sup> Hill stated that after receiving this radio communication, he bypassed the door lock from the 14<sup>th</sup> floor motor room control panel by using a long piece of wire found in the 14<sup>th</sup> floor motor room next to a spool of wire, a common procedure known as "jumping." Hill said that he placed a piece of wire, commonly referred to as a "jumper" wire, on two different points at the same time on the elevator control panel to bypass the elevator door locks so the helpers could gain access to the top of the elevator cabs.<sup>9</sup>

Hill added that the only time he had the bypass wire on the control panel was when he had to lower the elevator cars from the 12<sup>th</sup> floor to allow O'Neill and Torzilli access to the roof of the elevators. Hill explained that once the elevator is lowered, there is no reason to continue bypassing the circuit.

Hill was specifically asked whether he had accidentally left the "jumper" wire on the motor room control panel at the time of the fatal accident, and he replied that he had not. Hill stated that if the "jumping" wire had remained attached to the number 9 elevator control panel in the motor room, O'Neill and Torzilli would have observed the elevator move at the completion of their work, as they stepped off the top of the elevator and placed the car back in "automatic" mode.

Hill said that while working in the control room on the day of the incident he kept the "jumper" wire in his hand and never left it in the circuit board. Hill said he used the "jumper" wire to lower the elevator cabs and then removed the wire from the control panel once the lowering was complete. Specifically he stated, "The wire was in my hand, that wire was being used on each controller." Hill further stated that he did not observe or experience any errors or abnormalities while working in the motor room on December 14, 2011, and only became aware of the elevator incident after receiving a radio communication from O'Neill.

Hill said during his interview at DOI that he still had in his possession the "jumper" wire that he reportedly used at 285 Madison Avenue on the day of the incident. Following the interview, investigators accompanied Hill to a job site where he was then working and recovered what he said was the wire used at 285 Madison Ave. Hill provided DOI investigators with a green-covered wire approximately three feet long with a knot in the middle. The cover had been stripped away at both ends so that the wires were exposed. The stripped ends were straight and did not appear bent.<sup>10</sup>

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<sup>8</sup> A tomahawk tool is a hammer-shaped tool that allows a worker the ability to bypass an electrical circuit on the elevator cab.

<sup>9</sup> During the course of the investigation it was determined that the use of a "jumper" wire is commonplace during maintenance and repairs and acceptable by industry standards and DOB regulations. However, according to DOB, in order to avoid an extremely unsafe condition, it is imperative that all "jumper" wires must be removed before an elevator is placed back into service.

<sup>10</sup> According to DOB, a "jumper" wire which had been used to bypass a circuit on a control panel generally has a bent appearance after the wire has been attached to "set points" on an elevator control panel to bypass a circuit.

*Efrain Cardona – Mechanic*

Cardona was interviewed on December 14, 2011 at the incident scene and again at DOI on January 20, 2012. Cardona stated that he has been an employee of Transel for almost eight months and has approximately 28 years of experience in the elevator industry. Cardona said that on the date of the incident he was assigned to observe Hill's recalibration in the motor room.

Cardona stated that he was unaware that Hill utilized a bypass wire to allow any of the low-rise elevators to operate while the 12<sup>th</sup> floor hall doors were open. Cardona added that he observed Hill in front of the 14<sup>th</sup> floor motor room control panel communicating on a two-way radio, but could not specifically observe what Hill was doing. Cardona explained that Hill's back was to him and that he did not ask what Hill was doing because he was only there that day to observe work on the governor.<sup>11</sup> Cardona further stated that he is familiar with elevator control panel operations and did not see a need to ask questions.

Cardona said that immediately after the incident, he saw Hill on the two-way radio and overheard him say, "I'm not going to touch the controller until I know what's going on downstairs." They both then proceeded to the lobby.

Cardona informed DOI that Hill told him that on the day of the incident O'Neill tried to utilize the tomahawk tool, but for whatever reason could not, so Hill had to run the car down for them. Cardona stated that although Hill did not specifically say that he used a "jumper," based upon Cardona's understanding, the door lock system must be bypassed in order to operate the elevator from the control room.

Cardona said that he remembered observing Hill in the moments following the incident exiting the motor room with a long "jumper" wire in hand. Cardona described it as a foot long, stripped at both ends, shaped like a "U," green and taut.

*Robert Schroeder - Mechanic*

Schroeder was interviewed on December 14, 2011 at the incident scene and again at DOI on January 20, 2012. Schroeder stated that he has been an employee of Transel for almost nine years and has approximately 29 years of experience in the elevator industry.

Schroeder informed DOI that he is the assigned route mechanic for 285 Madison Avenue, which results in him visiting the building a couple of days a week to perform routine maintenance and that December 14, 2011 was one of those days. Schroeder stated that he arrived at the motor room at the time Hill and Cardona were working on the number 9 elevator governor; however, Schroeder stated that he did not participate in the governor recalibration.

Schroeder informed DOI that around the time of the elevator incident, in the 14<sup>th</sup> floor control room, he observed Hill receive an urgent call on the two-way radio but said he did not hear what was actually said. Schroeder said he subsequently exited the mechanical room with Hill and they made their way to the lobby.

Schroeder stated that he did not utilize a bypass wire in the motor room on December 14, 2011 and did not observe Hill or anyone utilizing a bypass wire. Nonetheless, Schroeder said that on the day

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<sup>11</sup> The elevator 9 governor is located in the motor room several feet directly opposite the control panel.

of the incident, during their ride home, Hill told him that Hill had used a “jumper” wire to move the cars, but never said whether he had removed the wire prior to the elevator incident.

*David O'Neill – Apprentice/Helper*

O'Neill was interviewed on December 14, 2011 at the incident scene and again at DOI on January 20, 2012. O'Neill stated that he worked for Transel in 2009 for five or six months, was laid off due to lack of work, and was rehired in June 2011. O'Neill stated that he has approximately 11 years of experience in the elevator industry.

O'Neill stated that on the date of the incident he was assigned with Torzilli to perform work on the rooftops of all the low-rise elevators serviced that day. O'Neill said that to access the rooftop of the elevators, it is necessary to separate each elevator shaft's hallway door from the elevator's cab door via the clutch, and that on the first elevator he worked on he had a problem reaching the clutch because the space between the doors was narrow. O'Neill said that he informed Hill via a two-way radio and Hill responded that he would send the car down. O'Neill said that he had no knowledge of “jumpers” being used to lower any of the cars, but added that lowering the cars with “jumpers” is something that would have been done only via the control panel on the 14<sup>th</sup> floor. O'Neill stated that after the incident he never asked Hill how the elevator had been lowered. When asked, O'Neill said he did not observe elevator 9 move after he completed work on it and switched the car to “automatic.”

*Jason Torzilli – Apprentice/Helper*

Torzilli was interviewed on December 14, 2011 at the incident scene and again at DOI on January 20, 2012. Torzilli stated that he has been an employee of Transel for about a month and a half and has approximately nine years of experience in the elevator industry.

On the date of the incident, Torzilli was assigned with O'Neill to perform work on the rooftops of all the elevators. Torzilli said that O'Neill had difficulty separating the hallway door from the cab door because his arm couldn't fit between the doors. Torzilli was informed by O'Neill that Hill would therefore lower the elevator cars from the 14<sup>th</sup> floor motor room with the doors open. Torzilli stated that he did not know how Hill lowered the cars. When asked whether he had seen elevator 9 move after it was switched to “automatic,” Torzilli said he would not have been looking at the elevator at that time.

*John Fichera – Elevator Agency Director/Owner of Transel*

On February 2, 2012, Fichera was interviewed at DOI. Fichera stated that he has been the owner of Transel since 2000 and has been licensed by DOB as a Private Elevator Agency Director since approximately 1997. Fichera stated that Transel has approximately 150 employees and that his duties mainly include supervision and office work. In addition, Fichera said that he reviews all documents submitted to DOB before signing them, including applications to perform upgrades or significant repairs.

Fichera was not present at 285 Madison Avenue prior to fatal incident. However, during the interview, Fichera acknowledged that DOB should have been notified by Transel about the completion of elevator work at 285 Madison Avenue before the elevators were placed back in service. However, Fichera said that he only became aware after the fatality, when he reviewed the paperwork, that the type of work Transel performed that day required a call to DOB to give DOB the opportunity to inspect the work before the elevators were returned to service. Although Fichera was the applicant of record for the

job, and DOB holds him responsible for not notifying DOB of the completed elevator work, Fichera said that Transel's Maintenance and Repair unit had that responsibility.

#### **IV. Wires Recovered from Motor Room**

On December 22, 2011 at approximately 3:40 p.m., in the 14th floor motor control room of 285 Madison Avenue, DOI investigators and a DOB chief inspector observed two separate, eight-inch lengths of green-covered wire, which were stripped on all four ends, two of which were twisted together to form one wire of approximately 16 inches in length. The wires were observed under a metal grate floor within two feet of control panel number 9.<sup>12</sup>

#### **V. Forensic Investigation of the Incident**

On December 14, 2011, DOB responded to 285 Madison Avenue and commenced a forensic investigation of the cause of the fatal incident. The investigation was conducted by the DOB Elevator Division, with the assistance of DOB's Forensic Engineering Unit.<sup>13</sup> In addition, DOB retained Lerch Bates, Inc. to assist in the forensic investigation of the incident.

In order to determine the cause of the incident, the investigation team simulated failures that could have caused the incident and compared those simulations with the building's security camera video recordings of the actual incident. The forensic investigation found that the only condition in which elevator number 9 could have moved during the incident is if the elevator was on "automatic" and the safety circuit was fully closed (by-passed). Based upon the evidence developed during the course of the investigation, DOB concluded that a portion of elevator number 9's safety circuit, most likely the car door and hoist way locks, were overridden by a "jumper" wire allowing the car to move with the doors open.

In the Lerch Bates report regarding the forensic investigation, the investigation team noted that local and national safety code standards for elevators, including the New York City Building Code, require the installation of safety devices designed to keep the public safe while riding in an elevator. According to Lerch Bates, one of the most critical of the devices is the "safety circuit." This circuit includes the "car door locks" and the "hoist way door locks" along with others. When this safety circuit is functioning normally and not compromised it does not allow the elevator to run if it is not completed or "made up." However, if this safety circuit is compromised by wire "jumpers," the mandatory safety features are disabled and the riding public is put in danger.

The Lerch Bates report further detailed that modern elevator controllers are designed with wiring terminal panels and mechanical connections points for key wiring circuits, including safety circuits. This design allows convenient installation of circuit wiring, but more importantly can provide a technician with a means to test circuit continuity. This design also allows technicians to place a clip wire "jumper" between terminals and close a circuit, providing a direct connection between two points. This "jumper" disables or "jumps out" any safety device included in the circuit. This trouble-shooting process can determine if an integral safety component has failed. However, if the wire "jumper" is left in place the required safety circuit is not functional and a potentially dangerous situation exists.

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<sup>12</sup> According to DOB, the configuration and condition of the wires recovered from the grate immediately in front of the elevator 9 control panel are consistent with the type of "jumper" wires commonly used to bypass elevator safety circuits.

<sup>13</sup> Chief Inspector Douglas Smith of the DOB Elevator Division was assigned as the Incident Commander for DOB. Assistant Commissioner Christopher Santulli of DOB's Forensic Engineering Unit also participated in the investigation.

Lerch Bates noted that during the initial startup of elevator car number 9 as part of the forensic examination, the car would not move until the safety circuit was fully closed. Due to the damage to the doors, the car doors and hoist way locks were “jumped out” to move the car. When these “jumpers” were removed, the car would not move. In addition, during the testing of several scenarios, including the testing of the speed feedback tachometer and the radio frequency interference testing, if the safety circuit was open and not “jumped” the car would not move.

Lerch Bates further stated that additional control errors were tested and none were found to match the conditions of the incident.

## **VI. DOB Enforcement Actions**

On February 27, 2012, the Buildings Special Investigations Unit filed a petition seeking revocation of Fichera’s Private Agency Elevator Director license. Fichera filed a permit, called an Elevator Building Notice (“EBN”), to reduce the speed of elevators at 285 Madison Avenue. After this work was performed, Transel was required to notify DOB in order to obtain an inspection of these elevators prior to putting them back in service. Further, these elevators were not to be put back in service until DOB issued a “Certificate of Compliance.”

On December 14, 2011, work was performed on cars 7, 8, and 9 and these elevators were put back in service without first obtaining an inspection from the DOB. Had DOB been notified, car number 9 would not have been in service on December 14, 2011 until cleared by DOB. Other charges in this petition seeking revocation of Fichera’s license relate to wiring deficiencies, failure to place caution tape on the elevators and performing work without a permit. The violations were noted in 23 Environmental Control Board summonses issued by DOB.

## **VII. DOI Investigative Findings**

DOI’s investigative findings, which are based on witness interviews among other evidence, support the conclusion of the forensic examination that the safety circuit of elevator 9 was apparently bypassed at the time of the fatal incident thereby allowing the car to move with its doors open when Hart attempted to step into the elevator cab. Specifically, the investigation found that:

Testimony taken by DOI established that Hill was assigned to work in the control room on the day of the fatality. Cardona testified that he saw Hill exiting the 14<sup>th</sup> floor motor room with a long “jumper” wire in his hand moments following the incident. Hill informed investigators that although he did use a “jumper” wire on several occasions to bypass the door locks on elevators 7, 8, and 9, it was not connected to the control panel at the time of the fatality.

Hill testified that the “jumper” wire was only on the circuit during the time O’Neill and Torzilli accessed the roof of elevator 9 and that he removed it before the fatal incident. Hill asserted that if he had not removed the jumper wire, O’Neill and Torzilli would have seen elevator number 9 move when they switched the elevator back to “automatic.” However, Torzilli testified that he was not looking at elevator 9 after it was switched to “automatic” mode by O’Neill. O’Neill testified that he did not observe elevator 9 move after he completed work and switched the car back to “automatic.” Video security footage shows that the elevator doors closed in less than six seconds after O’Neill and Torzilli are seen stepping out of the elevator, so if the elevator moved after that time it would not have been seen.

A review of the video security footage from the lobby at the time of the incident showed that moments before Hart attempted to enter elevator 9’s cab, the two onboard passengers had pressed


buttons for destination floors, thereby calling the elevator to a higher floor. The elevator started to rise with the doors open, which according to the DOB and its consultant, suggests that the door locks were bypassed by a "jumper" wire in place in the control room.

On December 22, 2011, DOI recovered a "jumper" wire in the 14<sup>th</sup> floor control room from beneath a grate that is immediately in front of elevator 9's control panel. Subsequent to DOI's recovery of the "jumper" wire from the control room, Hill, at his second interview on January 20, 2012, acknowledged for the first time having used a "jumper" wire on elevator 9 on the day of the incident. However, Hill said that he had used a different "jumper" wire that was still in his possession, which he later provided to DOI. Significantly, DOB's opinion is that the wire found in the control room on December 22, 2011 had the physical characteristics of one that had been used in a manner consistent with "jumping" a circuit, while the wire produced by Hill on January 20, 2012, did not appear to have been used for that purpose.

According to the DOB, Transel failed to follow certain necessary safety procedures and protocols when its employees performed elevator work at 285 Madison Avenue. Those failures helped create the conditions that caused the fatal incident. Two specific unsafe conditions noted were that Transel failed to place caution tape inside the elevators and to call DOB prior to putting the elevators back in service. Had Transel notified DOB to perform an inspection prior to returning elevator 9 to service, as required by code, any "jump" wire that might have been in place, or any other significant problem, could have been discovered during the inspection process.

We are also referring our investigative findings to the New York County District Attorney's Office for any action it deems appropriate. If you have any questions or wish to discuss this matter further, please contact Assistant Commissioner Michael Carroll (212) 825-3338.

Sincerely,

A handwritten signature in black ink, appearing to read "Rose Gill Hearn", written in a cursive style.

Rose Gill Hearn  
Commissioner



## Elevator Division ACCIDENT REPORT

Section 3010.1 of the Administrative Code

### LOCATION

Borough: <u>Manh</u>		Address: <u>285 Madison Avenue</u>	
Date of Accident: <u>12/14/11</u>	Time: <u>09:56</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Occupancy of Building: <u>Comm</u>	
DOB Elevator Division Response Date: <u>12/14/11</u>		Time: <u>10:30</u> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	
Inspector: <u>Douglas Smith</u>		Badge #: <u>1761</u>	
Type of Device: <input checked="" type="checkbox"/> Elevator: <input checked="" type="checkbox"/> Passenger <input type="checkbox"/> Freight <input type="checkbox"/> Sidewalk <input type="checkbox"/> Personnel Lift <input type="checkbox"/> Escalator <input type="checkbox"/> Amusement Ride <input type="checkbox"/> Material Lift <input type="checkbox"/> Wheelchair Lift <input type="checkbox"/> Other _____			
Elevator Maintenance Company and Phone Number: <u>Transel</u>			

### PERSON(S) INVOLVED

# Involved: <u>1</u> <input checked="" type="checkbox"/> Fatality or <input type="checkbox"/> Injured
Name(s) and age(s) of Person(s) <u>Suzanne Hart age 41</u>
Address(s) and Phone Number(s) _____

### DEVICE

City I.D. Number: <u>1P14275</u>		Incident Notification Number <u>13608</u>	
Type & Power of Machine: <u>gearless - overhead traction</u>			
Manufacturer: _____	Model: <u>Swift 5000 conroller</u>	Date Installed: <u>1986</u>	
Hoist Ropes: Number: <u>6</u>	Size: <u>1/2 inch</u>	Material: <u>steel</u>	
Capacity of Car: <u>2200</u> lbs.;	Number of Passengers Allowed: <u>12</u>	Speed: <u>500</u> (fpm)	
Number of Floors: <u>12</u> active – <u>13</u> fl sealed			
Type of Operation: <input checked="" type="checkbox"/> Automatic <input type="checkbox"/> Manual			
Type of Car Safety : <input checked="" type="checkbox"/> Gradual <input type="checkbox"/> Instantaneous <input type="checkbox"/> Other: _____			
Was the device going: <input checked="" type="checkbox"/> Up <input type="checkbox"/> Down <input type="checkbox"/> Not Moving <input type="checkbox"/> Other: _____			
Where in the Shaft/Escalator/Ride did the Accident Occur: <u>Lobby to 2nd floor w/cab &amp; lobby doors open</u>			
Was the governor tripped? <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> No			
Was the safety applied? <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> No			

### PRIOR INSPECTIONS

Last inspection prior to Accident: <u>06/15/11</u>	Result: <input type="checkbox"/> NV <input checked="" type="checkbox"/> DF	Violation - PVT # <u>385639</u>
Last CAT 5 Test Date: <u>02/28/06</u>	Last CAT 1 Inspection prior to Accident: <u>12/29/10</u>	Result: <input type="checkbox"/> S <input checked="" type="checkbox"/> U

#### Provide Incident / Accident Report Narrative

1. Notification Information: (Include Name/Date/Time Reported by Citizen or Agency and Responded by Buildings Dept.)
2. Description of Accident: (Explanation of What Occurred)
3. Conduct an inspection and provide inspection results and equipment damaged or not functioning prior to or as a result of the accident. Include specific terminology, detail and location of equipment involved in the accident.
4. Provide Conclusion Based On Your Inspection/Investigation.
5. Provide Pictures: (Must be specific to the items / equipment involved in the accident)

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**ELEVATOR DIVISION ACCIDENT REPORT NARRATIVE**

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I. Notification

On 12/14/11 at approximately 10:15 AM the Department of Buildings Emergency Operations Unit received a complaint from FDNY Operations that an elevator accident occurred at 285 Madison Avenue, NY, NY, on 12/14/11 at approximately 9:56 AM. DOB Emergency Operations Unit informed the DOB Elevator Division on 12/14/11 at approximately 10:20 AM of the accident.

II. Accident Description

The accident involved a building employee, Ms. Suzanne Hart, being fatally injured as she was attempting to enter the elevator cab at the lobby level due to the elevator cab, with two passengers in the cab, moving in an upward direction from the lobby landing with the elevator cab door and lobby hoistway door fully open. Ms. Hart fell into the elevator cab and onto the cab platform due to the cab saddle making contact with her lower legs. The elevator cab continued to move upward, pinning Ms. Hart between the elevator cab saddle and hoistway wall fascia. The elevator cab came to a stop approximately 20 feet above the lobby landing sill, with the cab saddle approximately 3.5 feet below the 2<sup>nd</sup> floor landing sill.

III. Inspection / Investigation #9 Elevator 12/14/11 to 1/13/12 - Summary

- A. An inspection/investigation on low rise elevator #1P14275 aka #9 by the Buildings Department Elevator Division and 3<sup>rd</sup> party consultant Lerch Bates revealed the elevator cab cannot move in an upward direction from the lobby landing with the elevator cab door and lobby hoistway door open.
- B. It appears a circuit bypass wire (jumper) was used on the motor room controller's door circuit terminals to move the elevator cab with the 12<sup>th</sup> floor hoistway door open prior to the accident and not removed at the time of the accident, which caused the elevator cab to move up from the lobby landing.
- C. The inspection and tests were performed on the elevator's controller, controller wiring, RF (radio frequency) interference, machine/motor, ropes, brake, drive tachometer, governor, traveling cables, hoistway door interlocks, cab gate switch, leveling equipment, cab door operator, hoistway equipment, and pit equipment. It was found that with the cab gate switch open (gate contacts not made) and hoistway door open (interlock contacts not made), and with elevator cab level at the lobby landing or any other floor landing, the elevator control system does not initiate a run sequence and the elevator cab does not move up or down.

Signature:  1761Date: 2/27/12

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**ELEVATOR DIVISION ACCIDENT REPORT NARRATIVE**

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V. Items Discovered at Site – DOI/BSIU Chain of Custody

Refer to BSUI (Buildings Special Investigation Unit) 212 825 3330 - 80 Maiden Lane MH.

VI. Alteration Work by Transel Elevator Company to #9 Elevator - Sequence Summary

A. Alterations to the elevator took place on 12/9/11 to 12/12/11 and 12/14/11 prior to the accident.

- (1) Decrease in travel work was performed on the low rise elevators from 12/9/11 to 12/12/11 by Transel Elevator Company mechanic, Efrain Cardona, and the devices were restored to service after the work was completed to each elevator. A relay (AU1) was added and wired to the low rise control boards. An additional final limit switch, with manual reset, was mounted in each low rise elevator hoistway at the 12<sup>th</sup> floor and was piped and wired to each low rise controller. An interlock was mounted to each low rise 13<sup>th</sup> floor hoistway door and piped / wired to each controller.
- (2) An alteration to the #9 controller's program took place at approximately 6:30am on 12/14/11 to reduce the elevator's fpm (speed) and the elevator was restored to service by Transel Elevator Company adjuster, Andrea Cammisuli.
- (3) The #9 elevator was removed from service again by Transel apprentices, David O'Neill and Jason Torzilli, at approximately 9:25am and an alteration to the governor (recalibration from 600 fpm to 500 fpm) took place at approximately 9:30am by Transel elevator mechanics, Michael Hill and Efrain Cardona. The elevator was restored to service by Transel Elevator mechanics Michael Hill, Efrain Cardona and apprentices David O'Neill and Jason Torzilli at approximately 9:54am.

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Signature:  1761 Date: 2.27.12

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**ELEVATOR DIVISION ACCIDENT REPORT NARRATIVE**

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VII. Video Review of lobby and 12<sup>th</sup> floor #9 Elevator - Summary

- A. The elevator appeared to operate normally on 12/14/11 from 7:00 am through 9:25 am, as viewed on the lobby video. The elevator cab saddle and lobby landing sill maintained their position. The elevator cab door and lobby hoistway door opened and closed normally and parked at the lobby level each time the #9 elevator was at the lobby landing accepting passengers from 7:00am to 9:25am.
- B. The elevator was removed from service by Transel apprentices, David O'Neill and Jason Torzilli, at approximately 9:25am at the lobby level. They exited the elevator cab at the 12<sup>th</sup> floor. Mr. O'Neill held the 12<sup>th</sup> floor hoistway door and cab door open with his right hand on the hoistway door and appeared to use his radio with his left hand. A moment later the elevator cab moved in a down direction, at a slow speed, until Mr. O'Neill used his radio again. Mr. O'Neill did not use a tomahawk (interlock contact by-pass tool). Mr. Torzilli was standing approximately 5 feet from the 12<sup>th</sup> floor opening. During the out of service period signage stating "caution do not enter" across the cab door frame was not in place. At approximately 9:54:27am Mr. Torzilli and Mr. O'Neill exited the hoistway at the 12<sup>th</sup> floor and were seen leaving the lobby at approximately 9:55:20am.
- C. At approximately 9:56:46am Ms. Suzanne Hart approached the #9 elevator, which was parked level (sitting), at the lobby with the cab door and lobby hoistway door open.

VIII. Interview Summary

- A. Transel Elevator Company mechanics Michael Hill, Efrain Cardona, and Robert Schroeder, were in the elevator motor room on the 14th floor at the time of the accident. The #9 elevator was removed from service by Transel apprentices, David O'Neill and Jason Torzilli, at approximately 9:25am and an alteration to the governor (recalibration from 600 fpm to 500 fpm) took place at approximately 9:30am on 12/14/11 and the device was restored to service by Transel elevator mechanics Michael Hill, Efrain Cardona and apprentices David O'Neill, Jason Torzilli at approximately 9:54am. During the out of service period signage stating "caution do not enter" across the cab door frame was not in place.
- B. Mr. Michael Hill stated that he used a green wire jumper and manually pressed the inspection down button on the controller to move the elevator down from the 12<sup>th</sup> floor landing to allow access to the top of car by Mr. O'Neill and Mr. Torzilli. At that time Mr. Hill took the controller off inspection and proceeded to re-calibrate the #9 governor with Mr. Cardona. Mr. Hill completed the re-calibration and allowed the #9 elevator to be retuned to service by apprentices' David O'Neill and Jason Torzilli. Mr. Hill stated he did not use the wire jumper after the top of car was initially accessed and placed on top of car inspection.

Signature: \_\_\_\_\_

 1261

Date: \_\_\_\_\_

2.27.12

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ELEVATOR DIVISION ACCIDENT REPORT NARRATIVE

- C. Mr. Efrain Cardona stated he was being instructed by Mr. Hill on the governor re-calibration procedure. Mr. Cardona saw Mr. Hill standing in front of #9 controller when it was initially removed from service, but did not hear any radio communication due to the noise in the 14<sup>th</sup> floor motor room. The governor was then re-calibrated by Mr. Hill. After the re-calibration the elevator was running and then stopped. Mr. Cardona was next to the #9 governor and Mr. Hill was in front of #9 controller. Mr. Hill was called on the radio. At that time Mr. Hill instructed Mr. Cardona and Mr. Robert Schroeder that they had an issue at the lobby with #9 elevator. Mr. Cardona stated Mr. Hill had a green wire jumper in hand and walking out of the motor room.

IX. Conclusion

- A. The inspection/investigation on low rise elevator #1P14275 aka #9 revealed the elevator cab cannot move in an upward direction from the lobby landing with the gate and hoistway door circuit opened.
- B. It was found that with the cab gate switch open (gate contacts not made) and hoistway door open (interlock contacts not made), with elevator cab level at the lobby landing or any other floor landing, the elevator cab does not run or move up or down.
- C. It appears the cab gate and hoistway door interlock circuit was compromised (bypassed) at the #9 controller terminals (53, TDL) in the 14<sup>th</sup> floor motor room by using a circuit bypass wire (jumper) on the motor room controller's door circuit terminals.
- D. During the out of service period signage stating "caution do not enter" across the cab door frame was not in place.
- E. At the time of the accident the elevator cab appeared to move up with the cab door and lobby hoistway door open at a speed that matched normal acceleration for an elevator cab leaving the lobby floor landing.
- F. The investigation and testing revealed that the elevator did not leave the lobby level due to program failure, controller failure, tachometer fault, power surge/generator suicide, RF (radio frequency) interference, brake failure or improper/incorrect wiring.
- G. DOB testing protocol was not followed by the applicant.
- H. Elevator industry safety standards were not followed for the use of circuit bypass wire (jumpers).

Signature: D. Smith 1761 Date: 2-27-12

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**ELEVATOR DIVISION ACCIDENT REPORT NARRATIVE**

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X. Investigation Team and Observers

- A. DOB hired Private Consultant, Lerch Bates, to assist with the accident investigation.
- B. Chief Inspector Douglas Smith was assigned as the Incident Commander for DOB.
- C. DOB elevator division coordinated the on site investigation and collaboration with other city agencies (DOI, NYPD, FDNY and OSHA).
- D. Coordinated on site involvement with Building Management of Cushman and Wakefield, Representatives of Y&R, PS Marcato Elevator Contractors, DTM Elevator Consulting for C&W, BOCA for Y&R, Sterling Insurance Company for Y&R, CEC Controller Manufacturer, Transel Elevator Consultant, and counsel for all parties involved.

Appendix

- 1. NYC Buildings Department Accident Report
- 2. Complaint work order
- 3. Print out of owner information
- 4. Print out of inspection history #9 elevator 1P14275
- 5. DOB elevator division ECB violations to #9 elevator
- 6. DOB electrical division violation/inspection report
- 7. PVT violation issued 6/15/11
- 8. EBN 1328/11 application
- 9. Elevator equipment numbers (city ID and device number)
- 10. Pictures

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Signature: D. Smith 1741 Date: 2.27.12

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# NYCDOB Elevator/Escalator/Amusement Ride Report

## Accident

☐ Notification/Not DOB Juris. Category:

### 1. General Information

Incident Report ID: 13608

Street: 285 Madison Ave

Boro: Manhattan

Incident Date: 12/14/2011

Incident Time: 9:56 AM

Notified By: FD-250

Affiliation: FDNY

Phone: (347) 650-6134

Date Notified: 12/14/2011

Time Notified: 10:28 AM

DOB Unit Notified: Elevator

Contact Person: James W

Phone: (347) 203-8738

Data Entry Person: ZhanetaS

Can incident location be hazardous to responders? No

Type of Incident: Elevator/Escalator/Amusement Ride

# Fatality: 1

# Injury: 0

Detail of Incident:

FDNY reported that a building occupant fell between elevator shaft and elevator, pronounced DOA

Street Closing Details:

### 2. DOB Actions

Inspection Date: 12/14/2011

Inspection Time: 11:00 AM

Inspector: Masters

DOB Point Person:

DOB Action: ECB Violation

DOB Disposition:

DOB Action Details:

A female employee was in the process to enter the elevator cab at the lobby level, while stepping into the elevator, elevator started moving accidentally upward with open elevator door, victim fell on the elevator platform as the car was moving upward and caused her body wedge between the elevator cab and hoist way wall near the 2nd floor

### 3. Existing Structure Information

Is the building Occupied?

Name of Owner: Young and Rubicam Inc

Name of Contact Person: N/A

Phone:

Does the building included a basement? No

Building Type: Masonry

Building Occupancy:

Number of Story: 13

### 4. Elevator/Escalator/Amusement Ride Incident Information

Type: Elevator

Mode: Passenger

Operating at Time of Incident: Yes

Elevator Accident? ☒

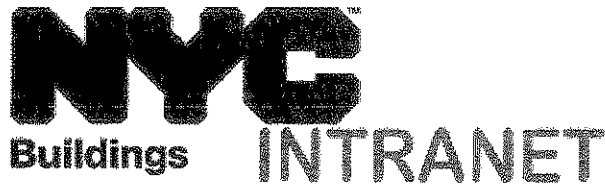
Model/Device: 1P14275

Last Inspected: 1/4/2008

Elevator Accident Number: 91/2011

Cause / Description of Incident:

A female employee was in the process to enter the elevator cab at the lobby level, while stepping into the elevator, elevator started moving accidentally upward with open elevator door, victim fell on the elevator platform as the car was moving upward and caused her body wedge between the elevator cab and hoist way wall near the 2nd floor.

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NYC Department of Buildings

## Overview for Complaint #:1314532 = RESOLVED

Complaint  
at: 285 MADISON AVENUEBIN: 1035318

Borough: MANHATTAN

ZIP: 10017

Re: FDNY REPORTED A BUILDING OCCUPANT FELL BETWEEN SHAF ANDELEVATOR

Category Code: 62 ELEVATOR-DANGER CONDITION/SHAFT OPEN/UNGUARDED

DOB District: N/A

Special District:

Assigned To: ELEVATOR DIVISION

Priority: A

Entered By: ZSA (-) 12/14/2011 10:27:28

Received from FDNY

Received: 12/14/2011

Block: 1275

Lot: 23

Community Board: 105

Owner: YOUNG AND RUBICAM INC

Last Inspection: 12/14/2011 - - BY BADGE # 0247 MARSHALL ALPHONSO

Disposition: 12/16/2011 - A1 - BUILDINGS VIOLATION(S) SERVED

Disposition Entered By: SBY 12/16/2011 14:09:32

Comments: VIOLATION ISSUED

ECB Violation #s: 38219655Y

## Complaint Disposition History

Disposition Date	Code	Disposition	Inspection By	Date
---------------------	------	-------------	------------------	------

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.




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NYC Department of Buildings  
Property Profile Overview

285 MADISON AVENUE  
EAST 40 STREET  
MADISON AVENUE

23 - 29  
279 - 293

MANHATTAN 10017  
Health Area : 5200  
Census Tract : 82  
Community Board : 105  
Buildings on Lot : 1

BIN# 1035318  
Tax Block : 1275  
Tax Lot : 23  
Condo : NO  
Vacant : NO

[View DCP Addresses...](#) [Browse Block](#)

[View Zoning Documents](#)

[View Challenge Results](#)

[View Certificates of Occupancy](#)

Cross Street(s):	EAST 40 STREET, EAST 41 STREET		
DOB Special Place Name:			
DOB Building Remarks:			
Landmark Status:		Special Status:	N/A
Local Law:	YES	Loft Law:	NO
SRO Restricted:	NO	TA Restricted:	NO
UB Restricted:	NO	DOT Protected Street:	Yes
Little 'E' Restricted:	N/A	Grandfathered Sign:	NO
Legal Adult Use:	NO	City Owned:	NO
Additional BINs for Building:	NONE		

ZONING Summary

Effective Date: 11/01/2005

District	Commercial Overlay	Special District
C5-3 - RESTRICTED CENTRAL COMMERCIAL DISTRICT		MID - MIDTOWN
C5-2.5 - RESTRICTED CENTRAL COMMERCIAL DISTRICT		

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, or Coastal Erosion Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: 03-OFFICE BUILDINGS

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

DOF OWNER INFORMATION:

Name: YOUNG AND RUBICAM INC  
Owner Corporation Name:  
Address: 285 MADISON AVE NEW YORK NY 10017-6486

DOF BUILDING INFORMATION:

Bldg Size:	151.00 x 175.00	Trans Land Value:	34,000,000
Lot Size:	150.67 x 175.00	Tax Exempt Flag:	NO
Stories:	8.00	Tax Exempt Class:	
DOB Update Date:	02/18/2012		

	Total	Open	<a href="#">Elevator Records</a>
<a href="#">Complaints</a>	8	0	<a href="#">Electrical Applications</a>
<a href="#">Violations-DOB</a>	131	5	<a href="#">Permits In-Process / Issued</a>
<a href="#">Violations-ECB (DOB)</a>	53	2	<a href="#">Illuminated Signs Annual Permits</a>
<a href="#">Jobs/Fillings</a>	155		<a href="#">Plumbing Inspections</a>
<a href="#">ARA / LAA Jobs</a>	1		<a href="#">Open Plumbing Jobs / Work Types</a>
Total Jobs	156		<a href="#">Facades</a>
			<a href="#">Marquee Annual Permits</a>

Actions

265

OR Enter Action Type:

OR Select from List:

Select...

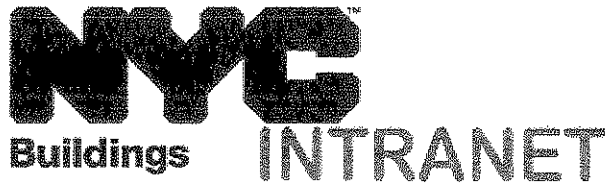
AND Boiler RecordsDEP Boiler InformationLocal Law 16/84 ComplianceCrane InformationAfter Hours Variance PermitsOther Agency ViolationsTotalOnly FDNY and DEP Asbestos violations issued on or  
after January 1, 2008 are available on BISWebViolations-ECB (FDNY)

8

Violations-ECB (DEP Asbestos Only)

0

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



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NYC Department of Buildings  
Elevator Inspections

Page: 12 of 18

Premises: 279 MADISON AVENUE MANHATTAN

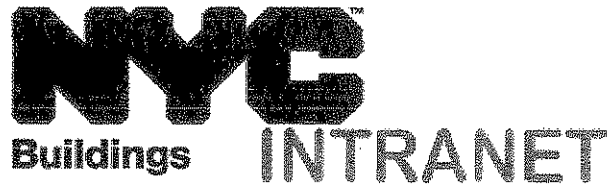
BIN: 1035318 Block: 1275 Lot: 23

DEVICE NUMBER	INSPECT DATE	INSP TYPE	INSPECTION DISPOSITION	INSPECTED BY
1P14274	06/02/2006	CATEGORY 1 (1YR)	SATISFACTORY	TRANSEL ELE. & ELECT, INC
Performing Elevator Agency: <u>402001</u>				
1P14274	01/29/2007	CATEGORY 1 (1YR)	SATISFACTORY	TRANSEL ELE. & ELECT, INC
Performing Elevator Agency: <u>402001</u>				
1P14274	03/18/2008	CATEGORY 1 (1YR)	SATISFACTORY	TRANSEL ELE. & ELECT, INC
Performing Elevator Agency: <u>402001</u>				
1P14274	11/16/2009	CATEGORY 1 (1YR)	UNSATISFACTORY	DTM DRAFT & CONSUL SVC IN
Performing Elevator Agency: <u>296001</u>				
1P14274	06/30/2010	CATEGORY 1 (1YR)	ACCEPTED - CORRECTION	TRANSEL ELE. & ELECT, INC
Performing Elevator Agency: <u>402001</u>				
1P14274	12/28/2010	CATEGORY 1 (1YR)	UNSATISFACTORY	TRANSEL ELE. & ELECT, INC
Performing Elevator Agency: <u>402001</u>				
1P14274	07/16/1997	2 YEAR	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>				
1P14274	02/13/2004	2 YEAR	SATISFACTORY	NEW YORK ELE. & ELEC. CORP
Performing Elevator Agency: <u>481001</u>				
1P14274	02/28/2006	2 YEAR	SATISFACTORY	NEW YORK ELE. & ELEC. CORP
Performing Elevator Agency: <u>481001</u>				
1P14274	10/11/2007	2 YEAR	SATISFACTORY	DURANT ELEVATOR SERV. LLC
Performing Elevator Agency: <u>464001</u>				
1P14274	06/18/1990	CATEGORY 5 (5YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>				
1P14274	04/13/1995	CATEGORY 5 (5YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>				
1P14274	08/31/2000	CATEGORY 5 (5YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>				
1P14274	02/28/2006	CATEGORY 5 (5YR)	SATISFACTORY	NEW YORK ELE. & ELEC. CORP
Performing Elevator Agency: <u>481001</u>				
1P14275	12/14/2011	ACCIDENT	INCOMPLETE INSPECTION	1915 SAMUEL MASTER INSPECTOR/SU
1P14275	12/14/2011	ACCIDENT	VIOLATION FILED	0247 MARSHALL ALPHONSO CHIEF INSPEC
1P14275	12/14/2011	ACCIDENT	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	01/09/2008	NO BILL	DEFECT FOUND	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14275	11/02/1988	ROUTINE	NO VIOLATION	BADGE: 1409
1P14275	05/13/1989	ROUTINE	NO VIOLATION	1429 NUGENT JOHN
1P14275	09/28/1989	ROUTINE	NO VIOLATION	BADGE: 1160
1P14275	06/20/1990	ROUTINE	NO VIOLATION	1319 DAVEY FRANCIS
1P14275	03/11/1991	ROUTINE	NO VIOLATION	BADGE: 1409
1P14275	09/20/1991	ROUTINE	NO VIOLATION	BADGE: 1407
1P14275	08/03/1992	ROUTINE	NO VIOLATION	BADGE: 1409

1P14275 04/24/1993	ROUTINE	NO VIOLATION	0241 FORD JR CHRISTOPHER
1P14275 03/03/1994	ROUTINE	NO VIOLATION	1300 HARDY JACK INSPECTOR
1P14275 05/09/1995	ROUTINE	VIOLATION FILED	1419 GROGAN RICHARD
1P14275 04/23/1996	ROUTINE	NO VIOLATION	1201 KING MALCOLM
1P14275 03/02/1998	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14275 03/04/1999	ROUTINE	NO VIOLATION	9013 NATIONAL ELEVATOR INSPECTION PRIVATE ELEV
1P14275 06/04/1999	ROUTINE	NO ACCESS TO DEVICE	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14275 03/22/2000	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14275 01/16/2001	ROUTINE	DEFECT FOUND	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14275 02/07/2002	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14275 04/02/2003	ROUTINE	NO VIOLATION	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14275 01/09/2004	ROUTINE	DEFECT FOUND	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14275 12/30/2004	ROUTINE	NO VIOLATION	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14275 07/25/2006	ROUTINE	NO VIOLATION	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14275 09/11/2007	ROUTINE	NO VIOLATION	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14275 08/19/2008	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14275 08/10/2009	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14275 09/30/2010	ROUTINE	NO VIOLATION	9028 NATIONAL ELEVATOR INSPECTION PRIVATE ELV
1P14275 06/15/2011	ROUTINE	DEFECT FOUND	9027 AMERICAN ELEVATOR TESTING PRIVATE ELV
1P14275 03/13/2001	VIOLATION REINSPECTION	VIOLATION FILED	1719 HARRIS RICHARD SUPERVISING
1P14275 07/07/2000	SURVEY	NO VIOLATION	0641 SMITH WARREN M INSPECTOR
1P14275 05/07/2003	SURVEY	VIOLATION FILED	0376 NOBLE DALTON J INSPECTOR
1P14275 12/15/2011	SURVEY	NO VIOLATION	0247 MARSHALL ALPHONSO CHIEF INSPEC
1P14275 12/15/2011	SURVEY	INCOMPLETE INSPECTION	0247 MARSHALL ALPHONSO CHIEF INSPEC
1P14275 12/15/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC

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NYC Department of Buildings  
Elevator Inspections

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Premises: 279 MADISON AVENUE MANHATTAN

BIN: 1035318 Block: 1275 Lot: 23

DEVICE NUMBER	INSPECT DATE	INSP TYPE	INSPECTION DISPOSITION	INSPECTED BY
1P14275	12/16/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/18/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/19/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/20/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/21/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/22/2011	SURVEY	INCOMPLETE INSPECTION	2469 CHARANJETT SINGH INSPECTOR
1P14275	12/22/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/23/2011	SURVEY	INCOMPLETE INSPECTION	2469 CHARANJETT SINGH INSPECTOR
1P14275	12/23/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/24/2011	SURVEY	INCOMPLETE INSPECTION	2469 CHARANJETT SINGH INSPECTOR
1P14275	12/26/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/27/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/28/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/29/2011	SURVEY	INCOMPLETE INSPECTION	2469 CHARANJETT SINGH INSPECTOR
1P14275	12/29/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	12/30/2011	SURVEY	INCOMPLETE INSPECTION	2469 CHARANJETT SINGH INSPECTOR
1P14275	12/30/2011	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	01/03/2012	SURVEY	INCOMPLETE INSPECTION	2469 CHARANJETT SINGH INSPECTOR
1P14275	01/03/2012	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	01/04/2012	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	01/09/2012	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	01/12/2012	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	01/13/2012	SURVEY	INCOMPLETE INSPECTION	1761 SMITH DOUGLAS CHIEF INSPEC
1P14275	08/08/1988	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	03/30/1989	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	02/16/1990	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	02/16/1990	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	05/14/1991	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	05/13/1992	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	08/18/1993	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	05/04/1994	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	06/02/1995	CATEGORY 1 (1YR) Performing Elevator Agency: <u>303001</u>	SATISFACTORY	NEW YORK ELEVATOR CO INC
1P14275	07/07/1996	CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC

Performing Elevator Agency: <u>303001</u>		
1P14275 06/11/1997 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>		
1P14275 02/17/1998 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>		
1P14275 03/30/1999 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>		
1P14275 07/11/2000 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>		
1P14275 07/19/2001 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>		
1P14275 07/18/2002 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>		
1P14275 07/01/2003 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>		
1P14275 03/25/2004 CATEGORY 1 (1YR)	UNSATISFACTORY	NEW YORK ELE.& ELEC. CORP
Performing Elevator Agency: <u>481001</u>		
1P14275 06/15/2005 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELE.& ELEC. CORP
Performing Elevator Agency: <u>481001</u>		
1P14275 03/02/2006 CATEGORY 1 (1YR)	SATISFACTORY	NEW YORK ELE.& ELEC. CORP
Performing Elevator Agency: <u>481001</u>		
1P14275 06/02/2006 CATEGORY 1 (1YR)	SATISFACTORY	TRANSEL ELE. & ELECT,INC
Performing Elevator Agency: <u>402001</u>		
1P14275 01/29/2007 CATEGORY 1 (1YR)	SATISFACTORY	TRANSEL ELE. & ELECT,INC
Performing Elevator Agency: <u>402001</u>		
1P14275 03/18/2008 CATEGORY 1 (1YR)	SATISFACTORY	TRANSEL ELE. & ELECT,INC
Performing Elevator Agency: <u>402001</u>		
1P14275 11/16/2009 CATEGORY 1 (1YR)	UNSATISFACTORY	DTM DRAFT & CONSUL SVC IN
Performing Elevator Agency: <u>296001</u>		
1P14275 06/30/2010 CATEGORY 1 (1YR)	ACCEPTED - CORRECTION	TRANSEL ELE. & ELECT,INC
Performing Elevator Agency: <u>402001</u>		
1P14275 12/29/2010 CATEGORY 1 (1YR)	ACCEPTED - UNSATISFACTORY	TRANSEL ELE. & ELECT,INC
Performing Elevator Agency: <u>402001</u> Witnessing Elevator Agency: <u>296001</u>		
1P14275 07/16/1997 2 YEAR	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>		

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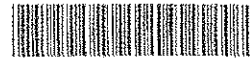
Premises: 279 MADISON AVENUE MANHATTAN

BIN: 1035318 Block: 1275 Lot: 23

DEVICE NUMBER	INSPECT DATE	INSP TYPE	INSPECTION DISPOSITION	INSPECTED BY
1P14275	02/13/2004	2 YEAR	SATISFACTORY	NEW YORK ELE.& ELEC. CORP
Performing Elevator Agency: <u>481001</u>				
1P14275	02/28/2006	2 YEAR	SATISFACTORY	NEW YORK ELE.& ELEC. CORP
Performing Elevator Agency: <u>481001</u>				
1P14275	10/11/2007	2 YEAR	SATISFACTORY	DURANT ELEVATOR SERV.LLC
Performing Elevator Agency: <u>464001</u>				
1P14275	06/18/1990	CATEGORY 5 (5YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>				
1P14275	04/13/1995	CATEGORY 5 (5YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>				
1P14275	08/31/2000	CATEGORY 5 (5YR)	SATISFACTORY	NEW YORK ELEVATOR CO INC
Performing Elevator Agency: <u>303001</u>				
1P14275	02/28/2006	CATEGORY 5 (5YR)	SATISFACTORY	NEW YORK ELE.& ELEC. CORP
Performing Elevator Agency: <u>481001</u>				
1P14276	02/07/2012	SPECIAL	FINAL ISSUED	1915 SAMUEL MASTER INSPECTOR/SU
1P14276	01/09/2008	NO BILL	DEFECT FOUND	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14276	11/02/1988	ROUTINE	NO VIOLATION	BADGE: 1409
1P14276	05/13/1989	ROUTINE	NO VIOLATION	1429 NUGENT JOHN
1P14276	09/28/1989	ROUTINE	NO VIOLATION	BADGE: 1160
1P14276	06/20/1990	ROUTINE	NO VIOLATION	1319 DAVEY FRANCIS
1P14276	03/11/1991	ROUTINE	NO VIOLATION	BADGE: 1409
1P14276	09/21/1991	ROUTINE	NO VIOLATION	BADGE: 1407
1P14276	08/03/1992	ROUTINE	NO VIOLATION	BADGE: 1409
1P14276	04/24/1993	ROUTINE	NO VIOLATION	0241 FORD JR CHRISTOPHER
1P14276	03/03/1994	ROUTINE	NO VIOLATION	1300 HARDY JACK INSPECTOR
1P14276	05/09/1995	ROUTINE	VIOLATION FILED	1419 GROGAN RICHARD
1P14276	04/23/1996	ROUTINE	NO VIOLATION	1201 KING MALCOLM
1P14276	03/02/1998	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14276	03/03/1999	ROUTINE	NO VIOLATION	9013 NATIONAL ELEVATOR INSPECTION PRIVATE ELEV
1P14276	03/22/2000	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14276	01/16/2001	ROUTINE	DEFECT FOUND	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14276	02/07/2002	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14276	04/02/2003	ROUTINE	NO VIOLATION	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14276	01/09/2004	ROUTINE	DEFECT FOUND	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14276	12/30/2004	ROUTINE	NO VIOLATION	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14276	07/26/2006	ROUTINE	NO VIOLATION	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14276	09/12/2007	ROUTINE	NO VIOLATION	9444 ELEVATOR INSPECTION CONSULTAN PRIVATE ELEV
1P14276	08/19/2008	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14276	08/10/2009	ROUTINE	NO VIOLATION	9011 LANDMARK ELEVATOR CONSULTANTS PRIVATE ELEV
1P14276	09/30/2010	ROUTINE	NO VIOLATION	9028 NATIONAL ELEVATOR INSPECTION PRIVATE ELV
1P14276	06/15/2011	ROUTINE	DEFECT FOUND	9027 AMERICAN ELEVATOR TESTING PRIVATE ELV
1P14276	03/13/2001	VIOLATION REINSPECTION	VIOLATION FILED	1719 HARRIS RICHARD SUPERVISING



## NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS  
OF THE CITY OF NEW YORK, PETITIONER, AGAINSTViolation No. 38219655Y  
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): <u>Young and Rubicam INC</u>		Last name	
Mailing address (Check if same as place of occurrence)	Address: <u>285 Madison Ave</u>		City: <u>NEW YORK</u>	State: <u>NY</u> Zip code: <u>10017</u>
Additional mailing to be sent (agent, care of, other):			License No. (if applicable)	Project Code
Name	First name	Last name		Company
Mailing address	Number and street		City	State Zip code

## Commissioner's Order To Correct Violations

Place of occurrence	<u>285 Madison Ave</u>	Box	<u>14</u>	Date of violation	<u>12/14/11</u>	Type	<u>E</u>	Badge no.	<u>247</u>	Area	<u>A</u>	Number	<u>01</u>
Construction type	BIN #	No. of stories	<u>1275</u>	Lot	<u>23</u>	Occupancy	<u>COM</u>	Time of inspection	<u>11/12/15</u>	Complainting	<u>12/15/32</u>		

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

FAILURE TO MAINTAIN: §28-301.1 / §27-957 / BC 3001.2	<input checked="" type="checkbox"/> Class 1(B151)	<input type="checkbox"/> Class 2(B251)	<input type="checkbox"/> Class 3(B351)	OTHER Infraction Code: Section of Law: Class 1 2 3 (circle one)
WORK WITHOUT A PERMIT - §28-105.1	<input type="checkbox"/> Class 1(B101)	<input type="checkbox"/> Class 2(B201)	<input type="checkbox"/> Class 3(B301)	
<input type="checkbox"/> ILLEGAL OPERATION - BC 3007.1/§27-105 Class 2 (B262)	<input checked="" type="checkbox"/> CEASE USE			<input type="checkbox"/> Aggravated II Condition per 1RCNY 102-01(f)

INSIDE CAR	21. Interlocks	41. Machine room door	63. Motor brushes	ESCALATOR/MOVING WALK
E 01. Emergency stop switch	22. Parking device	42. Controller - selector	64. NYC Device #	83. Fire euliers
L 02. Alarm system	23. Hall button station	43. Reverse phase relay	65. Unintended car movement	84. Start switch
L 03. Car enclosure	24. Indicators	44. Traction sheave	66. Emergency brakes/rope	85. Start obstruction device
E 04. Side emergency stop	25. Door safety restraint	45. Governor	67. Communication	86. Comb plate/Comb plate teeth
V 05. Car door/gate contact	26. Top emergency exit cover	46. Governor switch	68. Maintenance log	87. Landing plate / Impact switches
A 07. Door reopening device	27. Governor release carrier	47. Over	69. Code data plate	88. Handrails / Handrail safeties
T 08. Car floor to landing sill	28. Door hangers & connectors	48. Pump unit	70. PIT	89. Stophand
R 09. Car floor	29. Door operator	49. Drum machine line switch	71. Pit light	90. Key switch
O 10. Car door gibs	30. Normal limits	50. Governor	72. Pit stop switch	91. Emergency stop button
C 11. Car button station	31. First limits	51. Slack rope switch	73. Car guide rails & brackets	92. Decking and ballustrades
R 12. Car lighting	32. Guide shoes/Roller guides	52. Hoist ropes	74. Owl. guide rails & brackets	93. Calling guarnes
P 13. Emergency lighting	33. Counterweight	53. Governor's ropes	75. Buffers	94. Deck carriages
A 14. Car mirror	34. Hoistway	54. Car counterweight rope	76. Car safety & tail rope	95. Internal safeties
R 15. Certificate frame	35. Electric wiring	55. Drum counterweight rope	77. Underside platform	96. Safety Signage
A OUTSIDE HOISTWAY	36. Pipes and ducts	56. Hoist machine	78. Tension Weight	ALL TYPES
T 16. Hoistway doors	37. Overload & Deflector sheave	57. Hoist motor	79. Compensated rope/latch	97. Entire device
R 17. Hoistway door gibs	38. Traveling cable & junction	58. Machine brake	80. Counterweight runby	98. Current live year tag
S 18. Hoistway door reinforcements	39. Car top	59. Lighting machine splice	81. Counterweight runby signage	99. Current one year tag
S 19. Hoistway door safety restraint	MACHINE ROOM	60. Machine disconnect switch	82. Plunger gripper	100. Manallantrus
20. Vision panel	40. Machine room	61. Camulator		

## VIOLATING CONDITION

A. Altered	D. Unsecured	G. Improper Fuses	J. Misaligned	M. Missing	P. No means of access	S. Not fire retardant	V. Not level	Y. Oil leak
B. Insufficient	E. Rubbing	H. Worn	K. Rusted	N. By-passed	Q. Unguarded	T. Unlabeled	W. Unlocked	Z. Water leak
C. Padlocked	F. Lost motion	I. Damaged	L. Defective	O. Dirty	R. Illegal	U. Device not tagged	X. Inoperative	AA. Carbon buildup

## SUGGESTED REMEDY

01. Adjust	04. Patch	07. Provide	10. Repair	13. Seal	16. Provide means of access
02. Clean	05. Perform & file test	08. Regroove	11. Replace	14. Shorten	17. Re-inspection required
03. Install Guards	06. Properly secure	09. Remove	12. Roshackle	15. Tag Device	

ELEVATOR PART	97	98	99	00
VIOLATING CONDITION	B	B	B	B
SUGGESTED REMEDY	BT	#	OS	OS

Additional information: 97-B-17 illegal operation of elevator device # 1614275 without Certificate of Compliance (Repair obtain Certificate of Compliance Case Use)  
97-B-# Cease Use due to accident and damaged to elevator equipment Repair  
Must be Made DOB. Must be informed before Repair can in order to return  
Device back to service.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of this first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Resolution options	
CURE DATE	HEARING DATE <u>02/02/12</u> at <input type="checkbox"/> 8:30 AM <input checked="" type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
If a date appears in the box above, you may have the option to <u>admit</u> the violation and certify correction by the "cure date". By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.	
The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (or a cure) is not received by the date indicated in the box, or is not approved by the Department, or if you are ordered to have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a> or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.	
Environmental Control Board hearing locations:	
<input type="checkbox"/> Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl. <input type="checkbox"/> Bronx, (718) 993-6110 - 3030 3rd Ave, 2nd fl.	
<input checked="" type="checkbox"/> Manhattan, (212) 361-1400 - 65 John Street, 10th fl. <input type="checkbox"/> Staten Island, (212) 361-1400 - 350 St. Marks Place, 1st fl.	
<input type="checkbox"/> Brooklyn, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.	
Proceedings will be held under the authority of the NYC Charter section 104-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.	
For more information, to reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or go to <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a> .	

Issuing officer's last name, first initial (print)	I personally observed the violation(s) charged and verified their existence through review of departmental records.
<u>Marshall A</u>	Issuing officer's signature <u>[Signature]</u>
Badge number <u>247</u>	This statement is affirmed under penalty of perjury.
Unit Code <u>E L</u>	
Supervisor's signature	

ORIGINAL - ECB COPY

Case # 9

38219655Y

ECB-PF (Rev. 9/08)





ECB-PE (Rev. 9/08)



## NOTICE OF VIOLATION AND HEARING



CUR#9

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS  
OF THE CITY OF NEW YORK, PETITIONER, AGAINSTViolation No. 38220356M  
ENVIRONMENTAL CONTROL BOARD

Respondent	First name for agent name	Last name
Mailing address	Number and street	City
State	Zip code	
License No. (if applicable)	Project Code	
Name	First name	Last name
Company		
Mailing address	Number and street	City
State	Zip code	

## Commissioner's Order To Correct Violations

Place of occurrence	285 Madison Avenue	Block	MAN	Date of violation	12/17/11	Type	E	Category	797	Area	A	Number	11
Construction type	BIN #	No. of stories	Block	Lot	Occupancy	Class of inspection	11/12/11	19/19/11	32				

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

FAILURE TO MAINTAIN - §28-301.1 / §27-987 / BC 3001.2	<input type="checkbox"/> Class 1 (R151)	<input type="checkbox"/> Class 2 (B251)	<input type="checkbox"/> Class 3 (B351)	OTHER
WORK WITHOUT A PERMIT - §28-105.1	<input type="checkbox"/> Class 1 (R101)	<input type="checkbox"/> Class 2 (B201)	<input type="checkbox"/> Class 3 (B301)	Infraction Code
ILLEGAL OPERATION - BC 3007.1/§27-185	<input type="checkbox"/> Class 2 (B252)	<input type="checkbox"/> CEASE USE	<input checked="" type="checkbox"/> Aggravated if Condition per 1 RCNY 102-01(f)	Section of Law
				Class 2 3 (circle one)

INSIDE CAR	21. Interlocks	41. Machine room door	63. Motor brushes	ESCALATOR/MOVING WALK
01. Emergency stop switch	22. Parking device	42. Controller - selector	64. NYC Device #	83. Fire shutters
02. Alarm system	23. Hall button station	43. Reverses phase relay	65. Unintended car movement	84. Shift switch
03. Car enclosure	24. Indicator	44. Traction sheave	66. Emergency brakes/ropes	85. Skin deflection device
04. Skis emergency exit	25. Door safety retainer	45. Governor	67. Communication	86. Carriage plate/Comb plate teeth
05. Car door/gate	26. Top emergency exit cover	46. Governor switch	68. Maintenance log	87. Landing plate / Impact switches
06. Car door/gate contact	27. Governor release carrier	47. Drum	69. Guide data plate	88. Handrails / Handrail safeties
07. Door reopening device	28. Door hangers & connectors	48. Pump unit	70. PIT	89. Step/thread
08. Car floor is leveling sill	29. Door operator	49. Drum machine limit switch	71. Pit light	90. Key switch
09. Car floor	30. Normal limits	50. Governor	72. Pit stop switch	91. Emergency stop button
10. Car door ribs	31. Pinat limits	51. Slack rope switch	73. Car guide-rails & brackets	92. Decking and hallstraps
11. Car button station	32. Guide shoe/Roller guides	52. Host ropes	74. Cwt. guide-rails & brackets	93. Ceiling guards
12. Car lighting	33. Counterweight	53. Governor ropes	75. Buffers	94. Deck barricades
13. Emergency lighting	34. Hoistways	54. Car counterweight rope	76. Car safety & tail rope	95. Internal safeties
14. Car mirror	35. Electric wiring	55. Drum counterweight rope	77. Underside platform	96. Safety Signage
15. Certificate frame	36. Pipe and ducts	56. Hoist machines	78. Tension weights	97. Entire device
OUTSIDE HOISTWAY	37. Overhead & Deflector sheaves	57. Hoist motor	79. Compensating rope/switch	98. Current bus year tag
16. Hoistway doors	38. Traveling ratio & junction	58. Machine brack	80. Counterweight runty	99. Current one year tag
17. Hoistway door ribs	39. Car top	59. Lighting machine space	81. Counterweight runty signage	100. Miscellaneous
18. Hoistway door reinforcement	40. Machine room	60. Machine disconnect switch	82. Plunger gripper	
19. Hoistway door safety retainer		61. Counterweight		
20. Vision panel				

## VIOLATING CONDITION

☐ Recurring Condition

A. Altered	D. Unsecured	G. Improper Fuses	J. Misaligned	M. Missing	P. No means of access	S. Not fire retardant	V. Not level	Y. Oil leak
B. Insufficient	E. Rubbing	H. Worn	K. Rusted	N. By-passed	Q. Unguarded	T. Untabulated	W. Unlocked	Z. Water leak
C. Padlocked	F. Lost motion	I. Damaged	L. Defective	O. Dirty	R. Illegal	U. Device not tagged	X. Inoperative	AA. Carbon buildup

## SUGGESTED REMEDY

01. Adjust	04. Patch	07. Provide	10. Repair	13. Seal	16. Provide means of access	FILE APPLICATION AND OBTAIN PERMIT
02. Clean	05. Perform & file test	08. Regroove	11. Replace	14. Shorten	17. Re-inspection required	
03. Install Guards	06. Properly secure	09. Remove	12. Rushacks	15. Tag Device		

ELEVATOR PART	77
VIOLATING CONDITION	B
SUGGESTED REMEDY	#

Additional information: 97-B-# Permit Holder Failed to Notify the Dept that Completed work Requiring an inspection was ready to be inspected (Permit # EBN 1328/11 Violation resulted in the Death of elevator Passenger child affected a Significant Number of Persons, in that the elevator had to be closed down and building vacated.

Important Information: As detailed in §28-261.4 and Section 102-01 of Subchapter E of Title 1 of the Rules of the City of New York, Violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Resolution options	
CURE DATE	HEARING DATE
1/1/12	1/1/12 at 10:30 AM
If a date appears in the box above, you may have the option to admit the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.	
The hearing date above is mandatory if you are charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a> or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.	
Environmental Control Board hearing locations:	
<input type="checkbox"/> Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl. <input type="checkbox"/> Bronx, (718) 593-6110 - 3090 3rd Ave, 2nd fl.	
<input checked="" type="checkbox"/> Manhattan, (212) 361-1400 - 66 John Street, 10th fl. <input type="checkbox"/> Staten Island, (212) 361-1400 - 350 St. Marks Place, 1st fl.	
<input type="checkbox"/> Brooklyn, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.	
Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.	
For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or go to <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a> .	

Issuing officer's last name, first initial (print)

MARSHALL A  
247 EL  
Badge number: 247 Unit Code: EL

Supervisor's signature

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [Signature]  
This statement is affirmed under penalty of perjury.

38220356M



## NOTICE OF VIOLATION AND HEARING

Case # 9

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS  
OF THE CITY OF NEW YORK, PETITIONER, AGAINSTViolation No. 38220370Z  
ENVIRONMENTAL CONTROL BOARD

Respondent	Transell Elevator Inc		Last name	
Mailing address (Check if same as place of occurrence)	Number and street	City	State	Zip code
	225 West 34 St	New York	NY	10001
Additional mailing to be sent (agent, care of, other):		License No: (if applicable)		Project Code
Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

## Commissioner's Order To Correct Violations

Place of occurrence	205 Madison Avenue	Block	MAN	Date of violation	12/14/11	Type	E	Building	247	Area	A	Number	13
Construction type	BIN #	No. of stories	Block	Lot	Occupancy	NYC Violation	Class	Device	11/12/15	Compliance	13/15/32		

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

FAILURE TO MAINTAIN: §28-301.1 / §27-087 / BC 3001.2	<input type="checkbox"/> Class 1 (B151)	<input type="checkbox"/> Class 2 (B251)	<input type="checkbox"/> Class 3 (B351)	OTHER Infractor Code: 2106 Section of Law: 22-209.1 Class: 1 2 3 (circle one)
WORK WITHOUT A PERMIT - §28-105.1	<input type="checkbox"/> Class 1 (B101)	<input type="checkbox"/> Class 2 (B201)	<input type="checkbox"/> Class 3 (B301)	
<input type="checkbox"/> ILLEGAL OPERATION - BC 3007.1/§27-185 Class 2 (B262)	<input type="checkbox"/> CEASE USE			<input checked="" type="checkbox"/> Aggravated II Condition per 1RCNY 102-01(f)

INSIDE CAR	21. Interlocks	41. Machine room door	68. Motor brushes	ESCALATOR/MOVING WALK
E 01. Emergency stop switch	22. Parking device	42. Controller - selector	69. NYC Device #	85. Fire shutters
L 02. Alarm system	23. Fast button station	43. Reverse phase relay	65. Unintended car movement	84. Skirt switch
E 03. Car enclosure	24. Indicators	44. Traction sheave	66. Emergency brake/scope	85. Skirt deflection device
E 04. Side emergency exit	25. Door safety retainer	45. Governor	67. Communication	86. Comb plate/Comb plate teeth
V 05. Car door/gate	26. Top emergency exit cover	46. Governor switch	68. Maintenance log	87. Landing plate / Impact switches
A 06. Door reopening device	27. Governor release carrier	47. Drum	69. Code data plate	88. Handrails / Handrail stations
T 07. Car floor to landing sill	28. Door hangers & connections	48. Pump unit	PIT	89. Stieglitz
O 08. Car floor	29. Door operator	49. Drum machine limit switch	70. Pit	90. Key switch
R 09. Car door glass	30. Normal limits	50. Governor	71. Pit light	91. Emergency stop button
P 10. Car button station	31. Final limits	51. Slack rope switch	72. Pit stop switch	92. Cocking and latching devices
P 11. Car lighting	32. Guide shoes/roller guides	52. Hoist ropes	73. Car guide-rails & brackets	93. Ceiling guards
P 12. Emergency lighting	33. Counterweight	53. Governor ropes	74. Owl. guide-rails & brackets	94. Deck barricades
A 13. Car mirror	34. Hoistway	54. Car counterweight rope	75. Undercarriage platform	95. Internal safeties
A 14. Certificate frame	35. Electric wiring	55. Drum counterweight rope	76. Car safety & tail rope	96. Safety Signage
R 15. OUTSIDE HOISTWAY	36. Pipes and ducts	56. Hoist machine	77. Tensioning platform	ALL TYPES
R 16. Hoistway doors	37. Overhead & Deflector sheave	57. Hoist motor	78. Tension Weight	97. Entire device
T 17. Hoistway door glass	38. Traveling cable & junction	58. Worm/Gear/Bearings	79. Counterweight rope/switch	98. Current five year tag
S 18. Hoistway door reinforcements	39. Car top	59. Machine brake	80. Counterweight runby	99. Current one year tag
20. Vision panel	40. MACHINE ROOM	60. Lighting machine space	81. Counterweight runby signage	100. Miscellaneous
	41. Machine room	61. Machine disconnect switch	82. Plunger gripper	
		62. Controller		

## VIOLATING CONDITION

☐ Recurring Condition

A. Altered	D. Unsecured	G. Improper Fuses	J. Misaligned	M. Missing	P. No means of access	S. Not fire retardant	V. Not level	Y. Oil leak
B. Insufficient	E. Rubbing	H. Worn	K. Rusted	N. By-passed	Q. Unguarded	T. Unlabeled	W. Unlocked	Z. Water leak
C. Padlocked	F. Lost motion	I. Damaged	L. Defective	O. Dirty	R. Illegal	U. Device not tagged	X. Inoperative	AA. Carbon buildup
SUGGESTED REMEDY						FILE APPLICATION AND OBTAIN PERMIT		
01. Adjust	04. Patch	07. Provide	10. Repair	13. Seal	16. Provide means of access			
02. Clean	05. Perform & file test	08. Regroove	11. Replace	14. Shorten	17. Re-inspection required			
03. Install Guards	06. Property secure	09. Remove	12. Reshackle	15. Tag Device				

ELEVATOR PART	03
VIOLATING CONDITION	B
SUGGESTED REMEDY	07

Additional Information: 03-B-07 Failure to Place Caution Tape Across Car door and for device being serviced. No elevator service/maintenance personnel in elevator car at time of incident. Violating Condition affect a significant number of persons in that the device had to be closed down, and building vacated. In addition Violating Condition resulted in the death of an elevator passenger.

Important Information: As stated in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Resolution options	
CURE DATE	HEARING DATE
	/ / at <input type="checkbox"/> 8:30 AM <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
If a date appears in the box above, you may have the option to <u>admit</u> the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.	
For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or go to <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a> .	

Issuing officer's first name, first initial (print)

MARSHALL A  
247 EL  
Badge number Unit Code

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature  
This statement is affirmed under penalty of perjury.

38220370Z



38210698N



## Electrical Division Inspection Reporting Form

Inspection Information			
Premises Location: <u>285 Madison Ave</u>		Insp. Date <u>12/29/11</u>	
Apt. #/Floor:	Borough: <u>Manh</u>	BIS #	
Special Place Name:		Add'l Location Info:	
Inspector Name: <u>Felix Rivera</u>		Badge No. <u>2239</u>	Pick Up Minutes <u>180</u>
<b>Type of Occupancy: (Check One Box Only)</b>			
<input type="checkbox"/> A. 1 or 2 Family		<input type="checkbox"/> C. Multi Dwelling/Other Residential	
<input type="checkbox"/> E. Warehouse		<input type="checkbox"/> F. Factory	
<input type="checkbox"/> G. Garage		<input checked="" type="checkbox"/> O. Office Building	
<input type="checkbox"/> H. Hotel		<input type="checkbox"/> L. Loft	
<input type="checkbox"/> W. School		<input type="checkbox"/> J. Theater	
<input type="checkbox"/> I. Hospital/Health Facility		<input type="checkbox"/> P. Other Place of Assembly	
<input type="checkbox"/> Z. Other _____		<input type="checkbox"/> K. Store (Indicate Type) _____	
<b>Type of Inspection: (Check Box Below)</b>			
<input type="checkbox"/> Certificate of Occupancy		<input type="checkbox"/> Pick Up	
<input type="checkbox"/> Complaint		<input checked="" type="checkbox"/> Other Referral <u>D.O.B. Complaint M322143</u>	
<b>Inspection Results</b>			
<b>Inspection Result:</b>			
<input type="checkbox"/> Passed		<input checked="" type="checkbox"/> Defect Noted	
		<input checked="" type="checkbox"/> Other <u>No Permit</u>	
<b>Report Issued To: (Check One Box Only)</b>		<b>Defect Noted:</b>	
<input checked="" type="checkbox"/> Owner		<input checked="" type="checkbox"/> Pick Up	
<input type="checkbox"/> Lessee		<input type="checkbox"/> Scheduled Inspection	
<input type="checkbox"/> Occupant			
<input type="checkbox"/> Contractor			
Owner/Occupant/Contractor/Lessee Name: <u>Young &amp; Rubicam Inc.</u>			
Address <u>285 Madison Ave</u>		Borough: <u>Manh</u>	Zip: <u>10017</u>
Item #	Defect Location or Equipment Location		
3	14 <sup>th</sup> Fl Elev' Machine Rm - New Branch Ckt wiring		
-	From Controller to Elevator Shaft for New Final Limit Switch		
-	Replacement of #9 Cab Controls - Cab Door Restrictor Panel		
-	New Safety Operator Switch.		
19	14 <sup>th</sup> Fl Elev' Mach' Rm - 3/8" EMC Not properly terminated		
19	Top of Car #9 - Open exposed wiring & Defective Control Wiring		
7	14 <sup>th</sup> Fl Elev' Mach' Rm.		
22	"	"	(Final Limit Sw.)
24	"	"	
25	"	"	
29	"	"	

Control Number

1322143

System Entry Date \_\_\_\_\_ Key Punch ID \_\_\_\_\_ INSP Area \_\_\_\_\_ Census Track \_\_\_\_\_

PVT 385639

Young and Rubicam Inc

285 Madison Av

NY

NY

10017

STREET

CITY


STATE

ZIP CODE

YOU ARE HEREBY NOTIFIED THAT THERE EXISTS A VIOLATION IN THE SUBJECT PREMISES AS DESCRIBED HEREIN. YOU ARE HEREBY DIRECTED TO REPAIR THE VIOLATING CONDITION(S) PURSUANT TO SECTION 28-209.1 AND 28-209.2 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK. IN ADDITION TO THE ITEMS CHECKED BELOW, REPAIR OR REPLACE ALL WORN DEFECTIVE, MISSING AND IMPROPERLY MAINTAINED ELEMENTS THAT CONTRIBUTE TO THE MALFUNCTION OF THE DEVICE.

YOU MUST REPAIR THE VIOLATING CONDITION(S) WITHIN **30 DAYS** OF ISSUANCE OF THIS NOTICE. IF THIS IS A CLASS 1 FAILURE TO MAINTAIN VIOLATION, YOU MUST REPAIR THE CONDITION **IMMEDIATELY**. IN ADDITION, AN AFFIRMATION OF CORRECTION MUST BE SUBMITTED, ALL REQUESTS FOR REINSPECTION TO REMOVE THIS VIOLATION FROM THE DEPARTMENT'S RECORDS MUST BE **IN WRITING, INCLUDE A COPY OF THE VIOLATION** AND BE ADDRESSED TO THE ELEVATOR DIVISION OF THE DEPARTMENT OF BUILDINGS, ATTENTION: VIOLATION REINSPECTION UNIT, 280 BROADWAY, 4TH FLOOR, NEW YORK, N.Y. 10007. ALL OTHER INQUIRIES MAY BE DIRECTED TO TELEPHONE # (212) 566-5514.

14 11.09  
54 2.06  
10 82  
81 4.11

  
Commissioner  
Robert D. LiMandri

Place of Occurrence <b>25 E 40 St</b>	Boro: <b>Man</b>	Date of Violation <b>6-15-11</b>	Type <b>E</b>	Agency No. <b>9627</b>	Boro # <b>1</b>
No. of Stories <b>12</b>	Block: <b>1275</b>	Lot: <b>23</b>	Elevator No. <b>1P14275</b>		
Occupancy at time of Inspection: <b>Comm</b>			SECTIONS VIOLATED: Administrative Code section (s) 28-301.1 / 27.987 / BC 3001.2		
FAILURE TO MAINTAIN	<input type="checkbox"/> Class 1 (B154)	<input type="checkbox"/> Class 2 (B254)		<input checked="" type="checkbox"/> Class 3 (B354)	

	<b><u>Inside Car</u></b>	17	Hoistway door gibs	34	Tension weight	51	Traveling cable & junction	68	Drum counterweight rope	85	Comb plate / Comb plate teeth
01	Emergency stop switch	18	Hoistway door reinforcements	35	Comp. chains, ropes & switch	52	Car top	69	Hoist machine	86	Landing plate / Impact switches
02	Alarm system	19	Hoistway door safety retainer	36	Counterweight runby		<b><u>Machine Room</u></b>	70	Hoist motor	87	Handrails / Handrail safeties
03	Car enclosure	20	Way panel	37	Counterweight runby signage			71	Worm / Gear / Bearings	88	Step / Thread
04	Side emergency exit	21	Interlocks	38	Plunger gripper	53	Machine room	72	Machine brake	89	Key switch
05	Car door/gate	22	Parking device		<b><u>Top of Car</u></b>	54	Machine room door	73	Lighting machine space	90	Emergency stop button
06	Car door/gate contact	23	Hall button station			55	Controller-selector	74	Machine disconnect switch	91	Decking and ballistrades
07	Door reopening device	24	Indicators	39	Top emergency exit cover	56	Reverse phase relay	75	Commutator	92	Ceiling guards
08	Car floor to landing sill	25	Door safety retainer	40	Governor release carrier	57	Traction sheave	76	Motor brushes	93	Deck barricades
09	Car floor		<b><u>Pit</u></b>	41	Door hangers & connectors	58	Governor	77	NYC Device #	94	Internal safeties
10	Car door gibs	26	Pit	42	Door operator	59	Governor switch	78	Unintended car movement	95	Safety signage
11	Car button station	27	Pit light	43	Normal limits	60	Drum	79	Emergency brakes / rope	96	Fire shutters
12	Car lighting	28	Pit stop switch	44	Final limits	61	Pump unit	80	Communication		<b><u>AH Types</u></b>
13	Emergency lighting	29	Car guide-rails & brackets	45	Guide shoes / Roller guides	62	Drum machine limit switch	81	Maintenance log		
14	Car mirror	30	Car guide-rails & brackets	46	Counterweight	63	Generator	82	Code data plate	97	Entire Device
15	Certificate frame	31	Buffers	47	Hoistway	64	Slack rope switch		<b><u>Escalator/Moving Walk</u></b>	98	Miscellaneous
	<b><u>Outside Hoistway</u></b>	32	Car safety & tail rope	48	Electrical wiring	65	Hoist ropes			99	Current five year tag
16	Hoistway Doors	33	Underside platform	49	Pipes and ducts	66	Governor ropes	83	Skirt Switch	100	Current one year tag
				50	Overhead / Deflector sheave	67	Car counterweight rope	84	Skirt deflection device		

A.	Altered	D.	Unsecured	G.	Improper Fuses	J.	Misaligned	M.	Missing	P.	No means of access	S.	Not fire retardant	V.	Not level	Y.	Oil Leak
B.	Insufficient	E.	Rubbing	H.	Worn	K.	Rusted	N.	By-passed	Q.	Unguarded	T.	Unlabeled	W.	Unlocked	Z.	Water Leak
C.	Padlocked	F.	Lost Motion	I.	Damaged	L.	Defective	O.	Dirty	R.	Illegal	U.	Device not tagged	X.	Inoperative	AA	Carbon buildup
														BB	Exhausted		

01	Adjust	04	Patch	07	Provide	10	Repair	13	Seal	16	Provide means of access	<input type="checkbox"/>	FILE APPLICATION AND OBTAIN PERMIT
02	Clean	05	Perform & file test	08	Regroove	11	Replace	14	Shorten			<input type="checkbox"/>	CEASE USE
03	Install Guards	06	Properly secure	09	Remove	12	Reshackle	15	Tag Device				

[illegible]

ADDITIONAL INFORMATION: 81-B-07 all tasks not checked 40-m-07 electrical switch  
16-m-07 sight guards. 26-T-07 pit door.

False certification is a criminal misdemeanor under sections 28-203.1.1 and 28-211.1 of the NYC Administrative Code, punishable by up to 1 year imprisonment and/or a fine of up to \$25,000. It is also punishable with a civil penalty of up to \$25,000.

I PERSONALLY OBSERVED THE VIOLATING CONDITIONS CITED

John Campos  
PRINT AGENCY INSPECTOR'S NAME

\_\_\_\_\_

AGENCY INSPECTOR'S SIGNATURE





ORIGINAL

ELV1: Elevator Application

Please file four (4) copies  
Application must be typewritten

Internal Use Only

Application Number EB-1328-11

Date Received

1 Filing Status

- ☐ New Building Application Number  
☐ New Installation ☐ Alteration  
☐ Seismic Compliance ☐ Yes ☐ No  
☒ Replacement / Modification  
☐ Dismantle ☐ Remove  
Select One:  
☐ Electrical Application Number  
☒ No Electrical Filing Required

3 Applicant Information

Name: John Fichera  
Title: Sen. Vice President License Number: L402-001  
Business Name: Transel Elevator Inc.  
Address: 525 West 34 Street  
City: New York  
State: NY Zip: 10001  
Phone: 212-727-3200

2 Location Information

Borough: Manhattan  
Address: 285 Madison Avenue  
Block: 1275  
Lot: 23  
BIN: 1035318  
City: New York  
State: NY Zip: 10017  
Occupancy Group: OFFICE BUILDINGS

4 Owner Information

Name: Mr. Les Luka  
Title: Project Manager  
Business Name: Cushman & Wakefield, Inc.  
Address: 285 Madison Avenue  
City: New York  
State: NY Zip: 10017  
Phone 212-210-4881

5 Device Information

Elevator Plan Numbers	NYC Elevator Numbers	Elevator Plan Numbers	NYC Elevator Numbers
	1P14273		1P14276
	1P14274		1P14277
	1P14275		1P14278

Machine Type: ☐ Hydro ☒ Traction  
Device Type: ☒ Passenger ☐ Freight ☐ Escalator ☐ Sidewalk  
☐ Moving Walk ☐ Wheelchair Lift ☐ Personnel Hoist ☐ Dumbwaiter  
☐ Private Residential Elevator ☐ Conveyor ☐ Other

6 Description of Work For more space, please use A11 Additional Information

All work to conform with ASME A17.1 - 2000/2003 Appendix K

Reduce car speed from 600 FPM to 500 FPM

Section 8: Device#1P14273,1P14274,1P14275,1P14276,1P14277,1P14278

Travel - L,2 to 12 = 13 stops

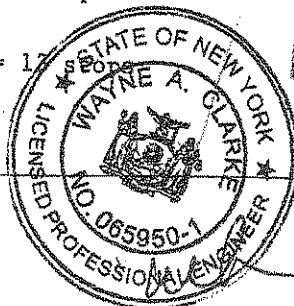
Device#1P14278

Travel - B,L,2 to 12 = 13 stops

MICROFILM APPV.

NOV 21 2011

FOR PERMIT



CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

NOV 18 2011

RECEIVED  
ELEVATOR DIVISION

PROFESSIONAL CERTIFICATION  
ELEVATOR DIV  
DEPARTMENT OF BUILDINGS  
STAMP NUMBER 1 OF 2



# ORIGINAL

ELV1

PAGE 2

**7 Location Information** Please provide the same information as in section 2

Borough Manhattan Address 285 Madison Avenue  
 Block 1275 Lot 23 Application Number (if applicable) 500 1328-11

**8 General Information** **9 Cars and Counterweight**

Types of Motive Power  
 Elevator ☐ AC ☒ DC Main Supply ☒ AC ☐ DC  
 Travel from Floor: B, L, 2 to floor: 12  
 Total travel: 156 feet: Number of Stops: 13  
 Capacity: 2200 Lbs. Speed: 600 F.P.M.  
 Elevator Control  
☐ Resistance ☒ Multi-Voltage  
☐ Generator Field Control ☐ Solid State  
 Mode of Operation ☒ Automatic P.B. ☐ Constant Pressure  
 Hoistway ☐ New ☒ Old  
☒ NYC Handicap Provisions  
☒ Fire Emergency Service Phase I & II

Car Inside Dimensions: 4 feet 8 in by 5 feet 7 in  
 Car Inside Area: 27.1 Sq. feet:  
 Car Safety Type:  
☐ Instantaneous ☒ Flexible Guide ☐ Gradual WC  
 Counterweight Safety Type:  
☐ Instantaneous ☐ Flexible Guide ☐ Gradual WC  
☒ Top Emergency Exit: Min Area: 488 sq. in Min Side: 24 in  
 Car Opening:  
☒ Door ☐ Gate  
 Operation:  
☐ Manual ☒ Power  
☒ Contact Type GS Manufacturer GAL

**10 Hoistway Opening** **11 Pit and Buffers**

☒ Door ☐ Gate  
☒ 1 1/2 Hr Fire Rated Construction Type  
 Operation ☐ Manual ☒ Power  
☐ Self Closing ☐ Facias  
☐ Vision Panel with Grilles ☐ Vision Panel  
☒ Interlocks ☐ Locks & Contacts  
 Interlocks Type: MO Manufacturer: GAL  
 Number of Openings: 13  
 Front 13 Side  
 Rear Total: 13  
☐ Self Closing Emergency Doors in Blind Hoistway  
☐ Interlock in Blind Hoistway

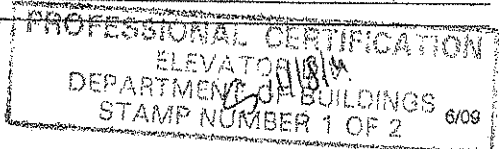
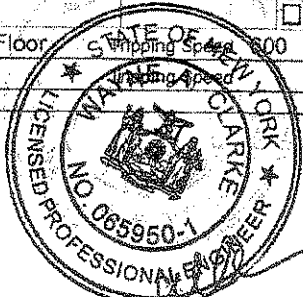
Car Buffer:  
 Engagement Speed: 610 F.P.M. Stroke: 2 feet 9 in  
 Manufacturer: ABSEE  
 Type: ☐ Spring ☒ Oil  
 Counterweight Buffer:  
 Engagement Speed: 610 F.P.M. Stroke: 2 feet 9 in  
 Manufacturer: ABSEE  
 Type: ☐ Spring ☒ Oil  
☒ Compensation Chain Length: 76 ft.  
☐ Compensation Rope Length: ft.  
 Counterweight Screen ☒ Yes ☐ No  
 Occupied Space Below ☐ Yes ☒ No

**12 Machine and Machine Room**

Location of Machine: 14th Floor Manufacturer: ABSEE  
 Machine Type: ☐ OH Worm Gear Traction ☐ Basement Worm Gear ☒ Traction Gearless  
☐ Oil Hydraulic ☐ Drum ☐ Drum w/ Slack Cable Switch

	Quantity	Size	Ultimate Strength	Material		
Hoist Ropes	6	9/16	18500	<input type="checkbox"/> Iron	<input checked="" type="checkbox"/> Steel	<input type="checkbox"/> Ultrastrength Steel
Car Counterweight Ropes				<input type="checkbox"/> Iron	<input type="checkbox"/> Steel	<input type="checkbox"/> Ultrastrength Steel
Machine Counterweight Ropes				<input type="checkbox"/> Iron	<input type="checkbox"/> Steel	<input type="checkbox"/> Ultrastrength Steel
Car Governor Ropes	1	1/2	14500	<input checked="" type="checkbox"/> Iron	<input type="checkbox"/> Steel	<input type="checkbox"/> Ultrastrength Steel
Counterweight Governor				<input type="checkbox"/> Iron	<input type="checkbox"/> Steel	<input type="checkbox"/> Ultrastrength Steel

☒ Car Governor Location: 14th Floor Swinging Speed: 600 F.P.M. Type ☒ Fly Ball ☐ Centrifugal  
☐ Counterweight Gover- Location: F.P.M. Type ☐ Fly Ball ☐ Centrifugal



# ORIGINAL

ELV1

PAGE 3

**13 Location Information** Please provide the same information as in section 2

Borough Manhattan Address 285 Madison Avenue  
 Block 1275 Lot 23 Application Number (if applicable) 601 1328-11

**14 Fee Information**

Estimated Cost: \$ 25,000.00

☐ Fee Exempt (Proof Required):

**15 Statements and Signatures**

Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both. I understand that if I am found after hearing to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this code or of a rule of any agency, I may be barred from filing further applications or documents with the Department.

Applicant Name

John Fichera

Signature

*[Signature]*

Date

10/25/11

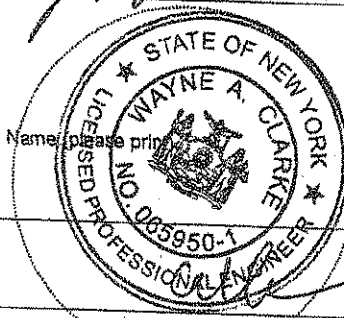
☐ **Replacement / Modification Statement**

I am filing this Replacement/Modification Application for consideration under Operations Policy and Procedures Notice # 26/90. I certify that no electrical or mechanical tests need to be performed in conjunction with this work.

I have assumed responsibility for making inspections during the progress and upon completion of the indicated work. Upon completion I will file Form ELV3 to sign off on the completed work and to remove all applicable violations.

P.E. / R.A. Name (please print)

Signature



Date

P.E. / R.A. Seal (apply seal, then sign and date over seal)

**16 Insurance Information**

Compensation insurance has been secured in accordance with the requirements of the Workman's Compensation Law as follows:

☒ Insurance Certificates/Policies on file with the Department of Buildings ☐ Insurance Certificates/Policies submitted with this application

Insurance Company

State Insurance Fund

Certificate/Policy No.

957-953-3

Expiration Date:

1/1/12

**Internal Use Only**

**Fee Estimator**

Amount Due: \$ 346.00

Amount Paid: \$

Fee Estimator Name:

Signature:

*[Signature]*

Date: 11/15/11

**Approvals**

Examined and Recommended for Approval:

Approved:

Examiner Name:

Signature:

*[Signature]*

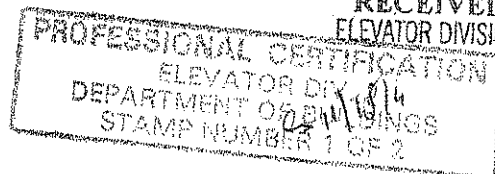
Date: 11/15/11

Assistant Commissioner's Signature:

CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

NOV 18 2011

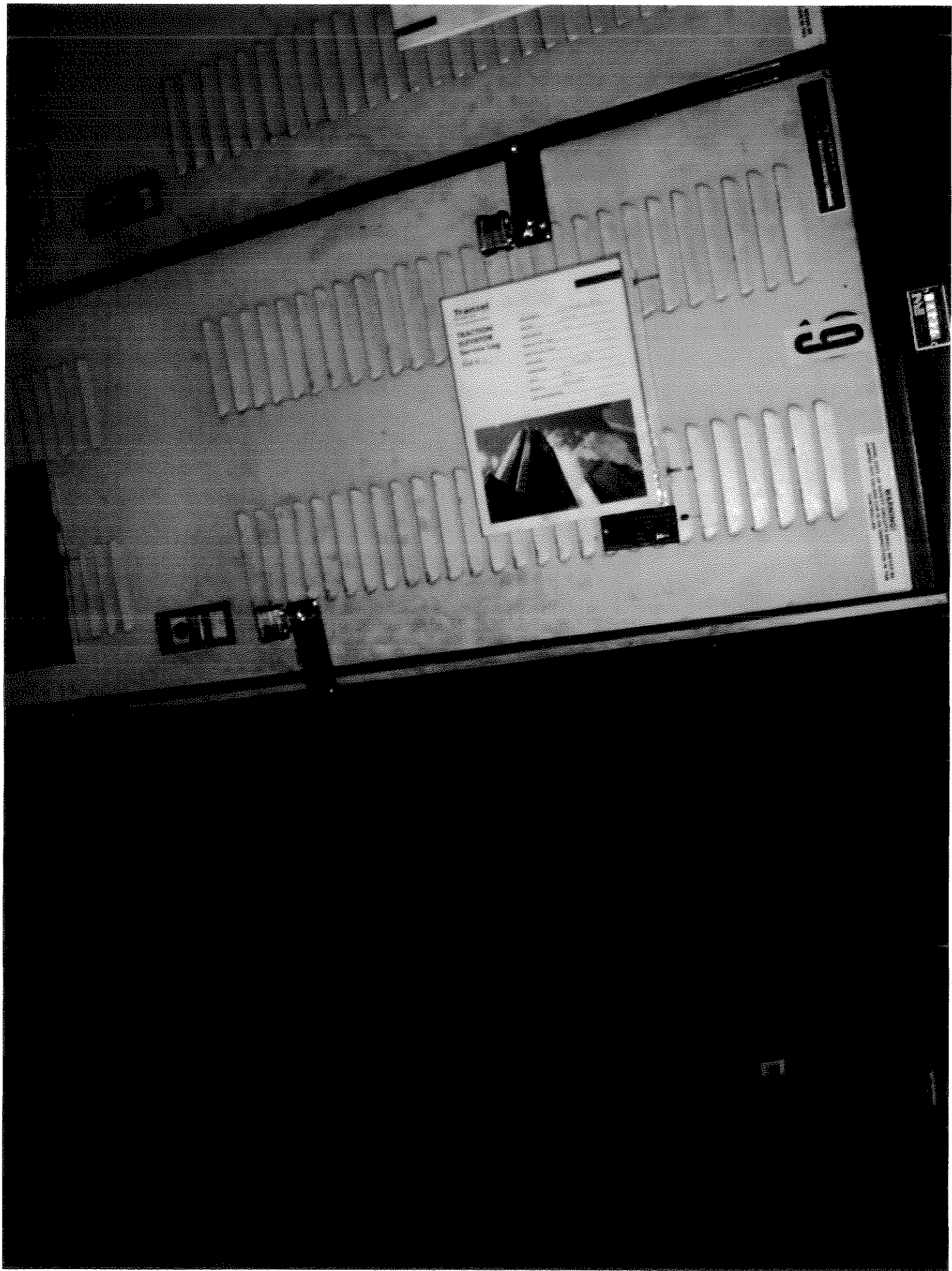
RECEIVED  
ELEVATOR DIVISION



ELEVATOR EQUIPMENT DETAIL  
285 MADISON AVENUE

CAT 1 TEST - 2011

Car #	Device #	Use	Bank
1	1P14267	Passenger	Hi-Rise
2	1P14268	Passenger	Hi-Rise
3	1P14269	Passenger	Hi-Rise
4	1P14270	Passenger	Hi-Rise
5	1P14271	Passenger	Hi-Rise
6	1P14272	Freight	Hi-Rise
7	1P14273	Passenger	Low-Rise
8	1P14274	Passenger	Low-Rise
9	1P14275	Passenger	Low-Rise
✓ 10	1P14276	Passenger	Low-Rise
✓ 11	1P14277	Passenger	Low-Rise
✓ 12	1P14278	Passenger	Low-Rise





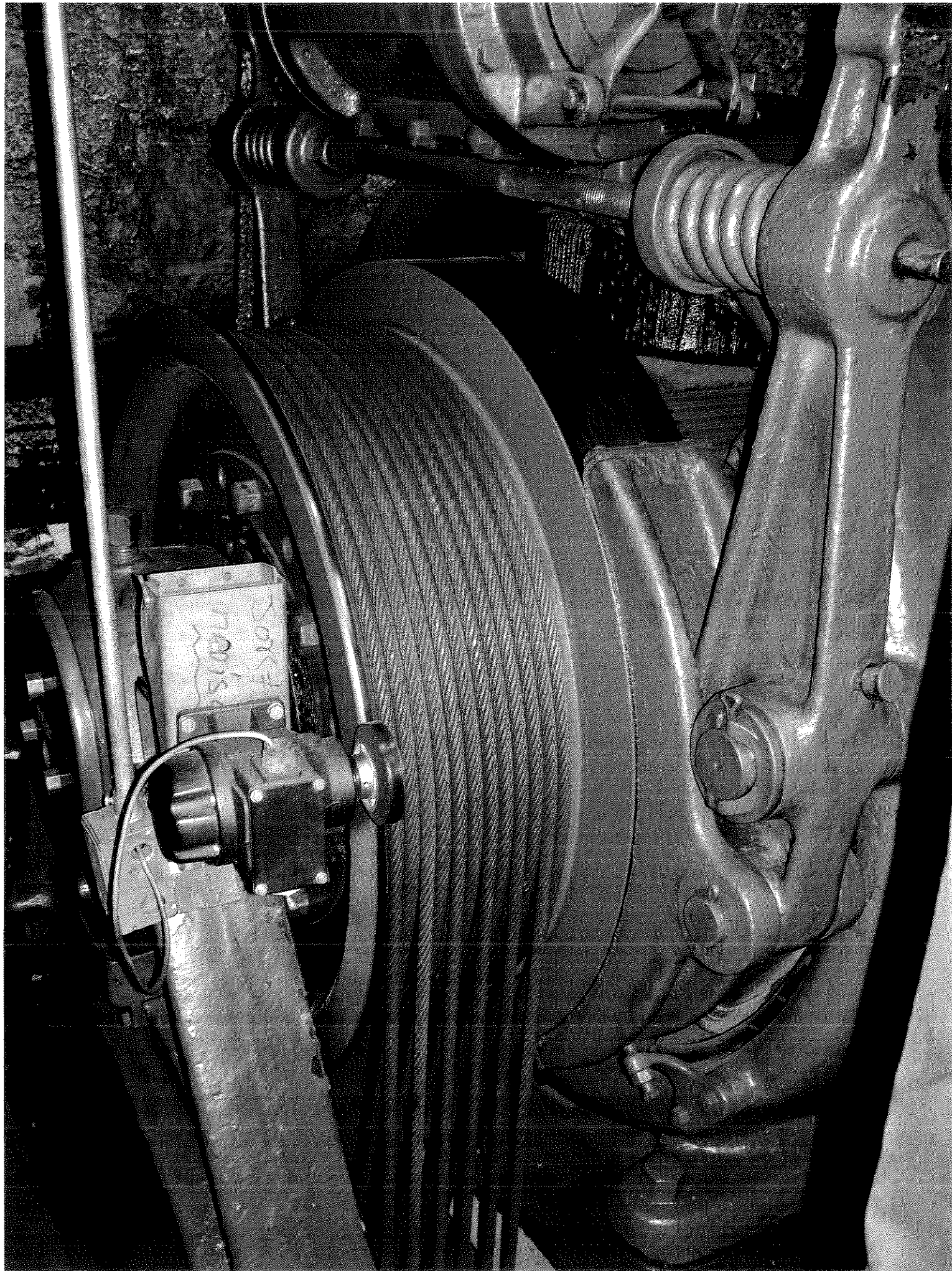
9

**WARNING!**

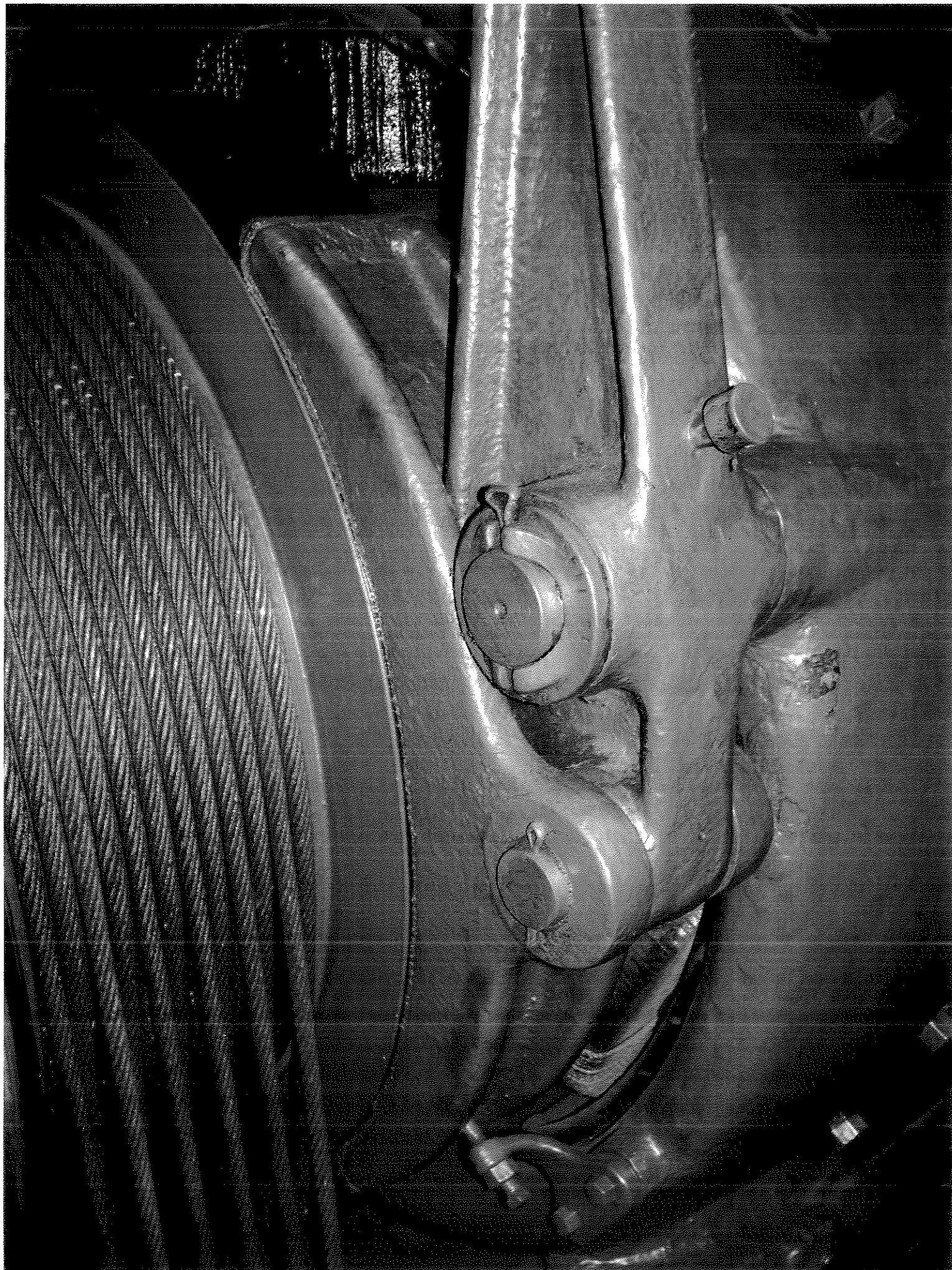
DOOR, GATE OR SAFETY CIRCUITS SHALL NEVER BE  
JUMPED OUT UNLESS CAR IS ON INSPECTION IN THE  
CONTROLLER.





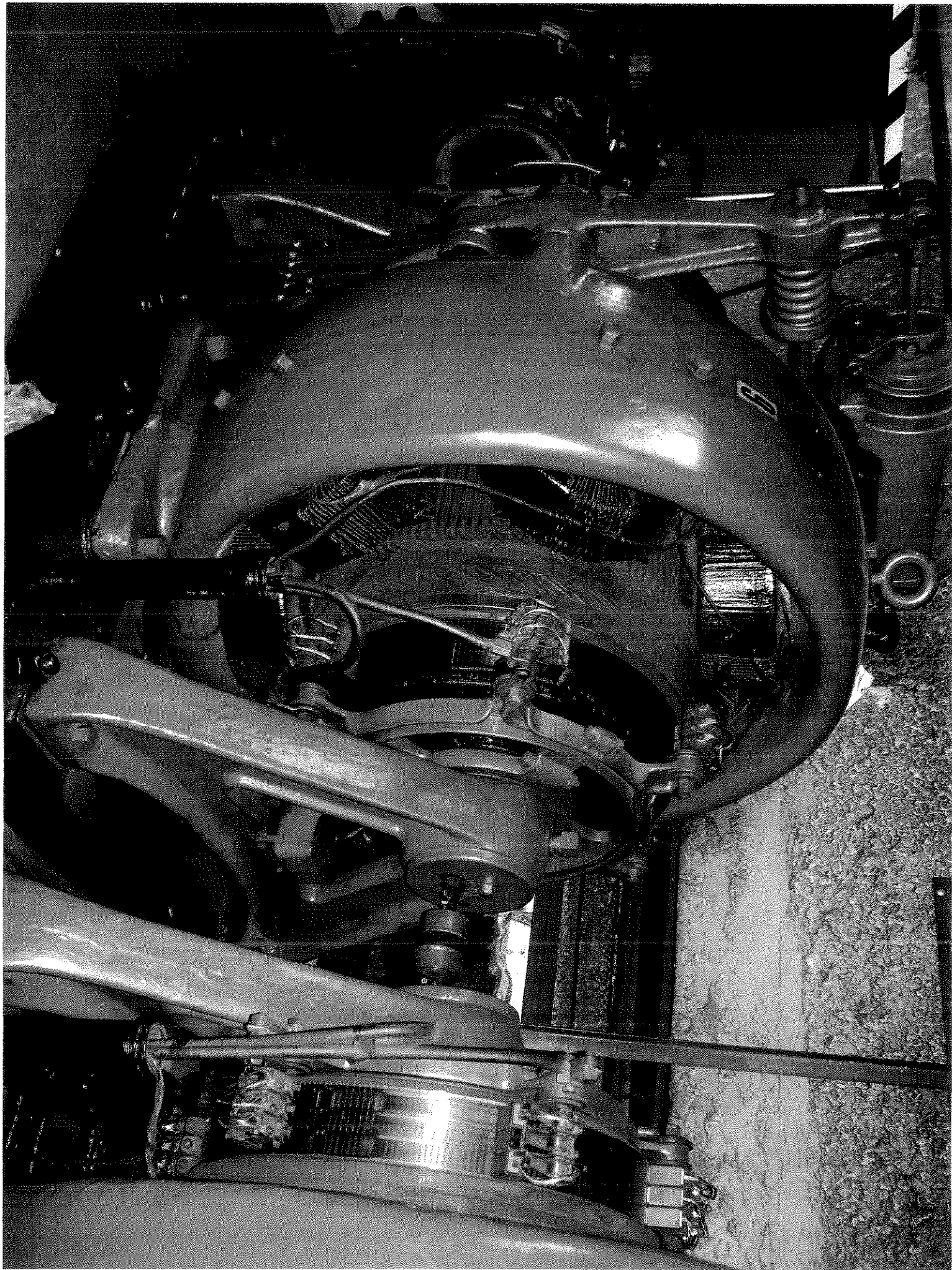






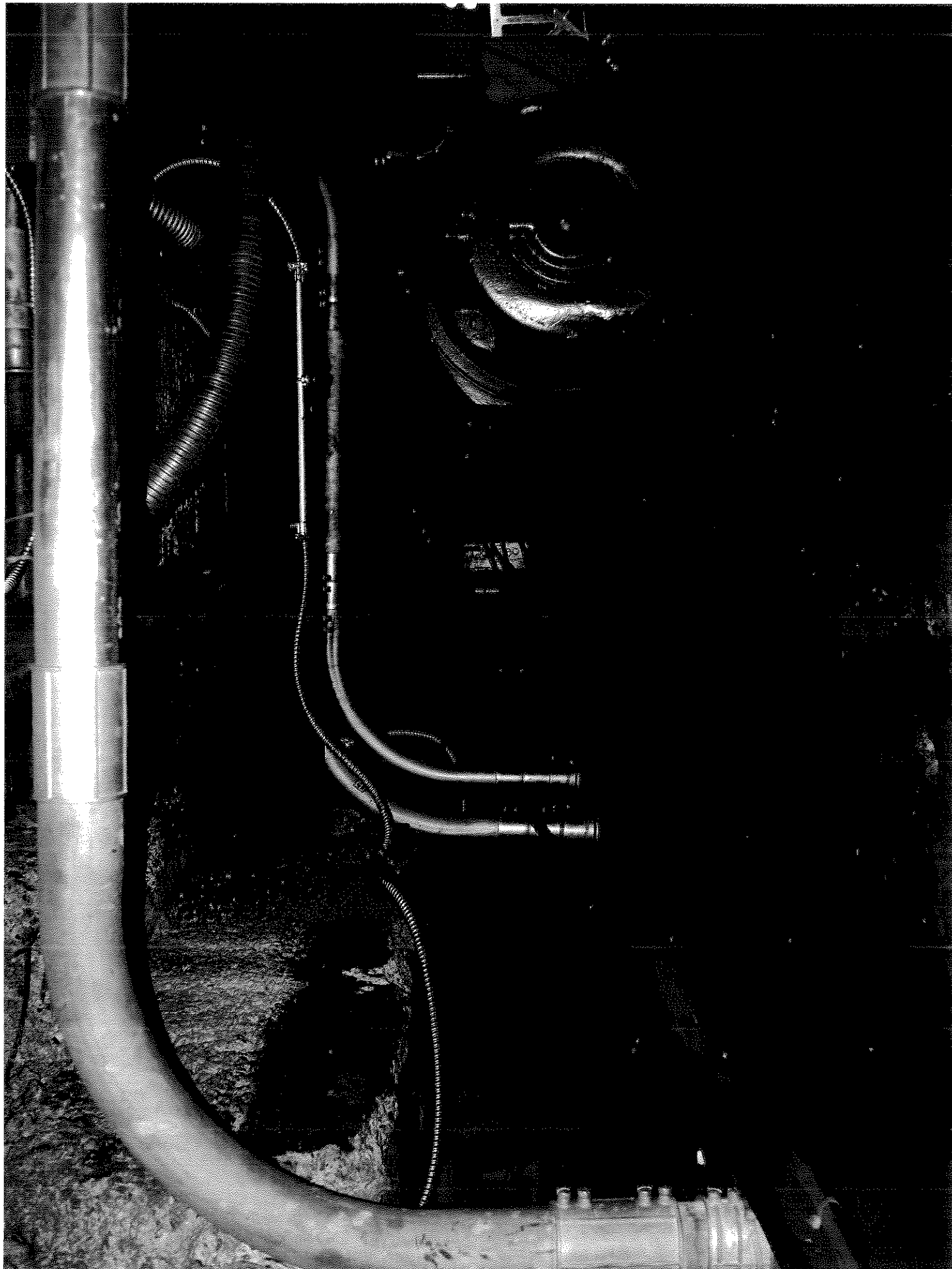










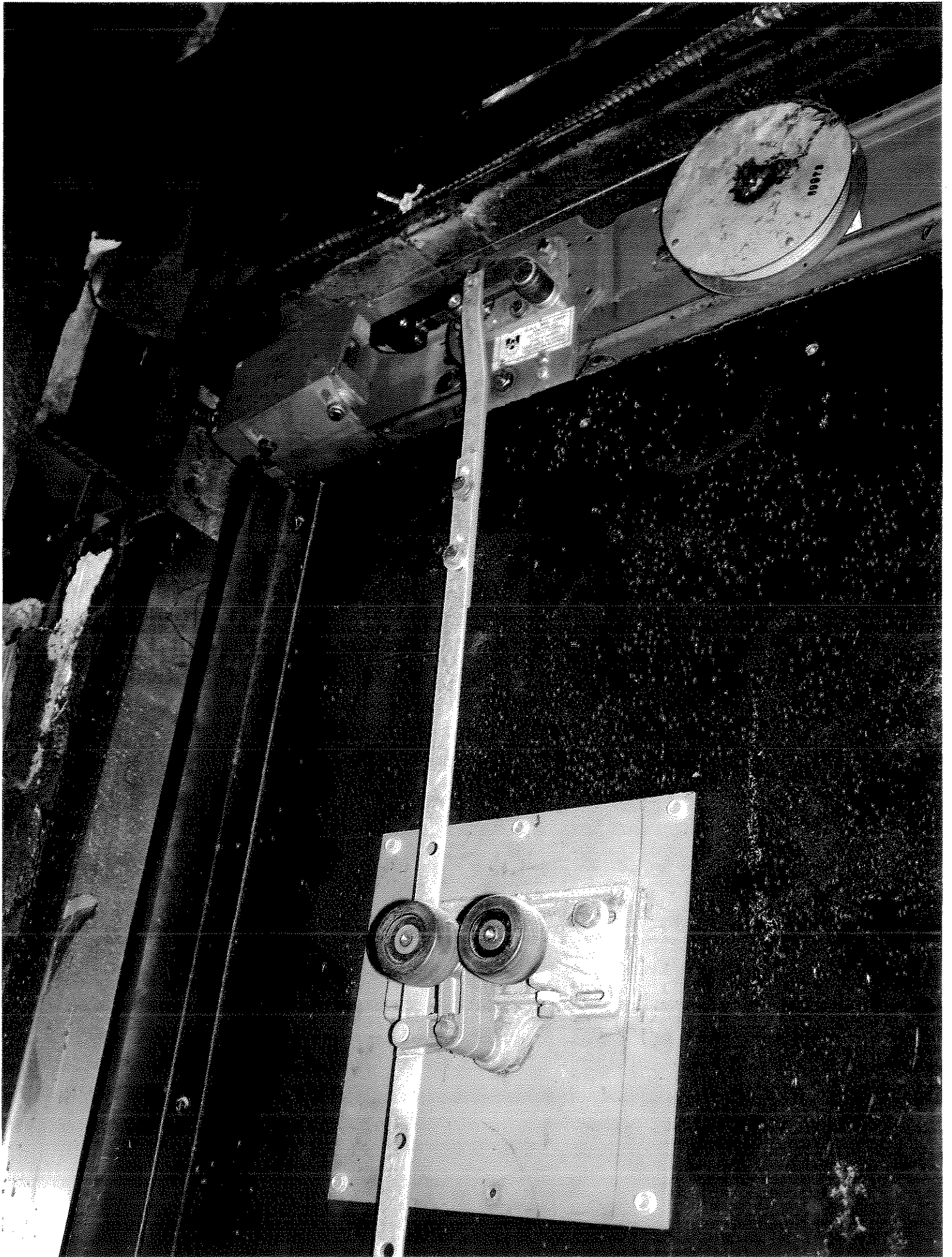




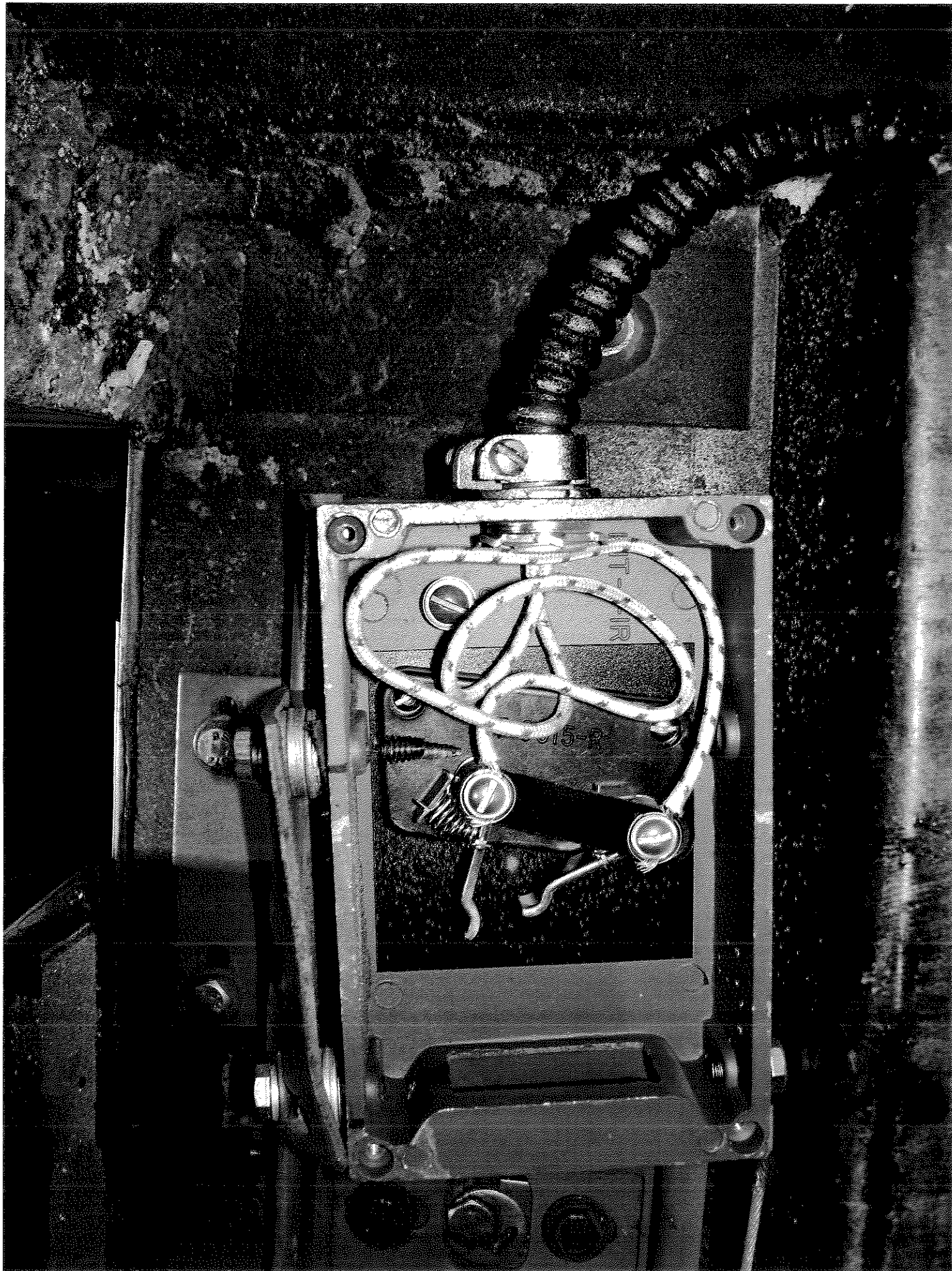
Elevator No. 9		Time 000 - 00:01:54	
Card #1	Card #2	Card #3	Card #4
10	1	DOE	PR. OP
1	6U	SE	PR. 1
2	4S	LIGHTR	PR. 2
3	CS	DCB	PR. 4
4	US	RESET	PR. 8
5	LOCK	FIRE C	LM
6	MS SW	FIRE R	DK SW
7	LP SW	FIRE A	DK RLY
8	D DISC	FCR	UP FIL
9	DOL	GEN	DN FIL
10	DCL	LEV EN	DO RLY
11	DCL6	BUZZER	DC RLY
12	IND L	HRZ	NUM5
13	UP LEV	SYS MA	FL LIT
14	DN LEV	OSL	UP LIT
15	6" LEV		DN LIT
16	2" LEV		

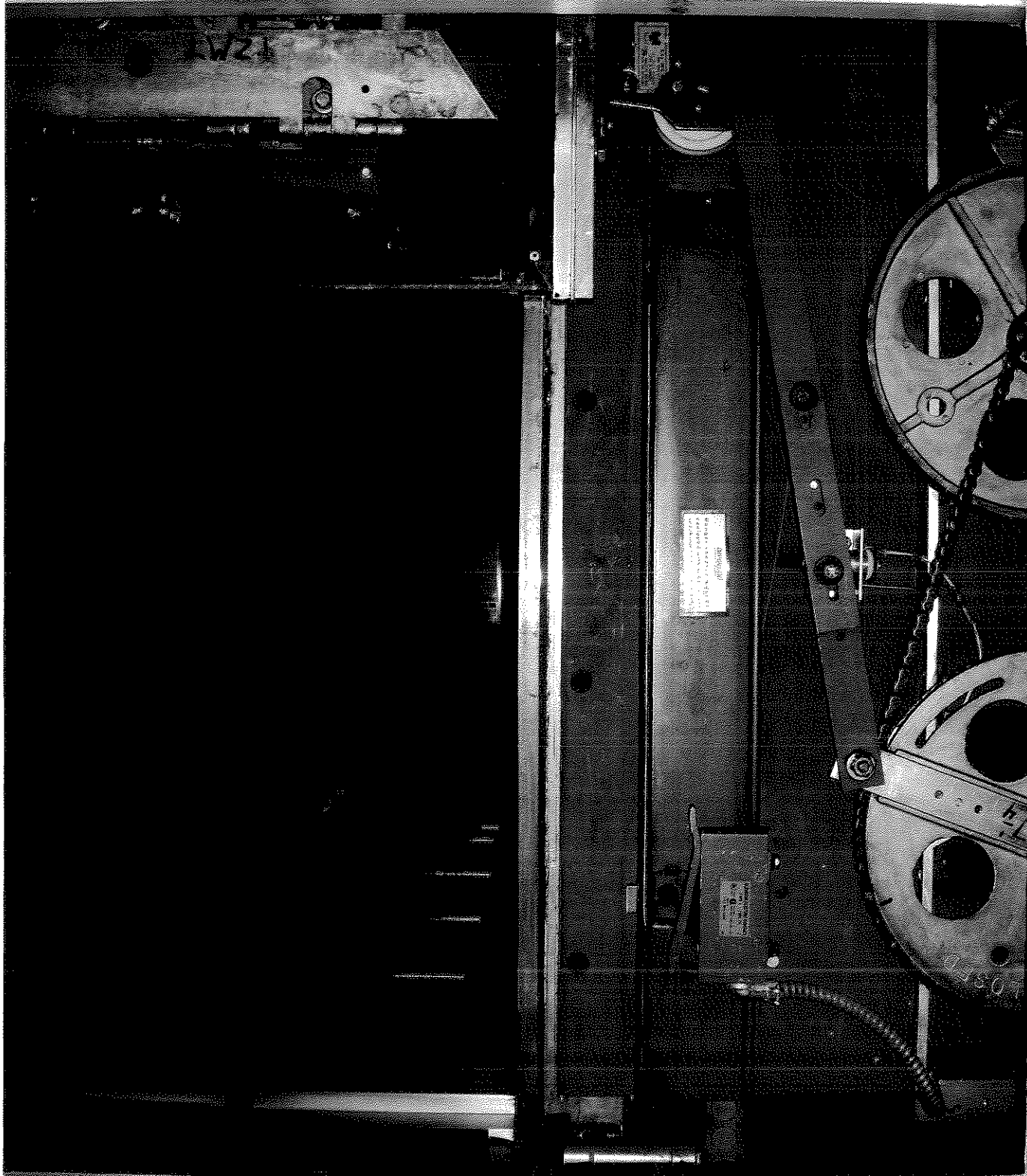
St Seq	Service SAFETIES	Pos	Car Vel.	Vel.	Pos.
Run Seq	SL. Outdown	Ref PI	IND Vel	0	0
Next Up	CC Pilot	FL Ref	Vel Diff	0	0
DO Seq	UC Pilot	Pos Cn	Run time	000.00	0000, 0000
Dgtz	DC Pilot	SD Cnt	Er: 00, 00, 00, 00	12" 0000, 0000	6" 0000, 0000

SONY

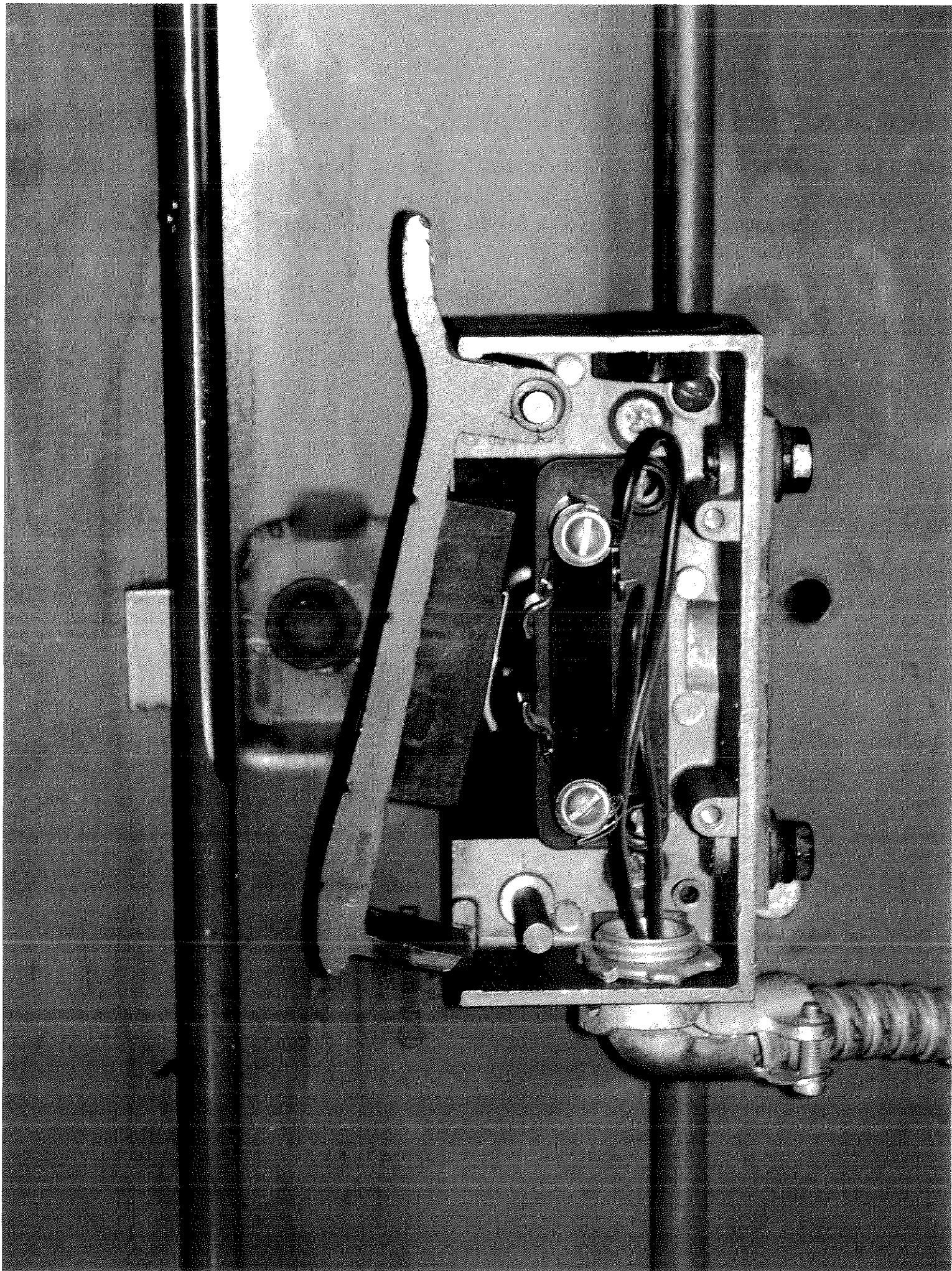




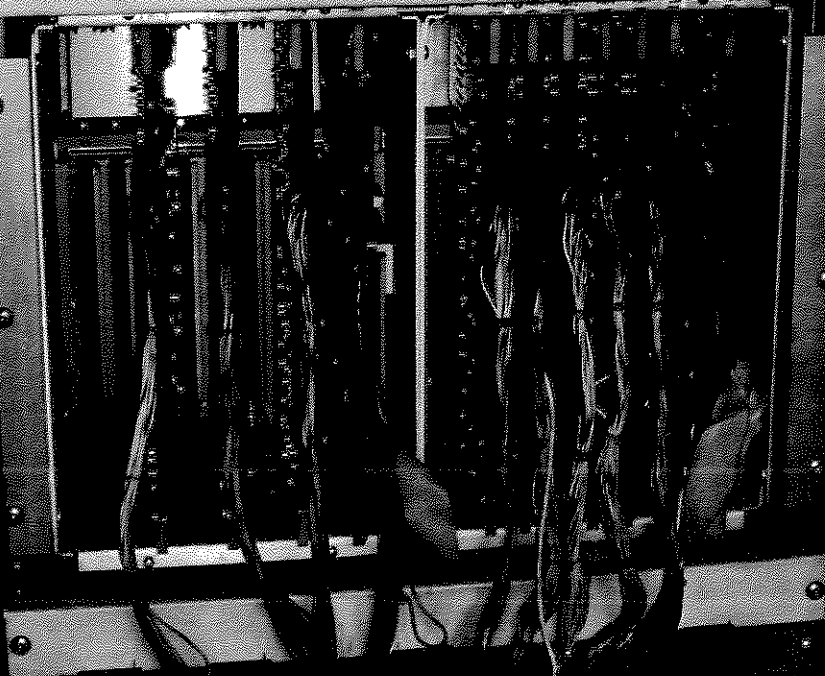
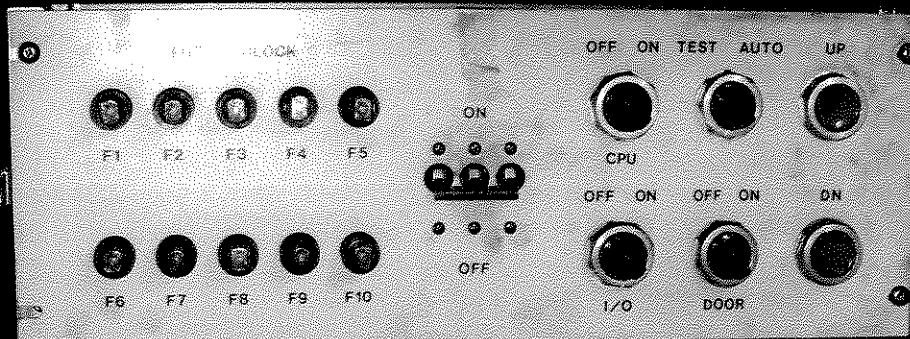




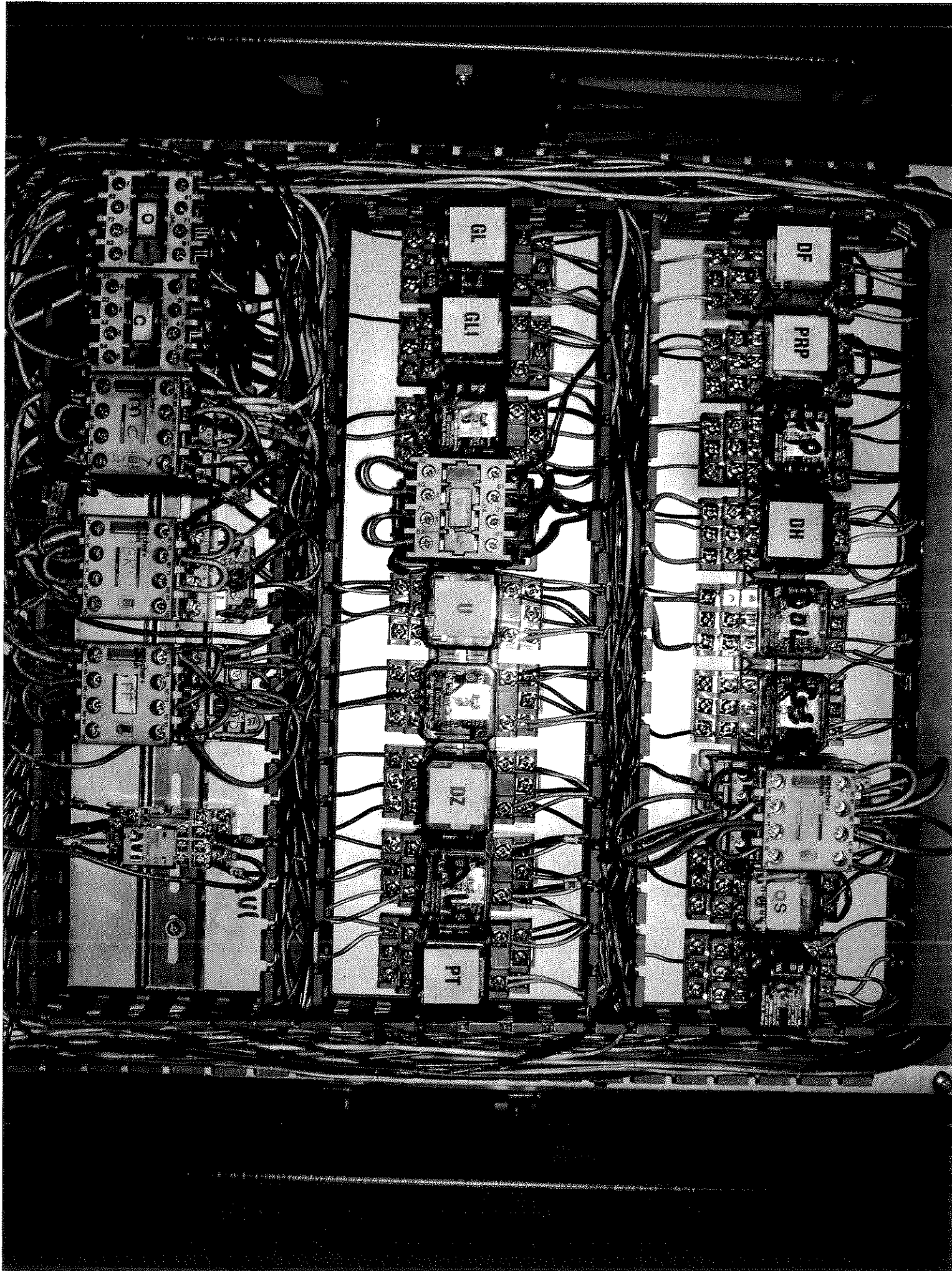


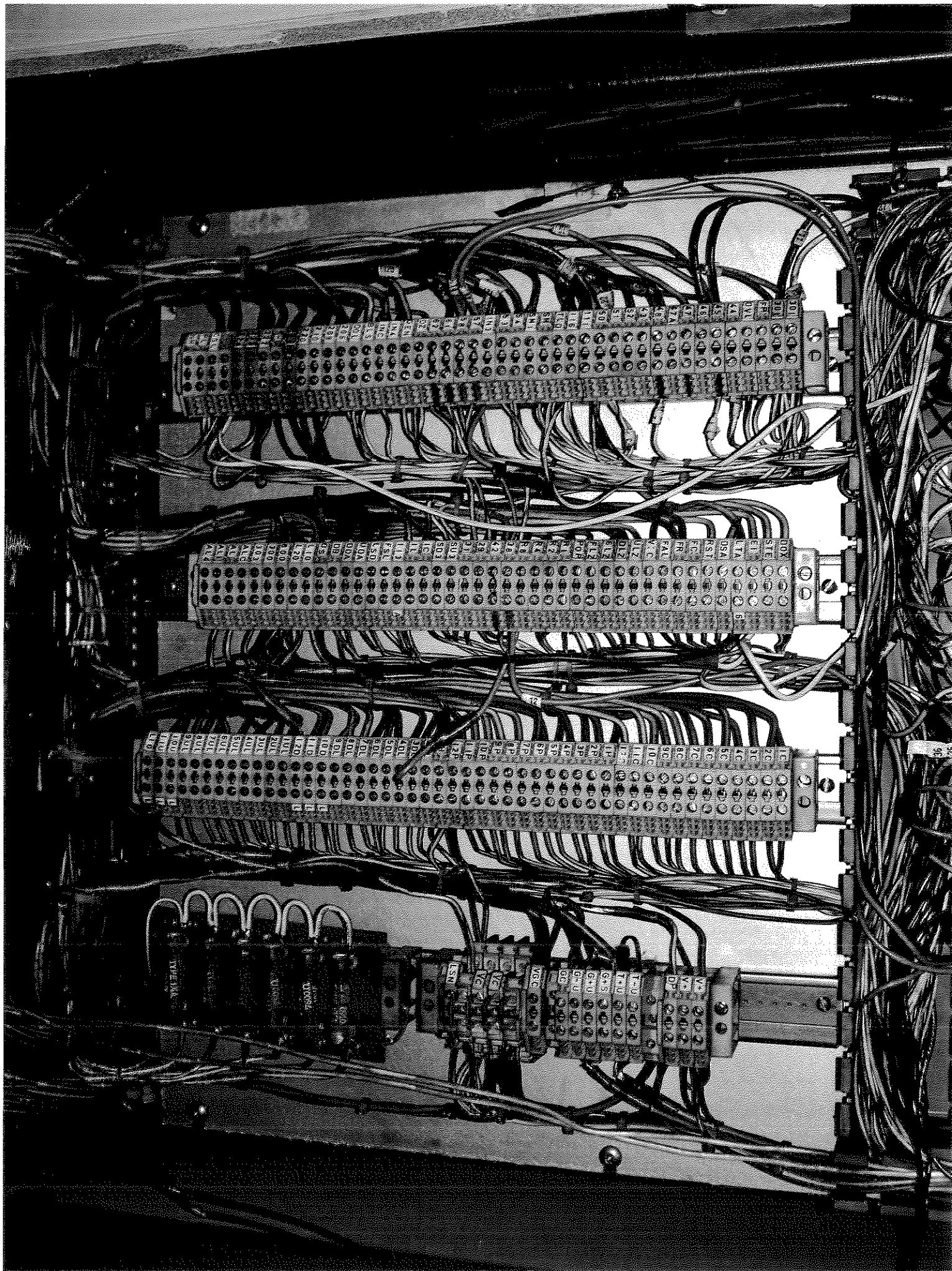


CITY IDENTIFICATION  
NUMBER  
11275  
NEW YORK  
ELEVATOR

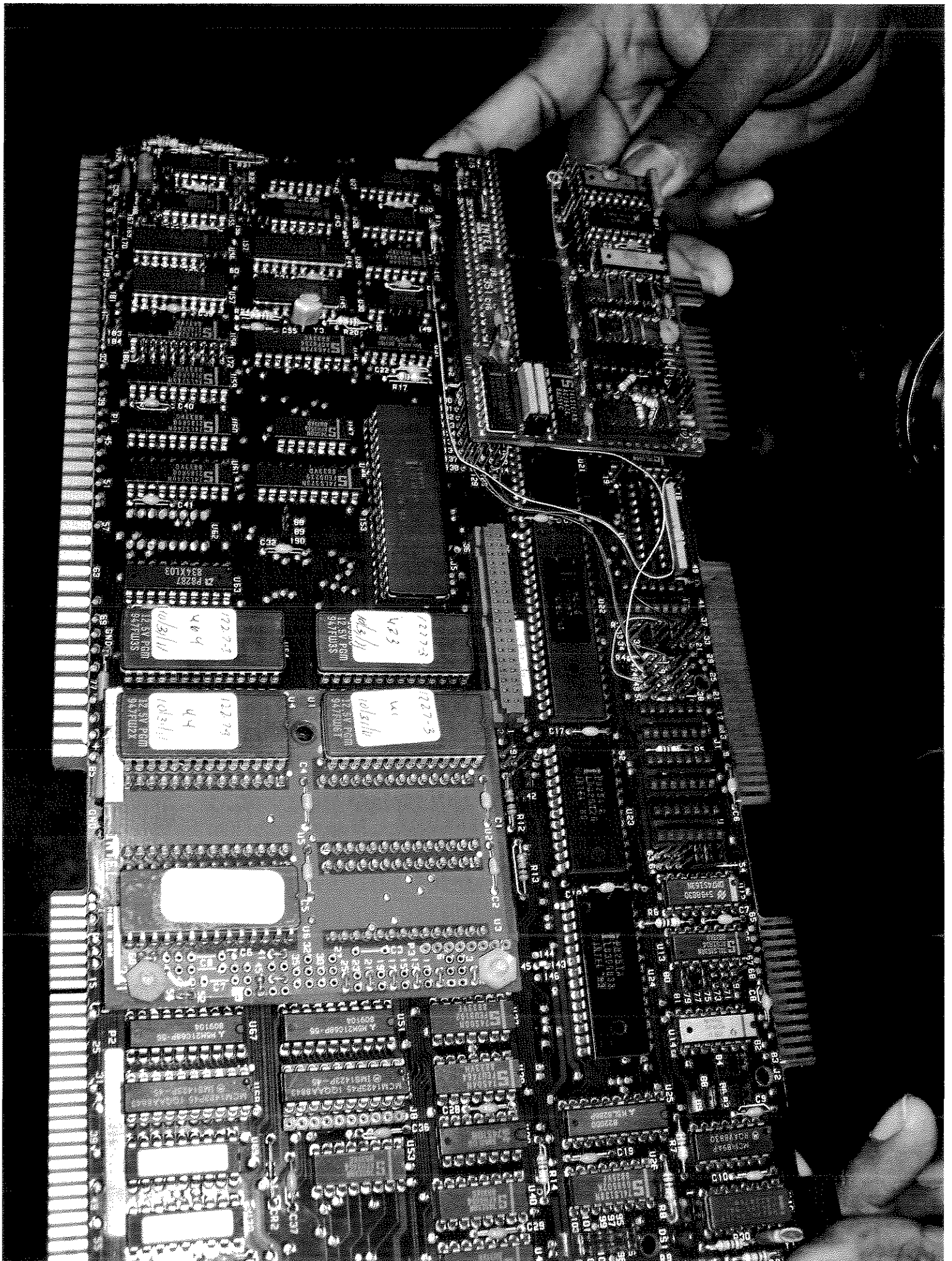


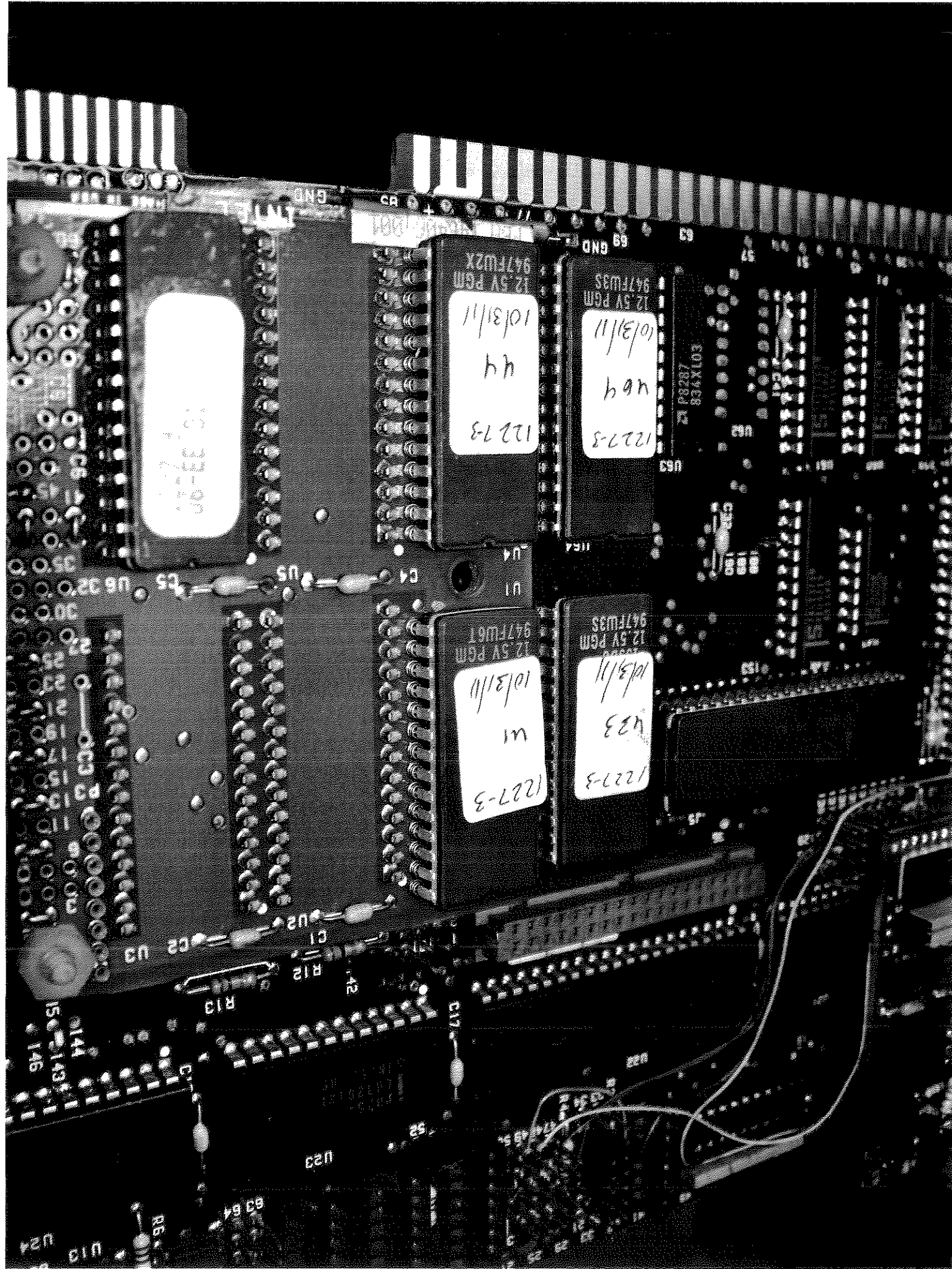


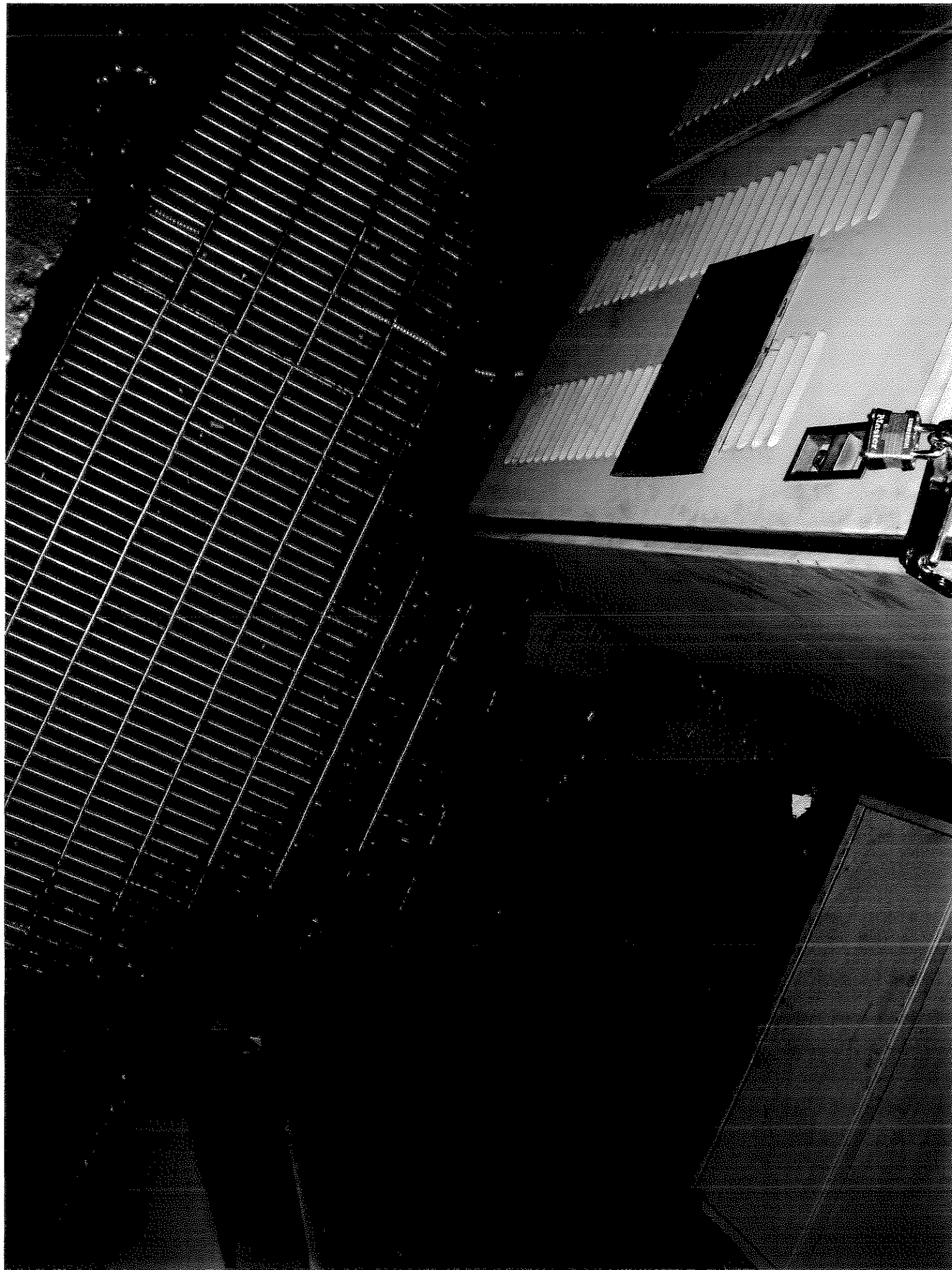




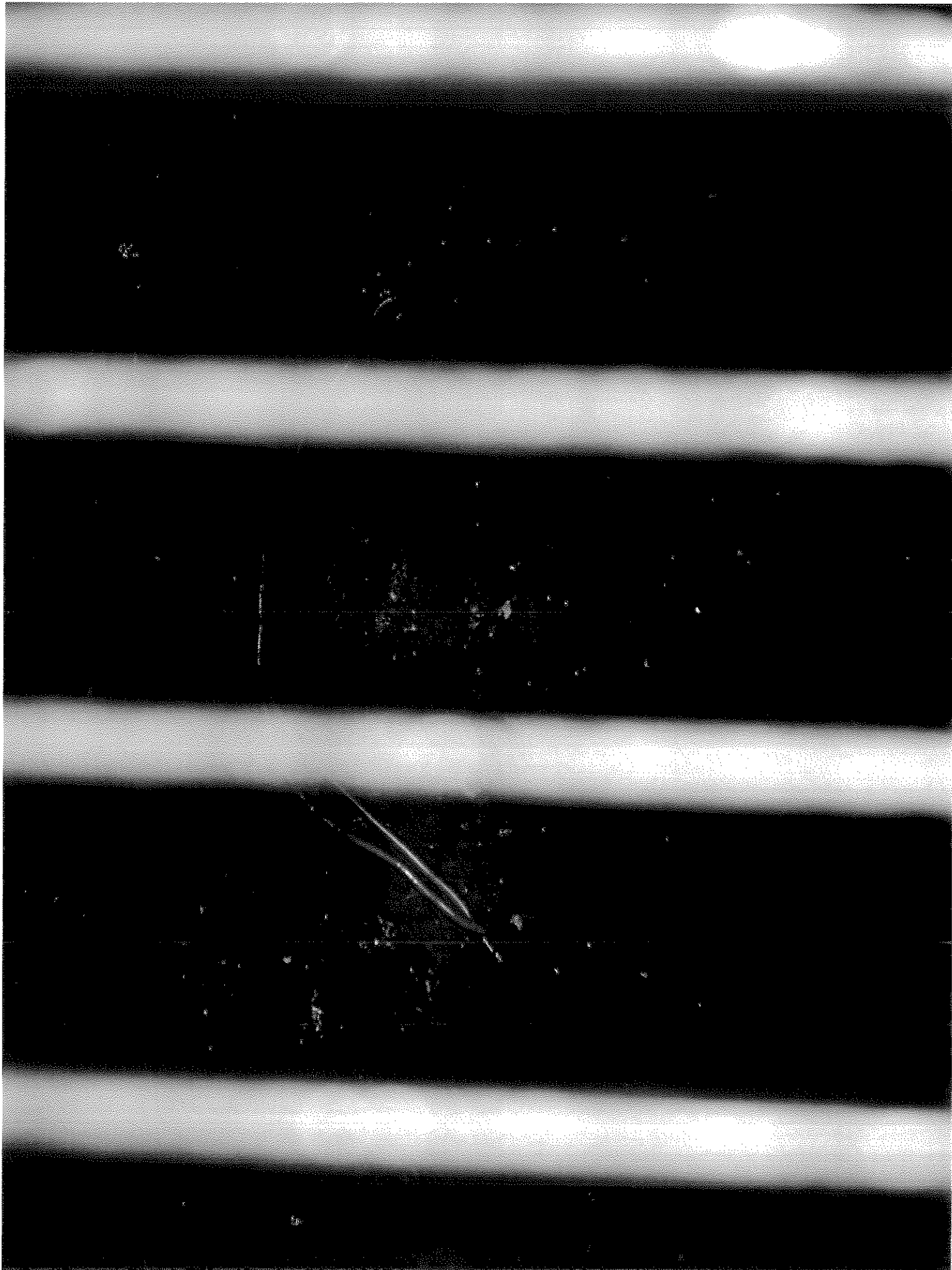




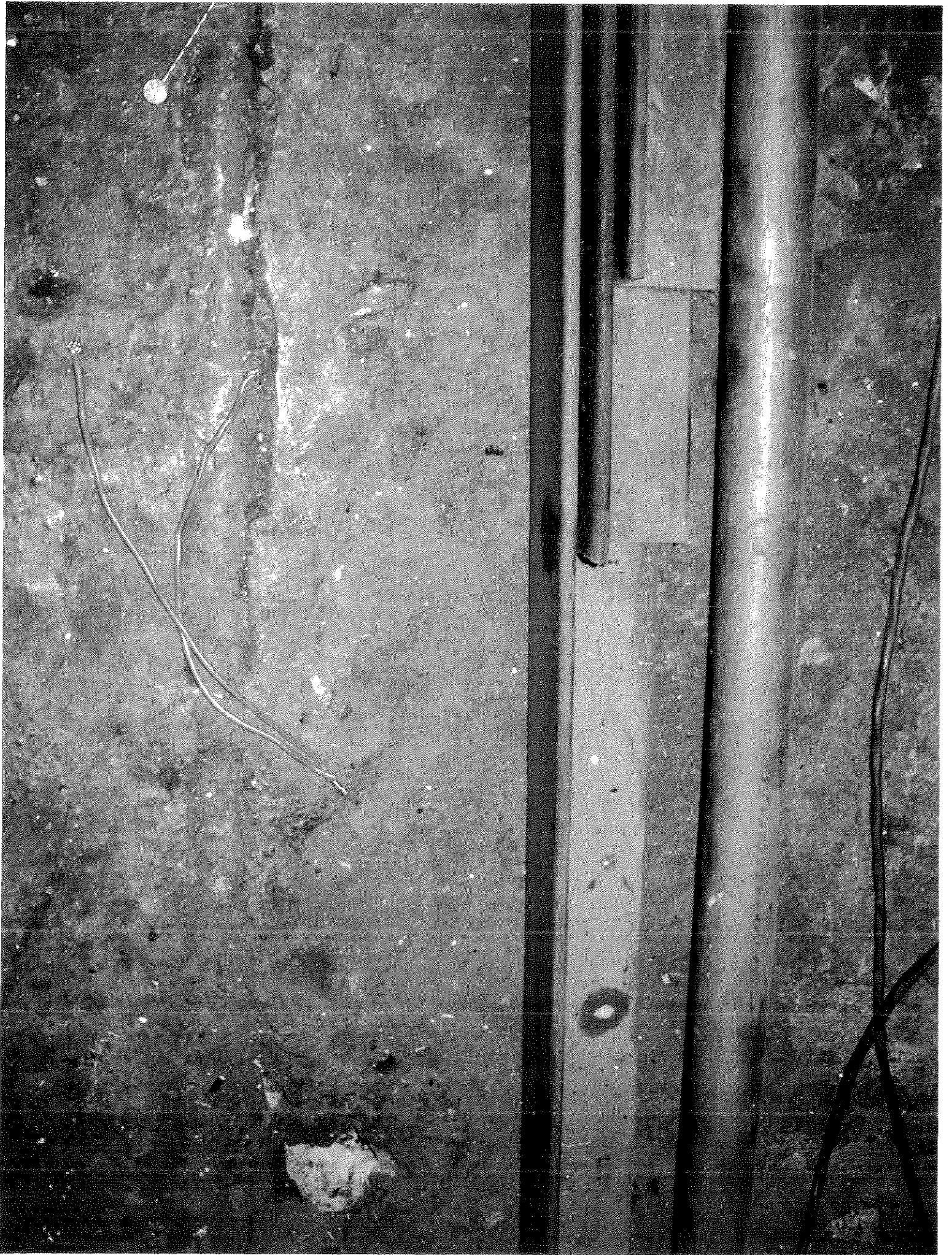


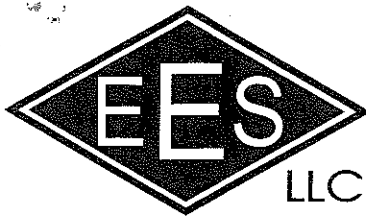












# Elevator Engineering Services, LLC

LOUIS CAPUANO P.E.

February 15, 2012

Donald Zeni  
Lerch Bates, Inc.  
515 Valley Street Suite 160  
Maplewood, N.J. 07040

Re: 285 Madison Avenue Accident

A review was made of the Lerch Bates, Inc., 285 Madison Avenue, N.Y., N.Y. Accident Investigation Report dated February 8, 2012, Accident Investigation of Elevator #9 at 285 Madison Avenue, N.Y., N.Y. on site notes of Frank Arzillo and Don Zeni of February 8, 2012 and on site pictures dated February 8, 2012. The security video from this site, controller wiring diagrams and CEC Controller Logic were not reviewed as well as an onsite visit was not made.

I am in full agreement with the conclusion stated in the report for the following reasons:

Movement of the elevator in the direction AWAY from the landing with the doors open is in violation of ASME A17.1-2010 Section 2.26.1.6 and earlier editions adopted by NYC ASME A17.1-1996 Sections 210.1e including A17.1 edition adopted by NYC when the Swift 5000 modernization was done. This operation would have been identified during the acceptance inspection and periodic inspections and therefore the operation during the accident appears to be one time occurrence.

The Lerch Bates accident report page 2 last paragraph security video indicated it takes approximately 2 seconds for elevator # 9 to travel the full height of the door opening which is 7ft.

Based on the time  $t = 2$  seconds, distance  $d = 7$ ft. and the equations of motion the following can be determined.

$$d = \frac{1}{2} at^2 \text{ where a acceleration } a = (dx^2)/t^2 \quad a = 7 \times 2/4 = 3.5 \text{ ft/sec}^2$$

This is a typical acceleration rate of elevators of this vintage and indicating normal operation.

Based on this acceleration  $a = 3.5 \text{ ft/sec}^2$  determine the velocity  $v$  at a  $t$  time = 2 seconds

$$v = at \quad v = 3.5 \text{ ft/sec}^2 \times 2 \text{ sec} = 7 \text{ ft/sec} \quad 7 \text{ ft/sec} \times 60 \text{ sec/min} = 420 \text{ fpm}$$

This would indicate that the elevator was approaching rated speed again indicating normal operation.

These calculations would indicate that the elevator was operating at normal rated performance on automatic operation and would not indicate a fault condition except with movement of the elevator AWAY from the landing with doors open.

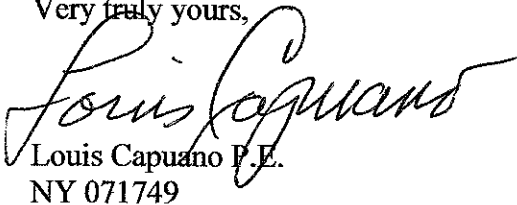
Since the Lerch Bates Accident Investigation attempted many other failure modes and none simulated what occurred during the accident the only conclusion that can be drawn is that the car was placed on automatic operation with the hoistway door interlocks and car gate contacts shorted allowing the elevator to accelerate normally away from the floor approaching normal rated speed with the doors open.

In addition since it was indicated in the opening paragraph of the report suggesting how the tragedy can be prevented in the future would also be suggested in the letter. Future modernization of the control would possibly include requirements of ASME A17.1 2.26.1.5 Inspection Operation with Open Door Circuits. If provided mechanics would have a means to check for open door circuits without the use of jumpers which may have prevented this incident from occurring since this operation would be only permitted on inspection operation and automatic operation would not have occurred. These requirements were created to address the occurrence of exactly this kind of incident.

Attached find CV of Louis Capuano indicating ASME A17.1 participation..

As a New York State Professional Engineer I have signed and sealed this letter and 4 sets of 285 Madison Avenue, New York, New York Accident Investigation Reports dated February 8, 2012.

Very truly yours,

  
Louis Capuano P.E.  
NY 071749



February 12, 2012

## **CURRICULUM VITAE – LOUIS M. CAPUANO**

### **I. PERSONAL:**

Date of Birth: 03/10/1940  
Marital Status: Married  
Children: 2 Children; Both Married  
Home & Business Address: 111 Westward Ho  
Williamsburg, VA 23188  
Telephone: Cell 908-451-9785  
Home 757-345-2634  
E-Mail: [lou@loucapuano.com](mailto:lou@loucapuano.com)

### **II. Education:**

1. Stevens Institute of Technology, Hoboken, N.J. 1958-1962 – Bachelor of Engineering
2. Stevens Institute of Technology, Hoboken, N.J. 1963-1968 – Uncompleted MSEE

### **III. Professional Engineers Licenses:**

1. New Jersey – 24GE01784500
2. New York – 071749-1
3. Virginia – 0402 034317
4. Missouri – 022995
5. District of Columbia – PE901751

### **IV. Employment Record:**

Westinghouse Electric Corporation, Elevator Division- 7/1962 to 1989  
Schindler Elevator Corporation 1989 to 11/2002  
Elevator Engineering Services LLC 11/2002 to present

1. President, Elevator Engineering Services LLC 7/2011 to present. Professional Consulting and Engineering Services to the Elevator Industry for design, the development of national elevator codes and standards and to provide expert witness testimony to the legal profession. Member of the ASME A17.1 Hoistway Committee and ASME A17.7 Performance-Based Safety Code for Elevators and Escalators. Chairman of the ASME A17.1 AD Hoc Committee on Elevator Door Protection.

2. President, Elevator Engineering Services LLC 11/2002 to 7/2011. Professional Consulting and Engineering Services to the Elevator Industry for design, the development of national elevator codes and standards and to provide expert witness testimony to the legal profession. Member, Vice Chairman and Chairman of the ASME A17.1 Hoistway Committee, Ex-Officio member ASME A17.1 Standards Committee.

3. Fellow Engineer- Schindler Elevator Corporation 1989 to 11/2002. Advisory Engineer for the Traction Elevator Product Line. Application Engineering for custom and high rise elevator designs. Design Review Chairperson for major elevator project designs. Member, Vice Chairman and Chairman of the ASME A17.1 Hoistway Committee. Ex-Official member ASME A17.1 Standards Committee.

4. Principal Engineer- Westinghouse Elevator Company 1982 to 1989. Customer Order Engineering and Traction Application Engineering. Special, system and customer order engineering designs on special projects.

5. Senior Design Engineer – Westinghouse Elevator Company 1972 to 1982. Development of mechanical and electro-mechanical systems for high speed elevators.

6. Engineer – Westinghouse Elevator Company 1967 to 1972. Design & Development of mechanical and electro-mechanical systems for gearless elevators. One of three engineers who developed designs of elevator cabs to be manufactured in a highly automated plant in Gettysburg, PA. for Westinghouse.

7. Associate Engineer – Westinghouse Electric Corporation, Elevator Division 1963 to 1967. Design & Development of Mechanical Systems.

8. Junior Engineer - Westinghouse Electric Corporation, Elevator Division 1962 to 1963. Apparatus and Cost Improvement Engineering.

9. Westinghouse Graduate Student - Westinghouse Electric Corporation – 1962.

#### V. Participation in Elevator Codes and Standards.

1. Chairman of the ASME A17.1 Hoistway Committee 2001 to 2011.

2. Member and Vice Chairman of the ASME A17.1 Hoistway Committee 1990 to 2001.

3. Ex-Officio Member of the ASME A17.1 Standards Committee 2001 to 2011.

4. Member of National Society of Professional Engineers, Virginia Board of Professional Engineers and member of the American Society of Mechanical Engineers.

5. Chairman of the ASME A17.1 AD HOC Committee on Elevator Door Protection 2011 to present.

6. Member ASME A17.7 Performance-Based Safety Code for Elevators and Escalators Committee 2005 to present.



LERCH BATES

*Building Insight*

**285 MADISON AVENUE  
NEW YORK, NY**

**ACCIDENT INVESTIGATION REPORT**

**FEBRUARY 8, 2012**

*Prepared For:*

NYC DEPARTMENT OF BUILDINGS  
280 BROADWAY, SUITE 409  
NEW YORK, NY 10007

*Prepared By:*

Lerch Bates, Inc.

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Section I  
EXECUTIVE SUMMARY



**A. INTRODUCTION**

Lerch Bates, Inc. has been retained by the New York City Department of Buildings to assist in the investigation of a fatal elevator accident that occurred at 285 Madison Avenue, New York, NY on December 14, 2011. The purpose of the investigation is to determine what caused the accident and how this tragedy can be prevented in the future.

285 Madison Avenue is a 27 story building which was built in 1926. The vertical transportation system in the building consists of a high rise bank of six elevators (1-6) and a low rise bank of six elevators (7-12). The low rise bank of elevators services floors 1-12 (the 13th floor was not in service) with the high rise bank serving floors 13-25. The original elevator system was installed by AB See Elevator Company. Several of this company's major mechanical components are still functioning including the main drive machines and governors on all elevators. The controllers were modernized and replaced with Swift 5000 equipment manufactured by Computerized Elevator Control Corp (CEC) in 1986. The elevator maintenance service provider at the time of the accident was Transel Elevator Inc.

Information was provided to Lerch Bates from Department of Buildings' personnel who were on site immediately following the incident, the NYC Department of Investigations (DOI) and technicians currently working in the building to finish elevator upgrade work. Additional information from building security video (provided by NYC DOI), Transel's operations manuals, job site wiring diagrams and controller logic were also used to finalize our report.

On December 14, 2011 at approximately 9:56am the victim approached low rise elevator #9 (city ID #1P14275). In accordance with 285 Madison Avenue lobby security video, with 2 persons in elevator #9, the victim approached the elevator and just before she entered the doorway the elevator accelerated upwards. The elevator door sill struck the victim at about knee level causing her to fall forward into the moving elevator which dragged her upwards and crushed her between the door sill and the hoistway wall.

Transel Elevator Inc., the elevator service company, had been hired by building management to perform upgrade work for the building (EBN 1328/11) on the low rise bank of elevators. It can be seen from 12th floor security video that two technicians were working on elevator #9 approximately two minutes prior to the elevator accident.

**B. METHODOLOGY**

**Introduction**

To determine the cause of the accident the investigation team simulated failures that could have caused the accident and compared these failures with security video of the actual accident. Possible causes are as follows:

- Power surge
- Speed feedback tachometer failure
- Machine brake failure
- Radio Frequency (RF) interference
- Grounding, shorts and relay failures

These results of testing and operation simulations were then compared with a control car (elevator #12, city ID #1P14278) and with the security video of the accident.

On Thursday, December 29th, 2011 the investigation on elevator #9 at 285 Madison Avenue began. The elevator had been left in the state it had been immediately following the accident after the rescue and extraction teams had left the building.



After closing all of the safety switches including the pit emergency stop, the top of car emergency stop, and the side exit switch we attempted to move the elevator on inspection speed. The elevator would not move. We then placed a jumper wire over the hoistway door and car door circuits on the controller terminal block simulating that all car and hoistway locks are functioning normally and this time the elevator moved properly. It was noted that voltage and current readings were within normal parameters. We concluded that there was not a power surge within the elevator controls system and that the safety circuit was operating normally.

Continuing on 12/29/2011 and then again on Monday, 1/2/2012 the team attempted to recreate the failure assuming a speed feedback tachometer failure. The following cases were tested on elevator #9:

1. Elevator off level in Lobby and within leveling zone with the tachometer functioning normally.
  - a. The car door and hoistway lock circuits were open creating a doors open scenario.
  - b. The elevator leveled into the floor normally in both directions.
  - c. This is acceptable movement per code (ASME A17.1 - 2.26.1.6).
2. Elevator off level in Lobby and within leveling zone with the tachometer off the drive sheave rim creating a tachometer failure.
  - a. The car door and hoistway lock circuits were wired with a clip jumper wire to create a doors closed scenario.
  - b. The elevator began to oscillate up and down with increasing oscillations until the car hit the bottom limit, opens the safety circuit and shuts the car down.
3. Elevator off level in Lobby and within leveling zone with tachometer off the drive sheave rim creating a tachometer failure.
  - a. The car door and hoistway lock circuits were open creating a doors open scenario.
  - b. The elevator would attempt to level but when it left the leveling zone it would stop.
4. Scenario #2 above was tried again at the 2nd floor to allow the oscillations to become even larger (the elevator could not hit the lower limit and open the safety circuit). The elevator began to run at an unsafe speed and the car was shut down to prevent damage.

The above scenarios were all tested to recreate a speed feedback tachometer failure with the car not level at the floor but within the leveling zone. When these were attempted with the elevator level at the floor the elevator would not move. According to building security video provided by the DOI elevator #9 was level with the lobby floor just before the accident. Therefore the elevator would not have to re-level. It was concluded that the speed feedback tachometer was working properly at the time of the accident and did not contribute to the accident.

On Thursday 1/5/2012 the team attempted to recreate the failure assuming a main brake failure:

1. A similar load (300lbs) as 2 persons in the elevator (re-creating the loading condition at the time of the accident) was put into #9. The elevator was level with the Lobby floor and the brake was lifted. It took 30 and 24 seconds for the elevator to move up approximately 2.5 feet during the 2 tests performed. This is much slower than the rate of speed during the accident.
2. With the same load (300lbs) in elevator #9 we measured the amount of time it takes the elevator to travel the full height of the hoistway door on inspection speed. It takes approximately 8 seconds. This is also much slower than the rate of speed during the accident.

According to building security video provided by the DOI it takes approximately 2 second for elevator #9 to travel the full height of the door opening which is 7 feet at the time of the accident. It was concluded that a main brake failure did not occur at the time of the accident and the elevator was not on inspection service.



*Louis Caputo*  
2/15/12

The team then reviewed the building security video provided by the DOI of the accident and compared it to video made by the Department of Buildings investigative team of the control car. The following scenarios were created and recorded on Thursday 1/5/12:

1. Elevator #12 was run in the up direction with the doors open and a car call in place at normal speed and acceleration. The movement was timed from cab sill to the upper door buck. The amount of time was between 2.3 and 2.4 seconds.
2. This was compared with video of the accident in which the same movement was timed and this time was between approximately 2.1 seconds. It must be noted that due to the angle of the security camera it is impossible to see exactly when the sill reaches the upper door buck. Additional time must be added to the video for the sill to reach the upper door buck. Adding this additional time would make the accident movement match up very close with the control timing.
3. Elevator #12 was timed on automatic from the time a car call is placed until the car begins to move in the up direction from the lobby. This time is between 11 and 12 seconds for the car to be dispatched.
4. This was also compared with the video of the accident. The time from when the first car call is placed until the car began to move is 11 seconds.

On Tuesday, 1/9/2012 and Friday, 1/13/2012 the team attempted to recreate the failure assuming Radio Frequency (RF) interference with the controller circuitry. The team used a Motorola CP 200 two-way radio for the testing. The radio was put in several locations near the elevator controller regulator board to determine if any elevator control activity could be attributed to RF interference. The regulator board is the controller component with high sensitivity to RF interference and the component that can have the biggest impact on actual elevator movement, which is why the team used this board for testing. Several scenarios were tested:

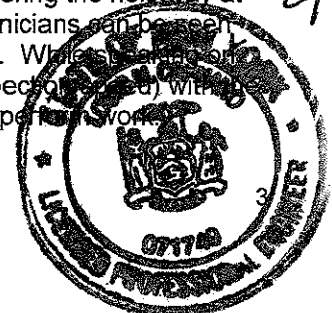
1. All scenarios with the radio more than 12 inches from the regulator board had no effect on the operation of the elevator.
2. When the radio was placed right up against the regulator board and keyed with the car in the leveling zone but not level with the floor the car would move faster than normal down onto the buffer and stop.
3. When the car was at the floor level and the radio was placed right up against the regulator board and keyed the motor generator would shut down for most tests. In no event did the elevator move during these tests.

According to building security video of the lobby floor elevator #9 was level with the lobby floor with the doors open. RF interference would have only shut down the elevator. It was concluded that RF interference did not cause the accident.

On Friday, 1/13/12 the team attempted to recreate the failure assuming other additional controller failures:

1. The elevator car was put on the car buffer to break traction and the errors were then recorded. The errors were not consistent with the accident.
2. The elevator was run up at normal speed and while in flight (about ½ way up the hoistway) the feedback tachometer was lifted to simulate a failure. The errors were again recorded and not consistent with the accident.
3. Additional controller faults were reviewed and were not relevant to the investigation.

The DOI also provided building security video of 2 Transel Elevator technicians entering the hoistway at the 12th floor on top of elevator #9 at 9:27:48am on December 14, 2011. The technicians can be seen holding open the hoistway doors without any tools applied to the hoistway interlock. While on top of the two way radio elevator #9 can be seen moving slowly down (most likely on inspection) with car doors closed. The technicians then enter the hoistway on top of elevator #9 to perform work.



At 9:54:27am the same technicians are seen exiting the hoistway at the 12th floor and disappear from the video. At 9:55:20am the same technicians are seen in the lobby exiting the building. At 9:56:46am the victim approaches elevator #9 and the accident occurs.

### C. CONCLUSION

All elevator systems are designed and installed in accordance with Local and National code standards. For elevators the code is ASME A17.1 Safety Code for Elevators and Escalators. Elevators in New York City are designed to these same national standards with minor local code modifications. These standards include safety devices designed to keep the public safe while riding in an elevator. One of the most critical is the safety circuit. This circuit includes switches such as the emergency stop button in the elevator, the emergency stop button in the elevator pit, the travel limit switches, the car door lock and the hoistway door locks along with many others. When this safety circuit is functioning normally and not compromised it does not allow the elevator to run if it is not completed or "made up". If this circuit is compromised by wire jumpers, the mandatory safety features are disabled and the riding public is put in danger.

Modern elevator controllers are designed with wiring terminal panels and mechanical connections points for key wiring circuits including safety circuits. This design allows convenient installation of circuit wiring, but more importantly can provide a technician with a means to test circuit continuity. The wiring and any device wired in the circuit can be tested for continuity with a test light or resistance tester. This design also allows technicians to place a clip wire jumper between terminals and close a circuit, providing a direct connection between two points. This jumper disables or "jumps out" any safety device included in the circuit. This troubleshooting process can determine if an integral safety component has failed. However, if the wire jumper is left in place and a required safety device is not functional a condition which can endanger an elevator rider or service person will be present. It is for this reason that the National Elevator Industry Inc. (NEII) Safety Handbook has very strict procedures when using wire jumpers. Transel Elevator Company's Standard Operating Procedures & Responsibilities Manual includes the 2010 NEII Safety Handbook.

It was noted during the initial startup of elevator #9 that the car would not move until the safety circuit was fully closed. Due to the damage to the doors the car doors and hoistway locks were jumped out to move the car. When these jumpers were removed the car would not move.

During the testing of the speed feedback tachometer we were able to simulate several unusual scenarios causing the car to move up and or down not consistent with "normal" elevator operations. However, if the safety circuit was open and the car was level with the floor the elevator would not move. It can be seen in the video of the accident that elevator #9 was level with the first floor door sill.

In testing the brake it was noted that the elevator slowly drifted in the up direction taking as long as 30 seconds to move only 2-1/2 feet. This is not consistent with video of the accident.

RF interference testing also proved unusual movement of the elevator in the down direction with the car not level with the floor. When the elevator was tested level with the lobby floor, the safety circuit engaged and the radio directly up against the regulator board the elevator would not move. In fact the elevator would shut down.

Additional control errors were tested and none were found to match the conditions of the accident.

In reviewing the security video of the actual accident and compared with the control elevator the conditions matched that of elevator #9 in automatic mode.



*James J. [Signature]*  
2/13/12  
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The only condition in which elevator #9 could have moved during the accident is if the elevator was on automatic and the safety circuit was fully closed. The security video clearly shows the doors in the open position when the elevator begins a normal ascent from the lobby floor. It is our opinion that a portion of the safety circuit, most likely the car door and hoistway locks, were overridden by a jumper at the control panel in the elevator machine room for the car to move.

**Information used to compile this report:**

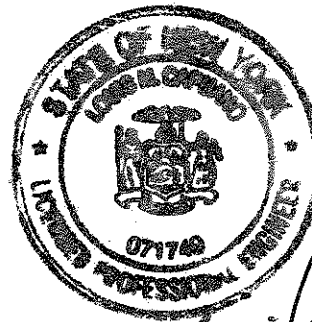
Field Notes dated February 7, 2012 – Attached

Pictures of equipment at 285 Madison Ave - Attached

Security Video from 285 Madison – Provided by DOI

Controller Wiring Diagrams – Provided by Department of Buildings

CEC Controller Logic – Provided by Department of Buildings



*Lerch Bates, Inc.*  
*2/15/12*

Accident investigation of Elevator # 9 at 285 Madison Avenue NY, NY

On site notes Frank Arzillo/Don Zeni

February 8, 2012



Thursday 12/29/2011

Don Zeni of Lerch Bates on site at 8AM with Chief Douglas Smith from DOB, Eric Appana from Computerized Elevator Control and Joe Trapani and Richard Grima of PS Marcato Elevator. In addition elevator consultants representing the owner of the building, the managing agent, Transel elevator and DTM consulting were on site. Harry Vyas and Christopher Santulli from the NYC Dept of Buildings were also on site.

Tach bracket was bent by New York City Fire Department trying to drift car #9. Joe from PS Marcato had his men remove bracket to repair same so we could run car #9. Rim had no oil on it and was dry.

The team checked car #9

- Pit stop, top of car stop, side exit switch, car stop switch, safety plank switch, final limits,
- Interlocks, gate switch and governor which are working and wired as per prints on job site
- Brake, machine and generator
- The control is Swift 5000 and was installed in 1986
- The rim of the drive sheave where the feedback tach is located was checked.

With the motor generator turned off there is no voltage at the hoist motor armature nor current at the hoist motor armature. The motor generator is now allowed to start and the hoist motor voltage is measured between 2.16 & 2.18VDC and the current is measured between 9.8 & 9.9amps. The MG is turned on and off and the readings never go above 2.5VDC and 12 amps. The elevator was placed on panel test to run it from the machine room. Elevator #9 is then run down from the controller panel all readings normal.

The team also checked the gate switch and found it was functioning normally. A damaged wire on the car top was also investigated but it was not wired to any circuits.

**At about 2:30 PM Frank Arzillo replaced Don Zeni as part of the Team.**

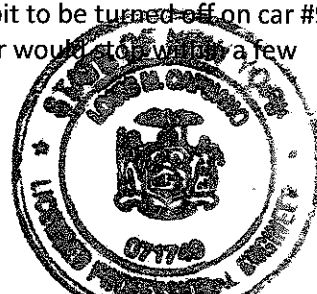
We continued with the investigation of car #9. After checking the generator and controller with power we tried to move car without door locks or gate jumped out, but car did not move. Moved the car on inspection with locks and gate jumped and found that we needed to adjust the car rollers since the safety was rubbing the rails due to the accident. PS Marcato men adjusted rollers.

- 1) We started to run car #9 on inspection again in the up direction, but the brake would pick up and the car did not move. Found a bad contact of relay MC (this controls AC power) contact 13-14 in the regulator circuit. Checked wires and relay terminals; found a loose wire.
- 2) Test: With MC 13-14 opened and brake wire off on inspection, current builds to 176 amps in armature circuit. When brake wire was put back, car ran up 6 inches and stopped.
- 3) With car below lobby floor with or without doors and gate jumped, we put car on auto and car would re-level up normally.

- 4) With car below lobby floor and rim tach off machine sheave, when we put car on auto, car moves up and down oscillating until it goes down onto the down final limit.
- 5) Same as 4 but on second floor to see the oscillation with more space below car. The car again oscillates but the oscillations become bigger and bigger until the car runs down at a higher speed and we stopped the car. We had a drive fault error 27 on the monitor. The computer did not stop the car. This test was performed a few times.

**Monday 1/2/12**

- 1) Testing again on 2nd floor with feedback tach off rim without door locks and gate jumped, the car does not move.
- 2) With locks and gate jumped on 2nd floor, car below or above floor, in order to re-level car, put on auto and car would oscillate with speeds between 134 and 521 feet per minute. Then car would run down at the higher rate of speed (521 FPM) into the pit on the buffer. The MC relay dropped out and picked back up but DF relay never dropped out and the controller did not stop the car.
- 3) Same test as #2 a few times above and below the 2nd floor and the same thing would happen each time with drive error fault #27 and the car going down onto the down final limit and on the buffer.
- 4) The test from the second floor was only performed to learn what would happen if we had more travelling distance. With car #9 in the lobby, any oscillation swings would trip or hit the down final limit in a few inches below the floor, opening the safety and stopping the car.
- 5) Car at lobby, door locks and gate switch open, car on independent, door switch off, car on auto put 5 and 7<sup>th</sup> floor car calls in. Car did not move.
- 6) Same as 5 but off independent and now in service. Car did not move.
- 7) Same as 6 but turned door switch on and locks still open. After 5 and 7<sup>th</sup> floor car calls entered, the car door opened and closed, but car did not move. Car was taken out of service by the CPU. VCR Tape at 5 min. 36 seconds.
- 8) Car #9 below floor, door circuit open and car re-leveled up normally and stopped.
- 9) Same as 8 but above floor. Same thing happened.
- 10) Car #9 at lobby above floor with gate open and tach feedback off rim, put car #9 on auto, car leveled down below floor and stopped when we lost DZ relay (door zone) VCR at 31 minutes. This is correct since the car should not re-level if it's out of the door zone.
- 11) We measured the door close time at 4.5 seconds for car #9.
- 12) Car #9 at lobby on auto, doors and gate jumped, put car call in, after 11 seconds car runs up normally.
- 13) Any time relay DH is up, the doors will close under power. If car re-levels, DH will pick up and possibly close on a person entering or exiting car. This is not a safe circuit, must be removed to avoid injury from car door hitting people. Contact of DH-5-8 around relay C- 53-54. This is unrelated to the accident and is noted here only as a safety item.
- 14) DH picks up when you have a signal to run.
- 15) Car #9 on second floor with door gate working normally on auto in service, put corridor call in lobby. After doors open at lobby, we entered the 5<sup>th</sup> floor call. The car runs up in 11 seconds.
- 16) Same as 15, but placed second car call to 7<sup>th</sup> floor 3 seconds after 5<sup>th</sup> floor call is placed. Car runs up in 11 seconds.
- 17) Looked at bits 2 and 3 in the CPU with a laptop which shows this bit to be turned off on car #9. This controls the Panic Motion Fault feature. If this was on, the car would stop within a few



*Louis Caputo*  
2/15/12



inches after we lifted the feedback tach off the rim of the machine sheave. This is unrelated to the accident because elevator #9 was level with the lobby floor at the time of the accident.

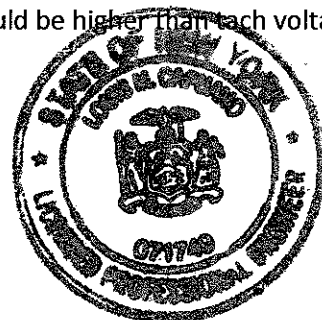
- 18) Due to the damage to the elevator #9 cab from the rescue efforts, sensors were damaged and we lost counts. Car will not run due to DPP sensor on top of car hitting pipes on wall at center of shaft, damaging wires on back of sensor. PS Marcato to repair sensor tonight.

#### Tuesday 1/3/12

- 1) Removed all MO rollers from hoistway doors for safety. This will prevent the doors from inadvertently opening on a floor.
- 2) Car #9 on 5<sup>th</sup> floor locks and gate jumped, sent car to lobby. After 10 seconds, put 5<sup>th</sup> floor car call in, 11 seconds later car started in the up direction normally.
- 3) We found out that the lights in the car were out due to missing light fuse, which was removed by PS Marcato's men when checking cab. Replaced fuse, now door safety ray is working and car can run. Car #9 was running without the safety ray working because they were using a normally closed contact for this circuit. This is not a good idea since the doors are able to operate without power to the door safety ray since they are using the back contact. A safer way would be to use a normally open contact so when you do lose the feed to the light ray, the door will stay open and the care will not be able to run, thereby eliminating a possible hazard to the public. Nudging time is 20 second with light ray blocked.
- 4) Car #9 at lobby with door safety ray blocked, lock and gate jumped car #9 on auto, we placed 5<sup>th</sup> floor car call in. Car started to move up in 33 to 35 seconds. This includes nudging time of 20+ seconds plus 11-12 seconds for the dispatch of the car.
- 5) Same but gate not jumped and door switch on. Car does not move until gate closes to make switch.
- 6) We measured the Feedback tach voltage 10.05 volts up and down for reference.
- 7) Speed up 491 FPM and down 494 FPM
- 8) TFS point 9.31 volts up 9.29 down TFS should be higher than tach voltage. TFS= Tach Fault Sensor . This voltage is slightly out of adjustment but is not related to the accident.
- 9) SR (speed reference) 10.16 up 10.14 down
- 10) DH signal = if you have a signal to move it picks up. Not if you are moving as a car running circuit.
- 11) DF relay = Drive Fault (which never dropped out even when we had a drive error fault 27
- 12) For reference Douglas, Rich and I on top of car for shaft inspection. Inspection switch, stop switch, and all door locks work. Adams door restrictor was installed and 13<sup>th</sup> floor manual access limit switch also installed but no keyed switch. Greenfield was installed right to left along top of GAL door track about 7 feet.
- 13) For reference in pit, down final limit switch operating at about 18 inches from floor level. There is a 24 inch buffer for car. Count of 1000= floor level car stops below lobby on final limit at 950.  
.375 X 50 =18.75 inches

#### Wednesday 1/4/12

- 1) Using car #12 as control car. Door switch off for test.
- 2) Tach voltage= 10.16 up, 10.16 down TR to ground
- 3) Tach Fault TFS to ground 8.7 up, 8.8 down this is low and should be higher than tach voltage
- 4) Panic Motion fault is off as per bits 2, 3 same as car 9
- 5) Speed reference voltage 10.2 up, 10.2 volts down



*Foray*  
*Aguiar*  
*2/15/12*

- 6) Car #12 on 2<sup>nd</sup> floor, above the floor to test the re-level. On automatic, car levels down normally.
- 7) Same as #6, except below floor. Car re-leveled normally.
- 8) With car #12 at lobby below floor, tach off rim, car on auto to re-level car. Car oscillates and went down at a higher speed and stopped on limits and buffer. Error 30 and 20 were on monitor.
- 9) Same as #8 but above floor – same results.
- 10) Put panic motion fault bits #2 and 3 on (active). Put car on 2<sup>nd</sup> floor below floor level with rim tach off sheave. Put car on auto, car started to re-level and moved about 5 or 6" and stopped, with error fault #9 which equals panic motion fault. This feature works correctly if bits 2 & 3 are put on.
- 11) Tach voltage should be 5 to 10% lower than speed reference voltage.
- 12) Tach fault checks speed reference against pattern.
- 13) Performed the same test as #10 to check to see if DF relay drops out. It did not, but car did stop.
- 14) Date on proms 10/31/11.
- 15) Regulator card looks ok, no burns, etc.
- 16) Check speed of car 492 feet per minute up and 493 feet per minute down.
- 17) Testing completed on control car (#12).

**Thursday 1/5/12**

*Louis Aguiar*  
2/15/12

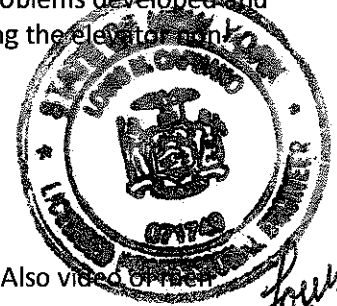


- 1) Using control car #12 again for this test. Removed MO roller (so doors do not inadvertently open on a floor) from lobby hatch door for testing purposes.
- 2) Hoistway door locks are jumped, gate is working. Car is on automatic and sent to 2<sup>nd</sup> floor with car call. Timed car movement from floor level to top of lobby door buck--2.4 seconds.
- 3) Same as 2, except put in 5<sup>th</sup> floor car call—timed run, 2.3 seconds.
- 4) Door still in operation and gate also jumped, put 2<sup>nd</sup> floor call in. Measured car movement, 2.3 seconds (gate starts to move as car moves up). Gate and locks jumped, doors switch off, put 2<sup>nd</sup> floor call in. 11 seconds after call is placed, car moves to 2<sup>nd</sup> floor.
- 5) Put door switch back on, door in operation, car at lobby, break light ray 2 times to check time it takes car to leave floor after beam is broken. Again it takes 11 seconds and doors started to close at about the same time car starts to go up.
- 6) Same as 5, but now we reinstalled MO roller at the lobby floor so we can see the hatch door starting to close on the video and the timeframe for the video is at 32 minutes 25 seconds. As car moves up, doors close about 3".
- 7) For reference tested travel time on inspection speed to top of door buck—8 seconds.
- 8) Drift test travel time with 300 lbs. of test weights in car. Removed regulator wire off output and disconnected generator fields. It took 30 seconds to move 2-1/2 feet. The video time is 42 minutes 20 seconds.
- 9) Completed testing on car #12 and starting to test car #9.
- 10) On #9 car door locks jumped, gate working, car at lobby, putting in 2<sup>nd</sup> floor call, but doors won't close because light ray is misaligned. We took the light ray out of our observations by disconnecting.
- 11) Timing movement of car from floor level to top buck, sending car to 2<sup>nd</sup> floor on automatic. Time was 2.3 seconds. The second stop watch was 2.4 seconds. Time on video is 12 minutes, 30 seconds.

- 12) Same as #11, but sent to the 5<sup>th</sup> floor, first stop watch 2.5 seconds, second stop watch 2.5 seconds.
- 13) Same as above, car sent to the 2<sup>nd</sup> floor, same results.
- 14) Now sent car to 5<sup>th</sup> floor again, both stop watches 2.3 seconds, movement floor level to top of buck.
- 15) Locks and gate jumped, doors not in operation, first sent car to 2<sup>nd</sup> floor, both stop watches 2.5 seconds each.
- 16) Same sending it to 5<sup>th</sup> floor, 1 stop watch 2.5 seconds, other 2.6 seconds, time on video 25 minutes.
- 17) On inspection, 8.0 seconds on one stop watch, 8.3 seconds on second stop watch, video 23 minutes 25 seconds.
- 18) Drift test with 300 lbs. in car – 24 seconds to move 2-1/2 feet, time on video 33 minutes 15 seconds.
- 19) With car in service and at the second floor, we registered a lobby corridor call, then registered 5<sup>th</sup> and 7<sup>th</sup> floor car calls to see if doors close as it moves up, with locks and gates jumped and car doors in operation. Car door starts to move at same time car goes up. Time from doors open to movement is 11.5 seconds.
- 20) For reference we balanced car with 900 lbs. of test weights in car. Capacity of car is 2200 lbs.
- 21) For reference we check resistance to ground using a mega both the armature machine fields and generator.
- 22) For reference we ran the car for 1 hour non-stop to various floors, top to bottom and used a VCR to capture any faults that might occur within that time frame. No problems developed and there was no change in run times at 30 minutes and 60 minutes of running the elevator non-stop.

**Monday 1/9/12**

- 1) Looking at video of the accident on Car # 9 at Lobby dated 12/14/11. Also video of person working on 12<sup>th</sup> floor.
- 2) Before accident doors close in about 3 seconds. Car arrives and departs lobby normally and always at floor level with no re-leveling before accident.
- 3) On final trip, Car # 9 arrives at lobby and is floor level. With doors still open, in about 25 seconds, person number #1 enters Car # 9 and puts a car call in for the 5<sup>th</sup> floor which was told to me by the DOI group. Eight seconds later person #2 enters and puts a call in for the 7<sup>th</sup> floor. The Elevator is level and has not re-leveled at any time. Two seconds later person #3 starts to enter with her foot at the car saddle; Elevator #9 starts to move up with doors starting to close maybe an inch or two from full open. The Elevator moves up in a normal ascent and speed with both the car gate and lobby hoistway door open.
- 4) The camera angle to view the lobby video at Car #9 is above the door. We could not see exactly when the sill reaches the upper door buck. The ascent from floor level to when it disappears from our site takes 1.9 to 2.1 seconds to travel. I timed this three times.
- 5) **Elevators on automatic cannot run with any interlock or gate open.**
- 6) The travel, acceleration and speed are all normal, for 500 feet per minute elevators, as seen on this video.
- 7) After doors open fully at lobby until doors start to close and car also starts to move is about 36 seconds.

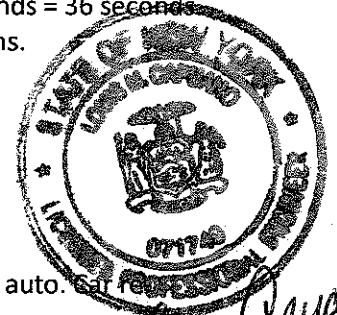


*John Capucine*  
2/15/12

- 8) As seen on video the time between doors fully open and first car call placed is 25.32 seconds. Second car call placed at 33.9 seconds. Car starts to move at 35.10 seconds.
- 9) It takes about 12 seconds for car to start to move after first call is placed, looking at video. This is consistent with the time of 11 seconds we have measured on Car #9 after a car call was placed in our investigation. 11 seconds was consistent on any run we timed.
- 10) Timed it again 35.17 seconds.
- 11) Waiting time as next car in lobby of about 25 seconds plus about 11 seconds = 36 seconds. This is about the same we measured for cars #9 and #12 on other test runs.
- 12) Doors close about 1 to 2 inches as car starts up, both at the same time.
- 13) Time of car movement and accident is 9:56:49 AM on 12/14/11.

**Monday 1/9/12 At 285 Madison Avenue to video #9**

- 1) Car #9 in lobby below floor with door switch off, gate switch open. Put car on auto. Car leveled up normally and stopped. Video time=50 seconds
- 2) Same but above floor. Car leveled down and stopped level. Video time 2.3 minutes.
- 3) Same as #1 but locks and gate jumped. Car moved down slowly because we had a contact failure of MC 13-14. Rich in machine room hit relay and car re-leveled up normally after contact of MC made. Video 5:10 minutes.
- 4) This is first time MC 13-14 failed since 12/29/11.
- 5) Same as #3. Leveled up and stopped. Video time 8:45.
- 6) Car below floor with doors and gate not jumped and tach off rim, put car on auto. Car leveled up above floor about 3 inches and stopped. Video time 11:05 minutes.
- 7) Same as #6 but locks and gate jumped put car on auto. Car oscillates and goes down onto final limit and buffer. Video 12:45 minutes.
- 8) Same as #7 but above floor. Car oscillates and went down on final limit and buffer as always. Video 16:50 minutes.
- 9) Radio frequency check. With car #9 on 2nd floor, locks and gate jumped and on auto we sent car to lobby. After car got up to speed Rich keyed his radio a few times holding it on the REG. board. The car was jumping into floor then went below floor and stopped. Video 21:00 minutes.
- 10) Same as #9 but radio was put at 19 to 20 inches from the REG. board. Car came into Lobby almost normally. Video time 23:12.
- 11) With car #9 above floor about 10 inches and radio on REG. board locks and gate open, car on auto. When radio was keyed car lunged down onto buffer. Video time 28:2.5
- 12) Same as #11 but below floor about 2 inches. Car went down again onto buffer but not as fast. Video time 34:50.
- 13) Same as #12 but radio at 19 inches from REG. board. Car leveled up normally. Video time 36:40.
- 14) Same as #12 but radio at 12 inches away from REG. board. When we put car on auto MC relay contact failed. Hit relay again and car leveled up normally as Rich keyed radio. Video time 37:50.
- 15) With car #9 below floor in leveling zone and gate switch open, Rich put radio on REG. board. When put on auto, Rich keyed radio and car moved down very fast onto buffer. Antenna pointing up with speaker facing REG. board. Video time 42:20.
- 16) Same as #15 with antenna pointing down. Same thing happened. Car ran down onto buffer. Video time 46:25.



### In machine room

- 17) Brake test at full speed. Opened governor safety switch after car #9 was at full speed. Car stopped in 3 to 4 feet.
- 18) Speed up = 482 FPM. Speed down = 493 FPM.
- 19) Car #12 up speed = 484 FPM. Down speed=493 FPM.
- 20) Run time for Car #12 between 12<sup>th</sup> floor and Lobby = 22.95 seconds.
- 21) Run time for Car #12 between 11<sup>th</sup> floor and Lobby = 20.33 seconds.
- 22) NDH = Next up door hold time at lobby terminal=10 seconds.
- 23) NDP = 0 (No time)

### Tuesday 1/10/12

Meeting at DOB 8:30 Am. 1:30, reviewing Transel's Manuals

### Friday 1/13/12

Meeting at DOB 9 AM.

### 1 PM back to 285 Madison Ave.

- 1) Running Car #9 top to bottom we still get an NTS error at 12<sup>th</sup> floor but going into lobby, it is now almost a normal run with no NTS error at lobby floor.
- 2) Radios used by us for testing are Motorola CP 200.
- 3) We then started the radio frequency interference test.
- 4) Car #9 at lobby, floor level with locks and gate not jumped. Put car on automatic and keyed radio from 36 inches down to 13 inches from REG. board with no interference or movement from car #9. At 12 inches REG. LED light starts to lite dimly and at 1 inch MG shut down with REG. LED bright, car never moved. No errors on monitor.
- 5) The LED REG. light comes on when the regulator board senses an error.
- 6) We did this a few times. Most of the time the MG shut down and the REG. LED light would stay bright. The other times the REG. LED would light dimly, but the MG set would stay running. At no time did the car move or send any error signals.
- 7) With Car #9 at the lobby on auto with locks and gate jumped, we sent car #9 to the 6<sup>th</sup> floor. At high speed we opened the door lock circuit. The car stopped with error #15 on the monitor and on the REG. board the V and OSC LED light were lite along with the REG.LED. The board had tripped.
- 8) Same as #7 but down. Same results
- 9) Car #9 at lobby doors jumped. Sent car to 12<sup>th</sup> floor. At high speed keyed radio (1" from REG. board) car may have increased speed by 20 FPM. Came into floor normally with no errors.
- 10) V and OSC LED lights should be on for normal operation. The REG. LED light is a fault indicator and if it's dim indicates an out of regulation fault.
- 11) Panic motion fault is turned on or off using a laptop computer.
- 12) Ran Car #9 to 11<sup>th</sup> floor and keyed radio with radio on REG. board. Tripped REG. board and car stopped. We did this a few times with very little movement of the car. It did trip REG. board twice.
- 13) Car #9 at lobby on inspection, limits jumped ran car down on inspection speed on buffer to lose traction and see what error we get. Errors 27, 25, 20, and 15 left to right on monitor.



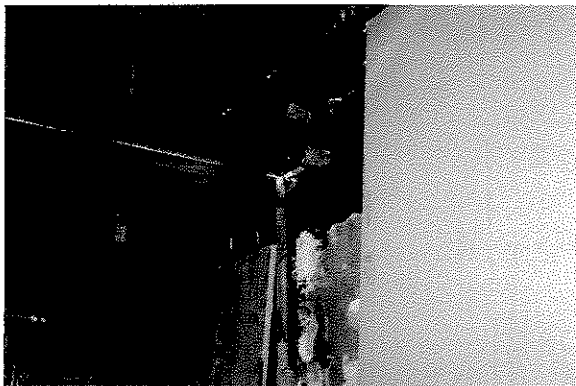


- 14) Car #9 on buffer cleared all errors and ran car down on auto which broke traction with only error #20.
- 15) Car #9 at lobby on auto, doors jumped. Placed calls for 10th and 11<sup>th</sup> floors. At full speed lifted tach from rim. Car stopped with errors 15, 24, 58, 24, reading left to right. Plus REG. TF LED fault light was lite.
- 16) Looked at Transel's Maintenance log book on Car #9 controller which indicates that on 10-17-2011 someone wrote he saw errors 15, 18, 15, 17 for this car.
- 17) Same as #15 but with errors 24, 58, 24, 0, and if we did not put the tach back onto the rim, the car still moved up at a slow speed, about 100 FPM. Car stopped after we put the tach back on the rim.
- 18) Completed on site field tests and investigation.

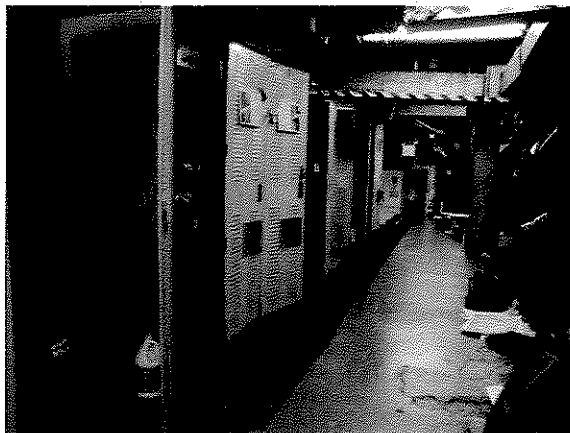


*James J. [Signature]*  
2/15/12

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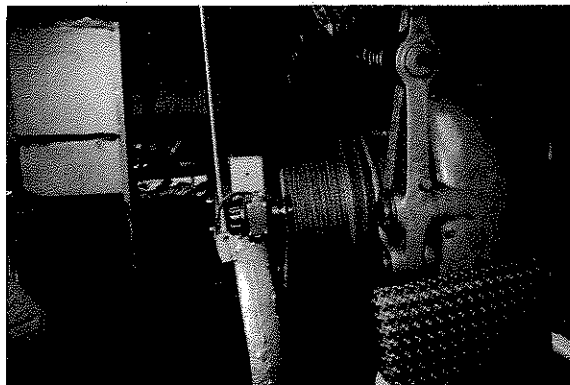
Lobby Wall above #9



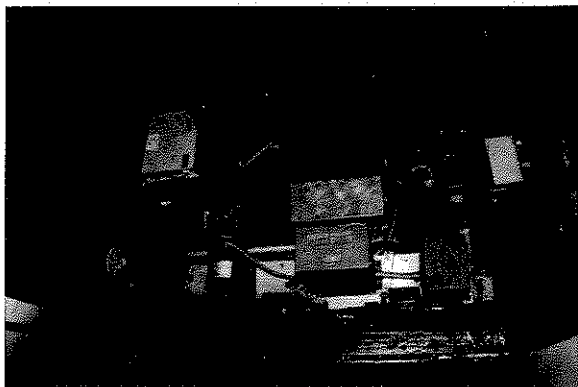
Low Rise Machine Room



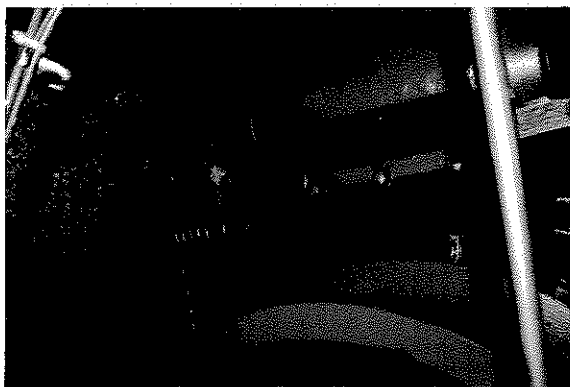
#9 Car position on 2<sup>nd</sup> Floor



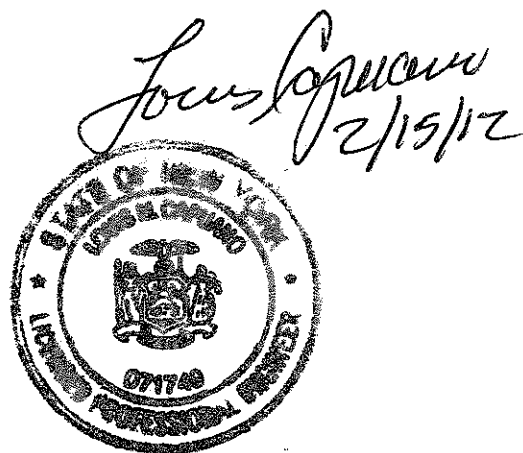
#9 Machine



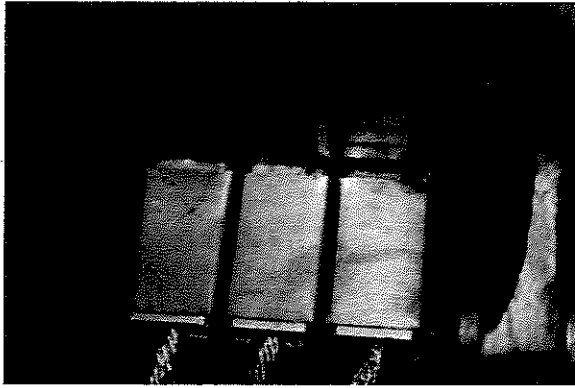
#9 Car Top



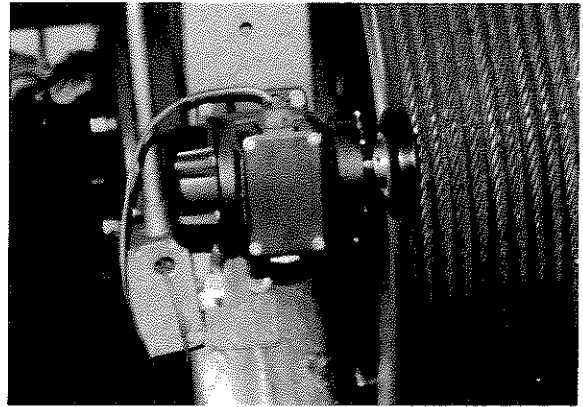
#9 Brake Assembly



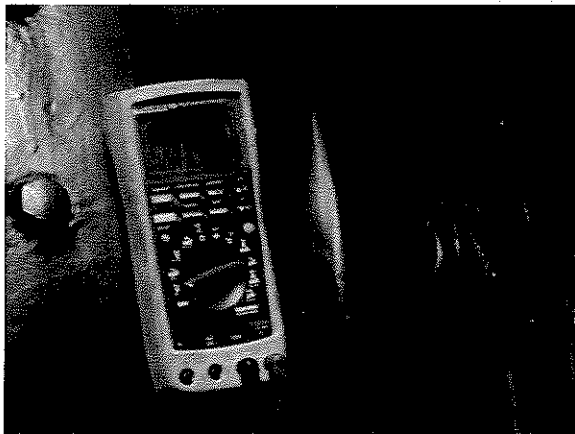
# 285 Madison Ave – Pictures – February 8, 2012



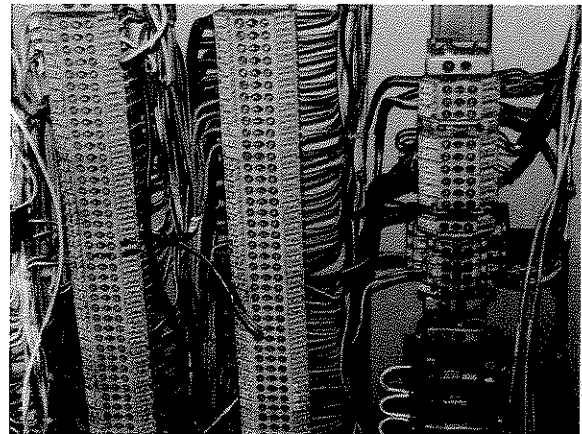
#9 Main Machine Brushes



#9 Feedback Tachometer



#9 Machine Electrical Readings



#9 Terminal Block



#9 Machine Electrical Readings

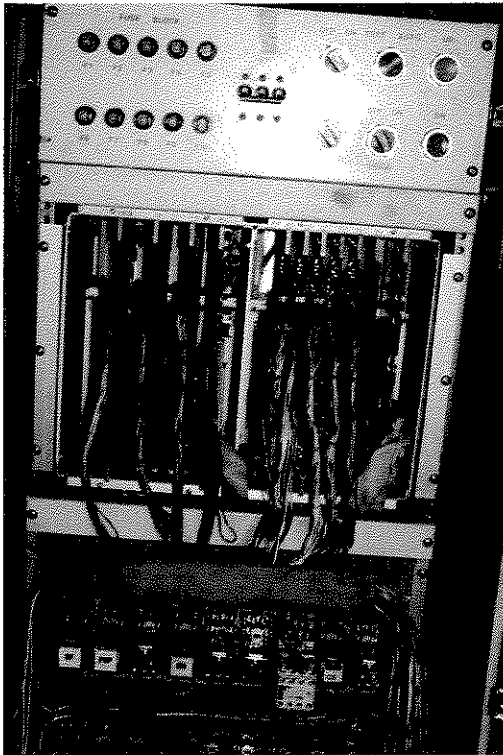
SWIFT-5550		Elevator No. 9		Time 000 - 06:04:13						
Card 61	Card 62	Card 63	Card 64	10/15	16	17	18	19	20/10/11/12	
1 SLU 1	WGS	SC	PR. 1	1						
2 SLU 1	WGS	LIGHTER	PR. 2	2						
3 SLU 2	WGS	DCB	PR. 4	4						
4 SLU 2	WGS	RESET	PR. 8	5						
5 SLUG	WGS	LOCK	LRM	6						
6 SLUG	WGS	WIRE C	LRM	7						
7 DRIVE	LR SM	WIRE R	LR SM	8						
8 MC	W BISC	WIRE R	LR RLY	9						
9 UP TIC	WOL	FOR	UP PUL	10						
10 IN TIC	WOL	GEN	IN PUL	11						
11 UP RLY	WOL	LEV EN	DO RLY	12						
12 IN RLY	WOL	Buzzer	DO RLY	13						
13 BK RUN	UP LEV	WOL	MUBS	14						
14 BLACK	IN LEV	SYS HA	FILLIT	15						
15 AUTO	6" LEV	OSL	UP LIT	16						
16 BELTA	6" LEV	OSL	IN LIT	17						

St. Set	Service	SPRITES	Pos	121	Car	Det	0
Run Set	Shadow	2	Ref P1	122	Det	0	
Next Up	CC Pilot		FL Ref	5363	Vel	7177	0
36 Set	CC Pilot		Pos C1	5363	Run	time 000.00	127 0000 0000
Imp2	CC Pilot		SB C1	000	Er	00.00,00.00	6* 0000 0000

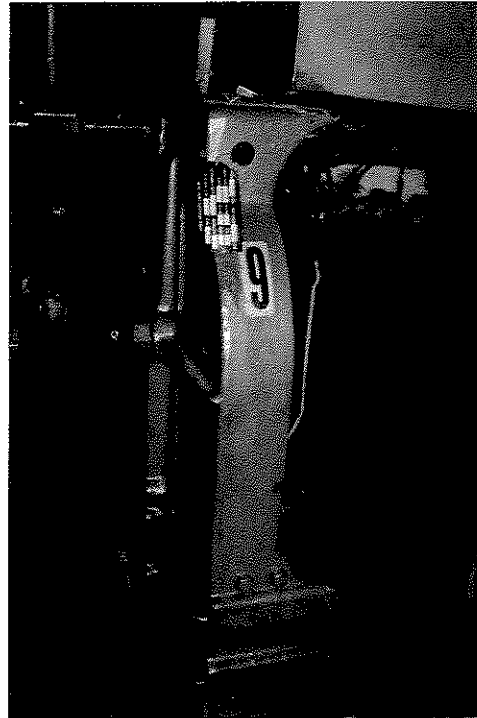
#9 Computer Screen

*Louis Cagnano*  
2/15/12

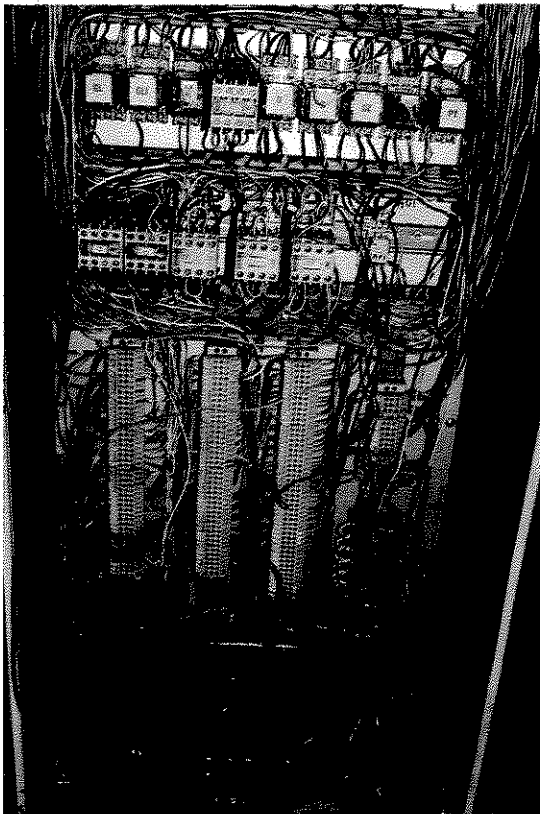
285 Madison Ave – Pictures – February 8, 2012



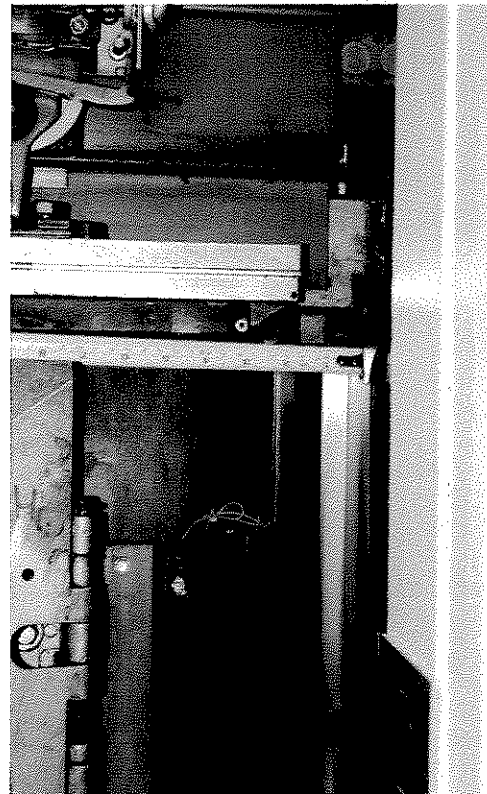
#9 Controller - Upper



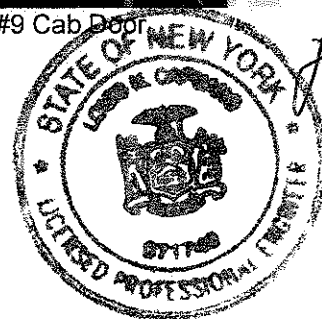
#9 Governor



#9 Controller - Lower

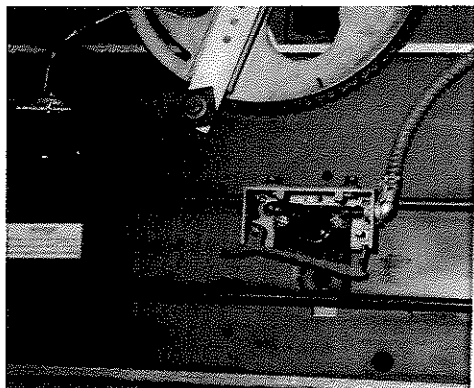


#9 Cab Door

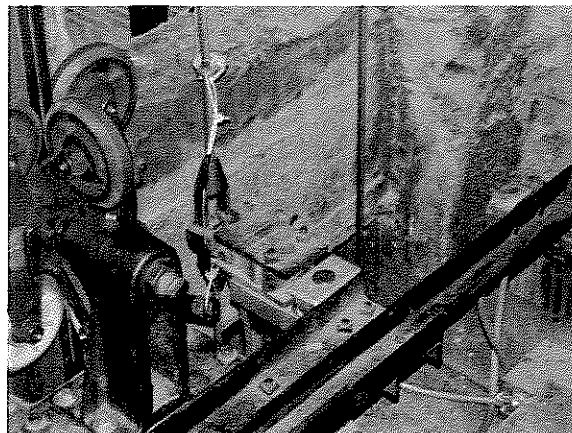


*Louis J. ...*  
2/20/12

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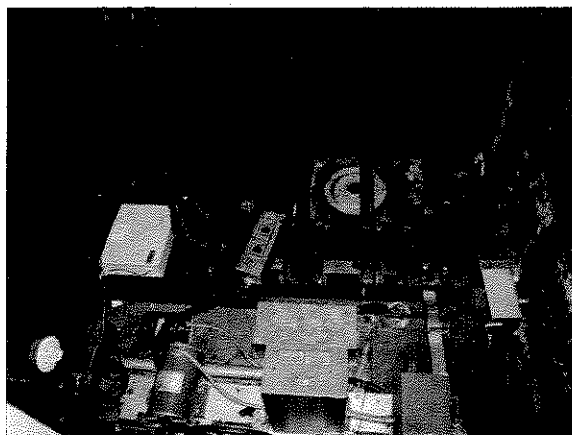
#9 Gate Switch



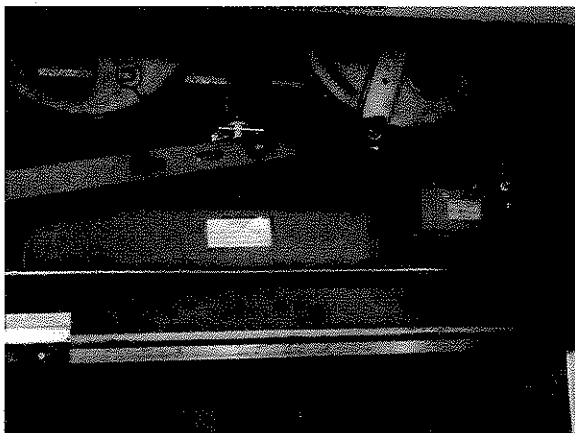
#9 Governor Rope Attachment



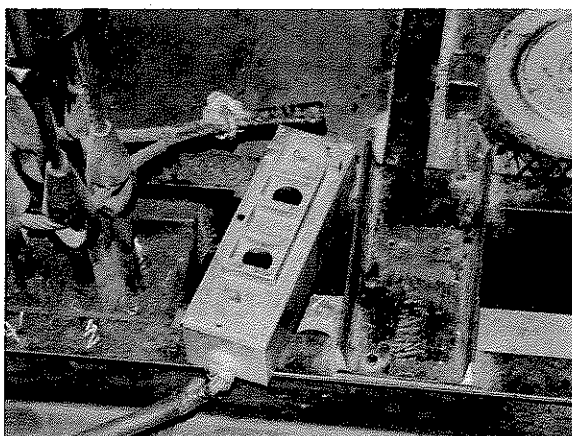
#9 Gate Switch Functioning



#9 Car Top



#9 Door Operator



#9 Car Top Run Box

