Rigger Stands Trial Following Deadly Crane Collapse

Jennifer Peltz, Associated Press Writer

NEW YORK (AP) — A reckless rigger's safety shortcuts caused a crane collapse that killed seven people, a prosecutor said as the rigger's manslaughter trial began Tuesday. His lawyer said the rigger was being unfairly blamed for bad decisions that set up a vulnerable tower of metal.

William Rapetti wiped tears from his face as the prosecutor recounted the March 2008 disaster, one of the nation's deadliest crane accidents, in a Manhattan courtroom crowded with relatives and lawyers representing those killed and hurt.

Rapetti's trial is the first stemming from the collapse, which sent a 200-foot-tall rig hurtling into a residential block near the United Nations headquarters. Besides sparking several criminal cases and a slate of lawsuits, the disaster — and a second New York City crane collapse that killed two people two months later — raised concerns about crane safety and spurred new regulations in the city and elsewhere.

The crane in Rapetti's case abruptly toppled as it was being extended upward to keep up with the construction of a condominium tower. The collapse crushed a brownstone, strewed debris as far as a block away and killed six construction workers and a woman in town for the weekend from Hialeah, Fla. Two dozen other people were hurt.

Prosecutors, city building officials and the federal Occupational Safety and Health Administration found the rig was rocked by the failure of four polyester straps Rapetti and his crew were using temporarily to secure a nearly six-ton steel collar around the crane. The collar was to be linked to a beam tying it to the building under construction.

Rapetti used four of the $50 straps — one badly worn — when the crane's manufacturer called for eight, and he ignored regulations requiring him to take steps to stop the straps from fraying against the crane's hard edges, prosecutors said. The straps are known as slings.

"The crane collapse of March 15, 2008, was a tragedy, but it was no accident," Manhattan Assistant District Attorney Sean Sullivan told a judge in his opening statement. Rapetti declined a jury.

"This wasn't some strange confluence of unpredictable and unavoidable events," Sullivan added. "(Rapetti) could have prevented all of these deaths and all of these injuries simply by correctly using a few of these inexpensive polyester web slings."

But Rapetti's lawyer, Arthur Aidala, said his own tests indicated the straps were

strong enough to hold the collar. The straps snapped only after something else gave way and destabilized the crane, he said.

An unusual set up that rested the crane on two long beams instead of bolting it to the ground, questionable welds on beams tying the crane to the building and even the project itself — a skyscraper that building officials later acknowledged was taller than zoning rules allowed — factored in the disaster, Aidala said.

A city Buildings Department spokesman didn't immediately respond to inquiries about the crane's design.

"There's a lot of blame to go around here," but none should fall on Rapetti, Aidala said in his opening statement.

"He didn't do anything wrong that day," Aidala said. "Scapegoat — that's what he is. ... Someone had to go down for this."

Rapetti, 49, who has worked on cranes since 1981, was hurt in the collapse himself and was devastated by the deaths of men who had worked with him for years, his lawyer said.

But crane operator Wayne Bleidner's widow and 13-year-old son found his defense hard to stomach as they listened in the courtroom's front row, her lawyer said. Aidala suggested the operator might have lost control of the shaking crane and contributed to its collapse.

"It was very difficult for them to listen to their husband and father being referred to without any respect," said widow Denise Bleidner's lawyer, Howard S. Hershenhorn. She is suing Rapetti's company, Rapetti Rigging Services Inc., and others.

About 60 to 80 people die in crane-related incidents nationwide in an average year, according to OSHA; the agency says it doesn't have data on the deadliest crane accidents. In some of the most notorious, a 1989 crane collapse in San Francisco killed five people; a July 2008 crane collapse in Houston took four lives.

Since 2008, New York City has hired more inspectors, expanded training requirements and banned the use of nylon straps unless a crane manufacturer recommends them, among other safety initiatives.

Meanwhile, a city inspector accused of lying about having examined the crane 11 days before it fell in March 2008 faces records-tampering charges. The second collapse, in May 2008, has prompted manslaughter charges against that crane's owner and a mechanic. All have pleaded not guilty.

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