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This memorandum is uncorrected and subject to revision before
publication in the New York Reports.

No. 88 SSM 4
David Belding,
Respondent,

v.

Verizon New York, Inc., Northern
Bay Contractors, Inc. and Tishman
Interiors Corporation,
Appellants.

Submitted by Edward Hayum, for appellants.
Submitted by Gail S. Kelner, for respondent.

MEMORANDUM:

The order of the Appellate Division should be affirmed
with costs. The certified question should be answered in the
affirmative.

Applying the bomb blast film to the lobby windows, in and of itself, qualifies as a significant alteration (see Labor Law § 240 (1); Joblon v Solow, 91 NY2d 457, 465 [1998]).

BlastGARD significantly altered the configuration or composition of the structure by changing the way the lobby windows react to explosions, impacts, and the elements. The effects of this one-time security enhancement distinguish the activity from affixing an advertisement on a billboard, a more frequent change that has less structural effect (see Munoz v DJZ Realty, LLC, 5 NY3d 747 [2005]).

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On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs, and certified question answered in the affirmative, in a memorandum. Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

Decided February 18, 2010